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# The Swiss Observer

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## HOME NEWS

The official text of the memoranda, exchanged between the Swiss and the French Governments with reference to the Savoy Zones Convention, has now been published. The French note exhibits a deplorable ignorance—or perhaps negation—of the principles of our constitution, as well as a dictatorial attitude, and its ill-considered tenor is possibly due (it is to be sincerely hoped) to hasty drafting and to M. Poincaré being somewhat overburdened by more important business in other quarters. The original note of the Federal Council, declining to ratify the Convention, was handed in on March 19th, and the reply was given to M. Dunant, our Minister in Paris, on March 21st, *i.e.*, two days afterwards. The French note refuses to accept the verdict of the Swiss people, insisting on Article 435 of the Versailles Treaty, which placed Switzerland under the obligation to reconsider the present status of the Free Zones. The Federal Council replied to these arguments on March 26th in dignified, but unmistakable terms, as will be gathered from the extracts which we publish for the information of our readers. M. Poincaré asserts:—

"En vous accusant réception de votre communication, je crois devoir vous signaler que le gouvernement français n'estime pas que les motifs invoqués par le gouvernement fédéral pour déclarer qu'il n'est pas en mesure de ratifier la convention du 7 août 1921 soient fondés."

"Par leurs notes respectivement échangées les 5 et 18 mai 1919, le gouvernement français et le gouvernement suisse ont conclu un accord dont l'article 435 du traité de Versailles a pris acte."

"La convention ainsi prévue n'a été subordonnée par le gouvernement suisse ni expressément ni tacitement à aucune condition de referendum populaire, et au moment où ce pactum de contrahendo est ainsi intervenu, le gouvernement français était fondé à considérer le gouvernement suisse comme capable de s'engager à la conclure sans qu'une fois conclu un referendum populaire pût venir la rejeter."

"J'ai le ferme espoir que le gouvernement suisse reconnaîtra le bien fondé de ces observations et ne persistera pas à déclarer qu'il n'est pas en mesure de ratifier la convention du 7 août 1921, qui a reçu l'approbation des Parlements des deux pays."

These arguments are refuted by the Federal Council as follows:—

"Le Conseil fédéral ne peut cacher sa vive surprise de la demande qui lui est présentée par le gouvernement de la République française."

"La Constitution suisse prévoit l'obligation de soumettre au referendum populaire, s'il est demandé par au moins trente mille citoyens, tous les traités internationaux mettant à la charge de la Confédération des obligations d'une durée supérieure à quinze ans. La convention du 7 août 1921 rentre sans aucune contestation possible dans cette catégorie. Elle y rentre même à un double titre, d'abord parce qu'elle touche à des droits consacrés en faveur de la Suisse dans les traités de Paris de 1815 et de Turin de 1816; ensuite parce qu'elle contient elle-même des dispositions ayant une durée illimitée. L'Assemblée fédérale avait donc l'obligation très stricte de munir son arrêté approuvant la convention de la clause dite référendaire. Si elle avait agi autrement, elle se serait rendue coupable d'une violation de la Constitution."

"Le peuple suisse s'est prononcé. En rejetant la convention qui lui était soumise, il a exercé une prérogative de sa souveraineté. Le devoir du gouvernement suisse — devoir juridique, devoir politique, devoir moral — est de respecter ce vote. Demander au Conseil fédéral de passer outre à la volonté du peuple, ce serait le supposer capable d'un acte qui serait en opposition flagrante avec ses obligations constitutionnelles et avec sa qualité de gouvernement d'un pays démocratique."

"Le gouvernement de la République, qui n'a évidemment pas mesuré de prime abord toute la portée de sa demande, comprendra, après plus mûres réflexions, que le Conseil fédéral ne puisse ni ne veuille se prêter à un tel acte. Les raisons juridiques par lesquelles le gouvernement français cherche à justifier sa demande ne résistent pas à un examen attentif."

"Le gouvernement français et le gouvernement suisse ont conclu au sujet des zones franches un accord dont l'article 435 du traité de Versailles a pris acte. Au moment même de la conclusion de cet accord, le gouvernement suisse a exprimé, dans sa note du 5 mai 1919, le sens essentiel qu'il lui attribuait. Cet accord n'obligeait pas définitivement les parties, aussi longtemps qu'il n'avait été approuvé par les instances compétentes, d'après le droit constitutionnel et interne des deux pays. Or l'Assemblée fédérale n'a jamais donné son approbation définitive à l'accord contenu dans l'article 435 du traité de Versailles, et cette approbation ne saurait maintenant plus être donnée que sous réserve des droits que la Constitution fédérale a reconnus au peuple souverain."

M. Poincaré's note concludes with an admonition most unusual between two friendly governments, in fact, since the time of Bismarck we do not

remember our Government having received such categorical instructions from a foreign government.

M. Poincaré writes to M. Dunant:—

"Je vous serais très obligé, en exposant ces considérations au gouvernement fédéral, de bien vouloir lui demander de me confirmer dans le plus bref délai son accord avec le gouvernement français par la mise en vigueur de la convention du 7 août\* 1921..."

And here is the reply:—

"Le Conseil fédéral espère que le gouvernement de la République ne persistera pas dans sa demande. Il se réjouira de voir en cela un gage de l'amitié traditionnelle qui a constamment inspiré les relations entre les deux pays..."

The attitude of our Government has been endorsed by the Swiss press without exception; the comments of the French papers are guarded, though on the whole conciliatory, and regret is expressed that these notes should have been published. (1) Fortunately, the political atmosphere has been cleared again, for M. Poincaré has lost no time in withdrawing from an untenable position and re-opening the door which he seemed to have banged, barred and bolted against further deliberations; the following day, on March 27th, he hastened to write to M. Dunant:—

"Je m'empresse de vous confirmer par écrit la réponse que j'ai faite verbalement à votre lettre du 26 mars. Puisque le gouvernement fédéral ne croit pas pouvoir, comme je le lui demandais, faire entrer en vigueur la convention du 7 août 1921, je demeure, bien entendu, tout prêt, comme je l'avais indiqué aux Chambres françaises à émettre dans l'esprit le plus amical les propositions qu'il voudrait bien me communiquer. Je devrai, bien entendu, dans les négociations qui s'engageront, tenir compte des droits que l'art. 435 du traité de Versailles a conférés au gouvernement de la République et des obligations que lui a imposées la loi française du 16 février dernier."

It will be noted that the supposed French rights under Article 435 of the Versailles Treaty are invoked again, which need not be taken seriously, as a Prime Minister is naturally anxious to cover his retreat. Switzerland never was a party to the Versailles Treaty, and the latter bears no Swiss signature. It seems also on the cards that, as Switzerland is quite satisfied with the *status quo* in the Free Zones, new proposals to modify same will have to come from France.

\* The italics are ours.

## NOTES AND GLEANINGS.

By "KYBURG."

### Franco-Swiss Difference.

I read in *The Times* (26th March):—

"Switzerland has been greatly excited by the recent Note of the French Government in regard to the 'free zones' question. The French Government requests the Swiss Federal Council to put the Free Zones Convention into force, though the Swiss electorate, on a referendum, has refused to sanction it."

The French contention is that, when the free zones question came under discussion, the Swiss Constitution did not provide for a ratification by means of a referendum, and therefore the convention, having been accepted by Parliament, must be put into force. The Swiss Federal Council, in their reply, have refused to admit the French point of view, and emphasize the fact that any State is free to provide the means of ratification it desires. The French Note is regarded as an attempt to interfere with Swiss internal politics, and is for that reason bitterly criticized even by extremely pro-French newspapers."

I suppose it would be demanding rather a lot to ask France, after all the horrors of war she has gone through, to make *un beau geste*. But it is with nations as it is with individuals, a good action counts for more when it is performed in the face of obstacles. When things are easy, it is easy also to make *un beau geste*.

### Jesuits in Switzerland.

In fairness to our readers, I give the following from the *Universe* and *Catholic Weekly* (March 23rd):—

"The Swiss Catholic Women League held their annual conference at Basle early last month, the hierarchy being represented. The conference was chiefly devoted to lectures and debates on modern social and moral problems in relation to womanhood."

The famous Jesuit scholar, P. Hermann Muckermann, S.J., a well-known authority on biology and author of several learned works, recently delivered a lecture in the Cathedral of St. Gall. The Swiss Constitution still forbids the members of the Society of Jesus to exercise any functions in church and school. The anti-Catholic Radicals, frightfully alarmed, at once telegraphed for protection to the Federal Government at Berne, who, in turn, referred the matter back to the local Government at St. Gall. The latter, partly composed of Catholics, were 'nolens volens' compelled by law to forbid Fr. Muckermann any further lecturing inside a church.

The demands of the Catholic community of Basle for Government support for denominational schools, and for the abrogation of the law forbidding Catholic orders



## Points in your favour

(A recapitulation.)

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to exercise the teaching profession in all the schools of the canton, whether public or private, have been rejected by about 4,000 votes against 14,000. The Catholics had to rely on their own forces, a few hundred Protestant votes excepted, all other parties—from the Liberal Protestants to the Communists—having voted against both Bills."

In my opinion, there is no room in Switzerland for Jesuits actively teaching and lecturing, simply because in a free democracy there is and ought to be no room for any society which in this 20th century still thinks it necessary to have secret ramifications. We are in principle against all secret societies, even if, as in the case of Freemasons, for instance, the secrets are quite nominal and innocuous. I am aware that such societies may do a great deal of good, but that really only amounts to a mitigation of their offence, which consists in being secret, or at least in giving themselves airs of secrecy. I do not believe that "out of evil good may come," neither do I believe that "the end justified the means," and I am against any society, any movement, any proposition which has, or professes to have, secrets of any sort. If progress can be attained by such methods only, we do not want progress. We have yet to learn, however, of any progress which has at any time been achieved and maintained afterwards by such societies. Naturally, I do agree that in the Middle Ages those societies had a certain *raison d'être* and that then they were of benefit to humanity. But to-day, when we have universal education, etc., when we pride ourselves on living in an enlightened age, secret societies are anachronisms and out of place. They may do good, but the harm they do, by inspiring their members with a conscious or perhaps only sub-conscious self-righteousness, outweighs, in my opinion, any good they may achieve.

The above are some considerations which determine my point of view concerning the re-admission of Jesuit teaching in Switzerland.

### Tuberculosis Fight.

One can hardly open a paper nowadays without learning more and more of the grim fight which is being waged against this terrible disease. The *Daily Express* (March 27th) relates how twelve men were cured by Dr. Spahlinger:—

"Twelve cases of advanced pulmonary tuberculosis were treated by the Spahlinger serum in a London chest hospital in 1913-14. They were examined in 1921. Ten were alive, without any trace of the disease, able to do hard work, and certified cured by one of the most eminent specialists in London. Of the remaining two, one died on active service during the war, and the other died from another disease entirely."

This remarkable revelation of the efficacy of Dr. Spahlinger's treatment was made to the *Daily Express* yesterday by a specialist who has given it careful, critical study. Dr. Spahlinger's great work is in danger, because his experiments are held up for want of money.

One of the most striking factors of Spahlinger's treatment, noted by all observers, added the specialist, is that the results obtained are equally convincing, whether patients are treated in the dry altitudes of Montana, the humid, enervating climate of Geneva, or in the somewhat unhealthy conditions so common among the London poor."

And in the *Lancet* (March 24th) I find the

following very handsome tribute to an eminent fighter of the disease, Dr. Lucius Spengler, the renowned Chef-Arzt of the Schatzalp Sanatorium:—

"We announced last week the death of Dr. L. Spengler at Davos, giving some indication of his life work. Born on Oct. 8th, 1858, to Alexander Spengler and Elisabeth Ambühl, his wife, he received, as the first born, the traditional Grisons name of Lucius. He attended the local school, going on to the cantonal school in Chur, and from there to the Universities of Zürich, Tübingen, and Heidelberg, returning to Zürich to assist Krömlin and Wyss. In 1887 he went back to Davos-Platz to practise, and in the following year married Helene Holsboer, who bore him five children, and was an admirable life companion. His intention to take up general practice gradually gave way to the recognition which he soon gained as a diagnostician in pulmonary disease. He was in the habit of keeping exact notes of all his cases which in the course of an active life numbered some 12,000; patients came to him from all parts of the world on the report of others that they had found in him a sure guide for the period of their 'cure' and a wise adviser for their future life and activities. Many young colleagues whom he trained as assistants gained something of his own precise method and clear vision. He welcomed with keen interest any new addition to the therapy of tuberculosis, nevertheless retaining his critical detachment of judgment. The sanatorium on the Schatzalp, one of the most beautiful sites in Europe, was built to his own specification, with the help and technical advice of his father-in-law, W. J. Holsboer. It was there that, with the assistance of Dr. Ed. Neumann, who became his brother-in-law, he accumulated a large experience of the results of sanatorium treatment in the Alps."

In quite a number of other British papers I find not only articles, but also illustrations, referring to Sun Treatment.

Perhaps it might be possible to excite public opinion against a disease just as much as it can be done—who does not know it?—against a foreign nation. If we could rouse public opinion, so that it would force Governments to mobilise all available resources to fight the enemy, in this case disease, something might really be done. At all events, we should be spared in the future the horribly humiliating spectacle of potential benefactors of the type of Dr. Spahlinger being financially handicapped in their research and good work. Fancy a nation, when the enemy has invaded the country, still supinely neglecting its defences!

#### A Suggestion.

Among our letters we have received one from a reader who suggests that *The Swiss Observer* might be made much more valuable and interesting to everybody if there were a regular Editorial Column. We have given this matter anxious thought. We can see many difficulties which could only be overcome if our readers were willing to help by writing us, expressing their ideas and informing us in what particular subjects they are interested. We could then treat such subjects in turn and might eventually print selections or extracts from comments sent in by our readers. In some such fashion, we think, a Bond of Union between the *S.O.* and its readers could be established and, at all events, the experiment would prove interesting.

Therefore, think it over and let us know. Let your imagination have free play, let us have your ideas, tell us of your ideals, send us your grumbles, your complaints. Write what you like, as long as there is sense in it. We shall do the editing and the pruning! Always remember that the purpose of an "Editorial" is not merely to be instructive, but to comment on matters in such a way as to make the readers think for themselves. An "Editorial" which does not make you think, after you have read it, is so much waste-paper.

#### FINANCIAL AND COMMERCIAL NEWS FROM SWITZERLAND.

The last month has seen the issue of several important Cantonal and Municipal loans in Switzerland. The Canton of Argovie have been in the market with an appeal for Frs. 20,000,000, to be issued in 4½% bonds at 100%. The date of redemption was fixed at 1933. The immediate purpose of this loan was to provide funds for the redemption of the 5% loan of 1915, the total amount of which was Frs. 10,000,000, while the balance will be devoted to the consolidation of the floating debt.

The Canton of Zurich have also appeared as borrowers, offering a loan of Frs. 20,000,000 in 4½% bonds at par, the object of the issue being to consolidate the floating debt and to carry out various public works, etc. This loan is redeemable in 1935, the Cantonal authorities reserving the right to redeem in 1932.

An issue of Frs. 6,000,000 in 4½% bonds at 99 has also been made by the Municipality of St. Gall. This is also of a fixed duration of 10 years, and is intended in the first place to effect the redemption of Frs. 3,485,000 in 5½% Treasury Bonds, issued in 1920, and apart of the 3½% loan of 1903, which falls due for repayment. The Municipality of Coire also recently borrowed Frs. 5,000,000 in 4½% bonds at 98½, redeemable at any date after 1933. The Town of Schaffhausen also proposes shortly to issue a loan of Frs. 5,000,000 in 4½% bonds, to convert the 4% loan of the same amount which was issued in 1910 and falls due in June of this year. Conversion rights are offered at 99½%.

The Canton of Turgovie have succeeded in converting the Frs. 5,000,000, which fell due at the end of March, into 4½% bonds of five years' maturity. This was effected without having recourse to the capital market, and the Canton reckons to have saved about Frs. 90,000 on costs of issuing, etc., which would otherwise have been incurred.

An important industrial issue is being made by the Forces Motrices Bernoises S.A. in Berne, which is issuing a loan of Frs. 12,000,000 in 4½% debentures at 99%. The date of repayment is to be 1933, and the purpose of the issue is to consolidate the floating charges on the undertaking and to provide a larger working capital.

The profit and loss account of the Eisen- und Stahlwerke vorm. Georg Fischer in Schaffhausen for 1922 shows a net profit of Frs. 2,337,394, as compared with Frs. 2,035,811, and a dividend of 7% is to be distributed, as against 6% in 1921.

The Aluminium Industrie A.G. in Neuhausen shows a net profit for the year 1922, amounting to Frs. 3,820,000, as compared with Frs. 3,380,000 in the preceding year, and the dividend is to be increased from 8% to 9%. This is a welcome improvement, and it is to be hoped it indicates a certain measure of revival in industry in Switzerland, but the extent to which the figures are still behind those of the boom years must not be overlooked. In 1920 the net profits amounted to over seven and a half millions, and in 1919 to Frs. 8,820,000. The dividends in those years were 16% and 18% respectively.

#### STOCK EXCHANGE PRICES.

BONDS.		Mar. 26	Apr. 3
Swiss Confederation 3% 1903	...	78.90%	79.00%
Swiss Confed. 9th Mob. Loan 5%	...	102.75%	102.90%
Federal Railways A—K 3½%	...	83.70%	84.65%
Canton Basle-Stadt 5½% 1921	...	105.15%	105.25%
Canton Fribourg 3% 1892...	...	75.35%	75.50%
Zurich (Stadt) 4% 1909	...	100.70%	100.50%

  

SHARES.		Nom.	Mar. 26	Apr. 3
		Frs.	Frs.	Frs.
Swiss Bank Corporation	...	500	627	628
Crédit Suisse	...	500	649	656
Union de Banques Suisses	...	500	521	530
Fabrique Chimique ci-dev. Sandoz	1000	2075	2085	
Société pour l'Industrie Chimique	1000	1625	1625	
C. F. Bally S.A.	1000	1000	985	
Fabrique de Machines Oerlikon	500	639	639	
Entreprises Sulzer	...	1000	598	592
S.A. Brown Boveri (new)	...	500	318	319
Nestlé & Anglo-Swiss Cond. Mk. Co.	...	200	180	182
Choc. Suisses Peter-Cailler-Kohler	100	111	105	
Comp. de Navig'n sur le Lac Léman	500	460	460	

#### DALCROZE-EURHYTHMICS.

Very interesting lecture - demonstrations of Eurhythmics were given, at the Queen's Hall, on March 16th and March 23rd, by our distinguished countryman, Monsieur Jacques Dalcroze.

The lecture was delivered in French, and ably translated into English by Miss Gertrude Ingham, the Principal of the London School of Dalcroze Eurhythmics. About a hundred pupils from the latter school were engaged in the demonstration—those taking part in the *plastique* studies being dressed in the familiar garb of the Dalcroze school, consisting of a swimming costume covered by a short diaphanous Grecian tunic.

Whatever may be said in regard to the *raison d'être* of Eurhythmics, there can be no question that it can and does materially assist the musical studies of pupils by teaching them the principles of harmony and rhythm, and training the ear to recognise and accurately copy musical sounds by insisting that the pupils shall translate in themselves, by posture and gesture, the very theme and spirit of a composer's work. Eurhythmics give rightful prominence to that first essential to the rendition of all good music—expression.

Furthermore, the exercises necessary to the acquirement of control of body and limb, the practice of the gestures and postures, and the incidental breathing exercises not only give improved health to the pupils, but also poise, symmetry of figure and grace of movement. In the course of these studies and exercises the students also learn what is appreciated by and known to all artists and painters, but rarely apprehended by the ordinary layman, namely, that the human figure, when properly trained and cared for, is capable of expressing quite as much as even the most mobile face.

The earlier lecture-demonstration covered rhythmic and metric movement and moving *plastique*, including improvisation, interpretation, notation, memorising and conducting.

Continuing the lecture on March 23rd, Monsieur Dalcroze gave further convincing demonstrations as to the plastic and musical value of gesture and his methods of harmonising and combining gestures from an aesthetic point of view. Many examples of ear-training exercises, collective and individual, were given. The latter part of the programme related to improvisation at the piano. Some of the ear and memory-training exercises, also the examples of double improvisation, piano and voice, which were performed by the more advanced pupils, called forth whole-hearted applause from the large and appreciative audience.

Monsieur Dalcroze is arranging a festival, to take place next June at Geneva. We understand

that the summer school of Dalcroze Eurhythmics will be held this year in the buildings of the University College of North Wales, Bangor.

Particulars of both events can be obtained from the London School of Dalcroze Eurhythmics.

#### BASEL FAIR PARTY.

In reply to the many enquiries, we wish to repeat and complete information given in a previous issue:—

British subjects require a passport only, no visas being necessary.

We hear that the English visa for Swiss citizens, resident in this country, is likely to be abolished in the course of this month.

The party must travel outwards together, that is to say, the ticket is available only for the 11 a.m. service from Victoria (S.E. & C.R.) on Saturday, April 14th, 1923. On arrival at Basle the party disperses, and the home journey will be completed independently any time within 33 days. Détour tickets, entitling the holder to travel via Paris and stay there, may be obtained at the Basle station. The price is 1s. 10d. for second and 2s. 10d. for first class.

Compartments at Victoria Station are reserved and marked "Swiss Observer—Basle Fair Party." The train will probably start from platform No. 9. Carriages on the other side at Calais will be similarly marked. The train Calais-Hirson-Basle does not contain a restaurant car, but a dinner, at the fixed price of 8 French francs (wine not included), can be obtained at Hirson (about 7.40 p.m.) if ordered in advance by wire from Calais.

Luggage can be registered through from London to Basle, where customs and passport examination takes place.

Everybody should be at the Station by 10 a.m. at the latest, as the Party may travel by the 10.35 advance portion of the 11 o'clock service. Those with baggage to register should be there at 9.45.

Tickets are now ready at the offices of *The Swiss Observer*, 21, Garlick Hill, E.C. 4. On request they will be forwarded by registered letter at owner's risk.

#### CORRESPONDENCE.

The Editor is not responsible for the opinions expressed by his Correspondents.

#### SWISS FLAG ON THE HIGH SEAS.

To the Editor of "The Swiss Observer."

Sir,—With reference to your statement in "The Swiss Observer" of March 31st last, that the Federal Council had given a negative answer to the application of a London firm for the flying of the Swiss flag on the high seas, I am afraid it may lead your readers to understand that there has been a definite rejection of the application for the flag.

The facts, however, are as follows:—The petitioners, having been aware that Switzerland so far has no law regulating maritime navigation, submitted to the Federal Council certain proposals, embodying a specific plan for a practical and speedy solution of the problem of law. These proposals were favourably recommended to the Federal Authorities, both by eminent lawyers and business men of high reputation. For reasons not disclosed, the Federal Council found that they could not accept the petitioners' suggestions tending to a temporary arrangement for flying forthwith the Swiss flag on ships at sea.

On the other hand, the Federal Council has stated that to-day they do not wish to take a negative decision on the question of introducing the Swiss flag, and that they have given instructions to the Departments specially interested to take in hand the preliminary work in regard to the necessary legislation.

The normal course of passing a law will, however, probably occupy a considerable time.

Yours faithfully,

C. A. AESCHMANN.

London, 4th April, 1923.

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