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Power-sharing

Lessons learned from the Swiss experience

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I. The Context

Swiss experience of sharing language and religion. The integration of religious and linguistic communities is one of Switzerland's important achievements. The federal level applied different policies to accommodate linguistic diversity as well as religious diversity. In respect to the four Swiss language communities, the federal level adopted a policy of equality. In respect to religious diversity, the federal level relies on a policy of (relative) neutrality. Additionally, the federal level acts as guardian of intercommunal peace and protector of individual rights. The cantons decide on their official languages and on the relationship between the state and religion within the canton. Cantons with linguistic and religious diversity recognise several official languages at the cantonal and municipal level and predominately give a public law status to the traditional religious denominations. Swiss experiences with sharing language and religion might amongst others be of interest because they include territorial and non-territorial mechanisms to accommodate diversity.

Sharing language and religion: an issue that will come up. Both language and religious affiliation are key aspects of personal and group identity. The national identity and thus the identity of the nation-state can also be based on linguistic and religious identity. Such definitions of the nation-state can lead to the reluctance to accommodate those who do not share the linguistic or religious identities. As aggravating factor, persons who do not belong to the dominant language or religious groups can easily be singled out. This can lead to open discrimination of one or several particular linguistic or religious groups. Today, several ongoing violent ethnic conflicts have a linguistic and religious component. Particularly in situations after violent conflict, the official stance towards linguistic and religious diversity as well as the protection of religious and linguistic communities is of high relevance.

What will be discussed in this chapter? In a first step, the most important concepts with regard to language and religion will be discussed. In a second step, the question of how Switzerland accommodated its different religious and linguistic groups shall be addressed. Finally, the issue of whether or in how far Swiss experiences can be of relevance for other countries with multi-lingual or multi-religious societies shall be elaborated.

II. The Concepts

The challenge. Language and religion are elements of identity and identification. If the state gives preference to one language or religious group, this can lead to the alienation of others. How can the state prevent alienation? In the case of religious diversity, the state can remain neutral by relying on a separation between state and religion. However, the complete separation of state and religion is difficult to realise and can provoke resistance, especially if religion is considered part of the national identity. The state needs language for its relations with citizens and external partners. In order not to disadvantage any group, the state can recognise several official languages. The recognition of several official languages can create bigger costs and might meet resistance especially if language forms part of the national identity. The challenge is to find mechanisms that are appropriate and acceptable to all concerned groups. Generally, awareness is needed with regards to the difference between mere acceptance of different languages or religions, and their active promotion. Let's first take a look at the different possible mechanisms and safeguards (see box) and then at the policy areas of education and media as they are of special importance.

Recognition of the different languages and religions, for instance by enumerating them in the constitution, has symbolic relevance because it acknowledges their special role within the state, and can translate into **concrete policies**, e.g. the introduction of several official languages.

- **Official languages** are languages that are used by the state and its institutions in the internal and external communication. There can be national and local official languages. Every state needs at least one official language. The definition of official languages will have repercussions for instance on the languages used in official documents (e.g. passports, laws), on the languages in which the state can be addressed and addresses its citizens or external partners. For the citizens it is especially important that they can communicate with the state and participate in political life in their own language, and that they have access to education and media in their language.
- **State religions** have an exclusive and official status in the state. This can have repercussions for instance on state funding or the employment status of clerics. (State religions must not be confused with theocracies, in which state authority is supposed to derive directly from a divine source.) Not as far-going as the status of state religion is the attribution of a special public law status to more than one religious denomination. Such special status recognises the importance of the religious denomination for society. It can be linked to requirements in respect to the internal organisation of religious congregations and can provide certain special rights, e.g. taxing rights.
- **The separation of state and religion** can mean the complete invisibility of religion in the public sphere – no religious symbols are allowed – or the complete impartiality or neutrality of the state towards all forms of religious beliefs and manifestations. The complete separation between state and religion is difficult to

realise. For instance, for the definition of public holidays religious traditions normally are taken into account.

Vertical and horizontal power-sharing can contribute to the integration of linguistic groups (see *Chapter 4: Sharing rule*).

- **Vertical power-sharing:** Especially if linguistic and religious groups are territorially concentrated, the attribution of the right to self-rule in respect to language and religion to lower levels of government can bring decision-making to those who are directly concerned. It is also possible to accord the right to self-rule directly to communities and provide them for instance with cultural autonomy, the right to establish their own schools or even their own legal and court system notwithstanding their place of residence.
- **Horizontal power-sharing:** Federal institutions that are sensitive to linguistic or religious diversity can foster integration at the central level of government. This can be achieved for instance in the form of grand coalition governments, by creating special institutions, like a language commission within the Parliament, or by the application of the proportionality principle in institutions and administration.

Human and minority rights, individual and collective rights can bring protection to individuals and groups.

- **International covenants** provide for certain standards and guarantees. Some of these covenants are regional e.g. the Council of Europe's Framework Convention for the Protection of National Minorities; others are more inclusive, e.g. UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities as well as the UN Declaration on the Rights of Indigenous Peoples. Increasingly, international standards demand not only the protection but the promotion of minority languages.
- On the national level, **Constitutions and Bill of Rights** can provide for rights and guarantees. Rights can for instance include the right to freely choose to be treated or not to be treated as member of a specific group, the right to non-assimilation, religious freedom, the right to use the own language in private and in public, the right to use group symbols, and the right to education in the own language with a culture sensitive curricula.
- For any effective rights protection it needs an **independent and impartial judiciary** (see *Chapter 8: Sharing justice*).

Education – language and religion. Education is an especially sensitive area as it can keep language, religion and traditions alive. Education can have integrative effects and promote mutual understanding but can also deepen enmities and divisions. The educational system can provide equal opportunities but can also cement marginalisation. Linguistic groups have an interest that their language is taught in school and can be used as a language of instruction. Religious groups might want their values reflected in the curriculum and might demand religious instruction in schools. Linguistic and religious groups might want their own schools with or without public funding, the right to develop their curriculum and textbooks as well as

the right to decide on the teachers. The state on the other hand might have an interest in limiting separate schools, controlling the curriculum and providing standardised text books as well as having a say in the selection of teachers.

Media – language and religion. Media are a source of information, communication and entertainment but also of power as media can build and influence public opinion. Furthermore, media needs language. Additionally, the media and different media products tend to reflect a value system, including certain religious values. Linguistic and religious groups have an interest in providing information to their community, in transporting values and expressing their identity. Limited access to media limits influence on public opinion and restricts the avenues for identity expression. Groups might demand the right to their own newspapers, radio stations or television channels with or without public financing or at least to their own programming and sufficient time slots within public media. Balanced and varied programming that contributes to the information of the whole population is essential. Especially in situations after conflict or crisis, impartial information and professional reporting can be crucial for overcoming divisions. Joint multiethnic programming committees and independent self-regulating bodies can further promote the quality of the media.

III. Sharing Language and Religion in Switzerland

Linguistic and religious diversity in Switzerland. According to the census of 2000, 64% of the Swiss population speak German, 20% French, 6.5% Italian, 0.5% Romansh and 10% speak another language as their first language due to immigration. With regards to different religions, the picture is more balanced with 44% Catholics and 36.6% Protestants. Linguistic groups are territorially concentrated. There are cantons with German-, French- respectively Italian-speaking populations. Most cantons are mono-lingual. Only three of the 26 cantons are bilingual and one canton is trilingual. The Romansh-speaking community is the only one that does not form a majority in any canton. Religious groups are slightly more dispersed. There are several regions that show a patchwork of religious groups. However, even in cantons that are faced with religious and linguistic diversity, municipalities are at least relatively homogeneous.

Federalism – language and religion. Concerning linguistic and religious matters, the Swiss constitution provides for vertical power-sharing between the federal level, the cantons and the municipalities. With respect to languages, the constitution establishes the main rules on the

status of different languages at the federal level (Article 4 of the Swiss Constitution). Regarding religion, a comparable provision is missing. The cantons decide on their official languages and they can regulate the relations between religion and the state and some heterogeneous cantons accord decision-making powers even to the lowest level, to their municipalities. Additionally, the federal level guarantees the freedom of religion and of language and shall promote intercommunal peace and understanding. Furthermore, a law on languages has been adopted in 2007, which mainly formalized already existing informal rules. In the following pages, the recognition of linguistic and of religious groups will first be regarded; mechanisms of horizontal power-sharing as well as the protection of the freedom of language and of religion will then be discussed.

Recognition of languages. Switzerland distinguishes between national and official languages. German, French, Italian and Romansh are recognised as Swiss national languages (Article 4 of the Swiss Constitution). Recognition as a national language does not bring any concrete benefits as such; however, it has high symbolic value. It underlines the multilingual composition of Switzerland and the equal recognition of the different language communities irrespective of their numerical size. This recognition is limited to the languages that are traditionally present in Switzerland. Immigrant languages do not benefit from the same kind of recognition. The bilingual and trilingual cantons also give recognition to the different traditional language communities within their canton. For instance, the Canton of Fribourg declares that bilingualism is an important feature of the identity of the canton and the cantonal capital. The Canton of Bern recognises German and French as cantonal languages.

Official languages at the federal level. At the federal level, German, French Italian and Romansh have the status of official languages (Article 70 of the Swiss Constitution). The Romansh language was attributed this status in the early 1990s only. Romansh is still disfavoured in so far as it is an official language in respect to Romansh-speaking citizens only. The other official languages, German, French and Italian have equal status. The citizens can choose in which of these three languages they address the federal authorities and will also receive the answer in their language of choice. In political institutions at the federal level, the members and employees can use any official language for communication. As a general rule everyone speaks his or her language and the counterparts are expected to understand. Simultaneous translation is provided only in the lower house of parliament, the National Council. Proposals can only be put on the agenda of parliament if they are presented in German, Italian *and* French. Laws are simultaneously published in the three languages. All language versions have equal legal validity. Romansh-speaking citizens can address the

federal administration and court in Romansh and will also receive an answer in this language. The highest court issues its decisions in the language it was addressed in. The official publication of a court decision therefore includes opinions in German, French, Italian, and Romansh. However, only laws of special relevance are translated into Romansh. As counterbalance to this disfavoured status, the constitution provides that smaller linguistic groups (Romansh and Italian) are specially promoted. 10% of the population that speak another than one of the four official languages and these do not benefit from a comparable protection or promotion.

Official languages at the cantonal and municipal level. The cantons can decide on the cantonal official languages. However, the Swiss Constitution gives some guidelines: For preserving the harmony between linguistic groups, the cantons shall take into account their indigenous linguistic minorities and the traditional settlement patterns of linguistic groups (territoriality principle) (Article 70 II of the Swiss Constitution). The bilingual cantons of Fribourg, Valais and Berne each recognise two official languages and the trilingual Canton of Grisons even has three official languages: German, Romansh and Italian. Municipalities normally have only one official language but there are also some bilingual municipalities with two official languages. In the special case of the Canton of Grisons, municipalities can decide on the official languages, however, they have to apply certain principles. These principles concretise the territoriality principle and serve as strong protective or even preservation-mechanisms for the vulnerable linguistic groups. Whenever the language group that was traditionally a majority in the municipality forms at least 40% of the population, the municipality is regarded as monolingual; in other words the traditional language is the sole official language even if the actual majority in the municipality speaks a different language. Whenever the traditionally present language group forms at least 20% of the population within the municipality, their language is the official language in addition to the language of the majority. These principles shall mainly protect the Romansh- and Italian-speaking communities who live in municipalities that were or are confronted with a strong influx of persons from the German language group. This strict interpretation by the Canton of Grisons would probably not be permissible if less vulnerable linguistic groups were concerned.

Recognition of religious groups at the federal level. At the formation of federal Switzerland in the late 19th century, religious diversities especially created tensions. Switzerland had just undergone a very short civil war with a strong religious component. Any decision of the federal level on the relation between religion and the state would have inevitably alienated parts of the population. This is also one of the reasons Switzerland didn't enshrine the

separation between the state and religion at the federal level. A popular initiative in this sense was turned down by nearly 80% of the Swiss population in 1980. The stance of the state towards religion remained unregulated. This decision not to decide but to leave decision-making to lower levels avoided confrontation at the federal level. Thus the federal level did not recognise any religious group nor decreed the separation between religion and the state. It remained mute and neutral.

Recognition of religious groups at the cantonal level. Two cantons, Geneva (since 1907) and Neuchâtel (since 1941), introduced the separation between religion and the state. The separation is relative insofar as the religious communities can raise voluntary taxes and the state collects the taxes either free of charge (Neuchâtel) or against an emolument (Geneva). Today, most cantons provide for a public law status for the Protestant and the Catholic Church, although some cantons also grant public law status to the Christ-Catholic and Jewish faith. So far Islam is not provided public law status in any canton, though the percentage of the Swiss population that believes in Islam is 4.3%. Thus, the traditional religious communities are given preference to immigrant religious groups. Religious communities with a public law status normally have the right to raise taxes that are then collected by the state. These taxes are only mandatory for the adherents of the religious communities. In addition, religious communities with a public law status can receive state subsidies. In exchange, they are supposed to offer some social services. In order to receive the public law status, most cantons create rules on the internal organisation of the religious groups, i.e. the group must be organised democratically, provide for financial transparency as well as certain procedural guarantees.

Horizontal power-sharing. As linguistic and religious groups are territorially concentrated in cantons, their representation in Federal Parliament is automatically achieved, based on proportional representation in the National Council and based on cantonal representation in the Council of States (see *Chapter 4: Sharing rule*). With regards to the election of the Federal Council, the parliament shall attend to the different language regions adequate representation (however, it is not obliged to do this). The French speaking community has always had at least two representatives in the seven-member Federal Council. The Italian and the Romansh speaking communities have only been irregularly represented. Since 1956, the major political parties have also been represented in the Federal Council. As party affiliation was originally strongly linked to religion, party representation has also led to the representation of different religious groups. Additionally, as stated in Article 20 of the Law on Languages, the state aims at proportionality of linguistic groups in the federal

authorities (e.g. parliamentary commissions or federal administration). Furthermore, it promotes multilingualism in the army. The bi- and trilingual cantons also provide for representation in political institutions, the administration and the judiciaries.

Freedom and promotion of language. Next to special recognition and representation, the constitution guarantees the freedom of languages (Article 18 of the Swiss Constitution). According to the freedom of language, every person can use his or her language in private and in public. The freedom of language however clashes with the territoriality principle as well as with certain mechanisms to promote vulnerable groups. In most cases the Federal Court gave precedence to the territoriality principle and the protection of vulnerable groups over the freedom of language. Additionally, the federation shall actively promote and protect the different languages and shall encourage understanding and exchange between the linguistic communities. It promotes the publishing of Swiss literature as well as youth exchange between the different language communities. Additionally, the constitution proclaims that the confederation shall support the measures taken by the cantons of Grisons and Ticino to maintain and promote Romansh and Italian. The cantons also provide for rights and freedoms. For instance the Canton of Berne introduced the protection of linguistic, cultural and regional minorities as well as the freedom of language in its cantonal constitution.

Freedom of religion and protection of inter-religious peace. Switzerland left the regulations on the state and religion to the lower levels of government in order to prevent inter-religious conflicts at the federal level. The federal level shall serve as a guarantor of the freedom of religion as well as promote inter-religious peace to protect the individual and religious communities and prevent conflicts at lower levels (Article 15 and Article 72 of the Swiss Constitution). In the constitution, the freedom of religion and philosophy is guaranteed. All persons have the right to choose their religion or philosophical convictions freely, and to practice their religious beliefs alone or in community with others. Furthermore, it is not possible to force a person to join or to remain in a religious community or to participate in a religious act. The freedom of religion can be restricted if inter-religious peace is at stake. The federal level and the cantons may take measures to maintain public peace between the members of the different religious communities. Based on these provisions, public authorities for instance prohibited religious processions that were expected to spark inter-religious tensions.

Media – language and religion. In the federal law on television and radio, the state gives a mandate to the Swiss television and radio agency to amongst others broadcast radio and TV

programs in all three official languages and promote mutual trust and understanding of the language communities. The television agency is funded mainly by public TV and radio fees that amount to approximately 1.1 billions of Swiss Francs a year. In 2003, the smallest Italian speaking TV-station received 19% of the overall budget of the federal radio and TV programs, thus an over-proportional per capita funding. For the Romansh speaking community, a radio program has at least to be provided. Additionally, there are certain Romansh television programs on the German-language channel during prime-time with a daily information broadcast, as well as an entertainment and a children's show on Sundays. Additionally to these public TV and radio programs, there are several private radio and TV providers in all Swiss regions that to some extent receive public funding. Print media does not receive subsidies. Because of changes in the media market, several newspapers had to shut down; however, there is still at least one Swiss newspaper in each national language, and since 1997 a newspaper entirely in Romansh. Additionally, there are independent ombudsmen for the public radio and TV broadcasting in all three language regions. There are no specific rules on access of religious groups to media.

Education and language. With a few exceptions, the cantons are in charge of education including university education. Primary education is delegated to the municipalities. As a rule, the official language of the municipality is the language of instruction in primary school, even if the mother-tongue of the child is a different national language. This is another safeguard to protect the traditionally present language community. In the Canton of Fribourg, in municipalities with two official languages, the parents can determine the language of instruction. In the Canton of Grisons, in multilingual municipalities, preference as language of instruction is given to the traditional language. On the municipal level assimilation is expected which can be problematic. Until recently, cantons could also freely decide what languages were taught in school. However, the cantonal ministers of education decided on a harmonisation according to which a second official language is taught for all pupils at least from the 5th school year and English at least from the 7th school year onwards. Cooperation between cantons follows linguistic lines so that curricula differ depending on language group. Universities are also mainly cantonal. There are five cantonal universities with German as language of instruction, three with French, one bilingual French and German and one with Italian. Additionally, there are seven universities of applied sciences (technical colleges) in the different language regions.

Education and religion. Regulations on religious education are also in the responsibility of the cantons. Based on the freedom of religion, the religious neutrality of public schools is

guaranteed. Religious private schools are however permitted. Concerning public education, the situation in the cantons is very diverse. In five cantons, there is no public religious education at all, and in fourteen cantons, there is no public religious education on the secondary level. In two cantons, public religious education is compulsory whereas in the remaining ones, parents can unsubscribe their kids from classes. In public religious education, two main approaches can be distinguished. Certain cantons foresee 'neutral' religious instruction that covers a broad range of issues and does not give preference to one specific religion. The religious instruction is conducted without the direct involvement of clerics however sometimes the different religious denominations are consulted on the curriculum. Other cantons offer confessional religious education outside of the ordinary curriculum. The children can enrol in separate classes depending on their religious denomination.

Language in perspective. In 1848, when the first federal constitution was adopted, language did not have major relevance. Over the years, relevance and with it demands for explicit legal guarantees and regulations increased. Language use was mainly based on informal rules that were developed pragmatically. A Swiss language law was adopted in 2007 only, mainly enshrining the already existing informal rules. On the cantonal level, language promotion is also still on the move. Newer constitutions, e.g. the one of the Canton of Fribourg, offer more comprehensive provisions on languages than older ones. In 2007, the Canton of Grisons, as the first canton, adopted a cantonal language law. Furthermore, in recent years, a split between the French- and German-speaking Swiss in voting behaviour became apparent, this being especially the case during the 1990s in some referenda e.g. the German-speaking part of Switzerland was opposed while the French-speaking part was in favour. The most prominent example was the integration into the European Economic Space. However, an overwhelming majority of Swiss citizens approve Switzerland's stance towards cherishing linguistic diversity and are willing to further promote and protect the different linguistic groups. The multilingual character of Switzerland is not put in question.

Religion in perspective. In 1848, religion was the main divisive factor in Switzerland and it can be regarded as a major success that the Swiss constitution of 1848 managed to accommodate religious diversity. Interestingly, the Swiss Constitution managed to accommodate religious diversity without really paying reference to the religious groups or without explicitly guaranteeing their representation. The general representation mechanisms led to the inclusion of religious groups in political institutions and based on territorial federalism, the more homogeneous local communities were able to decide on religious

matters. Today tensions between the Swiss religious groups abated, not so much because of the system, but rather in line with the general societal development in Western Europe.

IV. Sharing Swiss Experiences?

Sharing language and religion – a success? The accommodation of different religious and linguistic groups based on the combination of recognition respectively neutrality, vertical and horizontal power-sharing as well as protection of rights was successful though political arguments between groups still occur. Can Switzerland serve as an example of how religious and linguistic diversity is best accommodated? There have been at least three factors that positively contributed to the success that might not be present in other countries.

Territorial concentrated groups. Federalism and the territorial concentration of religious and especially linguistic groups in municipalities and cantons allowed groups to live alongside each other, without interfering in each others business; but also, without really living together. In general, there is not much intermingling of groups in Switzerland. Cross-cultural private relationships are rare. An exception forms the Romansh speaking community. Their frequent intermingling, especially with the German speaking community is regarded as a factor that further endangers the survival of the small Romansh community. Living next to each other instead of with each other does not fulfil the ideal vision of a multiethnic society although it probably also prevented conflicts. Today, the major political arguments between groups in Switzerland appear in mixed areas, e.g. in multilingual municipalities on the language of instruction in schools or on the language of public signs (e.g. in the Canton of Fribourg). Countries that were confronted with violent conflict, in which religious and linguistic groups are dispersed, or in which a policy of ‘living together’ is applied, will probably experience more encounters between groups and therefore might also face more confrontation. A separation of these groups is however highly problematic, ethically and practically. The application of the territoriality principle for the re-establishment or maintenance of traditional settlement patterns could lead to severe problems and can be in violation of international standards. Additionally, territorial autonomy is not available as conflict prevention potential if groups are dispersed. Autonomy would have to be provided directly to groups (e.g. based on personal federalism) to bring similar effects; however personal autonomy poses practical challenges, for instance in respect to defining group membership. Furthermore, because in Switzerland group accommodation could be provided based on territorial criteria without directly attaching autonomy and representation to identity factors, guarantees of representation and autonomy that initially were introduced to protect

cantonal and religious diversity could later also bring benefit to linguistic groups, when the importance of language increased. Identity could evolve and institutions remained representative. If the right to representation and autonomy is directly linked to identity, identity has fewer chances to evolve as political mobilisation is automatically channelled along these identity factors.

Burundi's society is characterised by the mix of different groups. Burundi pays a lot of attention to the representativeness of political institutions and the administration. The constitution provides for special criteria and quotas in order to take identity factors into account. For instance two Senators coming from different ethnic group are elected from each province. Three co-opted Senators represent the ethnic group of Batwa. Furthermore, the constitution imposes a minimum of 30% of women. Additionally, the constitution foresees more general provisions, e.g. the Senate shall promote political inclusiveness, e.g. by co-opting members from underrepresented communities to the municipality councils. Therefore, the Senate can also react to evolving identities.

Broad popular acceptance of the accommodation of diversity. In Switzerland, it is broadly accepted that there are different linguistic and religious groups. Especially in respect to the Swiss national languages, Swiss citizens agree that linguistic diversity shall be maintained and even promoted. They accept restrictions of their freedom of language for the sake of inter-group harmony. Based on the respect for all language groups, informal rules on the use of language could develop that provided an almost equal status to all languages, even to Romansh which is spoken by about 0.5% of the population. These rules have only recently been formalised. Countries that have been confronted with conflict between religious and linguistic groups tend to be more reserved towards the accommodation of linguistic and religious groups. The introduction of additional official languages might be regarded as in contradiction with state identity. The creation of a multilingual state apparatus might face opposition. If acceptance is lacking, it is unlikely that mutually acceptable informal rules will develop. Linguistic and religious groups will demand binding guarantees and explicit regulations. Laws however have only limited power of social engineering. Without popular acceptance, the implementation of laws will be difficult. Additional energy and money will be needed for public awareness and trust-building measures.

While the military provisions of the Dayton Accords have been largely implemented, certain political issues in **Bosnia-Herzegovina** remain unresolved. In order to build confidence and trust and encourage a dialogue between ethnic communities, an inter-religious body has been established to ensure the exchange between the religious communities. Another initiative has been the establishment of a department of inter-religious dialogue at the University of Sarajevo.

The Belfast Agreement in **Northern Ireland** included a paragraph on the protection of languages: “All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland” (Article 3 in Economic Social and Cultural Issues). Additionally, and with reference to the Europe Charter of Regional or Minority Languages, the Irish language shall be promoted, a statutory duty will be placed on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education, more widespread availability of Gaelic Language Television in Northern Ireland shall be explored with the British and Irish broadcasting authorities, and Irish language films and television productions in Northern Ireland will be supported.

Complexities and capacities of the administration. Switzerland is characterised by linguistic and religious diversity, however in comparison to many other countries, it is relatively homogeneous. Swiss policies of language accommodation might work with four languages, but with ten languages it might be more of a challenge. Practicality reasons might mandate a limitation of the status of official languages to only some languages that are traditionally spoken in the concerned country. Multilingualism of public institutions creates costs and demands specific capacities of the administration. Switzerland’s administration has a multilingual workforce. Civil servants in the federal administration are required to have good knowledge of at least one additional official language. Politicians are also expected to understand their colleagues from other language communities. This reduces the need and thus the costs for translation. Especially following violent conflict, there can be a reluctance to learn the language of the other and the state might be unwilling to introduce mandatory language classes. The internal flow of information and internal communication among civil servants requires at least passive knowledge of the other official languages.

Nepal is confronted with far more complex linguistic diversity than Switzerland. According to the 2001 census the language composition is the following: Nepali 47.8%, Maithali 12.1%, Bhojpuri 7.4%, Tharu (Dagaura/Rana) 5.8%, Tamang 5.1%, Newar 3.6%, Magar 3.3%, Awadhi 2.4%, other 10%, unspecified 2.5%.

With the Ohrid Framework Agreement and related constitutional amendments **Macedonia** in fact introduced Albanian as second official language next to Macedonian. Citizens can address Macedonia’s institutions in Albanian and are supposed to receive an answer in Macedonian and Albanian. The provision of the answer in both languages produces translation costs. There are no mandatory Albanian classes in schools and the willingness to enroll children voluntarily is low. This makes it difficult to implement the official language policy.

Swiss lessons learned: As shown above, the relevance of the specific context must not be underestimated. There are still some lessons learned that can be drawn from the Swiss experience:

- Swiss experience shows that the recognition of groups or neutrality towards all groups can prevent alienation. Recognition acknowledged groups and promoted their identification with the state. The distinction into national and official languages provided mechanisms to acknowledge the equality of linguistic groups and still to design regulations on official languages that took practicality considerations into account.
- The possibility of acquiring a public law status served as an incentive to religious groups to reform their internal organisation and introduce democratic structures. As a side-effect, democratically organised religious congregation can legitimately represent their members towards the state.
- Switzerland adopted four official languages at the federal level. Swiss experiences show that multilingualism need not jeopardise the efficiency of the administration. The application of the proportionality principle in respect to the administration as well as early mandatory language training in schools contributed to affordable multilingualism in Switzerland.
- In Switzerland, territorial autonomy for territorially concentrated linguistic and religious groups at the cantonal and the municipal level managed to prevent confrontation at the federal level and thus indirectly contributed to the unity of the country. Territorial autonomy also allowed for a certain partisanship for the own identity. For instance, because of cantonal autonomy in respect to the relations between religion and the state, the state as such could remain neutral and the cantons still could give a preferential status to one or several religious groups in accordance with their identity. Competencies of the federal level in respect to protecting individual and group rights as well as to promote inter-group peace could guard against the suppression of religious minorities by the cantons.
- Conflicts within cantons as well as Switzerland's recent attempts to formalise the use of language in laws and regulations show the relative fragility of inter-group relations. Inter-ethnic peace cannot be taken for granted but requires continuous promotion.

V. Key Questions

Gaining a better understanding of the accommodation of linguistic and religious groups

- *Are different linguistic and religious groups constitutionally recognised?*
 - Are languages and religions mentioned in the constitution?
 - Are there provisions on official languages? How many languages have the status of official languages? Can all citizens address the administration in their language?
 - What stance does the state take towards religion?
- *Are linguistic and religious groups attributed with horizontal or vertical power-sharing?*
 - Are linguistic/ religious groups equally represented in political institutions?
 - Are linguistic and religious groups provided with autonomy?
- *Are individuals and groups protected in respect to their rights*
 - Is the freedom of religion and of language guaranteed?
 - Are the international standards of linguistic and religious minorities fulfilled?
 - Do groups have equal access to education and media in their language?
 - Does the state promote and support mutual understanding of language groups?

Towards sharing language and religion

- *How could the recognition of several religious and linguistic groups be achieved?*
 - Is there public acceptance for the recognition of several languages or religions?
 - Is there the willingness to introduce several official languages?
 - Would there be more willingness to introduce the official use of other languages in certain areas?
- *How could vertical and horizontal power-sharing be promoted?*
 - Can lower levels regulate their official languages or the religious relations?
 - What could lead to a representation of linguistic and religious groups at the centre?
 - How could a more equitable composition of the administration be achieved?
 - What are the language requirements for public administration officials?
 - Are there sufficient translation facilities?
 - Are the main languages taught at different levels in school?
- *How can the rights of linguistic and religious groups be safeguarded?*
 - What can be done to improve access to and impartiality of courts?
 - How could an equitable access to the media for religious groups also be ensured?
 - Shall there be commissions or other institutions to promote the rights of linguistic and religious groups?
 - What kind of activities and measures could promote the understanding between linguistic and religious groups?