

1. Crime and Switzerland

Switzerland represents an exception to the general rule that a high crime rate accompanies a high degree of affluence, industrialization, and urbanization. Even in the largest Swiss cities crime is not a major problem. The incidence of criminal homicide and robbery is low, despite the fact that firearms are readily available in most households, owing to the nature of the country's military system. The low incidence of crime in Switzerland is even more intriguing, in view of the fact that the criminal justice system is neither harsh nor repressive. In German-speaking Switzerland, constituting nearly three-fourths of the country, persons are generally not arrested and booked for a crime but are given a citation; if they are prosecuted there is no plea bargaining. Sentences are generally short, even for the serious crimes, with the exception of murder. They rarely exceed a year, and most convicted offenders sentenced to prison are given suspended sentences. For the most part, those who do go to prison receive short sentences, and a large proportion of them are released prior to the expiration of the sentence.

Naturally, a country with this crime picture becomes of special interest because it appears to be an exception. Generally, crime is greatly increasing in the developing, as well as in the developed countries.¹ Moreover, countries in which the process of industrialization and urbanization is continuing — a situation that exists at present in most of, if not all, the countries of the world — must expect further increases in their crime rates.² Even if allowances are made for inadequacies in official crime data, it appears that the developed countries are far more vulnerable than the developing countries, precisely because they are developed. The United States, in particular, has not been able to cope effectively with crime as a problem.³ As a country develops economically, and as this development is reflected in growing urbanization, crime generally increases rapidly. Despite some uncertainties surrounding statistical reports gathered from the developing countries, the findings have almost unanimously supported the generalization that crime, and in

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particular property crime, is increasing rapidly and has become a major problem in the total developmental process.⁴

Any country that represents an exception to this general trend becomes of paramount significance, particularly when it ranks among the four most affluent industrialized nations in the world: Switzerland, Sweden, the Federal German Republic (Federal Republic of Germany), and the United States. In contrast to Switzerland's low rate of ordinary crime, however, is its high rate of alcoholism and suicide.⁵ In total per capita consumption of absolute alcohol from 1966 to 1970 Switzerland ranked fourth behind France, Italy, and the Federal German Republic and far ahead of the United States and Sweden.⁶ In 1971 it ranked tenth among thirty-eight countries in suicide: lower than Sweden, higher than France or Japan, and considerably higher than the United States, Canada, the Netherlands, and England and Wales.⁷

For some time, foreign criminologists, journalists, and visitors have believed that Switzerland has no crime problem comparable to that of other European countries.⁸ Until the present study, there had been no attempt to examine crime in Switzerland in a comprehensive manner. Compared to other countries, there has been practically no sociological interest in criminology, there is no criminological institute, and the work that has been done has come primarily from law schools and has consisted mostly of articles on criminal law and a number of Ph.D. dissertations in criminology. This relative lack of attention is in sharp contrast to the great interest in the United States and in most European countries. For example, surveys of research in criminology conducted by the Council of Europe, of which Switzerland is a member, showed comparatively little research emanating from Switzerland, in sharp contrast to the large amount of research work that is carried out in Sweden, a country of similar size.⁹

Europeans have generally believed that Switzerland has a low crime rate, but the evidence to support this belief has been limited to analyses of trends in criminal convictions. Trend analyses have shown a general stability in crime rates, or even a decrease, over the past twenty-five years; one study, for example, concluded that as general affluence became more prevalent in the country, crime rates remained about the same, or even decreased.¹⁰ Hans Schultz has analyzed criminal convictions published by the federal government from 1929 to 1962 and annually since then, and he has consistently found a general decrease, or at most a slight increase, in criminality over the years.¹¹

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This trend in Swiss conviction statistics impressed the President's Commission on Law Enforcement and Administration of Justice, appointed in 1965 by President Johnson to assess the problems of crime in the United States. The commission noted that since 1955 property crime rates have

increased more than 200 percent in West Germany, the Netherlands, Sweden, and Finland, and over 100 percent in France, England and Wales, and Norway. Of the countries studied, property crime rates in Denmark, Belgium, and Switzerland remained relatively stable. Crimes of violence could be studied in only a few countries. Rates declined in Belgium, Denmark, Norway and Switzerland, but rose more than 150 percent in England and Wales between 1955 and 1964.¹²

Conviction statistics, however, are not generally considered to be the most reliable indicators of crime trends. They are too far removed from the actual incidence of crime, such as is reflected in part in an index based on crimes reported to the police or arrest data. Conviction statistics are much too subject to variations involved in criminal justice administration. In Switzerland, however, these had been the only statistics available on a national basis until extensive criminological data were collected by the author in an independent research study conducted under the auspices of the National Science Foundation. It was carried out during an eight-months' residence in Switzerland in 1973. The study involved the collection of various data from the cantons and cities and employed several rather unusual methods of ascertaining the true crime situation in the country. For example, a crime victimization survey was designed to discover the amount of crime and how much of it goes unreported to the police. A systematic analysis was made of the extent to which crime is regarded as a problem of public concern. This effort included an attitude survey designed to determine to what extent the public is concerned about crime, how many questions about crime were raised in Parliament over a ten-year period, and to what extent and in what fashion crime is presented in the Swiss newspapers. An analysis was made of burglary, theft, and auto insurance rates and trends to see what these data might reveal about the extent of crime in the country. Surveys of this nature have not previously been made, not only because Swiss sociologists and other social scientists have not been interested in the problem of crime but also because criminal-law professors have not had the training necessary for the scientific study of these criminological problems. With the incorporation of the data available

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through governmental sources, together with a limited number of other Swiss studies and those conducted in this research, it appears that Switzerland does represent an exception to the generally high crime rates among the highly affluent urbanized countries.

Switzerland has all of the attributes of a country that one might anticipate would make it susceptible to a high crime rate: It is highly affluent, extremely developed, and very urbanized. It had a gross national product of \$40 billion (throughout this book, American billions apply) in 1976. When this study was conducted in 1973, Switzerland ranked third in the world in per capita income, behind the United States and Sweden and second among European countries following Sweden.¹³ According to the Population Reference Bureau and *The World Bank Atlas*, in 1975 Switzerland was in first place in per capita GNP among the industrialized nations (\$7,870), with Sweden in second place (\$7,240), and the United States in third place (\$6,670).¹⁴ Its wealth is largely derived from production and export of machinery and other metal goods, chemicals and drugs, clocks and watches, textiles and apparel, and food products. According to one correspondent,

They process relatively low-cost raw materials – the bulk of them imported – into carefully crafted high-priced goods. This way a few tiny strips of metal become an expensive watch, raw silk becomes the chiffon, satin, crepe de chine, faille, and other fabrics sought after by the couturiers of Paris. And relatively inexpensive milk becomes “luxury” cheese and confectionery items.¹⁵

Switzerland's engineering industry employs the largest percentage of the industrial labor force and exports two-thirds of its production of turbines (one in three diesel-powered ships on the high seas is driven by a Swiss-designed engine) and electrical equipment, machine tools, and precision instruments. Exports total annually well over \$7 billion, which as a percent of gross national product is considerably higher than that of the United States, the Federal German Republic, or Great Britain. Swiss assets and investments abroad total about \$52 billion. In 1975 Switzerland's monetary reserves exceeded those of Great Britain, Italy, and Canada, almost equaling those of France. While no autos are produced in the country, there is an extremely high number of passenger vehicles and telephones per 1,000 population; in 1972 the ratio of 244 passenger vehicles per 1,000 persons was not much lower than the 301 in Sweden. In 1976, Switzerland had nearly 2 million private motor cars. Telephone connections and television sets in Switzerland were

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336 and 241, respectively, per 1,000 population, while the Swedish rates were 591 and 332, respectively.

In addition to these indexes of wealth, one must add two important items. Situated as it is in the heart of the Alps and easily accessible in the middle of Europe, Switzerland has become one of the world's leading centers of tourism, which provides a large proportion of the national income. Over the years, the leading city, Zürich, has become one of the world's chief international centers for banking, securities, and investments. Walter Sorell writes,

Since 1515, when Swiss policy turned to perpetual neutrality, guaranteed by all great powers again in 1815, its neutrality has been — figuratively speaking — its hottest export item. In a war-torn world, Switzerland became a storehouse for treasure and fortunes. By the grace of neutrality and the greed of the wealthy of the world, the vaults of the Swiss banks grew to mighty money mountains.¹⁶

Switzerland has become increasingly urbanized, with high population density. More than half of the country's inhabitants live in places of 10,000 or more population, an increase of approximately one-third since 1950. In fact, the population is largely concentrated in a limited area, with three-fourths of the people living in the central lowlands between the Alps and the Jura mountains. Nine Swiss cities had more than 50,000 inhabitants in 1973, the five largest being Lausanne (141,000), Bern (159,000), Geneva (171,000), Basel (205,000), and Zürich (420,000). Switzerland would not rank high among the most industrialized nations in the percentages of persons living in nucleus cities of 100,000 or more, but in this respect it still ranks higher than Sweden, with which it will be frequently compared in this research.¹⁷ It must be kept in mind, however, that the metropolitan areas are densely populated. The 1969 metropolitan area populations of the largest cities were: Zürich, 671,500; Basel, 364,800; Geneva, 307,500; Bern, 258,000; and Lausanne, 214,900.¹⁸

The figures on affluence, industrialization, and urbanization give only a partial picture of the country. Switzerland now has over 6.2 million inhabitants, of whom approximately 1 million were foreign workers at the time of this study in 1973, a number now declining. It is only 209 miles from east to west and 117 miles from north to south, about the size of Massachusetts and New Hampshire combined. Geographically, it is locked in by the Rhine and two mountain chains, the Jura and the Alps, and is bordered by Germany, Austria, France, and Italy. Poli-

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tically, it had its origin in a league formed in 1291 by three small states, now called cantons, at the foot of the Gotthard Pass. Established primarily to oppose the domination by the Habsburg dynasty, whose dominions then included Switzerland, the league turned into a permanent confederation of various cantons. The members increased from the original three, to number thirteen cantons in 1513, and important regions (e.g., the present Italian- and much of the French-speaking part of the country) became dependent on the confederation or on certain cantons. Other cantons were admitted to membership within the confederation, which largely attained its present size in the sixteenth century. The last canton admissions, in 1815, were the French-speaking cantons of Geneva, Valais, and Neuchâtel, making a total of 22 cantons, or 25 federated states (three of the cantons are subdivided). In 1848, the confederation became the Federal State of Switzerland, with a constitution and Bern as the capital. The official name of the country is Confoederatio Helvetica (Swiss Confederation), and the abbreviation “CH” is used on the international plaque of Swiss autos. The country’s present name, Schweiz, is taken from one of the three original cantons, Schwyz.

Individual Swiss cantons have surrendered only certain aspects of their independent authority to the Federal Constitution. Although they range greatly in population from 14,000 to over a million – with an average population of 250,791 – and maintain individual cultural and historical features, they are politically similar. Each has its own legislative, executive, and judicial branches. The cantonal councils make decisions on education, cantonal taxes, and other functions not reserved to the federal government. They also administer justice, including the cantonal police forces. Each of the cantons is divided into a number of political communes, totaling 3,095.¹⁹ These communes, some of which have fewer than 100 persons, have various semiautonomous functions, including, in some cases, the administration of the school system and any local communal police forces, maintenance of public buildings and water supplies, and the basic collection of taxes, a share of which is sent to the cantonal and federal governments. In former days, when the communes were more powerful than they now are, citizens carried a communal, rather than a cantonal passport.

Federal sovereignty is exercised by the Federal Assembly or Parliament (Bundesversammlung) and the Federal Council (Bundesrat). The Federal Assembly consists of two chambers of equal rights: the Na-

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tional Council (Nationalrat) and the Council of States (Ständerat). The Swiss people are represented in the National Council by two hundred elected deputies; each canton, or half-canton, is guaranteed at least one representative. The Council of States consists of two representatives from each canton, or forty-four state councillors. The seven members of the Federal Council are elected for four years by the Assembly, and they serve as Cabinet ministers. The president of the Federal Council is elected for one year, and he is prevented from being reelected immediately. On the whole, as it has historically, governmental power still rests predominantly at the cantonal and communal levels, even though the federal government is increasingly being entrusted with matters formerly considered to be cantonal. For example, until 1942, when a Swiss Uniform Criminal Code went into effect (enacted in 1937), each of the cantons had its own system of criminal law. This resulted in great variations among them, and several still had capital punishment. Even now the administration of the criminal law is left to each canton.

Nowhere in Western Europe is there such diversity in a small country comparable to that encountered in Switzerland. The powerful central theme throughout Swiss history has been a quest for unity of the nearly sovereign cantons and communes, an effort that is vastly complicated by the great diversity in language, culture, and religion among them. The German-speaking population far exceeds the others, with 65 percent of the Swiss people primarily speaking this language, 18 percent speaking French, 12 percent Italian, and only 0.8 percent speaking Romansh. Of the cantons, seventeen are considered German-speaking: There are nineteen such cantons if one includes those two cantons where the German-speaking population exceeds the French-speaking. Two others are mixed but are predominantly French-speaking – making a total of four mixed cantons. Three cantons are French-speaking, and one is Italian-speaking. In addition to the overall language diversity, each region has its own dialect, so that it is possible to distinguish between persons from Basel, Bern, or the Grisons on the basis of dialect. Political diversities also exist; there are nine political parties in the Federal Parliament, although three are numerically much larger than the others.

The success of the Swiss political and social system rests on “amicable or consensus agreement,” rather than on majority rule. Swiss political history indicates that majority rule is not the only form of democracy; if it were, the German-speaking population, the larger cantons, or

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the three large political parties could easily dominate the country. The low level of hostility among Swiss subcultures is due, it is said, to the practice of amicable agreement among all parties to a discussion, rather than one of majority rule.²⁰ For example, it is customary to have the three main language groups, German, French, and Italian, represented on the Federal Council according to their proportions in the population at large, even though nineteen of the cantons have a German-speaking majority. Moreover, custom indicates that the two largest German cantons, Zürich and Bern, and the largest French canton, Vaud, are always represented.

Switzerland has been slow to develop political equality between men and women. While males have long had the right to vote at the age of 20, voting privileges have come slowly and only recently to women. Beginning in 1959, Swiss women have gradually won the right to vote in cantonal or local elections. Women were not permitted to vote, and consequently not to hold political office, in federal elections until 1971, but in the first election eight women were elected to Parliament. In a few places today, however, cantonal and communal affairs continue to be decided exclusively by the male inhabitants.

As interesting as its political development has been this country's economic growth. Largely mountainous and land-locked, Switzerland is probably one of the poorest countries in Europe in terms of natural resources. Mineral resources are extremely limited, and originally it had no more than the basic means to provide a meager pastoral economy; in fact, the survival of the Swiss depended upon the export of military service to various countries, even to the Vatican. Between the fifteenth and nineteenth centuries some 2 million Swiss soldiers fought in foreign armies, constituting some of the best forces in Europe. Often they returned to their mountain homes with foreign capital and a broad knowledge of the world that soon transformed them into merchants. Even today the Swiss export manpower, but today it is civilian and mostly highly skilled. Approximately 330,000 Swiss live abroad — about 200,000 in European countries and 80,000 in the United States alone.

Gradually, the Swiss gave up exporting soldiers and began to develop their own special resources. As they developed electrical power for industry and railroads (now they produce 31 billion kilowatts per hour), they also imported raw materials for their developing industries. With their capital investment, highly developed skills, and intense work ethic,

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they have made Switzerland one of the most industrialized countries of the world, certainly the country with the hardest currency – entirely covered by gold – and the Swiss standard of living one of the highest in the world. They also give work to a large number of foreign workers. As a result of this intense industrialization, however, the farming population has declined from a high of 90 percent in 1800 to less than 8 percent at present. In 1975 Switzerland had a total of only 133,126 farm holdings, a decline of 35.4 percent from 1955, and two-thirds of the country's food supply must now be imported. The shortage of solid fuel has been met by developing the country's immense water power, now generated by over four hundred hydroelectric plants. The manufacturing plants depend greatly on foreign raw materials or semifinished goods, a high degree of specialization in products, and broad foreign market outlets. Because of the widespread rapid development, the real income of workers has risen faster than have prices, until fairly recent times when problems of inflation have arisen. However, this inflation rate has now declined to the lowest level of all the industrialized Western countries, being only 1.8 percent in 1975 and 1.7 percent in 1976. More important, they have never had the marked disparities in distribution of wealth that characterize many other European countries, even though there have been certain inequalities, particularly in terms of property ownership. The position of the Swiss worker today is generally more favorable than that of workers in most other countries (but not as high as in Sweden), mainly as a result of high pay scales, the presence of foreign workers, who do most of the less skilled work, and the five-day work week.

Sweden: an affluent country with a high crime rate

Since comparisons will be made throughout between Switzerland and Sweden, it is important to indicate some of the similarities and differences other than the fact that the former appears to have a low crime rate whereas the latter has a high one.²¹ Sweden is not a great deal more populous than Switzerland, with 8,115,000 inhabitants in 1971, compared to Switzerland's 6,200,000. In physical size, however, the difference is great. One of the largest European countries, Sweden is twice as large as Great Britain – nearly 1,000 miles long and 250 miles wide, although 90 percent of the population is concentrated in the lower half of the country. As a consequence of this size differential, Swit-

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Switzerland has 365 inhabitants per square mile, whereas Sweden has only 44. Both countries have a large foreign worker population; in 1971, the alien population of Sweden was 416,567, or 5 percent, as compared with Switzerland's 17 percent. Both countries have avoided wars for more than a century and a half, a fact that has undoubtedly contributed to their affluence. Both are neutral nations, but Switzerland is more neutral, as it does not belong to the United Nations although it did join the European Free Trade Association in 1960 and the Council of Europe in 1963.

Economically, Sweden is highly affluent, with the second highest per capita income in the world, both currently and at the time of the study, and with one of the strongest currencies in the world. It is also extremely industrialized, with little agriculture, relying upon heavy exports, such as ball bearings, heavy electrical equipment, telecommunications, autos, and shipbuilding for income. Chemical industries are also well developed, and, unlike Switzerland, Sweden derives substantial income from timber and wood products, as well as from fisheries. Both countries have enormous quantities of electricity from water power, but Sweden has iron ore, one great national resource not available in Switzerland. The high standard of living in Sweden is reflected in its consumption of goods and services. It has, for example, the highest ratio of autos, telephones, and television to population of any country in Europe.

While these similarities between the two countries are striking, so, too, are the differences. In sharp contrast to the Swiss diversity, Swedes are remarkably homogeneous as a people, with a common language and state religion (although few participate in religious activities and constitutional religious freedom was extended in 1952) and a common cultural background. Sweden has somewhat more urbanization, with 56.5 percent of the people living in urban places of 10,000 or more, as compared with 51.3 percent in Switzerland. In general, Swedish cities are larger, with greater concentrations in population: Thirty-four percent live in the twenty cities with 50,000 or more inhabitants. In 1971 the largest city, Stockholm, had 723,688 inhabitants, and the next largest cities were Göteborg, with 450,419, and Malmö, with 263,829. These cities have very large populations in their metropolitan areas: Stockholm's being 1,352,359; Göteborg's 685,992; and Malmö's 449,296.

The two countries are quite different with respect to political structure, even though both are strong democracies. Sweden has had a strong central government throughout most of its history, whether it was a