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CHAPTER

36 Integration Policy

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Abstract

This chapter examines Swiss integration policy from an international comparative perspective and assesses its evolution through a historical lens. In line with international trends, a gradual improvement in the social and economic rights of legally resident foreigners can be observed, which facilitated access to the Swiss labour market, family reunification, or social benefits. Resistance towards these trends is concentrated in the realms of political and cultural rights. Formal requirements to acquire Swiss citizenship remain high, and the country continues to hold an assimilationist understanding of integration, with only scarce concessions to cultural pluralism. This restrictive policy orientation reflects for instance in the considerable share of third-generation non-Swiss citizens, meaning grandchildren of immigrants, who still hold no Swiss passport. Right-wing populist parties such as the Swiss People's Party nurture this restrictive impetus, and profit from the instruments of direct democracy to translate it into policies. Since the early 2000s, this strategy has been increasingly successful, as documented by the adoption of the minaret ban (2009), the initiative against mass immigration (2014), or the face disclosure initiative (2021) at the polls. From a structural perspective, similarly to other federations, policies regulating the political, socio-economic, and cultural-religious inclusion of non-citizen residents in the country evolved in a bottom-up manner. Although a more proactive stance in this field was developed at the national level over the last two decades, cantons and municipalities retain significant authority for their own approaches to the implementation as well as the formulation of integration policy.

Keywords: [Integration Policy](#), [Citizenship](#), [Assimilation](#), [Socio-Economic Rights](#), [Immigration](#), [Federalism](#), [Direct Democracy](#), [Right-Wing Populist Parties](#)

Subject: [Comparative Politics](#), [Regional Political Studies](#), [Politics](#)

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1 The Swiss case in international perspective

More than one-third of people residing in Switzerland have a migrant background and one-quarter are foreign nationals (BFS 2019; Piguet 2013). From a quantitative perspective, the country thus resembles classic settler states such as Canada, the United States, or Australia (Piguet 2013). In contrast to these former settler states, however, this immigration reality is not reflected in Switzerland's national identity, because, for a long time, the country did not perceive itself as a country of immigration. In the post-World War II era, Switzerland was a prime example of a continental European guest-worker country. Like other Germanic countries, such as Austria and Germany, that had guest-worker programmes in the post-war era (Ellermann 2013), Switzerland actively recruited foreign workers. All the while, the country maintained a restrictive position regarding naturalization and immigrant integration. Increasing critique in the 1980s led to the abolishment of the guest-worker programme, and Swiss immigration policy was completely reformed after the introduction of the free movement of labour in the European Union in 2002. Yet, history left its marks. Despite the fact that a significant proportion of the population has a migrant background or holds a foreign passport, the country generally has an assimilationist understanding of immigrant integration, prioritizing cultural assimilation over concessions towards cultural-religious diversity, while holding on to high formal hurdles that must be overcome to acquire citizenship, compared to other nations (Koopmans et al. 2012; Banting and Kymlicka 2013; Manatschal 2015).

1.1 An assimilationist integration regime

p. 678 At the turn of the millennium, Robinson (1998, 167) described integration as a 'chaotic concept: a word used by many but understood differently by most'. The fact that it often bears strong normative connotations in public and political discourse has not facilitated consensus in defining the term. In Switzerland, the State Secretariat for Migration (SEM) or legislation such as the Foreign Nationals and Integration Act (AIG) describe integration as a mutual process involving immigrants and natives alike, yet its success or failure is typically 'measured' exclusively against immigrants' actions. Immigrants are considered integrated when they have equal opportunities or are on an equal footing with natives, e.g. in the socio-economic, cultural, and political realms of society (Ager and Strang 2008; Harder et al. 2018).

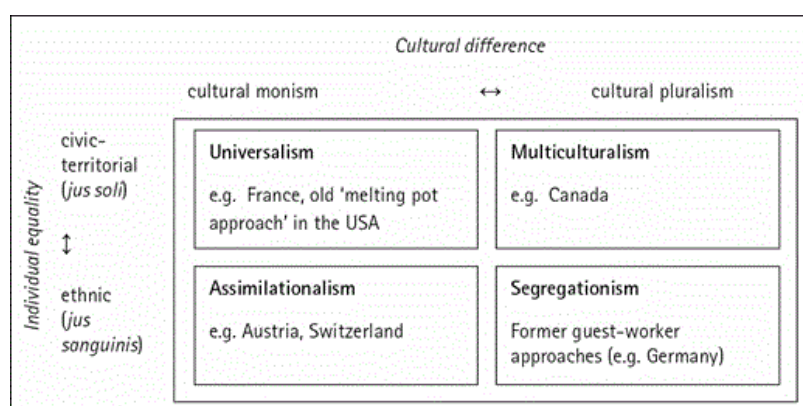
As scientific concepts, the notions of integration and integration policy reflect the gradual expansion of non-citizens' rights over time. Whereas in the eighteenth century a *citoyen* was primarily defined in terms of his civil rights (note e.g. that Switzerland only introduced women's suffrage in 1971), the contemporary understanding of citizenship goes beyond individual political and social rights (see Marshall 1950) and also encompasses rights that pertain to gender equality and the cultural diversity of certain groups (Castles and Davidson 2000, 105). Consequently, various conceptions of integration are reflected in scholarly accounts of integration policies. Most accounts, however, agree on three principal policy dimensions (Manatschal et al. 2020; Koopmans et al. 2012; Boswell 2003): first, civic-political policies govern immigrants' political rights, e.g. in terms of non-citizen voting rights or access to citizenship; second, cultural-religious policies address questions of cultural assimilation or adaptation, e.g. language acquisition, and diversity, e.g. religious minority rights, often also referred to as 'multiculturalist policies' (Bloemraad and Wright 2014); and third, socio-economic integration policies regulate aspects such as immigrants' access to the labour market or social benefits. All three policy dimensions can have inclusive or exclusive orientations. Inclusive examples encompass policies that facilitate access to social benefits, Swiss citizenship, or non-citizen voting rights, whereas the absence or limitation of these rights, such as regulations that restrict access to citizenship, represent exclusive policies. In the cultural domain, inclusive policies typically accommodate diversity, e.g. via state sponsoring of cultural-religious organizations, while exclusive policies focus on assimilation, e.g. by demanding a certain level of language proficiency to access social benefits.

In line with this gradual expansion of rights, traditional accounts that classify different national integration approaches primarily focus on policies regulating immigrants' political rights, in particular access to citizenship (Brubaker 1992; Favell 2001). These categorizations distinguish between countries that grant citizenship based on the restrictive *jus sanguinis* principle and those that use the more inclusive *jus soli* principle. Under *jus sanguinis*, access to citizenship is tied to the bloodline, and hurdles to citizenship for foreign nationals of a 'different blood' are relatively high as is the case in Switzerland. *Jus soli* citizenship, commonly illustrated with the case of the United States, is automatically granted to children of non-citizens born on the country's soil, even if their parents have an undocumented legal status.

p. 679 Since political discourses on what it means to be a citizen of a country are also tied to cultural understandings of national identity, subsequent studies on approaches to granting citizenship have expanded their view to include questions regarding immigrants' cultural rights and obligations, drawing a distinction between assimilationist and multiculturalist approaches to integration (Banting and Kymlicka 2013; Koopmans et al. 2012). So far, however, research on national integration policies has neglected the aspect of socio-economic integration. Two factors may explain this (but see Lafleur and Vintilla 2020). First, official policy debates in the socio-economic integration domain focus on immigrants' access to the labour market, which depends on non-citizens' legal status in a country. This issue is closely tied to questions surrounding immigrant selection, such as who is allowed to enter and work in the country, and under which conditions. Labour market access is thus frequently discussed in the context of immigrant selection, i.e. immigration policy, and not integration policy (see 'Migration Policy' in this volume). Second, spatial rescaling of social policy from the national level to subnational regions has been ongoing since the mid-1970s (Keating 2013; Kleider 2018; Vampa 2016). The implication of this policy devolution is that subnational regions, rather than nations, preside over the socio-economic issues most relevant to immigrants' everyday lives, including, for instance, access to social benefits (Manatschal et al. 2020).

Consequently, classic typologies of integration policy regimes still focus on the two policy dimensions regulating immigrants' access to political and cultural-religious rights and obligations, resulting in four different types of integration policy, as shown in Figure 36.1. According to this typology, Switzerland is still classified as assimilationist, characterized by a restrictive access to citizenship and a cultural notion of integration that prioritizes assimilation over concessions towards cultural diversity (D'Amato 2010; Manatschal 2015; Giugni and Passy 2004).

Figure 36.1:



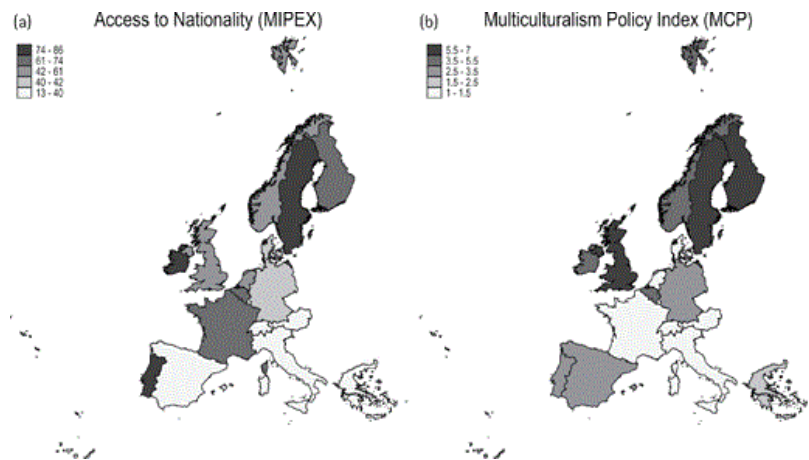
Two-dimensional typology of immigrant integration policy regimes

Data source: adapted from Manatschal (2013, 57), based on Koopmans et al. (2005) and the Migrant Integration Policy Index (Niessen et al. 2007).

International policy indices corroborate Switzerland's restrictive position on these two policy dimensions. Access to Swiss citizenship is limited by the country's adherence to the *jus sanguinis* principle and a relatively long period of ten years of residence, which are required to apply for naturalization in the ordinary procedure (see section 3 in this chapter for a more detailed discussion). As the left plot in Figure 36.2 shows, Switzerland has some of the harshest naturalization requirements in Western Europe, as indicated by its low naturalization policy scores on the Migrant Integration Policy Index MIPEX (Solano and Huddleston 2020). Countries with easier access to citizenship, such as Sweden or Portugal, require only five years of residence for their standard application procedures.

With regard to the second policy dimension, the Multiculturalism Policy Index MCP (Wallace et al. 2021) confirms the country's minimal cultural concessions towards ethno-religious minority groups (see the right plot in Figure 36.2). Of the eight policy components of the MCP, which includes, among other things, state funding to support cultural activities of ethnic minority groups or for bilingual or mother-tongue education, affirmative action, and the inclusion of ethnic minority representation in the mandate of public media or media licensing, Switzerland scores only in the category 'dual citizenship', which has been allowed since 1992 (Wallace et al. 2021). At regular intervals, popular votes on cultural-religious minority rights have confirmed Switzerland's restrictive stance: in 2009, the Swiss people accepted a federal popular initiative against the construction of minarets on Swiss soil, and in 2021, another popular vote resulted in a prohibition on the wearing of full-face coverings, including religious veils, in Switzerland (see Table 36.1 below). Switzerland's assimilationist orientation thus stands in a stark contrast with states such as Sweden and Finland, which have the most inclusive multiculturalist provisions in Europe.

Figure 36.2:



Integration policies in Western Europe

Data source: Own illustration based on the Migrant Integration Policy Index MIPEX from 2020 (Solano and Huddleston 2020) in the left plot, and the Multiculturalism Policy Index MCP (Wallace et al. 2021) in the right plot. Policies range from exclusive (low scale values and brightly marked countries) to inclusive (high scale values and darkly marked countries).

At the level of political institutions, two structural principles shape the making and implementation of Swiss integration policy, namely the country's pronounced federalism and the principle of subsidiarity. The latter is defined in article 3 of the federal constitution, stating that Swiss cantons are responsible for all policy areas which are not regulated at the federal level. Similar to other federal republics, including Germany or the USA, but also to quasi-federal states, such as Italy or Spain, there is much more regional policy-making activity in the field of immigrant integration, whereas the regulation of immigration flows remains largely the prerogative of the national level (Manatschal et al. 2020; Tränhardt 2001). This separation of tasks across state levels can be attributed to the different regulatory logic underlying each of the two policy fields. On the one hand, immigration policies regulate who can enter the country and under which conditions. The demarcating lines for these policies are—mainly national—borders, with immigration policies assuming the role of gatekeepers presiding over entry and exit. Immigration policies are thus primarily a national prerogative. If subnational states can define their own immigration policies, as is the case in Canada, for example, this represents the exception rather than the rule, which can be explained by the particular immigration approach in the relevant country (Paquet and Xhardez 2020). Immigrant integration policies, on the other hand, regulate the inclusion of resident immigrants into a country's society, economy, and polity, after foreign nationals have crossed national borders and settled in a local context. Given that individual integration processes are strongly embedded in a particular place, the predominantly local and regional policy-making activity in this policy field is hardly surprising.

Swiss federalism provides several channels, through which cantons can influence integration policy-making, including autonomous policy-making, policy implementation of federal law, bicameralism, and symbolic politics. First, Swiss cantons act autonomously when they are designated as the main regulatory actors in a given policy area, as is the case with non-citizen voting rights or the official recognition of minority religions (Christmann 2010; Piccoli 2021; Manatschal 2011). Other policy domains, such as citizenship policy, are co-regulated by different tiers of government. This means that not only the Swiss Citizenship Act (BüG) but also one of twenty-six cantonal citizenship laws and local regulations determine non-citizens' access to citizenship. Second, the principle of executive federalism, defined in article 46 of the federal constitution, stipulates that the cantons are responsible for the implementation of federal law, which often gives them some leeway in policy implementation (Linder 2012; Vatter and Wälti 2003). The fact that certain national legal provisions are formulated in a facultative way means that cantons have de facto liberty in policy-making. One example is the restrictive policy instrument of the 'integration agreement' (Kurt 2020), which allows cantons to tie the granting of residence permits to a certain degree of integration, for instance, language proficiency or economic self-sufficiency.¹ Third, cantons may influence the national integration policy debate via the second parliamentary chamber (*Ständerat*). ↪ Especially direct democracy (including *Ständemehr* or majority of cantonal votes and *Standesinitiative* or cantonal initiative) offers the cantons comprehensive opportunities to be heard in decision-making processes at the federal level (see 'The Cantons' in this volume). Finally, the instruments of direct democracy also offer very fertile ground for symbolic party politics in Switzerland: ever since the post-World War II era, right-wing populist parties have been using these instruments, often by taking up local or regional debates, to restrict national legislation in the fields of immigration, asylum, and immigrant rights (Niederberger 2004; Skenderovic 2009). Successes at the polls of federal popular initiatives launched by the right-wing populist Swiss People's Party (SVP), such as the 2009 initiative against the construction of minarets and the 2014 initiative against mass immigration, demonstrated that direct democracy continues to provide powerful instruments for (right-wing) populist mobilization against immigration and its effects (cf. Giugni and Passy 2006, 21).

The following sections provide a detailed account of how these mechanisms shaped the historical and legal evolution of the field of integration policy over time and shed light on the rich variety of official and civil

society actors, who are involved in or influence policy-making at different levels of Swiss government. Since integration and citizenship are different legal fields in Switzerland, the two policy areas are treated in separate sections.

2 Integration policy

Due to the bottom-up nature of immigrant integration processes, Switzerland's guest-worker legacy, and the country's pronounced federal structure, integration policy is a relatively recent policy field at the federal level. For a long time, questions of immigrant integration were left up to social institutions, i.e. schools, businesses, and associations or clubs, for instance, religious organizations such as the Aid Agency of the Protestant Churches of Switzerland (HEKS) or Caritas. This resulted in the development of a multitude of integration approaches across communes and cantons that is difficult to grasp fully (Cattacin and Kaya 2005; Manatschal 2011). Only by the mid-1990s had integration policy finally reached the federal level in connection with problems that were emerging in cities.

According to the law, integration ought to enable foreigners, who legally reside in Switzerland in the longer term, to take part in Swiss society's economic, social, and cultural life (art. 4 para. 2 AIG). The focus is thus placed on foreigners adapting to Swiss society through societal, economic, and cultural integration rather than on concessions made in areas such as political or cultural minority rights. However, behind this restrictive official understanding of integration based on *jus sanguinis* citizenship and cultural assimilation, there are also marked regional differences. Whereas German-speaking cantons often draft more restrictive integration policies, French-speaking Switzerland in particular is usually more inclusive, as for instance the widespread prevalence of voting rights for foreign residents in French-speaking cantons indicates. Five out of six French-speaking cantons grant non-citizen voting rights at the local (Fribourg, Geneva, and Vaud) and occasionally even at the cantonal (Neuchâtel and Jura) level, whereas only three among the remaining nineteen German-speaking cantons plus Ticino provide some limited form of non-citizen voting rights at the local level, namely Grisons, Basel City, and Appenzell Outer-Rhodes (Arrighi de Casanova and Piccoli 2018; Manatschal 2011).

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2.1 Historical evolution of Swiss integration policy

The integration of foreign residents as a federal task first found its way into legislation only in the 1980s. Enacted in 1986, the revision of the Federal Act on the Residence and Establishment of Foreigners of 1931 (SR 14.2.20) introduced a funding provision that allowed the Confederation to provide financial support for the social integration of foreigners. Based on this provision, the Federal Council passed the ordinance of 13 September 2000 on the Integration of Foreign Nationals (VIntA), in which the goals of integration were defined for the first time. The ordinance conceives of integration as a cross-sectional task, so it also regulates issues of oversight as well as financial aspects. It maintains that integration primarily takes place within societal structures, namely schools, workplaces, and social welfare and healthcare institutions, and that financial support from the government ought to be merely complementary (art. 2 VIntA).

The position of integration gained a stronger foothold in legislation with the further revision as well as renaming of the Federal Act of 1931: in 2008 it became the Foreign Nationals Act (AuG), and since 2019 it is the Foreign Nationals and Integration Act (AIG). The Tripartite Process to Further Develop Swiss Integration Policy launched in 2009 played a central role in this concretization of a national integration policy. To gather input and debate issues around immigrant integration through this process, a range of experts was pooled from all levels of government, peak-level organizations of employers and employees, and members of the foreign national population as well as other civil society groups. Subsequent changes in the legislation were strongly oriented towards the *Fördern und Fordern* principle (see chapter 8 AIG), which has been a

cornerstone of Swiss integration policy since the Federal Council's 2010 integration report (Bundesrat 2010). According to this principle, the government actively supports integration (*Fördern*) while, simultaneously, certain demands are made of immigrants in terms of furthering their integration themselves (*Fordern*). Political developments since these changes in legislation have tended to place much more emphasis on the demands side of the equation. This is reflected, for example, in the constitutional amendment that followed the adoption of the 2014 Swiss immigration initiative: a newly introduced article mentions working foreigners' 'ability to integrate' as one of the 'decisive criteria for granting residence permits' (art. 121a para. 3 of the federal constitution). The AIG has, however, also been used to implement the other side of the principle: also in 2014, the Confederation and the cantons used it as a basis to create the Cantonal Integration ↪ Programmes (KIP) that provide financial support for individual integration processes (art. 55 and art. 58 para. 3 AIG). These programmes aim to foster immigrant integration at the arrival stage (information and counselling) and in everyday life (education and work), and to support communication (language courses) and social exchange. After a first round of these programmes (2014–2017) proved successful, all cantons implemented a second round of integration programmes (2018–2021) co-financed by the Confederation.

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Although the 2009 Tripartite Process to Further Develop Swiss Integration Policy was unsuccessful in its initial aim to establish a separate integration law, the country has been working towards a uniform conception of integration with concrete targets within the framework of existing legislation, particularly AIG, over the last decade. The current legal situation thus reflects the position taken by the Federal Council in its report concluding this Tripartite Process, in which it stated that integration must be anchored in legislation primarily by amending existing laws (Bundesrat 2010, 2).

2.2 Actors and political lines of conflict

Swiss law, subsequent to these changes, defines integration as an overarching and cross-sectional task that must be taken on by the federal, cantonal, and communal authorities together with non-governmental organizations, including those that make up the social partnership between employers and workers as well as organizations for foreigners (art. 53 para. 4 AIG and art. 2 para. 2 VIntA). Therefore, beyond financial integration support from the government, social institutions in relevant areas of society, such as healthcare and education, are central players in everyday integration activities. Despite progress being made towards the goal of achieving a common conception of integration at the federal level, each of the bodies involved continues to hold their own view of what integration is, especially regarding which side of the *Fördern und Fordern* principle is emphasized more, and how each of the two sides is implemented.

As detailed in section 1.2, the cantons take on a central role in this context (Cattacin and Kaya 2005; Manatschal 2011; Wichmann et al. 2011; Probst et al. 2019). With the revisions that resulted in the AuG, the cantons' role was further reinforced. Since 2008, each canton has had its own integration delegate, who serves as a direct point of contact for the State Secretariat for Migration (SEM). These experts have a central coordinating body known as the Conference of Cantonal, Communal, and Regional Integration Delegates (KID). In this context, the Confederation plays a primarily strategic role by financially supporting cantonal and communal integration programmes. In addition to cantons, cities are also important players in this policy field, not least because a higher number of foreign residents in urban areas leads to more integration challenges. At the same time, however, it falls under the remit of cantonal law to define cities' authority within the realm of integration (TAK 2005, 26).

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Since various aspects of integration were written into federal law at a relatively late stage, the topic of integrating immigrants was not politicized significantly at a national ↪ level for some time. Though here, too, direct democracy has proven to be a powerful tool for advancing right-wing populist causes in the twenty-first century. This was particularly evident in the adoption of the SVP's federal popular initiative

against the construction of minarets in 2009, which resulted in a ban on new structures of this type on Swiss soil (see Table 36.1). The Swiss electorate's scepticism towards religious minority rights is in accord with the assimilative conception of what it means to be a member of Swiss society: immigrants' adaptation is valued more highly than the recognition of cultural diversity (Skenderovic 2009, 48). Both parties to the left and the centre or centre-right avoided the topic of integration for a long time, because a sceptical position towards immigration was already occupied by right-wing populists while a decidedly pro-immigration stance would have garnered no votes (Manatschal 2015). Parties from the left to centre-right did, however, become more active in the early 2000s: motions from the Social Democratic Party (SP) and the Liberal Democratic Party (FDP) provided the basis for the aforementioned 2009 Tripartite Process to Further Develop Swiss Integration Policy.

Table 36.1: Federal popular initiatives in the field of integration and citizenship policy since 1968

Date	Initiative	Yes-votes in per cent
1968	(Withdrawn on 20/03) First initiative against 'foreign infiltration' (<i>Gegen Überfremdung</i>)	
07/06/1970	Second initiative against 'foreign infiltration' (<i>Schwarzenbachinitiative</i>)	46.0
20/10/1974	Third initiative against the 'foreign infiltration' and overpopulation of Switzerland	34.2
13/03/1977	Fourth initiative against 'foreign infiltration'	29.5
13/03/1977	Initiative for a restriction of naturalizations	33.8
05/04/1981	'Together' initiative for a new policy on foreigners	16.2
1987	(Failed on 04/08 at the collection stage) Fifth initiative against 'foreign infiltration'	
01/06/2008	Initiative for democratic naturalization decisions	36.2
29/11/2009	Initiative against the construction of minarets (minaret initiative)	57.5
28/11/2010	Initiative for the deportation of criminal foreigners (deportation initiative)	52.3
28/02/2016	Initiative on the enforcement of the deportation of criminal foreigners (enforcement initiative)	41.0
07/03/2021	Initiative 'Yes to a ban on full facial coverings'	51.2

Data source: Swiss Federal Chancellery (2022).

Note: Listed are popular initiatives (no referendums) in the policy fields of integration and citizenship. Initiatives in the related field of immigration policy (e.g. initiative against mass immigration from 2014) are excluded, unless they refer to the cultural aspect of integration (e.g. initiatives against 'foreign infiltration').

Beyond the various non-governmental organizations and governmental bodies that have already been introduced, the Federal Commission on Migration (EKM), the Conference of Cantonal Governments, and the Tripartite Conference also bear mentioning for their role in taking on integration as an overarching and cross-sectional task. They have all been instrumental in advancing Swiss integration policy over recent decades.

3 Citizenship policy

The tension between immigration as an everyday reality and its political incarnation in the nation-state is most evident in naturalization policy. The high proportion of foreign nationals in the Swiss population has come up again and again in so-called *Überfremdungsiniciativen* (literally: initiatives against 'foreign infiltration'), which call for limiting or even reducing the number of foreign residents to avoid the perceived cultural threat of the nation being inundated or overrun by immigrants (see Table 36.1). An example from the related field of immigration policy is the initiative for moderation in immigration from September 2020, also known as the 'limitation initiative', a federal popular initiative aimed at limiting influx by decoupling Swiss immigration law from European Union freedom of movement provisions. These political disputes illustrate the strong symbolic value that statistics on foreigners can carry. The fact that the high number of foreign nationals in Switzerland is indeed a result of the country's comparatively strict naturalization policies, which limit access to citizenship, is often overlooked.

At the same time, social and economic rights are increasingly detached from formal citizenship, as is exemplified by facilitated labour market access for certain non-citizen groups such as EU citizens or provisionally admitted individuals in the asylum domain (Jacobson 1996; Joppke 2007). Coupled with this evolution has been a paradigm shift, away from the image of the migrant worker to the image of the fellow member of the citizenry, although these individuals still face significant hurdles before they can acquire formal citizenship.

3.1 Historical evolution of Swiss citizenship law

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Nationality law in Switzerland is a product of the country's federalist system. Before the Swiss federal state was founded in 1848, only cantons could grant citizenship. In 1874, the Confederation obtained oversight of naturalization and the authority to determine the minimum requirements for acquisition and loss of citizenship. One could make the claim that federal policy almost exclusively focused on granting residence permits until the mid-1990s, whereas citizenship largely remained within the purview of municipalities and cantons. Today, the regular, non-facilitated procedure for acquiring citizenship in Switzerland still involves all three levels of government: federal, cantonal, and communal (Helbling 2008). Communal authorities are the primary decision-makers, whereas cantons and the Confederation determine binding minimum requirements for naturalization (see Arrighi de Casanova and Piccoli 2018).

Until 1 January 2018, citizenship was based on the 1952 Federal Act on Acquisition and Loss of Swiss Citizenship, at which point it was replaced by the Swiss Citizenship Act of 20 June 2014 (BüG; SR 141.0). Similar to the field of integration policy, attempts to restrict Swiss citizenship law or to keep decision-making power in the hands of 'the people' were typically launched in a bottom-up manner via popular initiatives (see Table 36.1). Proposals that sought to introduce easier access, e.g. via facilitated naturalization or automatic citizenship for descendants of immigrants, were in turn often proposed via referendums but generally failed to obtain a popular majority at the polls. One of the first referendums that aimed at facilitating naturalization for young foreign nationals, who grew up in Switzerland, was rejected in 1983. Two years earlier, the *Miteneand* or 'together' initiative, a uniquely xenophile federal popular initiative in Swiss history, had also been rejected at the ballot box (see Table 36.1). Originating from trade union circles in 1977, this initiative called for foreigners resident in Switzerland to be considered broadly equal with Swiss citizens.

A second referendum on facilitated naturalization took place in 1994. The majority of voters backed the measure, but it failed to achieve the double majority required via yes-votes from a majority of cantons (*Ständemehr*). Some cantons in which a majority of voters accepted the proposal thus decided to act within their own sphere of influence to facilitate naturalization for young foreign nationals who had grown up or

been born in Switzerland. In 2004, a comprehensive revision of constitutional tenets, that would permit facilitated naturalization of young second-generation foreign nationals and automatic acquisition of Swiss citizenship at birth for third-generation children, was once again rejected, this time by the Swiss people and the cantons. Finally, on 12 February 2017, both 60.4 per cent of voters and a majority of cantons voted yes in a referendum vote on the Federal Decree on the Simplified Naturalization of Third-Generation Immigrants. From this point onwards, grandchildren of immigrants benefited from simplified procedures, which only spouses of Swiss nationals had enjoyed thus far.

According to article 9 of the BüG, the formal requirements for naturalization are at least ten years of residency—of which the years spent living in Switzerland between the ages of eight and eighteen count double—as well as possession of a permanent residence permit. Besides this national residency requirement, a canton may require between two and eight years of continuous residency in the canton. At the level of material requirements, the BüG (art. 11) also exacts proof of an applicant's successful integration and their familiarity with the Swiss way of life. An applicant should also not pose any threat to the internal or external security of Switzerland. Article 12 of the BüG and the new Ordinance on Swiss Citizenship (BüV; SR 141.01) further specify how particularly the criterion of successful integration ought to be construed. The focus is on language skills, participation in economic life, and respect for the values enshrined in the constitution. Although certain provisions have been made more stringent, the reform also relaxed some points, as can be seen in a call for consideration of special circumstances when evaluating integration criteria (art. 12 para. 2 BüG).

The Confederation must first grant an applicant a naturalization licence before the process can continue at the communal and cantonal levels. Additional naturalization requirements come into play here (e.g. duration of residency, material requirements, and fees), and they may differ from place to place, despite national efforts to improve consistency through the aforementioned changes to the legislation. Cantons and communes still command considerable decision-making powers, which they have successfully defended against harmonization efforts at the national level for a long time. One of the first steps towards more consistent federal alignment was a Federal Supreme Court decision of 1 January 2006 according to which cantons and communes could levy only administrative fees in the naturalization process. Since 2018, general standards for the naturalization process have been formalized in both the new BüG and an ordinance designed for this purpose in particular. These measures have provided applicants with more certainty in terms of their rights and given Swiss citizenship law a solid push in the direction of harmonization. Compared to other nations, however, the hurdles to acquiring citizenship remain significant, especially given the rigid adherence to the *jus sanguinis* principle.

3.2 Actors and political lines of conflict

Differences between communes' and cantons' terms for acquiring citizenship are not only formal but also institutional in nature. In many communes, whether an applicant is granted citizenship is decided by a naturalization commission, while in other places this decision is the responsibility of the cantonal or communal executive, or in a few communes also of the legislature. The fact that in some instances the legislature (local parliament) and, until 2003, potentially all citizens of a municipality could co-determine who does or does not become a Swiss citizen gives this process a political rather than a purely administrative character. Even if an applicant meets all formal requirements, the applicant may still have no legal claim to citizenship; this is a fundamental difference in the law between Switzerland and most other constitutional democracies (Helbling 2008). The potentially discriminatory effect of votes cast for or against a citizenship application was recognized in two rulings by the Federal Supreme Court in the summer of 2003. Naturalization by ballot was thus declared principally unconstitutional, allowing for appeals based on the violation of anti-discrimination rules to be made to the Court (BGE 129 I 232 and BGE 129 I 217 of 9 July 2003; see also Helbling and Kriesi 2004; Hainmueller and Hangartner 2013). Opposition to these efforts to make the naturalization process more objective mostly came from the far-right fringes of the political spectrum, namely the SVP and the Campaign for an Independent and Neutral Switzerland (AUNS). The SVP subsequently launched a federal popular initiative against the ban on naturalization by ballot in 2008 (Initiative for democratic naturalization decisions, see Table 36.1). It was also these two groups and their campaigning efforts in the previously discussed 2004 referendum regarding facilitated naturalization and automatic citizenship that had a large hand in the resulting clear rejection of this federal vote (see section 3.1 in this chapter). In contrast to the SVP, the other three parties in government at the time—the Social Democratic Party (SP), the Christian Democratic People's Party (CVP), and the Liberal Democratic Party (FDP)—had indeed campaigned for the yes-vote in this third attempt at getting facilitated naturalization to pass, but after the referendum they were criticized for not publicly advocating for their position enough.

Beyond the narrower circle of government bodies that are directly involved in the naturalization process and the political parties, who have an ideological interest in this question, there are other important national players such as the Federal Commission against Racism (EKR). The EKR was established after Switzerland acceded to the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in the mid-1990s. This United Nations Convention requires its signatories not only to criminalize racist acts and prohibit racist propaganda, but also to actively formulate policies against discrimination and guarantee equal treatment for all people regardless of their ethnic identity, nationality, race, or religion. The EKR got involved in naturalization policy in 2007 through the publication of its report on discriminatory practices in the naturalization process at the communal level. The EKR also collaborates with the EKM, mentioned previously, to fulfil a coordinating role between state authorities, non-governmental organizations, and international bodies (Niederberger 2004, 142).

4 Conclusion

Taken together, the current regulatory situation in the field of Swiss integration policy, which regulates immigrants' socio-economic, civic-political, and cultural-religious rights and obligations, can be read as the result of three interacting factors (Manatschal 2014). The first factor is the country's former guest-worker approach to immigration, which incorrectly assumed that guest workers would eventually return to their country of origin. Consequently, questions about immigrant integration were neglected at the federal level for many years. The second factor concerns the bottom-up nature of locally embedded processes of immigrant integration. The third point relates to Switzerland's pronounced federalism, which implied that lower-level authorities, mainly cities and cantons, were the first to start actively regulating these local and regional questions of immigrant integration in Switzerland. It was only via this communal and cantonal policy-making that immigrant integration found its way into the federal political arena. Federalism also left its imprint on the country's nationality law, as Swiss citizenship continues to be granted via a worldwide unique three-tiered system, requiring communal, cantonal, and federal approval.

p. 690 From a historical perspective, the development of a national integration policy coincided with a gradual improvement in the social and economic rights of permanent resident foreigners in Switzerland. This development was fostered by the processes of globalization and European integration as well as by the liberal values of Switzerland's legal system. The most important achievement in this context was the introduction of the Agreement on Free Movement of Persons between Switzerland and EU/EFTA countries in 2002, which facilitated EU citizens' access to the Swiss labour market. A liberalizing trend can also be observed in areas that were traditionally exempt from integration measures such as the asylum domain. Based on the observation that provisionally admitted asylum-related migrants often stay in Switzerland for a long time, if not forever, a reform of Swiss asylum law implemented between 2006 and 2008 facilitated labour market integration, family reunification, and participation in integration programmes (e.g. language courses) for this particular migrant group (Pecoraro et al. 2022). This reform clearly reflects a change in perspective and recognition of the fact that early integration support for migrants, who will most likely stay in Switzerland for the long term, is beneficial for everyone.

National resistance to the decreasing formal difference between Swiss citizens and resident foreign nationals is concentrated in naturalization law—and thus in the field of political rights—as well as in the field of cultural-religious diversity. Liberalizing trends in the naturalization domain remain modest. A facilitated naturalization procedure for descendants of migrants in the third generation, meaning the grandchildren of former migrants, was accepted via referendum only in 2017, after numerous unsuccessful attempts. More far-reaching reforms that aim, for instance, to introduce *jus soli* elements into Swiss citizenship law are neither seriously discussed nor do they appear realistic in Switzerland. This despite the fact that Germany, with its very similar *jus sanguinis* citizenship tradition and guest-worker legacy, had already enacted such a reform in 1999 (Avitabile et al. 2013).

This resistance is also evident in the domain of cultural-religious minority rights. From an institutional perspective, Swiss federalism and the country's frequent use of direct democracy at all levels of government can partly explain this restrictive status quo in the fields of immigrants' political and cultural-religious rights. Taken together, both institutions guarantee a very strong say for the popular will, i.e. the enfranchised majority population, in these policy areas. In this context, direct democracy has aptly been described as a brake for the expansion of religious minority rights in Switzerland (Vatter 2011; see also Vatter and Danaci 2010). Exemplary for this restrictive interplay between federalism and direct democracy is the national initiative for the ban on full facial coverings that was accepted by popular vote in 2021 (see Table 36.1). Before the nationwide acceptance of this federal initiative, two cantons, Ticino in 2013 and St Gall in 2018, had already accepted a 'burka ban' via direct democratic votes, prohibiting the wearing of this garment in these cantonal territories.

Political actors, such as the right-wing populist SVP, clearly profited from Switzerland's political institutions to make their anti-immigrant agenda heard. In the late 1990s, Swiss federalism allowed the party to carry its restrictive agenda from the ↵ canton of Zurich to the federal level (Kriesi et al. 2005). Once the party established its anti-immigrant agenda at the national level, it successfully launched various federal initiatives from the early 2000s onwards, aiming at a restriction of Swiss migration policy (see Table 36.1). This increased use of direct democratic instruments over the first two decades of the twenty-first century, not only in the integration realm but also in the related field of immigration policy (see 'Migration Policy' in this volume), also points to an increased politicization of Swiss migration policy.

Overall, the country thus represents a paradigmatic example of international trends according to which direct democratic and federal states formulate more restrictive integration policies (Manatschal and Bernauer 2016). At the same time, these institutional constraints do not impede the country from exhibiting spontaneous solidarity with immigrants, as witnessed by the quick adoption of a protection status (S permit) in the spring 2022 Ukrainian humanitarian migration crisis. The fact that this protection status was not enacted earlier, for example, during the 2015 humanitarian migration crisis in the aftermath of the Arab spring, is no Swiss idiosyncrasy. Rather, it is illustrative of double standards and ethnic hierarchies more generally (Krause 2021) that shape the way countries in the Global North regulate their migration policies.

Note

1. See in particular art. 58b of the Foreign Nationals and Integration Act (AIG) and art. 5 of the Ordinance on the Integration of Foreign Nationals (VIntA).

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