

**Zeitschrift:** The Swiss observer : the journal of the Federation of Swiss Societies in the UK

**Herausgeber:** Federation of Swiss Societies in the United Kingdom

**Band:** - (1974)

**Heft:** 1684

**Rubrik:** Comment

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# The Swiss Observer

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Published Twice Monthly at  
63/67 TABERNACLE STREET  
LONDON E.C.2  
Tel: 01-253 2321

Telegrams: Paperwyse London

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# Comment

## FEDERALISM, A DYING IDEAL

Any authority called to speak on Switzerland before an educated audience will refer to neutrality and federalism as its two central institutions and the foundation of national identity. Both themes have been developed and analysed over the ages by men whose job it is to inform their public or increase the political awareness of their fellow citizens. One of the leading Swiss intellectuals professing to do just that, and a great advocate of federalism, is the Neuchatel-born writer Denis de Rougemont.

De Rougemont is among the leading thinkers of the French-speaking world and has established his name about thirty-five years ago with his most famous book "Love and the West", which analysed how the West has come to have so many warped ideas about love.

But this thinker of Protestant tradition used his sharp pen again in the 1974 Annuary of the Nouvelle Société Helvétique, a publication with contributions on the major issues of the day by leading citizens.

In his article, de Rougemont claims that the Swiss tend to ignore that they are the custodians of a great idea constituting the basis of their unity. He claims that his compatriots are steeped in error when they reduce this institution to an alliance between sovereign states, and hence the defence of federalism to protection of cantonal rights.

According to de Rougemont, the distribution of decision-making powers among the community — commune, canton, confederation — rests historically on the level of the tasks that have to be accomplished. Thus certain tasks surpassing the capacity of communes pertain to cantons, others which go beyond cantonal capacity are assumed by the Confederation. Likewise, there are tasks which individual countries can no longer undertake themselves and which must be shared internationally. Federalism corresponds essentially, says de Rougemont, to an ordering of duties according to the needs of the community at its different levels. This, he claims,

should be the live source of our federalistic thinking, and not the mere defence of cantonal prerogatives.

De Rougemont, who is also an advocate of federated Europe and directs the European Institute of Culture in Geneva, says that the ideas shared by the majority of his compatriots on federalism could not really be proposed as a solution to the makers of European unity. Federalism conceived as a sterile defence of individual and outdated prerogatives would be of little relevance to Europe, neither would the Federal Constitution in its 1948 conception. What could be an enriching source of inspiration to Europe, adds de Rougemont, is the reality of a Federal Executive — the Federal Council — independent of the cantonal states, and responsible only to federal bodies.

There are probably as many ways of considering federalism as there are concerns and interests. De Rougemont being primarily concerned with the moral fulfilment of man. His interest centres on the political and economic institutions which can help mankind achieve this goal. Freedom is obviously a vital concept, so is the opportunity to take roots in an environment of human dimension. Federalism *does* in fact offer freedom and promotes attachment to a small and recognisable part of the world. It also embodies respect for the other components that make up the Federation and, by taking account of the different collective levels at which a country lives and must answer to its needs, it develops the virtues of responsibility. So, for a humanist like de Rougemont, the scope and meaning of federalism must go way beyond the notions of average citizens who hardly realise the value of political institutions necessary to his well-being.

A cantonal administrator would have a more practical understanding of the problem. To him, it represents a sound and traditional way of running a small and de-centralised country. It also gives him more responsibility, more prestige than his French or British counterpart. The President of a cantonal Council of State (executive) has a different idea of his job than a Sub-Prefect in France or the Chairman of a British County Council.

New federal laws are constantly eroding the prerogatives of cantons and changing the old habits of local

authorities. To a cantonal civil servant committed to the operational meaning of federalism, this means that the traditional sharing of power between cantons and confederation has lost all foundation so that he does not know where he stands. The fast expansion of federal attributions has led to the result that cantonal governments are constantly having to adapt to new directives from Berne. They are painfully aware that the distinction between centralised states like Britain and France and a federal system is diminishing rapidly. Soon, there will be nothing to distinguish cantonal authorities from local authorities in, say, Britain. Cantons which once could decide whether murderers should be hanged or not, or whether religious education should be obligatory or not, or when the school terms should begin, will soon be left with fixing local rates, maintaining roads, or building new primary schools.

To reverse this trend, the Saint-Gall Council of State has called for a "cantonal summit" that would be chaired by the President of the Confederation. The purpose of this meeting would be to break away from "Executive Federalism" (Vollzugsfederalismus) characterised by a constant downpour of federal decrees and laws voted without cantonal consultation, and work towards a "Co-operative Federalism" in which the decision-making process would be redistributed.

The State Council of Saint-Gall considers that federalism is sick and calls for an urgent reappraisal of the share-out of responsibilities. This point of view is to some extent confirmed by the conclusions of the Wahlen Commission which drafted solutions for a new Constitution.

Like neutrality, federalism is a rich object of political sciences which can be viewed philosophically, as in the eyes of Denis de Rougemont, or operatively, as in the eyes of a cantonal civil servant wishing to carry out his duties in a firmer framework. There is cause for concern when Swiss federalism is viewed from both these angles but this concern is shared, it must be said, only by those who worry about the destiny of nations or by those who are directly responsible for its concrete implementation.

P.M.B.

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