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**Autor:** Blum, Roger  
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# Laufental sticks to Berne

On September 11, 1983 the voters of the Bernese precinct of Laufen clearly defeated at the polls a governmental change from the Canton of Berne to the Canton of Basel Country. A several years' period of self-determination had thus come to an end. Since the end of World War II, Switzerland has checked out all possible territorial alterations, for there was quite a number of such issues under discussion, for example, the fusion of two cantons (Basel Town and Basel Country), the foundation of a new canton (Jura), and annexation of one district and several communes to other cantons (Laufental and border communes in the Jura respectively).

The result is clear: The Swiss will never shift their borders without de genuine necessity. Our present system does not allow territorial restructuring unless the system becomes a burden. The following four examples will illustrate this:

## Fusion of Two Cantons

In 1833, after armed conflicts between Town and Country, the Canton of Basel was split up into two half cantons (by means of a decree of the Federal Diet («Tag-satzung»). This, however, was done only with the proviso that reunion by mutual consent was guaranteed. This very idea of reunion revived in the 20th century; however, the Canton of Basel Country rejected a constitution which was drafted and presented by a constitutional body in 1969 (although the Country had previously approved it four times). The main reasons were the spiritual and political, as well as the population says differences between Town and Country (Rural Basel would have become in minority). However, social and cultural differences bet-

ween Town and Country are now longer considered as a cause for partition.

## Creation of a New Canton

The total outbreak of the Jura conflict in 1947 eventually brought about the Bernese constitutional amendment of 1970, which entitled the Jurassian population to vote on their future themselves. We know the consequences: In the 1947 vote, the 3 northern, French-speaking, mainly Catholic districts decided to have a canton of their own, which was fully supported by the rest of the Jura, whereas the 3 southern, French-speaking, generally Protestant districts, and the German-speaking Catholic Laufental (north) withdrew from the canton to-be, sticking to Berne (1975). The differences in culture, denomination, language and mentality between the Canton of Berne and the northern Jura were so tremendous that no agreement could be reached within the framework of the old canton. The Swiss Confederation then approved of the creation of the new

Canton of Jura in 1978. It could well cope with the change.

## Cantonal change of a District

The Laufental received special treatment as far as the constitutional amendment was concerned: In case it did not choose to join the newly created Canton of Jura, it could either stick to Berne or seek union with another canton. In 1978, the Laufental decided for the latter and hence scrutinized the offers submitted by the Cantons of Basel Town, Basel Country, and Solothurn; Basel Country was the choice – not for good, though, as in late summer this year the Laufental people rejected the draft treaty. Here, too, there was no need, nor did they have to suffer under Bernese rule. Hence, the Laufental, in spite of its enclave situation and remoteness from its capital, remained faithful to Berne.

## Cantonal Change of a Commune

Berne's amendment also entitled border communes which had decided for one proposal and were now, through their membership in a specific district, forced to join another canton, to have their cantonal membership changed. Several communes seized this opportunity. As a consequence of this procedure, two communes were put right across the border, and although they wished to have their cantonal membership changed (the Bernese «Vellerat» wanted to become Jurassian, and reversely, the Jurassian «Ederswiler» Bernese), they were left out of the arrangements. And these two «borderline cases» are still to be dealt with.

The village of Laufen.

