

**COLLECTIVE
SECURITY
IN
SWISS
EXPERIENCE**

[1291-1948]

TAM E. RAPPARD

The mountain republic of Switzerland is one of the oldest countries in the world. Its historians trace its origins back to the thirteenth century. From then on until the end of the "ancien régime" the Swiss cantons formed a very loose confederation bound together only by bilateral and multi-lateral treaties of collective security. After fifty years of constitutional upheaval, Switzerland in 1848 became the federal state that she has been for the last century.

Professor Rappard's book is an attempt to recall the most significant events in the constitutional development of his country. Although his analysis is strictly historical, he has proceeded to his task with the curiosity of one who has closely followed the rise and fall of the League of Nations and the emergence of the United Nations. Has the experience of Switzerland in the matter of collective security and of federalism any lesson to teach those who would today place international relations on a firmer basis? That is the question to which a cautious reply is hazarded by the author.

See back flap for biographical note.

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by

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To my old and very dear friends
LIONEL CURTIS AND PAUL RUEGGER
I dedicate these pages
which owe all to their kindness

PREFACE

THIS little book about Switzerland was, of course, written in Switzerland, but it was conceived in Great Britain. It was suggested by a conversation with my old friend Lionel Curtis at All Souls' College, on one of the many occasions when I was privileged to be his guest in that academic Garden of Eden. On hearing of the subject of my *Cinq siècles de sécurité collective*, he strongly urged me to prepare an abridged version of my French book for the English-speaking public.

The difficulties inherent in the paper shortage which so cruelly limits the possibilities of British publishers were overcome, thanks to the intervention of another old friend, Paul Ruegger, our distinguished Minister in London. It was due to his generous efforts that the Swiss Foundation Pro Helvetia made available from Switzerland the paper on which this book is printed.

It is therefore no overstatement to declare that these pages owe their very existence, but, of course, none of their imperfections, to these two generous sponsors. To them, to Messrs. E. M. Bircher and C. Caillat, my very helpful correspondents at the Swiss Legation in London, and also to my faithful secretary, Mrs. Goebel, I here express my most heartfelt thanks.

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INTRODUCTION

OBJECT, METHOD, AND SOURCES

THE three Alpine communities of Uri, Schwytz and Unterwalden—all bordering on the lake of Lucerne—which in August, 1291, swore to protect each other in the interests of mutual security and peace (*dum peracta quietis et pacis solidantur*) are the direct ancestors of the Switzerland of 1948. The six and a half centuries which lie between these two dates saw no break in the continued corporate existence of what has been, since 1499 at least, an independent member of the European family of nations.

The twenty-odd generations of Swiss have, in the course of their common destiny, known many varied forms of political existence. But they have never swerved from the cardinal principle to which they owe their origin and their union. It may therefore be truly said that, viewed from the standpoint of structure and function, the history of Switzerland is the history of 657 years of collective security.

For the first five centuries, the Swiss people lived under a regime of mutual alliances between those minute sovereign republics which, on the eve of the Reformation, came to be known as cantons. Some of these small commonwealths, such as the three founders and, later, Zug, Glarus and Appenzell, were rural and democratic. Others, such as Lucerne, Zurich, Berne, and later Fribourg, Solothurn, Basle, and Schaffhausen, were urban and more or less oligarchical. Separately or together they administered as subject provinces the territories they had, in the course of the ages, wrested from the houses of Austria, Milan and Savoy. Furthermore, around the thirteen sovereign cantons and looking to them for protection, there gravitated a certain number of allied towns, principalities and Alpine districts such as St. Gall, Geneva, Neuchâtel, the Grisons, and the Valais.

The French Revolution and the wars of Napoleon put an end to this complicated and cumbersome political organism, commonly known at the time as the Helvetic Body. The bilateral and multilateral treaties which bound its members together were

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replaced by several successive federal constitutions. Through the liberation and elevation to the status of cantons of the subject provinces of Vaud, Aargau, Thurgau, and the Ticino, and the incorporation as such of five of the former allies, the number of full members of the Confederation rose from thirteen to nineteen in 1803 and to twenty-two in 1815.

Moreover, from the latter date until 1848, these twenty-two so-called sovereign cantons lived together under a transitory regime. This was clearly a compromise between the traditional institutions which had preceded and those which had resulted from the revolutionary events in France. In 1848, finally, the federal constitution was adopted which in its main features is still in force to-day. Modelled on the American pattern of 1789, it transformed what for over five centuries had been a permanent alliance or a very loose confederation into a federal state. At last the constituent parts came to be clearly subordinated to the national whole.

Throughout the six and a half centuries of its continuous existence, the Swiss people have thus in diverse forms, but always with a conscious purpose, practised the policy of the mutual protection of their cantons.

This very hasty summary of the history of the oldest surviving federal commonwealth of Europe will be somewhat elaborated presently. The purpose of this preliminary sketch is immediately to draw the reader's attention to the characteristic features of the one modern state which was born of, founded upon, and has ever been dominated by, the need of collective security.

Now it might be said of states in general that they all owe their existence and their unity to the prime necessity of protecting their subjects and citizens against violence. But while collective security is in this sense the basis of all states, it is so for Switzerland also in two other very distinctive respects. First, it is not primarily, as elsewhere, the call for the security of the individual that explains the rise and growth of the Swiss Republic. It is the urge of a group of communities which, while wishing each to retain its local independence, sought and found collective security in alliance for mutual defense. And, secondly, in Switzerland it was essentially this form of security that united the heterogeneous self-governing cantons. National unity was not and is not in Switzerland, as elsewhere, based on race, tongue, creed, or allegiance to a common ruler, but rather on a very conscious solidarity and need of reciprocal protection.

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It is in this latter respect that the Alpine league of cantons bears far more resemblance than most other states to the world League of Nations. The obvious contrasts in size, scope and time between the two organizations should not blind one who has any intimate knowledge of both to the no less obvious analogies in structure, function and destiny between them.

Both were constituted primarily for the protection of their members. Both were hampered and often paralyzed by the latter's antagonistic interests, divergent policies and narrow self-interest. Both suffered and finally died as a result of the constant subordination of the real and lasting welfare and security of the whole to the apparent convenience and to the immediate and temporary independence of the component parts. In both, the governing bodies—Council and Assembly of the League of Nations, Diet of the Swiss Confederation—were internally torn asunder by the inevitably conflicting loyalties of their members. These had, on the one hand and primarily, to defend the position of their constituents—the states or cantons whom they represented—and, on the other, to co-operate in the administration of the defensive league of which they were the supreme and indeed the sole authorities. Both also encountered similar difficulties in the allocation among their members of the burdens and advantages inherent in their common endeavors. Both were finally overwhelmed by aggressive forces from without. These forces, although always foreseen, in the end proved stronger than their powers of resistance, enfeebled as they were by mutual distrust and by an insufficient sense of their corporate unity. Both, after a signal failure, sought for more effective forms of collective security and the Swiss cantons found them in the establishment of a federal state.

One might almost indefinitely extend the list of analogies existing between the League of Nations and its Swiss microcosmic antecedent. We hope and trust that our narrative will suggest many others to the student of politics, that is to the philosophically minded analyst of historical phenomena. That is admittedly its main purpose.

We fully realize that many a professional historian will, for obvious reasons, look askance at such a hazardous undertaking. His misgivings should, however, be allayed, or at least extenuated, by the assurance that they have been fully shared by the author ever since he began his investigations into the technique of inter-cantonal relations in Swiss history. From the outset, he has been

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and has striven ever to remain conscious of the pitfalls which surround the historian who studies the past with a view not only to knowing and understanding it, but also of comparing it with the present and even of drawing lessons therefrom for the future. He undertook his inquiry without an inkling as to where it would lead him. He sought to pursue it throughout in a spirit of severe impartiality albeit not, he confesses, with complete historical disinterestedness. He has done his best to discover, present and interpret the facts of the past as they truly were, or at least as they struck him. He has endeavored to exercise the utmost critical vigilance, lest he select and distort them in order to fit them into an unconsciously or subconsciously preconceived scheme of things. In spite of his continual exertions in this respect, he, of course, lays no claim to infallibility. In order to speak the truth, it is necessary to guard against error and illusions, necessary but quite insufficient.

I know this study has been undertaken without any conscious bias, that it has been carried out in good faith and that it contains no deliberate misstatements. For the rest, I can only hope that I have not, being misled myself, misled the reader either as to the reality of the facts recalled, or as to their historical significance.

My main and almost my sole sources for the five centuries from 1291 to 1798 have been the *Amtliche Sammlung der älteren Eidgenössischen Abschiede*. This collection of official documents, well known to all students of Swiss history, was compiled between 1856 and 1886 from various cantonal archives. It contains, with, of course, very unequal detail according to the periods, the records of the principal intercantonal deliberations. It therefore throws much light not only on the countless treaties signed and agreements reached by the constituent members of the Swiss Confederation in their quest for collective security, but also on their various claims and motives and on the many cases of practical application of their mutual undertakings.

For the last one hundred and fifty years, my narrative is based on a much greater diversity of sources.

This latter period, as will appear presently, is of less interest to my purpose. Once the undisputed sovereignty of the federal state over its constituent cantons is established and recognized, as it was in Switzerland in 1848, the problem of their collective security is solved. Accordingly the analogies disappear between the Swiss experience from 1291 to 1798 and the Geneva experi-

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ment from 1920 to 1939, which offered the main reason for, though not the main object of, the present study.¹

As an experiment in federalism on a minute scale, nothing is more interesting than the story of the Swiss Confederation. It is thus, for instance, that W. A. B. Coolidge no doubt intended to present it when he wrote, at the beginning of his remarkable article on Switzerland in the 14th edition of the *Encyclopaedia Britannica*: "Swiss history is a study in federalism." As all who have attempted the task have experienced, however, and as Coolidge's essay shows itself, nothing is more difficult than to combine accuracy of detail with clarity of outline in an analysis of Swiss historical destiny.

The reasons for this peculiar difficulty are obvious. The history of England, of France, or of Spain, for example, is in the main that of the rise and fortunes of ruling houses whose role it has been to unify, to protect and to expand their respective kingdoms. The story of Switzerland, on the other hand, is that of a multitude of tiny sovereign cantons, each of which had its own origins and adventures, no two of which, for centuries, had the same relations to their neighbors and to the Confederation as a whole, and not all of which participated in the same so-called national wars and treaties. As a laboratory study of local experiments, the history of Switzerland may be fascinating to the specialist. But as a synthesis of local monographs, it is almost as arduous to write as it is tedious to read.

My purpose in this little book is not to overcome the difficulty which has hitherto baffled the attempts of far more learned authors of far more extensive narratives. It is necessary, however, and I trust it will prove sufficient, here to present in very summary outline the main facts which have characterized and which explain the growth of contemporary Switzerland out of its medieval origins on the banks of the lake of Lucerne. The first part of this volume will be devoted to this task. It is intended to provide a necessary framework to the picture of Swiss experience in collective security.

In my second part, I intend first to analyze the relevant clauses in the various treaties of alliance which are the true, and until 1798 were the sole, legal bases of the Swiss Confederation. I shall

¹ As this book is nothing but an abridged and, I hope, more readable English version of my more ponderous *Cinq siècles de sécurité collective* (1291-1798), Geneva and Paris, 1945, 603 pages, I have refrained from encumbering it with unnecessary footnotes. A critical reader will have no difficulty in finding the reference to the sources in the original volume in French.

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then recall the corresponding provisions of the federal constitutions on which Switzerland has more recently been founded.

The third and final part will deal with some cases of effective practical application of the principles of mutual protection laid down in the intercantonal undertakings.

The general conclusions suggested by these historical studies in collective security will be briefly formulated in a final section.

the author

William E. Rappard (b. 1883) studied at the universities of Geneva, Berlin, Munich, Harvard, Paris and Vienna. From 1911-13 he was instructor and then assistant-professor at Harvard, and since 1913 has been professor of economic history and public finance at the University of Geneva. Among other posts he has held that of Secretary-General of the League of Red Cross Societies (1919-1920), Director of the Mandates Section of the League of Nations (1920-25), Rector of the University of Geneva (1926-28 and 1936-38), Director of the Graduate Institute of International Studies, Geneva, since 1928, and since 1945 Government Delegate to the International Labour Conference.

His publications in English include "Uniting Europe" (1930), "The Government of Switzerland" (1936), "The Crisis of Democracy" (1938), and "The Quest for Peace since the World War" (1940).

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