

# La constitution

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# The Swiss Observer

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## HOME NEWS

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### FEDERAL.

#### SWISS CONVERSION LOAN.

The Swiss Government is raising a 150 million francs (£6,930,000) loan, carrying interest at 3½ per cent., at par, and running for 15 years.

The proceeds are to be applied for the partial repayment or conversion of the Frs.140 million (£6,500,000) Five per Cent. Federal Loan, 1925, and Frs.75 million (£3,460,000) Four per Cent. Federal Railways Loan, 1900.

#### ARMS SMUGGLING ARRESTS IN SWITZERLAND.

In connexion with the recent discovery at Geneva of an arms smuggling organization the Swiss Federal Police have arrested six men — two Swiss, two Spanish, and two French — and seized in various towns stocks of arms and ammunition to the value of over £40,000. These stocks, it is alleged were to be smuggled into France and thence to the Spanish Government.

#### SWISS "NO" TO 40-HOUR WEEK.

The uncompromising opposition of the Swiss Government to the principle of the 40-hour week was declared to the International Labour Conference by M. Schulthess, Government delegate of Switzerland, and ex-member of the Swiss Federal Council.

"The 40-hour week," said M. Schulthess, "is a 'wooden horse' which we do not propose to allow within the walls of our city." It would not reduce but increase unemployment in Switzerland, he said.

#### HELP FOR SWISS FROM SPAIN.

According to figures just published, the Confederation has up till now paid an amount of 195,000 frs. for the Swiss who had to leave Spain. In addition the cantons have paid altogether 48,000 frs., a further amount of 78,000 frs. was paid by the Special Committee formed to help our compatriots.

(The collection made through the Swiss Observer, reaching the amount of Frs. 11,032.40 (£513 9s. 10d.) compares very well with the above figures. — Ed.)

#### LESS UNEMPLOYED IN SWITZERLAND.

At the end of May, there were 44,250 unemployed registered in Switzerland or 22,031 less than twelve months ago.

#### WILLY MILLER †.

In Vevey died at the age of 48 the "Solothurner" Journalist Willy Miller, the deceased was born in Biberist. He studied law and for some time he occupied the post of Secretary of the Chamber of Commerce in Lucerne, later on he became a Journalist. Willy Miller was an expert on the manifold railway problems in Switzerland.

#### GORDON BENNETT BALLOON RACE.

The Gordon Bennett Balloon Race will take place on June the 20th, the following countries will be represented: Poland, Belgium, Switzerland, France and Germany.

#### SNOW MELTING FAST ON THE ALPS.

The heat is melting the snow so fast on the mountains that all the rivers and lakes are full and overflowing their banks in many places. In Canton Valais the Rhone has reached the rare level of 6.1 metres. The Lake of Geneva is now one foot above high water mark, and at its outlet from the lake the Rhone reaches the 2.40 metres level, which has not been recorded at this time of the year since 1849.

### LOCAL.

#### ZURICH.

Mme. Karolina Schwarzenbach, the oldest inhabitant of the town of Zurich, has died at the age of 96.

M. Heinrich Peter, architect, has been appointed "Kantonsbaumeister;" M. Peter made his studies at the Federal Technical University in Zurich. For the last few years he was a partner in the architect firm Kessler and Peter in Zurich.

#### BERNE.

M. Otto Kellerhans, at present a departmental chief of the Federal Alcohol Administration, has been appointed Director in succession to Dr. Tanner who is shortly relinquishing his post. M. Kellerhans is 36 years old and is the son of the Director of the prison in Witzwil. Messrs. Maret and Dr. Vegezzi will act as Vice-Directors.

The members of the Guilds in Berne entertained a number of members of the "City Livery Club" London at the Burgerratssaal in Berne, amongst the guests were M. Motta, President of the Swiss Confederation, Federal-Councillor Baumann and the British Minister, Sir George Warner.

Two motor-cars collided near Almendingen, the driver of one car, a Mr. Valentin, butcher from Berne, was killed outright, whilst his wife was seriously injured. The driver of the other car, a Mrs. Buchi also received serious injuries.

M. Fritz Gygas, Secretary of the two Federal Chambers, has celebrated his 25th service Jubilee.

The National Council has defeated with 107 against 2 votes a motion, tabled by National Councillors Tobler and Duttweiler, to prohibit Free-Masons Lodges in Switzerland.

Monsieur Antoniadie, the Rumanian Minister in Berne, and a former Rumanian delegate to the League of Nations Council, has been recalled by his government.

#### LUCERNE.

M. Beat Wieland, the well-known Alpine painter, has celebrated his 70th birthday anniversary at Kriens.

The population of the town of Lucerne, at the end of May, numbered 53,772.

#### SCHAFFHAUSEN.

At the age of 100 years and six months, died at Schaffhausen Mme. Ursula Käbler, the oldest inhabitant of the canton of Schaffhausen. The deceased was for the last eight years totally blind.

#### BASLE-COUNTRY.

On the occasion of the 100th anniversary of the "Schweizerischen Rhein-Salinen," the management has made a donation amounting to 150,000 Frs. to the Pension Fund of their employees; in addition each employee received the sum of 100 Frs. and a commemorative medal. The unemployed of the cantons of Basle-Country and Aargau have received an amount of 5,000 Frs. each.

#### GENEVA.

The canton of Geneva has, with 13,580 against 8,935 votes, prohibited all communist organisation in the canton.

## ESPOSIZIONE SVIZZERA A LONDRA.

Per cura delle ferrovie federali svizzere si inaugurò la prima esposizione d'arte svizzera in Londra il 22 aprile scorso.

Venne aperta in occasione delle feste per l'incoronazione dei reali inglesi e venne inaugurata dal Ministro svizzero a Londra, Signor Paravicini.

E' una mostra in miniatura, ma riesce molto interessante a tutti gli amici ed entusiasti della Svizzera non solo, ma rende orgogliosi noi pure, suoi figli qui residenti; "orgogliosi" di poter dimostrare, nel suo piccolo, quanto la nostra cara patria può fare e può dare ... lavori d'arte d'ogni genere, lavori pratici che dimostrano che la Svizzera non è soltanto "il campo di giuoco d'Europa."

Gli appassionati viaggiatori inglesi furono i primi, sembra, a scoprire, ammirare e far conoscere la bellezza delle nostre alpi; e di questi furono l'ispirazione a poeti, pittori e scrittori che ne esaltarono la splendore, la grandezza dei suoi paesaggi.

Vi sono esposti vari lavori di artisti svizzeri; dipinti ad olio, acquarelli, ritratti si possono ammirare in questa piccola raccolta; lavori di intaglio in legno, pizzi, ricami ... arnesi famigliari per uso domestico e per gli alpiani; vari, ricchi costumi nazionali dei diversi Cantoni indossati da fantocchi di ciera.

In un canto roccioso della mostra troviamo un saggio soltanto della nostra magnifica flora alpina; fiori veri, sempre freschi e rinnovati, trasportati qui in poche ore per la spiccia, meravigliosa via fattasi dal "Swissair."

Ma una tela di grande importanza è in vista al pubblico in questa semplice sala, senza ricercatezza alcuna; un piccolo pino selvatico ai suoi lati ... una corda attraverso la tela per sola sicurezza ... E' un Segantini, di pittura moderna; chi osserva questo capolavoro dimentica e la cornice e l'ambiente in estatica ammirazione per le qualità di luce e di spazio espresse nella tecnica dell'arte che Segantini creò e fece sua.

La grande tela è intitolata "Pastura di primavera;" rappresenta un'alpe all'ora del tramonto; un pastore pensoso col suo gregge ... ombre in basso e luce di neve in alto ...

E' lavoro unico del genere, come solo lo storico Segantini poteva riprodurre isolato lassù nelle alpi dell'Engadina che tanto amava, a vivere la vita del pastore, la vita semplice della natura.

Non fosse che per conoscere ed ammirare il lavoro di questo Maestro della Svizzera italiana, l'esposizione è degna di essere visitata.

Un ringraziamento riconoscente agli organizzatori che l'hanno creata.

T.L.R.

## LA CONSTITUTION.

Par Tell Perrin, La Chaux-de-Fonds.

(Mon Pays.)

### Confédérations et Cantons.

Le droit constitutionnel de la Suisse est extraordinairement étendu, parce qu'il comprend, à côté de la Charte fédérale, les constitutions des vingt-cinq Etats formant les 19 cantons et les 6 demi-cantons (Unterwald le Haut et le Bas, Appenzel Rhodes intérieures et extérieures, Bâle Ville et Campagne).

La Suisse est un Etat fédératif et non une confédération unie par les liens d'une simple alliance, bien que par traditionalisme le nom de Confédération ait été maintenu.

Cette situation complexe existe depuis 1848, époque à laquelle les cantons abandonnèrent une partie de leur de leur souveraineté au profit de l'ensemble, pour créer un Etat fédératif plus compact et par conséquent plus fort que l'ancienne Confédération.

La première caractéristique de la Suisse est ainsi d'être un groupement d'Etats — Cantons, fusionnés en un Etat central unique.

Cette composition entraîne de nombreuses complications. Comment concilier les prérogatives de la Confédération avec celles des Cantons, qui eux aussi sont des Etats? La formule suivante a été adoptée:

Les cantons sont compétents dans tous les domaines où la constitution n'attribue pas expressément, par une disposition explicite, la compétence à la Confédération.

Ainsi, toutes les fois qu'il paraît opportun de doter la Confédération d'une nouvelle compétence, il faut reviser la constitution fédérale pour y introduire un nouvel article. C'est là ce qui explique les fréquentes révisions constitutionnelles qui caractérisent la vie politique suisse, alors que, dans les autres pays, la loi fondamentale n'est pour ainsi dire jamais modifiée, si ce n'est en cas de changement de régime.

### La situation des cantons.

Les cantons sont des Etats, vivant d'une existence propre, libres d'agir selon la volonté de leur peuple, pourvu qu'ils n'empiètent pas sur les domaines attribués à la Confédération.

C'est ainsi que chaque canton a sa constitution, adoptée par la majorité de ses électeurs, ses lois (sauf pour les matières unifiées), ses

autorités législatives, exécutives et judiciaires, sa vie politique et administrative, son budget, ses impôts.

Toutefois, pour assurer un minimum d'homogénéité des cantons, ceux-ci doivent soumettre leurs constitutions à la ratification de l'Assemblée fédérale et celle-ci n'est accordée que si rien de contraire au droit fédéral n'y figure. Il faut en particulier que le gouvernement soit républicain. Une situation comme celle de Neuchâtel, qui fut canton suisse néanmoins dès 1814, tout en restant principauté prussienne, jusqu'à la révolution du 1er mars 1848, était concevable sous le régime de la simple Confédération d'Etats selon la formule ancienne; elle ne le serait plus depuis la formation de l'Etat fédératif en 1848.

#### Les Landsgemeinden.

La coutume, dans les anciens cantons, était que le peuple se réunissait chaque année en assemblée unique pour y décider des affaires du pays. Ces réunions étaient dénommées "Landsgemeinde." C'était la manifestation la plus imposante et la plus tangible du principe que la volonté du peuple est la loi suprême de l'Etat.

Cette coutume tend de plus en plus à disparaître. L'augmentation de la population rend de plus en plus impossible la réunion de tous les citoyens d'un canton en une seule assemblée.

Depuis que le Canton d'Uri a, en 1929, supprimé sa Landsgemeinde, cette forme de gouvernement direct n'existe plus que dans les deux Unterwald, les deux Appenzel et à Glaris.

Les Landsgemeinden de ces cantons sont des manifestations extrêmement intéressantes, qui attirent régulièrement de nombreux suisses d'autres cantons et même des étrangers. Ces assises populaires, où les citoyens se rendent tous avec une arme apparente, signe traditionnel de leur état de citoyens libres, rappellent les comices de la Rome antique. On y sent vibrer l'âme d'un peuple, uni dans son amour pour la patrie, malgré les divergences d'opinion.

Les projets de loi soumis au vote populaire sont préparés par un Grand Conseil. Les magistrats, spécialement le landammann, sont élus par l'Assemblée.

#### Le gouvernement représentatif des autres cantons.

Dans tous les autres cantons fonctionne le gouvernement représentatif. Les électeurs exercent leurs droits de vote au lieu de leur domicile, les scrutins étant organisés dans chaque commune. Les résultats totalisés des communes font règle pour le canton. Chaque canton possède un Grand Conseil, qui fait les lois, un Conseil d'Etat qui les exécute et administre le pays, des tribunaux.

Les décisions du pouvoir législatif sont soumises au referendum populaire. Le peuple du canton peut aussi, par l'initiative, introduire de nouvelles dispositions constitutionnelles ou législatives. Nous expliquerons plus loin la technique de ces deux institutions fondamentales du droit suisse.

#### Les Communes.

A l'origine, la commune se caractérise comme une association formée dans un but d'intérêt général des personnes établies dans un rayon déterminé.

La commune peut ne comprendre qu'un village proprement dit, c'est-à-dire un groupe d'habitants dans des maisons voisines; elle peut aussi s'étendre à une circonscription territoriale déterminée plus vaste, donnant elle-même naissance dans la suite à plusieurs communes distinctes.

La commune rurale d'autrefois comprend plusieurs sortes de biens immobiliers, savoir: le village proprement dit, composé des habitations et dépendances immédiates, la campagne qui se divise en terres partagées entre les habitants, propriétés privées et en terres indivises, propriété commune des habitants, consistant le plus souvent en pâturages, forêts.

Le caractère économique du groupement se manifeste par la création d'entreprises et la participation de tous à l'usage de certaines choses. Par exemple on choisit un forestier; on entretient ensemble des animaux reproducteurs, des fours à sécher ou à cuire, des battoirs pour le grain, des moulins; on utilise des fontaines banales; on règle par accord l'irrigation des prairies; on désigne un guet de nuit; on collabore à la lutte contre l'incendie.

Aux intérêts économiques, s'en ajoutent bientôt de religieux. Les communes locales deviennent des paroisses, et par là la vie communale s'enrichit de nombreux éléments nouveaux. On installe des églises, des orgues, des cloches, des lieux de sépulture.

A l'Eglise s'ajoute bientôt l'Ecole.

Aux intérêts économiques et religieux s'associent en troisième lieu, les intérêts politiques. La commune, se prête admirablement au soin des affaires administratives et politiques dans son cercle restreint. C'est là que la convocation des militaires, en cas de danger, s'exécute le plus promptement; il en est de même de la convocation des citoyens pour les élections et les votations; la police peut s'exercer avec le moins de difficulté

dans un ressort qu'on peut embrasser d'un regard; la taxation et la perception des impôts s'y fait aisément.

Les tâches assumées par la collectivité dès l'origine des organisations communales, sont allées en se multipliant. Il y a une police de la voirie, une police du feu, une police des constructions, une police générale; des services industriels pour la distribution du gaz, de l'électricité, un service des eaux, des égouts; un service d'assistance aux nécessiteux; des entreprises de bienfaisance: hospices, hôpitaux, orphelinats; des commissions qui veillent à l'instruction publique, etc.

La vie communale collective s'intensifie. Les autorités communales interviennent dans nombre de domaines auxquels l'Etat demeure étranger. Les communes sont devenues le champ d'action et d'expériences d'entreprises communales variées, des foyers de solidarité sociale.

#### DID YOU KNOW?

##### Similitude of Two Titles.

The title "Defenders of the Liberty of the Church" was conferred in 1512 by the Pope Julius II on his powerful Swiss allies in recognition of their military assistance. Julius II, whose pontificate was much devoted to political and military enterprises, formed in that year the "Holy League," an alliance in which Henry VIII of England was a member and which proved the beginning of the real history of Henry's reign.

The title "Defender of the Faith" used by the sovereigns of Great Britain was originally conferred nine years later, in 1521, on Henry VIII by Pope Leo X, Julius's successor, as a reward for writing his book in reply to Luther's famous address attacking the doctrinal system of the Church of Rome. This was in the early years of his reign and long before the papal supremacy was challenged by Henry himself. In spite of the shocking record of his conjugal relations, the long list of noble victims and the deaths of such men as More and Fisher that make his rule a veritable reign of terror, Henry VIII was a monarch of great diplomatic gifts and had a life-long interest in all matters of religious faith and church government. His quarrels with Rome, brought to a head by the divorce of his first wife, were solely with the pope and not with the doctrine of the Church. This schism from Rome, culminating in the suppression of monasteries and in the acceptance of the Reformation, made Henry VIII's reign perhaps one of the most important in English annals and of European history.

The title "Fidei Defensor" was with drawn in 1538 but re-conferred by the English parliament and borne ever since by all Henry's successors.

The Swiss, (in addition to the title which they never used, received from the pope a sword and a ducal bonnet of red velvet richly jewelled and lined with ermine, known as the famous "Hat of Liberty.") Moths, alas, have made a good meal of this hat and the Society of Antiquaries of Zurich have in their keep what little the insects have left.

P.S.

#### Uniforms were first seen in Switzerland.

Books of reference give the second half of the 14th century as the time when uniforms were first used. The Turkish Janissary force, a noted corps of foot soldiers who acted as the Sultan's body guard — the earliest standing army in Europe — was fully organised by Amurath I. in 1362. The formation of standing armies among the Western powers, which may be said to have introduced the modern military system, dates from the establishment of "compagnies d'ordonnance" by Charles VII. of France in 1422.

In England, the Yeomen of the Guard constituted by Henry VII. and at whose coronation

they made their first appearance, 30th October, 1485, is the oldest corps in the British service. The Honourable Corps of Gentlemen-at-Arms, formerly called the Gentlemen Pensioners, was instituted in 1509 by Henry VIII and formed the sovereign's body guard.

The Beefeaters or Warders of the Tower, whose Tudor uniform has had much to do with their attractiveness to sightseers, wear the Yeoman's uniform, without the shoulder-belt, and had their origin in the reign of Edward VI in 1547.

France is generally believed the first country to adopt uniforms for soldiers, in 1422; now in Switzerland this custom is much more ancient. At the battle of Morgarten in 1315, the troops of Zurich were all dressed in white and blue. A corps of Bernese Troops, in 1365, wore a white costume with a bear of black cloth sewed on the breast. Troops from St. Gallen were all clad of red at Grandson in 1476, etc., etc.

It is thus fully established that Switzerland already had uniforms more than a century earlier than France and long before the Janissaries existed.

P.S.

#### PERSONAL.

The first sculptured head of H.R.H. The Prince Edward of Kent, the 20 months old son of The Duke and Duchess of Kent, the photograph of which appeared in so many papers last week, is the work of Madame Ginette Bingguelly-Lejeune, of Sunny Hill, Monahan Avenue, Purley. She worked mostly from photographs kindly lent by The Duchess. The little bust, which is a great success, is exhibited by gracious permission of H.R.H. The Duchess of Kent at the Society of Women Artists, Royal Institute Galleries, 195, Piccadilly, and can be seen from 10 to 5 p.m. until the 29th June.

At the same Exhibition, and by the same Artist, is a powerful and striking head of the late Rudyard Kipling. Exhibited last month at the French Salon and reproduced in The Figaro, The Petit Parisien, the Daily Mail Continental Edition, the Morning Post, Evening News, etc., it has been exceedingly well commented on by Art critics. Madame Bingguelly was congratulated on the excellence of her work by Mr. Albert Lebrun, President of the French Republic.

All the numerous friends of Monsieur and Madame Bingguelly will join us in conveying to the Artist our warmest congratulations.

We extend heartfelt congratulations to Mr. and Mrs. H. H. Baumann, of 30, Hartswood Road, Stamford Brook, W.12, on the occasion of their 25th wedding anniversary.

The many friends of M. Charles Valon will sympathise with him, M. Valon's father having died at Geneva.

#### MUTTER.

Du hast mir gegeben,  
dieses schwere, schöne Leben.  
Hast mit Liebe und Güte  
Gleich einer Blüte  
mich aufgezogen.  
Und nicht ohne Sorgen.  
Mein Sinnen an Dich:  
Du lebst für mich  
ist mir in der Fern  
Ein Lichter Stern.

N.H.

When nerves cry for rest and recreation,  
head toward

**MURREN** (Bernese Oberland, 5000 f.a.s.l.)

in front of the "Jungfrau" massiv.

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