

# A footnote to Switzerland

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## A FOOTNOTE TO SWITZERLAND.

By H. G. DANIELS.

(The following article is re-produced from the periodical "Contemporary Review" by the courtesy of the Editor.)

Civic rights and liberties of the Swiss citizen have been so meticulously safeguarded by cantonal and federal constitutions that minority questions, in this land of minorities, rarely emerge. Their protection is one of the pillars of the Confederation and the greatest care it taken that it never merges into privilege. Yet recent events in the canton of Berne have shown that even in so delicately balanced an organisation there can be gaps. It was with some surprise that the rest of Switzerland learnt that the Bernese Jura, the French-speaking part of the canton of Berne, was in a state of unrest, that representations were being made, and that there was even a group which was talking about secession and the creation of a separate Jura canton. In a sense it was a purely domestic matter, but its importance to the internal peace of the Confederation was at once recognised.

The canton of Berne comprises three provinces. The first is the familiar Oberland. The second is formed of the plains and valleys of the Mittelland, in which the city of Berne is situated. These two are almost entirely German (i.e. Alemannic) in speech. The third is the Seeland, stretching from the town and lake of Bienne to the blue-violet ridge of the Jura chain, a land of dark forests, deep clefts and high plateaux. Unlike the other two it is mainly inhabited by a French-speaking people with their own customs and traditions. It is, of course, only a small part of the whole Jura range. Its ancient capital is Porrentruy (in German Pruntrut), a picturesque little town on the banks of the river Allaine, the principal feature of which is a mediæval castle, now devoted to secular uses, but once the seat of the Prince Bishops of Bâle.

These prelates had ruled the Jura bishopric for some 800 years before the territory was overrun by the armies of the French revolution and occupied for nearly twenty-five years. During that time it was drained of its youth for the battlefields of Europe, impoverished, pillaged and shamefully misgoverned. When in 1815 Napoleon's armies finally collapsed, it was liberated by the Bernese, and became a part of the canton of Berne under an Act of Union in the same year. This Act nominally provides safeguards for ancient rights and privileges claimed to have been enjoyed by the Jurassian population under the régime of the Prince Bishops. The Jurassians have never been quite satisfied with the manner in which the Bernese have interpreted the Act, and suffer under the sense of being subjected to an excess of centralisation. An amendment to the Bernese cantonal constitution in 1893 had abolished many of these rights and privileges, notably those relating to justice, taxation, public assistance and the right of settlement. The Jurassians had other memories that rankled, for examples the manner in which the Protestant majority of Berne treated the Catholic minority (which in the Jura is the majority) during the Kulturkampf. Extremely jealous of their individuality as a people they viewed with dismay the steady infiltration of German-speaking elements into their villages and valleys, which they had

no power to control, and they were haunted with an underlying fear of being themselves assimilated and absorbed. None the less the Bernese Jura has progressed greatly from the material standpoint in the last 130 years, and to-day is a prosperous part of the canton.

The Jura frontier, which marches with France in part along the valley of the Doubs, was dangerously exposed to attack in the Second World War, and was therefore heavily guarded for the defence of Swiss neutrality. Troop movements and transport wore down the railways and roads of the Jura and left the local economy in a very bad state. When the war had ended appeals for aid in reconstruction and repair were received with less sympathetic response than the Jurassians thought to be their due. When they proposed that a Jurassian might be given one of the chief posts in the public works department of the canton of Berne they were met with the somewhat brusque and revealing reply that so important a post could not possibly be entrusted to a French-speaking Swiss. After some further unsatisfactory exchanges, a committee, constituted by the three most important local associations of the Jura, was formed to present a case to the cantonal authorities. It was named the "Comité de Montier." This committee had, of course, no legal status, since the constitutional representatives of the Bernese Jura entitled to make representations to the cantonal council were its elected members, a fact of which the committee was quickly reminded by the cantonal chancellery. Only in the form of a petition was it able to prefer its claims. None the less it took up the matter vigorously, at the same time observing statesmanlike moderation. Its reception at first was not encouraging. Appeals based on juridical and sentimental grounds were met with a mass of statistics; its demand that the Jurassic people should be recognised in the Berne constitution was summarily rejected; and others of its tentative proposals, such as the setting up of a separate Jura legislative body for Jura affairs and the appointment of special Jura officials were flatly refused.

This was hardly surprising in the circumstances, but it caused a good deal of dissatisfaction both with Berne and the Jura committee. A revival movement for pure separatism and a new Jura canton came into the field. It made little headway. What the Jura people wanted was not separatism but a reasonable measure of local autonomy. They would have been content to see their identity as a people recognised, and their rights safeguarded, by a sort of federalism within the canton. This, however, would have implied a good many things the cantonal council was not prepared to concede. It was felt in Berne that even the bare recognition of a Jura people would have meant a minority statute, and would have created two opposing half-cantons, while a sort of *fédéralisme à deux* within a single canton might well be contrary to the spirit of the Confederation. As for the creation of a new canton, its promoters could hardly expect the Confederation to compel one of its member states (of the integrity of which it is the guarantor) to abandon a large part of its territory. It is true that autonomous half-cantons already exist, but the case of none of them is comparable to that of the Jura. The canton of Unterwalden is divided into the half-cantons of Obwalden and Nidwalden, but the division is solely

due to the configuration of the country; Appenzell is divided into the Inner Rhoden (Catholic) and Outer Rhoden (Protestant) on grounds of religion; and Bâle is divided into Bâle City and Bâle Land (now two separate cantons) as the result of a clash of urban and country interests. There are linguistic minorities in other cantons, e.g. German-speaking minorities in Fribourg and the Valais, and Italian and Romansch-speaking minorities in the Grisons. But language is not regarded as a ground for separatism — if it were there would be no end to it. Parallel valleys in the Grisons often speak different tongues; Vals (German-speaking) and Vrin (Romansch-speaking) near Ilanz afford an example. Even the Jura has its own minorities. The German-speaking minority of the Laufental indicated that in the event of a settlement on the lines advocated by the Comité de Moutier they would claim for themselves the same minority rights. The Anabaptists said they would seek the same equality for their schools.

There came also into the discussion a curious — almost antiquarian — consideration, namely the custody of the Jura archives, the papers and documents of the ancient bishopric of Bâle. They are doubtless of importance to specialists in certain byways of history; to the Jura people their value is symbolical. Since they are mainly in Latin or German, it is unlikely that a high proportion of the Jura people would want to study them, even if they were made accessible. At the time of the Act of Union the bulk of these documents had been deposited for safety in Vienna. When in 1817 they were returned it was not unnatural that they should be consigned to the Bernese Government as the successors of the French. At that time it does not seem to have occurred to anyone to ask for their return to Porrentruy; indeed, it was not until 1842 that the proposal was even mooted, but thereafter they were alternatively coveted by Porrentruy and Berne. In 1845 they were sent back to Porrentruy. In 1898 the chief archivist of Berne obtained their return to that city for purposes of classification, though nothing was done till 1916, when they were taken in hand by a competent historian. This work is still in progress. Public opinion in Berne is now on the side of their return to Porrentruy.

The various claims of the Jurassians were debated during February and March at great length by the Berne Cantonal Council. By then, understanding and discussion had somewhat smoothed the path, and the Swiss genius for adjustment and compromise — which, after all, must always be the chief characteristic of cantonal government — had had time to resume its normal sway. A commission of 25 councillors, of whom eleven were Jura representatives, was set up, and it produced in due course a unanimous report, which went a long way towards meeting the material demands of the Jurassians, though perhaps less far in its conditioned acceptance of the more political and social wishes. Though it did not agree to recognition for the "separate existence of a Jurassic people," it did at least accept in principle that the Bernese cantonal constitution should be amended to contain a statement that "the people of the canton" implied "the people of the ancient canton of Berne and the people of the Jura." Though the notion of a separate Jura chamber was rejected, it was agreed to recommend the creation of a permanent Jura commission. And though all the requests for equality of French and German were not acceptable, the recognition of French as an official language for certain strictly limited purposes was assured. The more material demands, mainly transport and economic grievances, were met in a spirit which reflected the fact that Berne was not disinterested in a prosperous and contented Jura.

One question remained in suspense — the request that a French-speaking primary school should be established in Berne for the benefit of the children of Jurassic officials and residents there. It was not wholly a Jura question, being really the repetition of an old demand which had long been pressed by French-speaking officials of the Confederation whose duties necessitated their living in the Bernese capital. Federal law provides for cantonal autonomy in matters of education and authorises each canton to organise it according to the wishes of the inhabitants. A French-speaking school has been vigorously advocated by a society calling itself "Les amis de l'Ecole française à Berne" for years past, and the subject was very fully debated by the cantonal council in 1944. No doubt the members of the Diplomatic Corps, and the many inter-

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national institutions with their headquarters in Berne, would welcome it. But it has always been rejected by the canton, lest the creation of a precedent should ultimately foster counter-claims, both in the canton and elsewhere, besides tending towards segregation. In Switzerland the official language is not that of the individual citizen but of the area in which he lives.

Having considered and accepted the report of the committee of twenty-five, the cantonal council handed over the juridical and constitutional problems involved to its jurists, and the economic and social recommendations to the relative departments of state, with instructions to prepare the necessary texts and amendments, in good time for legislative discussion and a plebiscite in 1950. Though the concessions were a good deal below what the Jurassians had hoped for, the Comité de Montier accepted the transaction as at least something gained.

In the French-speaking cantons, where the controversy was very closely watched, the general reaction was of sympathy for the Jurassians. To judge from their Press they found it impossible not to side with the Jura in its claim for special treatment. They realised at the same time that policy, and especially internal policy, is the art of the possible, and they understood without insisting too much. There is in fact in the Swiss Confederation a fundamental incompatibility as well as a fundamental cohesion; they saw in this dispute between a French-speaking minority and a German-speaking majority a reflection of the Federal position in which, in matters of internal government the German-speaking majority is always a little inclined to dominate the others. The whole machinery of federation is designed to take the strains and stresses thus (often unconsciously) set up. Even the separatists, who would add a twenty-third canton to the Confederation, received a good deal of sympathetic consideration in the Swiss-Romande Press, not because anybody believes for a moment that they would have the faintest chance of success, but because the bare fact of their existence may afford a slight guarantee that the compromise will be observed.

## SWISS RIFLE TEAM AT THE FEDERAL SHOOTING FESTIVAL IN CHUR.

As mentioned in our last issue, the Swiss Rifle Team, London, was represented at the above-mentioned competition by a team of nine men.

We are delighted to report that our 'sharpshooters' have done exceedingly well, considering that, for well over ten years, they were unable to have any practice, and we extend to them our heartiest congratulations.

The team has returned with a silver laurel wreath and a *plaque* depicting the coat of arms of the canton of Grisons, a really fine piece of work.

In addition three members of the competing team were awarded medals (these, we understand, are given in lieu of wreaths), namely: Alfred Schmid, W. Fischer and J. Muller.

We are informed that the "Auslandschweizer" teams consisting of the following sections: Société Suisse de Tir, Paris, Société Suisse de Tir, Bruxelles, Section Suisse de Tir de la Société Helvétique, Alger, Swiss Rifle Association of Hudson, N.Y. inc. New York, Section Suisse de Tir, Le Caire, Società Svizzera Tiratori, Milano, Tiratori Svizzeri, Luino, Swiss Rifle Team, London, Section Suisse de Tir d'Alexandrie, Carabiniers, Reims, and Societat Tiro Suizo de Buenos Aires, were accorded a most hearty reception.

Not only were they met with great acclamation wherever they went, but a special excursion by Postal coaches to the Lenzerheide was arranged in their honour, followed by a Banquet held at the Hotel Schweizerhof, during which they were addressed by Dr. R. von Planta, President of the Government of the canton of Grisons and Dr. Ernst Schürch, late President of the "Auslandschweizer Kommission" of the Nouvelle Société Helvétique.

A bevy of pretty "Ehrendamen" in national costume accompanied our compatriots from abroad, a fact, we understand, which was highly appreciated by at least some members of the Swiss Rifle Team.

To make our mouth water, we have been shown the Menu consisting of Bouchées à la Reine, carottes et petits pois au beurre, Tournedos grillé aux haricots verts, pommes duchesse, salade, Eugénie Kirsch, accompanied by some of our finest vintage wines.

We can imagine how some of our friends from austerity countries attacked these — for them — luxuries.

During the whole festival, Professor W. Nussbaum, was in charge of the "Auslandschweizer," and the care he bestowed on them was highly commented upon, and as a token of appreciation for his courtesy he received a memento from our Swiss abroad.

It might interest our readers to hear, that altogether 2,030 sections with 50,200 marksmen took part in the competition on the 300 m. target, and 400 sections, numbering 5,700, participated in pistol shooting. A total of 3,420,000 cartridges were fired.

Robert Burchler (Standeschützengesellschaft, Neumünster, Zurich) has been declared "Schützenkönig" of the Federal Shooting Festival in Chur on 300 m. target, and Fritz Peterhans, Fislbach, "Schützenkönig" on target 50 m. for pistols.



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