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Historians question Federal Charter

As they do every year, the Swiss commemorate the pact signed by their forefathers in 1291 on 1st August. But historian Georges Andrey draws our attention to a few inconsistencies in the roots of Switzerland's National Day, which was created just over 100 years ago.

Legend has it that on August 1, 1291, amid continuing Habsburg repression, representatives from three forest cantons around Lake Lucerne - Uri, Schwyz and Unterwalden - met on the Rütli meadow, to sign a pact of eternal mutual defence. This is said to have laid the foundation of the Switzerland of today. The Museum of Schwyz exhibits the only copy of the Federal Charter, owned by canton Schwyz, that survived the test of time.

However, for many years researchers have raised doubts about this version of events. Andrey explains the latest scientific consensus:

On 1st August 1291, possibly nothing happened, for the simple reason that the 1291 charter has not been dated precisely. The original Latin text says "initio augusto" - that's to say 'at the beginning of August', not August 1. But obviously it was necessary to pick a date, which is why in 1891 the government decided the text was dated August 1.

Switzerland was one of the last countries to set a date for a national holiday. The historians of the day were consulted and they came up with this charter. This is the basis on which all of Switzerland commemorates this alliance. On August 1, 1891 all the church bells in Switzerland rang simultaneously and fires were lit. Swiss National Day has been celebrated on August 1 ever since.

But the date isn't the only inaccuracy. There are other problems with the document. For one, it is not signed; not one person is mentioned in the text. A place is not mentioned either. As a result, the idea of this alliance taking place on the Rütli is also debatable.

As there are no names mentioned, historians did a bit of digging. Certain names were already known by the 14th century. Looking at the situation today, we can put forward certain names, all of whom represent the political elite of the three forest cantons at the end of the 13th century.

Traditionally, the history books contain the names of three people who are said to have signed the original, now lost pact in 1291: Walter Fürst, Arnold von Melchtal and Werner Stauffacher. But that's purely hypothetical - in fact if three names have been kept, it's because the number three represents the Trinity and is therefore a symbol of authority.

Historians agree that the pact is anything but a modern constitution. In fact it's a patchwork of texts probably picked up elsewhere and put together into a medieval charter according to the practice of the day.

Reading the text is astonishing. It mentions public law, criminal law, international law, the suppression of fraud, judicial cooperation...

A lot of emphasis is placed on legal autonomy: The forest cantons didn't want foreign judges. A certain incoherence in the text is also obvious. For example sometimes you find the plural "they" and sometimes the royal "we". There are also spelling mistakes, which don't look good...

For some historians that reflects a certain haste in writing the text. They think it was written in a rush and in secret, as though there were outside pressure. It should also be pointed out that the Latin word which was translated as "confederates" was "conspirati". This proves for some historians that the pact is well and truly a pact of rebellion.

A while ago the Zurich medievalist Roger Sablonier used radiometric dating to show that many medieval charters in our possession - including the 1291 pact - were not authentic.

By no means does that indicate that the texts are fake. Indeed, Sablonier isn't claiming that. Basically these analyses only show that the charters we have are younger than the text - by one, two or even three generations. In fact they were retranscribed for various reasons - for example, because the original parchment had been damaged by humidity, fire or even rats.

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