

# A Gödelian Loophole in the Swiss Constitution

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I point out a critical subjective Gödelian loophole in the Swiss Constitution, namely its Article 190, whose authoritative interpretation I prove to be a misinterpretation. In Swiss legislation, jurisprudence, and jurisdiction (thus *de jure* and *de facto*, respectively), this loophole has enabled the abuse of elementary logic and—a *fortiori*—fundamental law (the violation of sacrosanct human rights), and thus the systematic miscarriage of legislation (anti-constitutional law) and justice (anti-democratic rule of law). This malpractice has happened through the false pretence that the article be non-self-applicable and thus that the Swiss Constitution be irrelevant to the corpus of (anti-constitutional) federal law (to be derived if not deduced from the Constitution) to the point of posing a critical threat to the Swiss nation-state. Luckily, the loophole turns out to be objectively (logically and thus legally) self-mending (by self-application) and thus the Constitution to be self-amending (under correct interpretation).