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The last hurdle to solving the conflict?

The small town of Moutier has switched from the canton of Bern to Jura, drawing a line under an age-old and intractable territorial dispute. That is the hope at least.

JÜRGEN MÜLLER

Suddenly, it just stopped: The drilling head of a tunnel boring machine got stuck in a tricky geological zone near Moutier. It took two years until the blemish could be dug free again in 2005, at great expense. The additional cost amounted to 158 million francs. Last April, construction work was finally completed on the Transjurane, the A16 motorway from Biel to the canton of Jura. It had taken almost 30 years and cost 6.6 billion francs. The road not only connects the canton of Jura with Bernese Jura and central Switzerland, it also links the Swiss and the French motorway networks.

In this region, however, what separates is sometimes stronger than what connects. And the small town of Moutier was not just a hard geological nut in 2005, it was an epicentre of the Jura conflict. Even though the conditions in Moutier in the 1970s cannot be compared to those of Belfast in Northern Ireland, the situation in many parts of the small town in Bernese Jura was extremely tense.

It is there that one of the last significant chapters of the Bernese-Jura conflict has now been written, in a civilised manner without violence. In a historic referendum, the community decided on 18 June to turn its back on the canton of Bern, and join the canton of Jura. Nevertheless, the coming years will still see wrangling over organisational and administrative matters, in issues regarding division of property for example. This process could take years. And thereafter, the voters of the cantons of Jura and Bern as well as the National Council and Council of States must give their blessing to the change of canton.

Laborious, multi-stage process

The Moutier referendum is a key part of – what is intended to be – the definitive solution to the most difficult territorial conflict in Switzerland of the 20th century. After the creation of the canton of Jura in 1979, the situation in the divided region did not calm down completely, rather, it was seriously strained. The separatists were not satisfied because only the three northern districts of Porrentruy, Delémont and Franches-Montagnes were to form the canton of Jura; the three districts of Moutier, Courtelary and La Neuveville in the south wanted to stay in the canton of Bern. This led to the establishment in 1994 of the Inter-Jura Assembly (AIJ). The work of the AIJ resulted in an agreement between the cantons of Bern and Jura in 2012. This provided for a multi-stage procedure with regional and local referendums. First of all, voters in the cantons of Jura and Bernese Jura were able to decide whether they wanted to establish a

Greater Canton of Jura. The Bernese-Jura voters said no in 2013, those in the canton of Jura said yes. As there was no consensus between the sides, the project could not be pursued. The second stage enabled individual communities, if they wished, to decide about switching to the canton of Jura.

New oil on the fire or new pragmatism?

Following the municipal referendums in Bernese Jura, will this really spell a definitive end to the Jura conflict? The answer is yes, at least from an institutional perspective. This is because the cantons of Bern and Jura undertook in the 2012 Jura Agreement to consider the issue solved as soon as the multi-stage referendum procedure is completed. It is another question altogether whether all politicians see things the same way. In a democracy, any topic can be rolled out again. Just after the Moutier referendum, for example, the Mouvement autonomiste jurassien (MAJ) announced it was

time to seek “new ways” of restoring Jurassien sovereignty across the whole of the territory. In other words, the separatists want the whole of Bernese Jura. In the Grand Council of Bern, more and more voices are being heard questioning the guaranteed position of Bernese Jura in the cantonal government, or at least wanting to dilute it. There is also talk of reducing the twelve Bernese-Jura seats in the Grand Council since this part of the country has become smaller. This all bears potential for new conflict.

But Sean Müller, an authority on the Jura issue and lecturer at the Institute of Political Science at the University of Bern, is convinced that “nobody really wants to rekindle the conflict”. In terms of cantonal borders, the issue is resolved. In Bernese Jura all the referendums have demonstrated that there is no majority support for a complete switch of canton. “And all parties, including the separatists and the militants loyal to Bern, have become pragmatic and got used to the dialogue as part of the Inter-Jura Assem-

bly and other bodies,” Müller, tells the “Swiss Review”.

Dick Marty, former state prosecutor in Ticino, former FDP member of the Council of States, and a man in demand internationally for delicate missions, played a significant role in resolving the problem. He has chaired the Inter-Jura Assembly since 2010. To “swissinfo” he said: “We used the full range of Swiss democratic means at our disposal to resolve this conflict,” primarily the various referendums at all levels of the country. Marty is convinced that the time-consuming process was a helping factor in “solving a problem that elsewhere under the same conditions could suddenly have slipped into armed conflict”.

“Foundling from olden times”

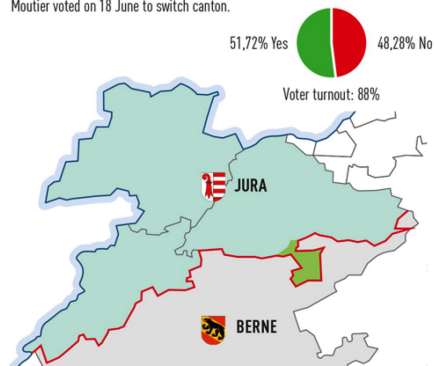
According to Sean Müller, the most important milestone was the willingness of the canton of Bern to launch the transition process with an open mind. That was back in 1970, when the voters in Bern agreed to a constitu-

tional amendment that paved the way for a multi-stage series of referendums in Jura. It led eventually to the establishment of the canton of Jura. “Giving a minority this opportunity was very generous and respectful,” says Müller. Yet before that, things happened “that were not always consistent with the normal picture of Swiss politics”, for instance, after voters in Bern in 1959 rejected an initiative from the political movement Rassemblement jurassien for a Jura plebiscite, the separatists in the 1960s resorted to increasingly radical methods. For example, the Bern Day at the 1964 Expo in Switzerland was disrupted, and the Bern Grand Council bricked up. There were also explosions and arson attacks. Street fighting broke out in Moutier in the middle of the 1970s between armed separatists and the Bern Cantonal Police.

Historian Jakob Tanner delves back even further and describes the Jura conflict in his book “History of Switzerland in the 20th Century”

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Canton switch: Moutier joins Jura
Moutier voted on 18 June to switch canton.



Joy among Pro-Jura residents: Moutier was at the heart of the Jura conflict for decades. Last June there was finally cause for celebration – at least for those in favour of switching canton.

Photo: Keystone

200 years of the Jura conflict at a glance

1815: At the Congress of Vienna, the territory of the former Prince-Bishopric of Basel is given to the canton of Bern. This part of Jura had been a French département since 1793. The first conflicts between those loyal to Bern and the Jurassians took place after 1815.

1947: The Bern Grand Council refuses to let Jurassian state-council member Georges Moeckli head up the Department of Public Works and Railways, because he is a French native speaker. The Jura conflict begins to escalate.

1950: The canton introduces French as the second official language. The Jurassian districts also receive two guaranteed seats in the cantonal government.

1963: Establishment of the young separatists' organisation known as *Béliers*, which carries out various provocative actions. Explosions and arson attacks are attributed to the Jurassian Liberation Front (FLJ).

1970: The people of Bern agree to a constitutional amendment that paves the way to a multi-level series of plebiscites.

1974: The people of Jura vote for a separate canton. But this canton will only comprise the three northern districts, because the three southern districts of Jura want to stay with the canton of Bern.

1978: The people of Switzerland and all cantons agree to the establishment of the canton of Jura with an 82.3 percent majority. One year later, the *République et Canton du Jura* joins the Swiss Confederation as its newest entity.

1994: As the Jura conflict continues to smoulder, an Inter-Jura Assembly is set up to work out proposed solutions. This body recommends holding referendums on the reunification of Jura.

2012: The cantons of Bern and Jura reach an agreement to end the Jura conflict once and for all. The agreement provides for a multi-stage procedure with regional and local referendums.



Violent times: Jurassian separatists at an unauthorised demonstration in November 1969 in front of the Federal Palace of Switzerland in Bern. Photo: Keystone

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(Geschichte der Schweiz im 20. Jahrhundert) as a “political foundling from olden times”. When Jura was assigned to the canton of Bern at the Congress of Vienna in 1815, a French-speaking, Catholic area came under the control of a German-speaking Protestant canton. Thereafter, those in northern Jura felt short-changed by Bern, which invested little. Road and rail infrastructure was inadequate. At the same time, the Jurassians with their French-speaking culture sensed a lack of respect. Those in southern Jura, on the other hand, experienced increasing industrialisation coupled with significant immigration of German-speaking Swiss. This lent the conflict a linguistic/ethnic component alongside the historical, religious and economic causes.

What is more, for historian Clément Crévoisier, the Jura question had a significant symbolic influence on Swiss politics from the 1950s to 1980, according to an interview in “Der Bund” newspaper. “The Jura conflict reflected the discord between the progressive, forward-looking movement of the sixties and conservative Switzerland,” he says. Conversely, notes Crévoisier, “the separatists were able

to draw on the spirit of change that prevailed in the 1960s and 1970s.”

A non-conformist constituent state?

The canton of Jura also stems from a time in which political visions were accorded a different weighting than today. The Historical Dictionary of Switzerland still considers the youngest canton to be “a progressive and non-conformist constituent state”. For political scientist Sean Müller, however, the general voting behaviour in the canton of Jura paints an inconsistent picture. In socio-political issues, where religious attitudes play an important role, Jura is rather conservative. As regards their stance on openness, migration and foreign policy they are labelled “progressive” – but in this way they are no different to Romandy as a whole and the large Swiss-German cities. And the composition of the political authorities in the canton of Jura is now roughly the same as the Swiss average. Jura could be labelled non-conformist in the sense that the right of foreigners to vote was included in the constitution from the very beginning, for example.

Two souls in Bernese Jura

Bern or Jura? On 18 June, after centuries of division, Moutier voted to switch canton. Just. Votes were also held in two small Bernese-Jura villages on 17 September.

SIMON THÖNEN

For the small town of Moutier, the Sunday vote on 18 June was a day of decision – and great emotions. Even in the morning, hours before the much-awaited result of the local referendum on switching cantons was announced, the pro-Jura supporters with their red and white flags dominated the scene in the small industrial town. The jubilation was huge when it transpired that Moutier wants to switch canton, from Bern to Jura. “Bravo Moutier!”, called out a separatist in the crowd. “We did it!” A town party was held afterwards with a lot of beer, music and fireworks until late in the night.

Yet the result was tight, with 51.7 percent voting yes, the gap amounting to just 137 votes. So on this day of decision, the small town with 7,700 people remained divided. Those in favour of Bern, who had gathered in a hall on the edge of the town, also celebrated – albeit for a short time only. For a moment they mistakenly thought that victory was theirs. Then many broke into tears. And the disappointment of those who had lost did give pro-Jura Mayor of Moutier Marcel Winistoerfer (CVP) “some cause for concern”, he admitted, despite his delight about the outcome of the referendum. The town authorities now face a huge challenge to convince those who rejected a Jura future about its advantages.

In Moutier, the die has been cast. There was a fierce dispute in previous decades because the town on the border between north and south Jura was divided. Elsewhere, the situation is clearer. For the most part Bernese Jura wants to remain with the canton of Bern, as it transpired in a regional referendum in 2013. And only two other

municipalities in Bernese Jura voted on the canton switch after Moutier – on 17 September (after our copy deadline). The centre of Belprahon is a beautiful former farming village on the southern hillside of Mont Raimeux – and on the outskirts of Moutier with many detached houses. In this village of 300 residents, people were divided about the question of Bern or Jura – even within families. Commune mayor Michel Leuenberger was pro-Bern, while his brother Philippe was hoping for a vote in favour of Jura, “because Jura is more familiar, that’s where the best festivals and parties are”. Yet in contrast to before, both confirm that there are no wars within families because of the Jura question.

Sorvilier, the second village that voted on 17 September, does not border onto Moutier. A vote was held here because the majority of the municipal council is pro-Jura – but the mayor is pro-Bern. Just like many villagers, François Romy, president of the neutral civic community, has two souls in his chest. “In my heart, I am Jurassian,” he says. “But I am also a vociferous defender of bilingualism” – meaning the coexistence of French and German speakers in the canton of Bern.

From an economic perspective, however, the canton of Jura is not a growth driver. It regularly comes last in terms of competitiveness, and with regard to financial equalisation for the cantons it is one of the largest recipient cantons per capita. The expectations became much more ambitious upon the establishment of the canton, says Müller. But the starting situation as a peripheral region relatively far from the economic hubs was difficult from the outset. The newly completed Transjurane motorway does raise hopes of some economic impetus for the structurally weak region. However, says Sean Müller, a motorway can have the opposite effect that more people commute to work outside the canton.

Just like most similar cases, and generally speaking in politics, the Jura conflict was never just about strong rational arguments, there was always a lot of emotion. Even the somewhat anachronistic dispute today about the “right” cantonal affiliation hovers somewhere between a right to self-determination, identity issues and ethno-nationalism. And even if the canton of Jura will probably never stretch down as far as Lake Biel, and the conflict will someday be confined to history, the “Rauracienne”, the official anthem of the canton of Jura, will probably still say:

“From Lake Biel to the gates of France / Hope ripens in the darkness of the towns / From our hearts sounds a song of deliverance / Our flag waved on the mountains / You, who care about the fate of the fatherland / Break the chains of an unjust destiny!”

SIMON THÖNEN IS A JOURNALIST WITH
“DER BUND”