



The creation of the canton Jura is a victory for a model of social integration through the sharing of power. It shows that there is a democratic alternative to nationalism, which has proven itself incapable of solving the relationship problems with minorities.

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## Jura: democracy, not nationalism

The centuries-old Jura conflict, and the creation of the new canton Jura, illustrate one particular merit of direct democracy. The history of the separatist movement in the Jura demonstrates that quarrels between different cultural or political groups do not need to descend into violence. There is a democratic way of dealing with such problems.

“When it became clear that the vote for founding the canton Jura had been won, the rejoicing knew no bounds. People were dancing in the castle courtyard; they were all embracing each other and kissing each other; car horns sounded a fanfare; musicians wandered through the town with drums and trumpets and all the church bells began to ring.”

*Schwander, Marcel: Jura. Konfliktstoff für Jahrzehnte  
[Jura: Object of Decades-long Strife.] (Zurich/Köln 1977)*

The Jura conflict began after the former Episcopal principality of Basel was merged with the canton Bern at the Congress of Vienna in 1815. It was fed by the tensions between the French-speaking, Catholic population of the Jura and the German-speaking, Protestant canton Bern. For most of its life the conflict remained a smouldering fire, from which flames would occasionally leap up; but it did not spread beyond the region. It was only after the Second World War that the separatist movement in the Jura became a serious problem for the canton Bern, and ultimately for the whole of Switzerland.

The canton Jura was born after the failure of all attempts to integrate the minority Jura population socially into the canton Bern. This foundation of a state within the Swiss Confederation represented a significant victory for the much-maligned separatist movement, which still continues to campaign for those districts of the Jura region with a Protestant majority which remained in the canton Bern to be added to Switzerland's newest canton – the canton Jura, founded on 1st January 1979.

The Jura conflict was never, nor is it today, the problem of a minority, but rather a problem of social relations between a more powerful majority and a weaker minority. It is a typical conflict of 20th century and present-day Europe, but in the case of the Jura, the descent into violence was avoided, not least thanks to direct democracy. The creation of the canton Jura is thus also a victory for a model of social integration through the sharing of power, a model which has a long and successful pedigree in Switzerland. It shows that there is a democratic alternative to nationalism, which has proven itself incapable of solving the relationship problems with minorities.

#### **THE FAILURE OF REGIONAL INTEGRATION**

The five Jura protest movements which arose between 1815 and the Second World War were all short-lived. They were unable to mobilise sufficient support because other conflicts took precedence. Despite this, there did

emerge a minority awareness in the Jura and a number of associations were formed which fostered and transmitted this awareness. It was out of this tradition of protest that the separatist movement came into being.

According to the separatists, the people of the Jura were experiencing discrimination as a result of their dependence on the canton Bern and therefore separation was the solution. After the Second World War, the economic marginalisation of the Jura region added significant credibility to this interpretation.

The Jura protest movement really came to life in the post-war period after the Moeckli affair in 1947 (Georges Moeckli was a politician from the Jura, whose appointment to run one of the ministries was blocked by the Bernese parliament solely on the grounds that his mother-tongue was French). Those who wanted autonomy for the Jura while remaining within the canton Bern joined the Comité de Moutier. The Mouvement Séparatiste Jurassien (renamed the Rassemblement Jurassien in 1951) represented those who were campaigning for complete separation from Bern.

Bern rejected a federalisation of the canton, but did make concessions to the demands for autonomy from the Jura. These included constitutional recognition of the separate identity of the people of the Jura, confirmed in a cantonal referendum in 1950. In this initial phase, the conflict between Bern and the Jura was perceived publicly as a regional problem and the separatists were excluded from official negotiations, separation being completely unacceptable to Bern.

#### **DIRECT DEMOCRACY MAKES UP FOR THE DEFICIENCIES OF REPRESENTATION**

In September 1957, the Rassemblement Jurassien (RJ) launched a cantonal initiative to ascertain what the people of the Jura thought about the idea of creating a separate canton Jura. The initiative proposal asked: "Do you want the Jura to be given the status of a sovereign canton of the Confederation?"

The initiative allowed the separatists to move their campaign on to the political stage and force the media to report it and comment on it. The separatists and their political platform could no longer be ignored. The numerous media reports dealing with the background of the movement focused a great deal of public attention on the RJ, and its existence as a significant player in the Jura issue had to be acknowledged ("The movement is strong and widespread", the *Neue Zürcher Zeitung*, 15.7.1957).

When the initiative finally went to referendum ballot in July 1959, it was approved by a clear majority only in the three French-speaking, Catholic districts of the North Jura, whereas the three French-speaking, but majority Protestant, districts of the South Jura and the German-speaking, Catholic Laufental remained loyal to Bern. The newspaper headlines declared the death of separatism: “The RJ dream is over!” (Basler Nachrichten, 6.7.1959); “Separatism condemned to die” (Tagwacht, 6.7.1959).

But instead of obliging their critics and falling into their own graves, the separatists changed their tactics and their arguments. In future, they would speak of the unity, not of the whole Jura region, but only of the French-speaking areas and they would abandon the idea that geography and a shared history constituted the basis of their Jura identity and instead emphasize ethnic origin and the French language.

The separatists’ “nation” based on language and ethnicity is a pre-political “natural community” which is in stark contrast with the idea of the Swiss nation as a political community. The fear was expressed publicly that the separatists’ nationalism would undermine the idea of Switzerland as a nation based not on a common ethnicity or language, but forged out of an active will to unite despite differences (“Willensnation Schweiz”). The separatists sought support for their vision both at home and abroad, discovering a powerful ally in General de Gaulle and his vision of a “Europe des patries”.

### **“NO PLACE FOR VIOLENCE IN POLITICS”**

The separatists fed the public with protest actions cleverly staged for maximum media effect and became the main focus of opposition to Bern, which failed in the attempt to silence the separatist cause by sidelining it. Between 1962 and 1964, a small separatist group calling itself the Jura Liberation Front (FLJ) carried out a number of bomb and arson attacks on army barracks and the houses of prominent anti-separatists. But these actions of a few militants actually created less public furore than the “Les Rangiers affair”, when – at an event commemorating the Swiss army – the separatists prevented Bernese government minister Virgile Moine and federal government minister Paul Chaudet from speaking.

The scandal created by this protest had a long-lasting effect and marked the turning-point in the public perception of the Jura conflict. Where physical violence had failed (because it cuts off dialogue), symbolic violence succeeded. It challenged the national self-understanding of a now rattled Switzerland and transformed the Jura conflict from a regional issue into a national one.

Although it is true that Switzerland's prevailing national self-understanding was deeply challenged by the separatist movement, the fact is that the movement was not engaged in a struggle against the Swiss state. It was not campaigning for secession and did not want to say goodbye to Switzerland, but only to the canton Bern. In their opinion, the separatists were arguing for a better Switzerland than their opponents. That they had renounced violence as a means of achieving their aims also showed that they did not wish to cut themselves off entirely from the common ground of politics. As Roger Schaffter, leader of the separatist movement along with the charismatic Roland Béguelin, stated: "Violence is not a legitimate tool of politics in Switzerland."

The creation of the new canton did not occur in a single step; it proceeded through several stages and was by no means a foregone conclusion. Once it was realised that separatism as such could not be defeated, there was a greater willingness to ask the people of the Jura region what they thought about a possible separation from Bern. The first stage was to create the legal basis for such a move. The cantonal parliament ("Grosser Rat") of Bern drew up a supplementary article to the Bernese cantonal constitution which provided for both a referendum procedure ("Volksbefragung") and a direct democratic separation process. The amendment to the constitution was accepted in a cantonal popular vote on 1st March 1970, paving the way for self-determination for the Jura.

#### **THE REFERENDUM OF 23RD JUNE 1974**

The next stage saw the government in Bern deciding to ask the people of the Jura to vote on the question of separation in a referendum. The question put before them was: "Do you wish to form a new canton?." The popular vote took place on 23rd June 1974. To the surprise of many, the separatists won the vote with 36,802 votes in favour to 34,057 against, in a turnout of 88.7%.

In line with the constitutional amendment of 1970, initiatives in favour of remaining in the canton Bern were now submitted, first in the districts of South Jura and Laufental, subsequently also in a number of communities along the proposed new cantonal border. The results of the popular votes which took place in March and September of 1975 were as expected: the South Jura districts of Courtelary, Moutier and Neuenstadt voted for Bern. There followed referendums in 13 border communities: 5 majority Protestant districts voted to remain with Bern, but 8 majority Catholic districts opted for the Jura. Laufental initially decided in favour of Bern, but subsequently opted to join Basel Country.

The Jura was now officially split. Voters in the new canton approved a new constitution. After that it was the turn of voters throughout Switzerland to cast their votes. In his New Year address, Swiss federal president Willy Ritschard appealed to his fellow citizens: "On 24th September, a region will be asking the Swiss people for the right to become a separate canton. We want to show that we know how to act as democrats. Democrats respect minorities. They resolve their conflicts in a peaceful and sensible way. I ask you all to give a joyous 'Yes' to the new canton." When it came to the popular vote, all the cantons and a large majority of Swiss voters approved the accession of the new canton to the Confederation.

The history of the separatist movement in the Jura demonstrates that the relationship problems of cultural minorities do not need to descend into violence and that there is a democratic way of dealing with such problems. With the help of direct democracy, the separatists were able to generate a public debate on their political platform and thus compensate for their lack of representation. This directly lessened the likelihood of violence, because it is a well-known fact that it is the lack of a voice and the lack of representation which can easily lead minorities to resort to violence. It was a combination of direct democracy and federalism which made possible the creation of the new canton.

### **SAYING "NO" TO NATIONALISM**

The founding of the Republic and canton Jura, on the one hand, was a great success for the separatist movement, which possessed those attributes which are essential for the effective use of direct democracy: a clearly-defined cause and the ability to fight for it, to organize and to communicate. On the other hand it was a rejection of the separatists' nationalism and a victory instead for the principles of democracy and federalism.

Bern had not only recognised the existence of a people of the Jura and a claim to self-determination, but in its constitutional amendment of 1970 had even set out the conditions under which a process of separation might take place: "The right to demand a referendum ('Volksbefragung') or to take part in it belongs to those citizens who are entitled to vote on cantonal matters and who have their place of residence in a community situated within the area in which the referendum is carried out (...)."

This formulation defines the people of the Jura, with their right to self-determination, not as an ethnic community or "ethnos", as the separatists had claimed, but as citizens of a state society or "demos". According to the

separatists, this definition of the people violated the fundamental principles of national self-determination.

Within the context of a popular vote on the separation of the Jura from Bern, the answer to the question: “Who belongs to the Jura people?” was, of course, important. The expectation was that the separatists’ chances would be increased by a nationalistic definition of the people, and reduced by a democratic one.

On the other hand, we know from experience that the use of nationalistic concepts to divide the population into “natural communities” and grant to each of these peoples its own territory and its own state does not solve the relationship problems of minorities, but rather tends to perpetuate them by creating and excluding new minorities. The greater the fantasy content of these concepts, i.e. the more “ethnically” mixed a population in reality is, the greater will be the amount of force and violence needed to implement them. The break-up of the former Yugoslavia shows to what this can lead.

It makes a decisive difference what sources nourish the we-feeling of a state society, whether people derive their sense of belonging from active participation in the political decision-making (which allows them to say “We in Switzerland”), or from a belief in a given, pre-political nation (which makes them say “We Swiss”), whose existence must be secured by a continual separation of all that is “one’s own” from all that is “foreign”.

The existence of Switzerland is fundamentally based on a mixture of unity and diversity. Many factors have contributed to ensuring the success – so far – of this unity in diversity. One of those factors is certainly the policy of the sharing of power, which relies on the institutions and procedures of federalism and of direct democracy. It was these procedures, and not separatist nationalism, which made possible the peaceful separation of the Jura from Bern a quarter of a century ago.

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