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AN EDITOR SPEAKS.

by PIERRE BÉGUIN.

"Switzerland and the Problem of Cartels".

Last year a minority political movement — which, in spite of the restricted number of its adherents, plays an important role in Swiss public opinion — launched a Popular Initiative, the aim of which is to insert a new Article into the Federal Constitution which will tend to paralyse, or even to prohibit, the activity of cartels. This is a manifestation of pure Liberalism which meets with the opposition of all the professional corporations but which enjoys the sympathy of public opinion.

The Federal Parliament is preparing to examine this Initiative. A Report drawn up by our Government has been laid before Parliament recommending that this proposition should, quite simply, be rejected. Indeed, the Federal Council justifies certain activities on the part of the cartels, whilst, at the same time, affirming that the legislation now in force puts it into the position of being able to ward off any excesses on the part of professional organisation.

This is a matter which concerns a very ancient problem. If one has to admit that the Liberal régime is the best for the purpose of encouraging the development of all the creative forces of the nation, one must also recognise the fact that liberty often leads towards anarchy, and that order is necessary in regard to all things. If one must admit that professional organisation has nearly always had for its origin the necessity to protect those who are weak, it also often happens that in the end it is fated to have the effect of closing trades and of prohibiting the access of new elements, in short what it does is to defend acquired positions. If one has to recognise that professional organisation would seem, in its beginnings, to conform to the general interests or at any rate to the interests of an important portion of the population, it ends up, very easily, as being the guarantee of the interests of a powerful minority.

A problem of this kind is extremely difficult to solve. A professional organisation, even if it be of the type of a cartel, may be necessary. But in the long run it is only bearable if certain conditions exist: it must be flexible enough to be capable of adapting itself to changing circumstances; it must in no case create monopolies and it must not prevent capable and competent citizens from dedicating themselves to the work of their choice or their preference; and, finally, it must remain a simple means, which is used in the collective interests and must never become an aim in itself.

One might believe that Fate has decreed that the entire problem should have light thrown upon it, by a practical example, at the very moment when our authorities have been called upon to take decisions in regard to the principle of the matter, decisions which are, in a way, theoretical. An internal crisis which is rather serious has in effect occurred in one of our principal industries, the watch-making industry, which is very strictly organised. It alone, except for agriculture, is endowed with a legal statute of which the obligatory regulations are extremely detailed. This

legal statute provides for and gives the authority of law to the trade union and cartel conventions that have been concluded within this industry. All this strict regulation by system has been rendered necessary in order to protect our most famous national industry against foreign competition and in order to preserve it from an inner anarchy, which might have brought about its end.

However, the same thing has happened to this strict regulation as to all those which preceded it. Rigorous and necessary as it was in its beginnings, today it appears to be less indispensable, and even less easy to put up with. Within the watchmaking industry itself some dissident minorities have been constituted which ask for and indeed demand that this regulation should be made considerably more flexible, and that there should be a diminution of the powers of the controlling bodies. It is especially in regard to the latter that it is affirmed, with a good deal of appearance of reason, that circumstances have changed, that new rules are now necessary and that it is a grave error to cling to those measures which were justifiable some ten or fifteen years ago.

Here, once more, we find ourselves facing that eternal conflict which will always oppose a too strict law to the exigencies of life. And it is thus that the problem of the cartels can be summed up. It can only be solved by a synthesis between the necessity for freedom and the no less imperious necessity for order. Such a synthesis is indispensable. It cannot easily be achieved by a man belonging to the trade, for only too often he is dominated by personal interests. Nor can it be easily achieved by a public administration, which never willingly gives up any power with which it has once been entrusted, even if this was only incidentally. Finally, there is only one arbiter. Here, in Switzerland, it is Public Opinion which resigns itself to unavoidable regulations governing the trades, but which — very fortunately — is impatient with them, in practice, and will not tolerate that they should lead to any abuses. In our disputes, there is no other arbiter except Public Opinion.

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