

# *Founding principles of the Republic and Canton of Neuchâtel*

## **A SUMMARY IN TWELVE QUESTIONS**

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YOU COME FROM ABROAD OR FROM ANOTHER CANTON AND DECIDE TO SETTLE IN THE CANTON OF NEUCHÂTEL. YOU ALREADY LIVE HERE AND WELCOME NEWCOMERS. WHAT ARE THE FOUNDING PRINCIPLES OF THE STATE WHERE YOU HAVE CHOSEN TO LIVE? WHAT IS A « DEMOCRATIC, SECULAR, AND SOCIAL REPUBLIC, PROTECTOR OF FUNDAMENTAL RIGHTS », SUCH AS THE ONE DEFINED BY THE FIRST ARTICLE OF THE CONSTITUTION NEUCHÂTELOISE OF 24 SEPTEMBRE 2000? IN ORDER TO EXPLAIN THIS AND FOR YOU TO BETTER KNOW THE CANTON, WE PRESENT THIS PACK OF DOCUMENTS CONTAINING THE « FOUNDING PRINCIPLES OF THE REPUBLIC AND CANTON OF NEUCHÂTEL », A BROCHURE ENTITLED « WELCOME », A CULTURAL AGENDA, AS WELL AS A PROGRAMME FOR CIVIC COURSES.

### **WHY SUCH AN APPROACH?**

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The founding principles of a state are generally transcribed as laws, which are concrete legal rules, that every person, Swiss or foreigner, is expected to respect. Even if there is no legal obligation to adhere to the principles themselves, in order for a state like Neuchâtel to function, it is necessary that a majority of the population know, respect and undertake to defend these laws.

### **HOW DOES THE REPUBLIC AND CANTON OF NEUCHÂTEL DEFINE ITSELF?**

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It is a liberal, democratic, social and secular State. This means that it guarantees its resident population fundamental rights and freedoms, that it gives the people the possibility to get involved in the exercise of power, that it grants social protection to its fellow citizens, that there is no state religion and that it guarantees religious freedom.

### **WHAT IS A STATE WITH LIBERAL RIGHTS?**

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It is a state that guarantees fundamental human rights of which the first, human dignity, is the right not to be treated in an inhumane and degrading manner; it protects against torture and all other cruelty.

### **ARE FREEDOMS FUNDAMENTAL RIGHTS?**

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Yes. It refers to personal freedoms like the right to life and personal freedom, the right to marriage, freedom of speech, and freedom of religion; freedoms of communication, which includes freedom of opinion and of expression, the right to information and freedom of association, of assembly and demonstration; lastly, economic freedoms, such as the guarantee of ownership, economic freedom and trade-union freedom.

### **WHAT OTHER RIGHTS ARE ALSO GUARANTEED?**

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The principle of equal treatment, the prohibition of discriminations, as well as social rights, which guarantee certain state benefits indispensable with regards to respect of human dignity.

### **CAN THESE FREEDOMS BE RESTRICTED?**

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The state could do so if there is conflict between certain freedoms. For example, freedom of expression for some individuals could, in particular cases, collide with freedom of belief for others. It can also restrict them if there is a contradiction between freedom of the individual and the common interest. All restrictions should nevertheless be founded on a legal basis and justified in the public interest.

BIENVENUE  
WILLKOMMEN  
BENVENUTI  
WELCOME  
BEM-VINDO  
BIENVENIDA  
MIRË SE VJEN  
DOBRODOŠLI  
HOŞGELDİNİZ  
KU SOO DHOWOW  
BUN VENIT  
SZERENCSESEN ERKESZTEK  
VÍTEJTE  
اهلا وسهلا

# WELCOME

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## WHAT IS A DEMOCRATIC STATE?

It is a State where power belongs to its people. It is important to distinguish between a representative democratic government, where the people elect their representatives in a parliament or government, and that of direct democracy, where the people can also directly intervene by means of an initiative and a referendum. This is the case in Switzerland and in Neuchâtel.

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## WHO HAS POLITICAL RIGHTS?

These rights are conferred to all citizens. In most countries, foreign persons are excluded from citizenship. In Switzerland only Swiss people over the age of 18 have this right at federal level. However, the canton of Neuchâtel has extended this right to certain categories of foreigners in its Constitution of 2000.

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## WHICH FOREIGNERS CAN VOTE?

In the canton of Neuchâtel, foreigners over the age of 18 benefiting from a permission to establish (C permit) can

- Vote at canton level after at least five years of residency in the canton.
- Vote and be elected at municipal level after at least one year of residency in the canton.

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## WHAT IS A SOCIAL STATE?

A social state ensures a social and distributive justice. It takes social measures to ensure everyone can have training, a job, suitable housing, social protection (unemployment, old age, illness, accident). It guarantees social rights indispensable for the respect to human dignity, namely the right to minimum living conditions and the right to sufficient free basic education.

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## HOW IS A SECULAR STATE DEFINED?

It is a state where public institutions are separated from any religious basis. There is no state religion but a government that recognises religious freedom. This freedom includes freedom of conscience and belief as well as freedom of worship. By virtue of this freedom, a municipality in Neuchâtel cannot forbid Muslim pupils to wear headscarves in class. It is however not the same for teachers because this violates the principle of denominational neutrality in public schools.

The state has an obligation to be open to all religious and philosophic beliefs. Nonetheless, that does not prevent it from recognising three Christian churches as public interest institutions. The new Constitution also provides for the possibility to extend this recognition to other religious communities who request it.

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## AND TOLERANCE?

A liberal, social, democratic and secular state supposes that the individuals who compose it accept and tolerate the diversity of opinions. Only tolerance and open-mindedness can ensure the balance in mixed communities.

  
RÉPUBLIQUE ET CANTON DE NEUCHÂTEL

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Refer to the text on the Constitution  
neuchâteloise at the address, [www.ne.ch](http://www.ne.ch)  
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