

# *Why Did the Swiss Miss the Machiavellian Moment?*

HISTORY, MYTH, IMPERIAL AND CONSTITUTIONAL LAW IN THE  
EARLY MODERN SWISS CONFEDERATION

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SINCE THE PUBLICATION OF J. G. A. Pocock's masterpiece, Machiavelli has been the founding father of the Atlantic republican tradition. For obvious reasons, however, the Florentine chancellor barely mentioned the states bordering the Atlantic in his works. When he studied the actions of great men, his sources were "a continual study of ancient history" and "a long experience of modern affairs," whose obvious focus was Italy and the neighboring powers waging war on the peninsula.<sup>1</sup> In a world still centered on the Mediterranean, neither the British nations nor the Dutch belonged. On the other hand, when Machiavelli wanted to introduce a successful model for republican government, he not only used the admired but distant classical models of Sparta and Rome nor the somehow ambivalent Venetian case, but also the Swiss Confederation. The confederates were "armatissimi e liberissimi," most free because most armed and ready to defend their liberty as masters of modern warfare ("maestri delle moderne guerre") the way the Romans had done in antiquity: with an invincible militia army—and not, as Machiavelli's fellow Italians did, with mercenary troops.<sup>2</sup> The Swiss were strong, victorious, and fearless

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<sup>1</sup> Niccolò Machiavelli, *The Prince*, ed. Quentin Skinner and Russell Price (Cambridge: Cambridge University Press, 1988), 3 (Dedicatory letter). All English citations are to this edition and are cited as *Prince*.

<sup>2</sup> Niccolò Machiavelli, "Il Principe," in Machiavelli, *Opere*, ed. Corrado Vivanti (Turin: Einaudi 1997), 1:115–92, quotation 151 (chap. 12); *Prince*, 44. Machiavelli, "Discorsi sopra la prima deca di Tito Livio," in *Opere*, 1:193–525, quotation 366 (2, 16); Machiavelli, *Discourses*, ed. Leslie J. Walker (New Haven, CT: Yale University Press, 1950), 1:402 (hereafter cited as "Discorsi" and *Discourses*). For further quotations and the aftermath of Machiavelli's judgment on the Swiss, see my forthcoming article "Frühneuzeitlicher Republikanismus und Machiavellismus. Zur



warriors because they lived in egalitarian “libera libertà” and lacked princes and nobles; the poverty of uncivilized mountaineers (“uomini montanari . . . senza civiltà”) allowed them to stay far away from the corruption of the curia in Rome and to follow their original civic religion.<sup>3</sup> Hence Machiavelli considered the Swiss federative republic to have the best constitution, second only to the expansive republic of the Romans.<sup>4</sup>

What did the Swiss think about such praise? The first—Latin—translation of the *Principe* ever to be printed was published in Basel, in 1560. It was the work of Italian refugees, such as the translator Silvestro Tegli from Foligno; his colleague Pietro Perna from Lucca printed a second edition in 1580 prefaced by himself and Nicolaus Stupanus, who originated from Chiavenna. The foreword caused a scandal for several reasons. In the aftermath of the St. Bartholomew’s Day massacre, which Protestants like Innocent Gentillet attributed to Catherine de Medici’s Machiavellian conspiracy, the Huguenot François Hotman, himself another refugee in Basel, was disgusted that the editors dared to praise Machiavelli’s “summum ingenium” and blame monarchomachs like himself as rebels. Although the Antistes of the Zwinglian church of Zurich, Rudolph Gwalther, backed Hotman, the debate remained essentially one among learned refugees.<sup>5</sup> That was typical for the Swiss reaction to Machiavelli, far into the eighteenth century. If he was mentioned at all, Catholic and Protestant authors alike referred to him, rather incidentally, as the exemplar of amoral secular political thought; he was a cipher for the godless, not the author of books one would read. From the late seventeenth century onwards, when religious criticism receded, the critique shifted to political reproach: Machiavelli became a synonym for absolutist “statists” who wanted to establish a despotic government without any regard for the ancient laws and the participative rights of citizens.<sup>6</sup>

The early modern Swiss were obviously not interested in the encomium Machiavelli had offered them. To religiously inspired authors and to more political thinkers, he was the notorious “bad guy” and remained the dangerous author of the *Principe*, not the republican of the *Discorsi*. Or could it be that the Swiss were not at all interested in Machiavelli’s republicanism? Did they not feel a need for the republican mentor that inspired James Harrington and other Englishmen who fought the house of Stuart during and after the Commonwealth? Didn’t the Swiss share the need that stimulated contemporary Dutch authors like the brothers de la Court, who discovered the Florentine republic as a model in order to conceive and legitimize republican government against the house of Orange? Both federations originated in a revolt against the Habsburgs; both achieved formal independence from the Holy Roman Empire in 1648, through the Peace of Westphalia; and in spite of important Catholic minorities, both were bastions of the Reformed

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Rezeption von Machiavelli in der Eidgenossenschaft,” in *Machiavellismus in Deutschland. Chiffre von Kontingenz, Herrschaft und Empirismus in der Neuzeit (Historische Zeitschrift. Beihefte, vol. 51)*, ed. Cornel Zwielerlein and Annette Meyer (Munich: Oldenbourg, 2010) 109–30.

<sup>3</sup> For the quotations, see the letter to Francesco Vettori, August 26, 1513, in Niccolò Machiavelli, *Lettere*, ed. Franco Gaeta (Milan: Feltrinelli, 1961), 292, 296; Machiavelli, “Ritratto delle cose della Magna,” in *Opere*, 1:79–80.

<sup>4</sup> “Discorsi,” 337–41 (2, 4), 378 (2, 19); *Discourses*, 368–72, 416.

<sup>5</sup> Werner Kaegi, “Machiavelli in Basel,” *Basler Zeitschrift für Geschichte und Altertumskunde* 39 (1940): 5–52; reprinted in Kaegi, *Historische Meditationen* (Zurich: Fretz und Wasmuth, 1942), 1:119–82.

<sup>6</sup> Samuel Henzi, “Denkschrift über den politischen Zustand der Stadt und Republik Bern im Jahr 1749,” in *Helvetia. Denkwürdigkeiten für die XXII Freistaaten der Schweizerischen Eidgenossenschaft*, ed. Josef Anton Balthasar (Aarau: J. J. Christen, 1823), 401–43, esp. 415–40.

Church considered already then and even more by twentieth-century researchers to be a hotbed of republicanism.<sup>7</sup>

But Zwingli and Calvin were not republicans. What mattered for them was having the right faith, not a precise political constitution. Both expressed some reserve about nobles who abused their power. Nevertheless, they both wrote humble letters to princes such as Francis I, and neither would have ever questioned the legitimacy of the king of France, even less that of the German emperor. Actually, they agreed with all the Swiss in the sixteenth century that the Confederation was part of the Holy Roman Empire. They would not grant the emperor a say in their everyday decisions. But it was clear that the liberty and the legitimacy of the Swiss petty states, the cantons, stemmed from the Empire. When they had revolted in the fourteenth century, the Swiss had not fought the emperor but the Habsburg reeves whom they accused of alienating free imperial cities and valleys (*Talschaften*) from their only legitimate ruler, the emperor. He had granted the cantons liberty, lordship, and regalia, which were all seen as privileges accorded by the universal source of all secular power, the Empire.<sup>8</sup> This fact was symbolically represented by the double-headed eagle over the canton's coat of arms or in the middle of all the cantons, as it could be seen, for example, on the frontispiece of the first printed *History of the Confederation* (Petermann Etterlin, 1507).<sup>9</sup> The same Etterlin's chronicle contained the history of William Tell, invented a few decades previous, around 1470. In the meantime, his deeds and his comrades' oath of federation against the tyrannical reeves had become part of national history and legitimacy. In his chronicle written in the 1530s, the humanist Aegidius Tschudi, considered to be the founder of Swiss historiography, combined the different elements of myth and history into a narrative that would become canonical, although it was not printed until 1734 (it later served Friedrich Schiller as the model for his drama *William Tell*).

However, when Tschudi interpreted revolt against the Habsburgs as the restitution of the original Swiss liberty, he had not only the privileges of emperors such as Frederic II in mind. By making the Helvetians the ancestors of the confederates, he added another important element to Swiss history: they stemmed from a people ennobled by Julius Caesar himself, who defeated, but did not conquer them; indeed, he praised their strength and courage in *De bello gallico*. Swiss identity and their sense of belonging together were hence explained historically: original liberty of the Helvetians; integration into the Empire of the Romans and later of the Germans, always as a highly privileged community; the Habsburg threat followed by the restoration of the former unconditioned liberty in the revolt against the reeves; autonomy as a German-speaking nation within Gallia (because they were to the left of the Rhine River). The plot was similar to many other humanist narratives, for example, Hugo Grotius's discovery of the Batavians as Dutch ancestors. This kind of narrative had the one big advantage of making more of the Swiss than they had been so far. After all, the Confederation had been constituted, since the fourteenth century, as a defensive league of rather aristocratic cities and democratic valleys. Apart from the inclusion of the latter (that is, of peasant communities), this was not uncommon in the late medieval Empire; one can mention the Hanseatic and the Swabian Leagues or the Alsatian Décapole. But

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<sup>7</sup> This reflects especially the French perspective on the Huguenots; see, e.g., Yves Durand, *Les républiques au temps des monarchies* (Paris: PUF, 1973), and Eric Gojosso, *Le concept de république en France (XVIe-XVIIIe siècle)* (Paris: Thèse, 1998).

<sup>8</sup> For this argument and what follows, see Thomas Maissen, *Die Geburt der Republik. Staatsverständnis und Repräsentation in der frühneuzeitlichen Eidgenossenschaft* (Göttingen: Vandenhoeck & Ruprecht, 2006), esp. 165–296.

<sup>9</sup> Reproduced in Maissen, *Geburt*, 169.

these remained towns without territorial connections. By referring the confederates to the Helvetians, a nation that had settled in the Swiss Central Plateau, Tschudi claimed not only privileges for his fellow Swiss, but also territorial and ethnic continuity going back to the revered times of antiquity. The league thus became a nation (in the early modern sense).<sup>10</sup>

It remained, however, a nation within the Holy Roman Empire. The humanist invention of tradition made the Swiss a nation on the same level as the Swabians, the Bavarians, or the Prussians. They were still part of the Germans as a whole and not a people opposed to them. This conservative reading is manifest in Josias Simler's *De republica Helvetiorum* of 1576, a work that appeared the same year in German and a year later in French, was very often reprinted in the different languages, and would remain also internationally the classical reference for the Swiss constitution until the French Revolution. Simler was a very authoritative author, a minister from Zurich, married to a woman who was the granddaughter of Zwingli and the daughter of the aforementioned Antistes Gwalther. Against those who accused the Swiss of rebellion, Simler maintained that they always had been loyal to the emperors and even to the nobility. Liberty did not mean liberation from the Empire, but liberty through and within the Empire. Simler showed as much by presenting the Swiss cantons and their allies in a descriptive way, relating their history and detailing their institutions. This was not a theoretical, philosophical approach, but a historical, empirical one. Simler considered the Confederation to be some kind of a mixed constitution (aristocratic towns and democratic country) where the individual cantons were almost independent, but nevertheless formed one single "state" ("gleich als wenns ein Statt wer, ein Commun und ein Regierung"; "una nihilominus est civitas, una Respublica").<sup>11</sup>

This was the clear opposite of what Jean Bodin maintained in his *Six livres de la République* that were also published, by coincidence, in 1576. According to Bodin, the Swiss did not form one state (the appropriate translation of Bodin's *république/respublica*), but thirteen separate petty states, or even twenty-two if one added the so-called allies (*Zugewandte*) to the cantons as well. Each of them had its own territory, public servants, treasury, coat of arms, and other regalia, in short "the soueraignty thereof diuided from the rest."<sup>12</sup> In order not only to define, but also to impose, his new key concept of sovereignty, Bodin was very outspoken against the idea of a mixed constitution, in general as well as in the particular case of the Swiss. Each canton was either an aristocracy or a democracy of its own. And as they no longer respected the imperial laws and the emperor as their sovereign, they were not only not a monarchy, but also no longer belonged to the Empire: "civitates ab imperio Germanorum avulsae."<sup>13</sup>

Bodin's sharp French logic settled all the questions the Swiss preferred not to ask. After all, the Confederation was not a philosophical or legal construction, but a customary structure that one could only explain historically the way Simler had done: many cantons and still one state;

<sup>10</sup> Thomas Maissen, "Weshalb die Eidgenossen Helvetier wurden. Die humanistische Definition einer *natio*," in *Diffusion des Humanismus. Studien zur nationalen Geschichtsschreibung europäischer Humanisten*, ed. Johannes Helmuth, Ulrich Muhlack, and Gerrit Walther (Göttingen: Wallmann, 2002), 210–49.

<sup>11</sup> Josias Simler, *Regiment gemeiner loblicher Eydnoschafft* (Zurich: Froschauer 1577), 10; *De republica Helvetiorum libri duo* (Zurich: Froschauer 1576), 1v.

<sup>12</sup> Jean Bodin, *The Six Bookes of a Commonweale* (London: G. Bishop, 1606; repr. New York: Arno Press, 1979), 76 (1, 7); Jean Bodin, *Les six livres de la République* (Paris: Fayard, [1576] 1986), 1:167, also 163–64 (1, 7).

<sup>13</sup> Jean Bodin, *De republica libri sex* (Paris: J. de Puys, 1586), 1:77 (1, 7); Bodin, *République*, 1:175 (1, 7): "qui ne tiennent rien de l'Empire, et moins encore de l'Empereur"; Bodin, *Commonweale*, 82: "the Swiszers confesse not that the emperor hath any superioritie ouer them, and much lesse the emperour . . . having sometime bene part of the German empire."

not obedient to the emperor, but still adhering to the universal Empire; united not by one general law, but by a multitude of particular treaties that brought together thirteen fully entitled cantons, different categories of allies (*Zugewandte*, allied respectively with all or only some of these cantons), and finally joint dependencies (*Gemeine Herrschaften*, governed in common by some or almost all of the cantons). If one judged such a variety of established networks by the sole criterion of sovereignty, one inevitably simplified and wronged them. Bodin did something quite similar when discussing the Empire. To him, it was not a monarchy, but an aristocracy composed of secular and ecclesiastic princes, not to mention the counts and knights, imperial towns, even imperial villages, and so on. Legions of imperial jurists would not accept the glorious Empire being reduced to a mere aristocracy and would spend their ink to cope with Bodin's categories, distinguishing essentially *maiestas realis* (of the Empire and its estates) and *maiestas personalis* (of the emperor) as if there could be two distinct aspects of sovereignty.<sup>14</sup>

For the confederates, Bodin's concept of sovereignty was not a matter of honor as in the German case, but it still put into question the existence of the Confederation as a political entity. Hence the theoretical challenge for the Swiss in the late sixteenth and seventeenth centuries was not Machiavelli, but Bodin; and the political challenge was not Italy, but France, where from Henry IV onwards, absolutist kings drew the consequences of the doctrine of sovereignty. Switzerland shared this challenge not only with the Holy Roman Empire, but with most other European countries. The numerous conflicts opposing kings and estates in mid-seventeenth-century Europe were all over sovereignty: the Thirty Years' War, when the emperor first seemed to become the absolutist ruler of the whole Empire and ended by conceding the *jus foederis* to the imperial estates; the regional autonomy of Catalonia or Naples as defended against the centralizing *unitarismo* of the Spanish king; the *fronde* against Mazarin in defense of the nobles' and *parlements'* privileges; the English parliament's defense of the "ancient constitution" against Charles I's prerogatives, which led to the civil war and the commonwealth; the conflict between the house of Orange and Holland's urban elites resulting in the *ware vrijheid*, when Johan de Witt and his merchant regents ruled without a stadholder. With such experiences in mind, James Harrington compared sovereignty to gunpowder, "being subject to take fire against you as for you," blowing up in some cases the estates or "people," and in others—he mentioned Holland and Switzerland—the (Habsburg) king.<sup>15</sup> The classical ideal of a harmonious mixed constitution (still present in Harrington's "ancient prudence")<sup>16</sup> gave way to a sharp either-or because the long negotiation process between ruler and estates was no longer in harmony with the growing modern state's need for efficiency.

It was only in this situation, and only in the Netherlands, that the intellectual allies of Johan de Witt, especially Johann and Pieter de la Court and Spinoza, developed a distinct republican theory that could transcend the mixed constitution's vagueness. They reacted, as did many others, to the Cartesian theory of passions and especially to Hobbes as a successor to Bodin in conceiving absolutist sovereignty. The Dutch accepted the concept itself, but not the monarchical

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<sup>14</sup> For Bodin's role for this group see Michael Stolleis, *Geschichte des öffentlichen Rechts in Deutschland*, vol. 1, *Reichspublizistik und Policywissenschaft 1600–1800* (München: C. H. Beck, 1988), 146–50.

<sup>15</sup> James Harrington, *The Commonwealth of Oceana and a System of Politics*, ed. J. G. A. Pocock, Cambridge Texts in the History of Political Thought (Cambridge: Cambridge University Press, 1992), 99, 144.

<sup>16</sup> Arihiro Fukuda, *Sovereignty and the Sword: Harrington, Hobbes, and Mixed Government in the English Civil Wars* (Oxford: Clarendon Press, 1997).

bias of these authors, which they deemed more dangerous for liberty than useful for security.<sup>17</sup> Discussing the exigencies of a state that was no longer based on metaphysical pillars, the brothers de la Court could discover the author of the *Discorsi* as an alternative leading to republican instead of monarchic absolutism.<sup>18</sup> Machiavelli was no longer reduced to an immoral bogeyman who would scandalize the apologists of a *politica Christiana*. While the traditional moralists' insistence on religious priorities had eventually led to confessional civil war, Machiavelli's pragmatic and utilitarian reflections argued from much the same assumptions and fears as Bodin and other theorists of absolutist monarchy. However, the answer Machiavelli opposed to civil strife and anarchy was not the monopoly of force of an individual who always risked abusing it. The brothers de la Court adopted the *Discorsi's* civic virtue of the many who would subordinate their potentially dangerous passions to a set of rational laws. Most of all, these laws had to control the religious passions and those who abused them: the churches and clerics. Such a collective sovereign would produce stability within a political constitution that became the more secular and temporal the farther it left behind the framework of monarchy as modeled after the one and only eternal Almighty, manifest both in the divine grace of the absolutist kings and in the Empire's salvific mission.

In such a secular constitution, where the political order was no longer part of the metaphysical structure, decline became a major preoccupation. If the political order depended only on human beings who would behave better or worse depending on man-made laws, constitution mattered. If the sovereign was no longer God, but human (either one or many) and thus flawed, constitution mattered. If the quality of a sovereign depended no longer on his piety and confessional zeal, but on his ability to guarantee both security and freedom of citizens, constitution mattered. And Machiavelli had been the first to take constitution seriously, at least in the opening chapters of his two notorious works where he formulated in quite similar ways a clear distinction: "All the states, all the dominions that have held sway over men, have been either republics or principalities."<sup>19</sup> However, in the *Discorsi*, Machiavelli rather traditionally confronted kingdoms and republics on the one side with tyranny on the other: *vivere politico*, the true life of a citizen in a political regime, as opposed to absolute power ("una potestà assoluta"), is possible by way of a republic or by way of a kingdom: "o per via di repubblica o di regno."<sup>20</sup> France, for example, was not presented as a *principato* (principality), but as a *regno* (kingdom). The difference was that, according to Machiavelli, the French kings respected "numerous laws on which the security of all their people depends" and which, for their part, the *parlements* guaranteed.<sup>21</sup> Gov-

<sup>17</sup> Ernst Heinrich Kossmann, "The Course of Dutch Political Thought in the Seventeenth Century," in Kossmann, *Political Thought in the Dutch Republic: Three Studies* (Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afd. Letterkunde, Bd. 179) (Amsterdam: Amsterdam University Press, 2000), 25–129.

<sup>18</sup> Eco Oste Gaspard Haitsma Mulier, "A Controversial Republican: Dutch Views on Machiavelli in the Seventeenth and Eighteenth Centuries," in *Machiavelli and Republicanism*, ed. Gisela Bock, Quentin Skinner, and Maurizio Viroli (Cambridge: Cambridge University Press, 1990), 247–63; see also Haitsma Mulier, *The Myth of Venice and Dutch Republican Thought in the Seventeenth Century* (Assen: Van Gorcum, 1980), and Haitsma Mulier, "The Language of Seventeenth-Century Republicanism in the United Provinces: Dutch or European?" in *The Languages of Political Theory in Early-Modern Europe*, ed. Anthony R. Pagden (Cambridge: Cambridge University Press, 1987), 179–95.

<sup>19</sup> *Prince*, 5 (chap. 1); Machiavelli, "Principe," 119 (chap. 1): "Tutti gli stati, tutti e' domini che hanno avuto e hanno imperio sopra gli uomini, sono stati e sono o repubbliche o principati." Similar Machiavelli, "Discorsi," 202 (1,2).

<sup>20</sup> *Discourses*, 1:273 (1, 25); see also 236–38 (1, 10); id., "Discorsi," 226 (1, 10) and 257 (1, 25).

<sup>21</sup> *Discourses*, 255 (1, 16); also 333–334 (1, 55) and 341–342 (1, 58); for the role of the *parlements*, see *Prince*, 66 (chap. 19).

ernment under law made the French *regno* a free government and the antipode of the illegitimate, absolutist *signori* in the principalities of Renaissance Italy.<sup>22</sup> What Machiavelli admired was a moderate monarchy that fit into the Polybian scheme of a mixed constitution with corresponding obligations of the different estates.

For the same reasons, French authors of the sixteenth century, such as the influential Claude de Seyssel, agreed on labeling their country a tempered or mixed monarchy (“monarchie tempérée,” “mixte”).<sup>23</sup> The Venetian Paolo Paruta agreed as well that the French *regno*, but also England, Spain, Poland, and the Holy Roman Empire, were mixed constitutions only faintly distinct from the perfect one of Venice: all these states did not depend on one man’s arbitrary will, but on a clear legal framework that the kings promised to keep just as the Doge did.<sup>24</sup> Like Machiavelli, such thinkers of the mixed constitution generally considered the constitutional question itself (monarchy or republic) to be much less important than the moral one (tyranny or not) when they discussed the main purpose of political order. For them, the decisive criterion was justice; for Machiavelli, it was stability and security; and in the course of the century the true faith, as with Zwingli or Calvin, often became the one criterion to distinguish between bad and good government, whether a monarchy or an aristocracy. Only in 1576 did Bodin make sovereignty—and not the ruler’s justice nor his stability or faith—the touchstone of political order. Only then could monarchic, aristocratic, and democratic elements cease to be combined in a mixed constitution and give way to a clear alternative: sovereignty could reside either in the one or in the many—in a king, or a republic.

North of the Alps and before Bodin, a sharp opposition of republican and princely rule did not even exist in the ambivalent Machiavellian sense that had emerged especially in Bruni’s Florence and in Venice out of the confrontation between communes and *signori*. The Swiss political imagery could easily combine a Simlerian mixed constitution with the idea of a universal imperial monarchy. As a poor country, where the princely power had vanished already in the fourteenth century, the Confederation lacked the kind of internal conflicts between estates and king that provoked the Dutch reflections on an absolute republic in the seventeenth century. What stimulated perpetual friction and periodic confrontations was the religious divide between Catholic and Protestant cantons. As long as salvation was at stake and as long as nobody threatened the customary order, constitutional questions did not matter. In a society that secularized only slowly, it took some time and different contested fields until some protagonists took interest in the logic of modern political theory and started asking questions about who was the sovereign. In this process of learning, three areas of conflict became decisive: (1) the relation of the Confederation with the Empire and its exemption in 1648; (2) the dilemma during the wars opposing Louis XIV and the United Provinces; and (3) the internal struggle, within the cantons, to define the circle of those who belonged to or rather who *were* the sovereign body.

When Basel’s mayor, Johann Rudolf Wettstein, left for the Westphalian negotiations in late 1646, he barely knew what sovereignty was. His aim was to prevent litigants from appealing to the imperial chamber after a judge from Basel had given his verdict. During the Thirty Years War

<sup>22</sup> Janet Coleman, *A History of Political Thought: From the Middle Ages to the Renaissance* (Oxford: Blackwell, 2000), 266–68.

<sup>23</sup> Rudolf von Albertini, *Das politische Denken in Frankreich zur Zeit Richelieus* (Marburg: Simons, 1951), 44.

<sup>24</sup> Paolo Paruta, “Della perfezione della vita politica,” in *Storici e politici veneti del Cinquecento e Seicento (La letteratura italiana. Storia e testi, vol. 35/2)*, ed. Gino Benzoni and Tiziano Zanato (Milan: Riccardo Ricciardi, 1982), 492–642, quotation 635.

that had happened, sometimes ending in the arrest of Basel merchandise in the Empire, and Wettstein planned to ask for the privilege of exemption from the imperial chamber. But French diplomats implored him not to use the language of imperial law and its privileges, but to follow the Dutch example and to cite the liberty acquired by the arms. That would be an argument of a sovereign within international law and implied that the Swiss did not belong to the Empire. Wettstein should refer only to the effective possession of rights and not to their historical origin, as the French did in those former provinces of the Empire that they had annexed. The French used the language of sovereignty in Westphalia not only in support of the Swiss, but also for other members of the Empire. Their hidden agenda followed Bodin's logic: if estates of the Empire claimed sovereignty for themselves, they inevitably became emancipated from the grip of imperial power and left the Empire, where the emperor was the unique sovereign. The emperor's negotiators anticipated these strategies and cautiously avoided the use of the word "sovereign" during the negotiations, as well as in the drafting of the treaty.<sup>25</sup>

Wettstein, however, insisted that the Confederation was a free and independent state that did not accept judges it had not appointed itself.<sup>26</sup> In his so-called *Recharge*, Wettstein no longer requested a mere confirmation or extension of privileges, but demanded that the Empire leave the Confederation undisturbed to pursue its "free, sovereign status."<sup>27</sup> Being one of the first German-speaking persons at all to employ the word "sovereign," Wettstein created a case of international law out of an issue that until then had belonged exclusively to imperial law. The emperor, who did not want to drive the Swiss into the French camp, found a solution in granting them the "exemption"—a title that remained within traditional imperial law and that, in spite of the French diplomats' private lessons, even Wettstein himself did not clearly distinguish from sovereignty. He was right in the sense that in the international context of the time, not only the French but other nations as well rather quickly interpreted the exemption as sovereignty, agreeing that the Swiss had the necessary requirements in foreign policy, namely the unrestricted *jus belli ac pacis* and the *jus foederis*. By the end of the seventeenth century, German jurists and even the imperial diplomats treated the Confederation as a republic outside the Empire.

In Switzerland itself, however, there was rarely a deliberate shift from imperial symbols to those of republican sovereignty. One exception was when in 1698 Zurich built a new town hall according to a clear political and artistic conception, replacing all the imperial and hence monarchical emblems by republican symbols. Thus, on a triptych painted by Hans Asper in 1567, the imperial eagle with globe and scepter now made room for an altarpiece covered by a liberty hat and representing the Rütli Schwur, the legendary oath of the first three confederates.<sup>28</sup>

Interestingly, those founding cantons themselves were much less interested in symbolizing sovereignty. The cantons of Nidwalden and Obwalden embellished their town halls with two-headed eagles until as late as 1714 and 1733, respectively, and Obwalden, Appenzell-Innerrhoden, and Schwyz minted two-headed eagle coins into the 1740s. To these Catholic

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<sup>25</sup> For Wettstein's mission, see Frieda Gallati, *Die Eidgenossenschaft und der Kaiserhof zur Zeit Ferdinands II. und Ferdinands III (1619–1657). Geschichte der formellen Lostrennung der Schweiz vom Deutschen Reich im Westfälischen Frieden* (Zurich: Leemann, 1932), 141–302; Julia Gauss and Alfred Stöcklin, *Bürgermeister Wettstein. Der Mann – Das Werk – Die Zeit* (Basel: Schwabe, 1953), 163–254; see also Maissen, *Geburt*, 187–98.

<sup>26</sup> For the documents of the mission, see Johann Rudolf Wettstein, *Acta und Handlungen betreffend gemeiner Eydgnosschafft Exemption* (Basel: Johann Jacob Genath, 1651), 17.

<sup>27</sup> *Ibid.*, 28: "bey ihrem freyen, souverainen Stand und Herkommen fürbaß ruhig und ohnturbirt zu lassen."

<sup>28</sup> Maissen, *Geburt*, 383–400, illustrations on 393.



petty states, the Empire and imperial law remained the metaphysical structure that guaranteed their privileges and hence their statehood. They had little to gain by switching to the Bodinian international and constitutional law that favored the strong sovereigns who were able to defend themselves and conquer others by military force—in this case, after another civil war in 1712, most likely the large Protestant cantons Berne and Zurich.<sup>29</sup>

After all, the Swiss cantons respected their fellows' territory, even after a victory. The model for sovereign expansion was elsewhere. The French king Louis XIV not only rolled back the Habsburgs in several wars and conquered important territories from them, but he also appeared to be an antagonist of republican rule. The Sun King despised and humiliated the Netherlands, Venice, and Genoa by means both of military aggression and diplomatic protocol. Neither did Louis XIV spare the Swiss from such contempt, as demonstrated in 1663 when he denied Swiss ambassadors the sovereign's right to keep their heads covered while they took the oath concealing their renewed alliance with France. The naïveté of the Swiss appalled the Dutch ambassador because it compromised republics in general. Nevertheless, he sounded out the possibility of a republican alliance with the Venetians and the Swiss. Although this endeavor did not meet with success, it proved that constitutional similarities gained momentum while religious allegiances slowly lost importance: a possible league would have brought together Catholic Venice, the mostly Calvinist United Provinces, and the biconfessional Confederation.

Of course, this was not a question of pure idealism, or even ideology—the renowned Swiss mercenaries were at stake. By far the biggest part of them traditionally was in the service of France. In the following conflicts, however, the Dutch started to contest the French claim. After Louis XIV had precipitated the Dutch War (1672–78), a pamphlet, *L'affermissement des republicques de Hollande & de Suisse*, made such an attempt in 1675. The anonymous author promoted an alliance between republics and especially between the Dutch and the Swiss because they shared a common past of defending themselves against the Habsburgs. Furthermore, the two countries had in common not only historical labors, but also religious similarities—even though religion, according to the anonymous author, no longer played a role in the building of alliances. So it was a secular alliance that the *Affermissement* opposed to the threat of royal absolutism: “Toute sorte de Couronnes absoluës & Ministres souverains doivent estre suspectes aux Republicains” (republicans may not trust any kind of absolutist crowns and sovereign minister).<sup>30</sup> Through such colloquial pamphlets and their references to the popular heroes William Tell and William of Orange, republican feelings and loyalties started to spread among a nonacademic audience.

Although the Dutch did not make their way in 1675, they repeated a similar message even more intensely during the War of the Grand Alliance (1688–97). This time, the Dutch spokesman was the extraordinary envoy to Switzerland, Petrus Valkenier. Valkenier blamed Louis XIV for dealing with sovereign republics as if they were his subjects and vassals, slights the Swiss admittedly had experienced. When addressing the Confederation as an “Absolute, Independente, Souveraine und zugleich auch Neutrale Republic” (an absolute, independent, sovereign, and equally neutral republic), Valkenier deliberately used the language of modern constitutional law with a republican imprint.<sup>31</sup> Such terms were exceptional, at least to Swiss ears, and expressed Valkenier's claim that the Confederation, as a sovereign state, was not unilaterally bound by its

<sup>29</sup> *Ibid.*, 523–31, 557.

<sup>30</sup> *L'affermissement des republicques de Hollande & de Suisse* (s. l. 1675), 20–21, 35, 45.

<sup>31</sup> Petrus Valkenier, *Ansprach an die Dreyzehen wie auch Zugewandete Ort der Lobl. Eydgnößschafft in Baden versamlet, gethan den 31. Oct./10. Nov. 1690* (s. l., 1690), 4.

earlier alliances to France. Of course the Swiss could follow the policy of neutrality that had become customary in the last decades. But they could also give it a different interpretation than the French did, who maintained that neutrality did not admit changes of the status quo in mercenary service. According to Valkenier, neutrality meant something different, namely hiring out mercenaries on equal terms, not only to the Sun King, but also to the United Provinces. The harmony and sympathy the two republics shared would naturally lead to a security pact and such an alliance would defend them not only against France but, as a matter of principle, against all monarchies. Kings resented republics in general and would overthrow them as soon as they could, if the free states did not protect themselves through prudent accords.<sup>32</sup> Valkenier thus developed a universal argument about naturally conflicting constitutions, and his rhetoric eventually won: on 15 May 1693, Zurich signed a treaty and sent a battalion of mercenaries to the Dutch—thereby breaking the French monopoly on mercenaries and leading other cantons to follow the example.

It was only in these last decades of the seventeenth century that the fundamental difference between monarchies and republics first became a major theme for Swiss statesmen. In 1706, Johann Ludwig Hirzel from Zurich apprehended that the Austrian envoys preferred submission to liberty when they realized their “monarchic principles.”<sup>33</sup> That same year, Zurich’s mayor Heinrich Escher, though a long-time pragmatic ally of France, told the Venetian ambassador that alliances between republics were always good and that they were even better when the monarchs despised them.<sup>34</sup> Similarly, the ambassador Peter von Salis, from the Grisons, was convinced that real brotherhood between states could be established only between republics.<sup>35</sup>

The foreign word “republic” itself was quite new in Switzerland and in German in general. The Swiss learnt it before the Germans, through their contacts with France and their French-speaking allies. One of them, Geneva, was addressed for the first time as “Republique de Genève” by Henry IV in 1602 in order to emancipate the town linguistically from the menacing Duke of Savoy who claimed to be the Genevans’ lord.<sup>36</sup> Against such pretensions, the title “republic” expressed sovereignty. Therefore the Prince of Orléans-Longueville intervened in 1610 when the city of Neuchâtel, another Swiss ally, wanted to make the standard bearer swear to the “republic”—and no longer to the *bien commun*, the commonweal. The prince claimed sovereignty for himself and denied “ledict mot de republicque” to Neuchâtel because—unlike Berne, as he mentioned—this city was not sovereign.<sup>37</sup> “Republic” hence was a controversial title. When, in 1628, the communes of the Valais explicitly claimed sovereignty and deprived their lord, the prince-bishop of Sion, of his secular power, they immediately started to mint coins with the inscription “Respublica Vallesia.” The Catholic cantons of central Switzerland, usually their

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<sup>32</sup> Petrus Valkenier, Copia des Schreibens an Bürgermeister, Klein- und Grossrath, 19./29. April 1693, Staatsarchiv Zurich, B 1 329, 147.

<sup>33</sup> *Amtliche Sammlung der Eidgenössischen Abschiede* (Lucerne, 1882), vol. 6/2, 1486 (9 November 1708).

<sup>34</sup> Quoted in Hans Camille Huber, *Bürgermeister Johann Heinrich Escher von Zürich (1626–1710) und die eidgenössische Politik im Zeitalter Ludwig [sic] XIV* (Zurich: Ph. D., 1936), 5n6.

<sup>35</sup> Quoted in Conradin von Mohr, *Geschichte der bündnerischen Kriege und Unruhen*, ed. Fortunat Sprecher von Bernegg (Chur: Leonhard Hitz, 1857), 82–83.

<sup>36</sup> Archives d’Etat de Genève, PH 2293.

<sup>37</sup> Archives d’Etat de Neuchâtel, Manuel du Conseil d’Etat, Chancellerie, CP 33/5, fol. 475v (27 October 1610), quoted in Maurice de Tribolet, “Modèle confédéré et monarchie absolue: La ville de Neuchâtel en quête de souveraineté, 1406–1628,” in *Ägidius Tschudi und seine Zeit*, ed. Katharina Koller-Weiss and Christian Sieber (Basel: Krebs, 2002) 337–46.

allies, maintained however that “republic” was the very opposite of the “democracy” practiced in these Alpine cantons, accepting this new title only reluctantly and late, in 1657.<sup>38</sup>

They were right: “republic” actually meant sovereign lordship of the few and quite often a narrow aristocratic regime. According to Samuel Henzi, who was executed after a failed conspiracy in 1750, Berne’s town councils had used “Machiavellian principles” to usurp their power from the entire citizenry. The former participation of the citizens in the commune had found its device on the medieval seal bearing the circumscription “Civitas et Communitas Bernensis” (city and community of Berne), but the urban patricians replaced it in 1716 by a new one with the inscription “Respublica Bernensis”—a transfer, according to Henzi, of sovereignty from the city to the councils.<sup>39</sup>

Accordingly, the discussion about the republic was a discussion about who did and did not still belong to the collective sovereign. As early as 1682, Berne’s city council (Kleiner Rat) and city parliament (Grosser Rat) had decided that they both were sovereign in the same way a prince was in a “well-policed state.”<sup>40</sup> This meant that the city council did not monopolize sovereignty to the disadvantage of the city parliament as some of the councilors had claimed. However, both institutions were composed by the same quasi-hereditary group of patrician families who alone were entitled to rule (*regimentsfähig*). Thus the regular citizens—not to mention the subjects in the countryside—were barred not only de facto, but also de jure from any participation in the republic, as Henzi rightly lamented. Around 1700, similar conflicts took place in other Swiss towns (for example, in Basel, Geneva, and Zurich). The question was always the same: which part of the citizenry still belonged to the sovereign republic and which part was outside? In Geneva, these debates would last throughout the eighteenth century and, involving the case of Rousseau in the 1760s, would make the city a “laboratory of the revolution.”

To sum up, one can say that the word “republic” was a core element of the French constitutional and international law that gradually substituted the idea of imperial law in the Confederation during the seventeenth century. The notion of sovereignty replaced imperial privileges as the basis of Swiss statehood and imposed the decision about who really constituted this republic and thus belonged to the collective absolute lord. This decision often led to the victory of an aristocratic (urban) elite against, respectively, a foreign prince (Geneva against Savoy), an ecclesiastical prince (the Valais magnates against the bishop of Sion), or the fellow citizens (the councils of Berne and elsewhere). However, there were cases—for example, in Zug and the Grisons—where the rural communes turned out to be the sovereign, in a “democratic” sense, to the disadvantage of the city (of Zug and Chur, respectively).<sup>41</sup>

The republican language and a republican identity resulted, in Switzerland, from the integration into the world of international diplomacy and scholarly learning. The case of Petrus Valkenier, the ambassador residing for many years in Zurich, shows that in the second half of the seventeenth century, the Dutch replaced the French as teachers of sovereignty at least for the

<sup>38</sup> *Eidgenössische Abschiede*, vol. 6/1, 365 (21–23 March 1657): “weil die Democratie der Republik schnurstraks entgegen läuft.”

<sup>39</sup> Henzi, “Denkschrift,” 403, 411–14; Emanuel Fueter, *Observationen (Memorial)*, Burgerbibliothek Bern (BUB), Mss. Hh XI. 16 (10), 10; Adolf Fluri, “Die Siegel der Stadt Bern 1224–1924,” *Blätter für bernische Geschichte, Kunst und Altertumskunde* 20 (1924): 257–300.

<sup>40</sup> Hermann Rennefahrt, *Das Stadtrecht von Bern: Verfassung und Verwaltung des Staates Bern (Die Rechtsquellen des Kantons Bern: Stadtrechte*, vol. 5) (Aarau: Sauerländer 1959), 380 (3 May 1682).

<sup>41</sup> Maissen, *Geburt*, 498–515.

Protestant cantons. While the French model became exclusively and insolently monarchical under Louis XIV, the Swiss came into contact with the republican and sometimes radical interpretation of modern constitutional law that existed in the Netherlands. In Amsterdam, for example, the engraver Bernard Picart, a convert to Calvinism and a key figure of the Radical Enlightenment, employed a young Swiss from Zurich, David Herrliberger. Picart sketched the frontispiece for the two most important books on either federation's national history: the republican allegories and symbols that surround *Hollandia* in Jean Le Clerc's *Histoire des Provinces-Unies des Pays Bas* (1723) are very similar to those Picart used for a picture of a crowned *Helvetia* sitting on a throne.<sup>42</sup> The same Herrliberger engraved this picture so it could later become the frontispiece of the first printed edition of Aegidius Tschudi's *Chronicon Helveticum* (1734), a crucial text for Swiss historiography that already has been touched on. Other intellectual models of the Swiss were Hugo Grotius, provoking, for example, the first Zurich thesis on constitutional law, written in 1667 by Christoph Werdmüller, or another scholarly analysis of the delicate relationship between church and state (Johann Ludwig Hirzel, 1695) that significantly did not go to press because of its Erastian position. In those years, the orthodox Zwinglian Church fiercely opposed the "disgusting" ideas of Grotius and especially Descartes, not to mention of Spinoza, which some students imported from the Netherlands.<sup>43</sup> A later mayor of Zurich, Johann Caspar Escher, was also among those young members of the elite who visited Dutch universities such as Utrecht, where Escher wrote his thesis in 1697 with professor Gerard de Vries, whom he called a "fervent republican." In the thesis *De libertate populi*, Escher condemned absolutism and defended the liberty of the people that originated in the state of nature and led to democracy, at least during the early stages of societal development.<sup>44</sup>

Escher's friend was the famous natural scientist Johann Jacob Scheuchzer, who also received his doctorate from Utrecht, in medicine in 1694. In 1713, the physician became the leader of a civic uprising when Zurich's craft guilds, according to the logics of sovereignty just described, claimed to be included in the sovereign body. Scheuchzer justified the bloodless revolt by invoking the principles of natural law such as natural equality by birth or the right of resistance if tyrants violated one's fundamental rights. Most prominent among those was the backbone of sovereignty, legislation, since the "Jus ferendi leges et mutandi regiminis formam" belonged to the whole community and hence to all of its citizens.<sup>45</sup> With an explicit reference to Grotius, the guild delegates opposed two kinds of sovereign. Either he was an absolute ruler or someone who acknowledged himself as being subject to the law, as it was and must be the case in Venice and Zurich: the sovereign was "singulis major," but "universis minor," more than the other individuals, but less than the universe.<sup>46</sup> With such arguments, Scheuchzer and the craft

<sup>42</sup> Reproduced in André Holenstein, Thomas Maissen, and Maarten Prak, eds., *The Republican Alternative: The Netherlands and Switzerland Compared* (Amsterdam: Amsterdam University Press, 2008), 142–43.

<sup>43</sup> Christoph Werdmüller, *Quaestiones politicae de imperio et subiectione* (Zurich, 1668), C1; Claudio Soliva, "Der kleine Grotius von Zürich: Zum Studienbuch des Johann Heinrich Schweizer über des Hugo Grotius *De Jure Belli ac Pacis*," in *Festschrift für Ferdinand Elsener zum 65. Geburtstag*, ed. Louis Carlen, (Sigmaringen: Thorbecke, 1977), 233–43, quotation 242.

<sup>44</sup> This important text has just now received a modern edition by Werner Widmer: Johann Kaspar Escher, "Exercitatio politica de libertate populi. Politologische Studie über die Freiheit des Volkes," *Daphnis - Zeitschrift für Mittlere Deutsche Literatur* 37 (2009): 547–626.

<sup>45</sup> Zentralbibliothek Zurich, MS V 119, 62–64; see Ernst Saxer, *Die zürcherische Verfassungsreform vom Jahre 1713 mit besonderer Berücksichtigung ihres ideengeschichtlichen Inhalts* (Zurich: Ph. D., 1938), 54n76.

<sup>46</sup> Staatsarchiv Zurich, B III 14f, 322–23; see also 298.

guilds were more successful than their Bernese homologues and obtained at least as a symbolic concession that the regular citizens henceforth were counted among the true possessors of sovereignty.

Looking back later on what had happened in 1713, Scheuchzer reflected upon the original contract of Zurich's society and compared the present situation in his hometown to the freedom of the farmers in the democratic cantons, where sovereignty still resided in the people so that every poor farmer was interested in and knowledgeable about politics. Scheuchzer concluded that rebellions like the one in Zurich were necessary every now and then to awaken the people who had remained ignorant over the centuries. But after discovering their liberties, the common people now refused blind obedience and learned to domesticate the ruler's designs and vices.<sup>47</sup> The reference of the urban Protestant Scheuchzer to the poor farmers was far from evident, as the Alpine democratic cantons mostly were Catholic. It was not so surprising in Scheuchzer, however, who was responsible, in natural science, for a new appreciation of the Alps, that the urban elites had abhorred hitherto almost as much as the foreign visitors bemoaning their primitiveness and fearing their dangers.

In the early eighteenth century, and thanks essentially to Scheuchzer, the image changed: the Alpine shepherd became an idealized model for original, true Swissness. It emerged out of the new natural science, the *Physico-theologia*, which gave the Alps a place in salvific history because Scheuchzer interpreted the fossils he found in the mountains as a proof of the diluvium.<sup>48</sup> Moreover, the Alpine landscape acquired moral and political value: the Swiss shepherds lived humbly in the true democracy of the state of nature because their austere Alpine environment resembled the state of nature as well. This was quite the opposite of the luxury and corruption that ruled the monarchical courts, and infiltrated the urban cantons as well. Thus the virtuous and free Alpine shepherd who lived according to the ancestor's customs could become the positive model for a new Swiss identity. By addressing both Catholics and Protestants, this model promised to overcome religious strife and bring back the ancestors' unity and purity.

The motif of the poor and pure shepherd seemingly revived a discourse of the sixteenth century, when some authors and artists had opposed the good "old Swiss" to the luxurious and decadent "young Swiss."<sup>49</sup> But that had been a purely internal discourse of moral reform in a time when military defeats in Italy and the Zwinglian reformation crushed the temporary status of the Confederation as a European power. Scheuchzer discovered the Alps in a different international context. The Swiss shepherds were welcome in the political language of the early Enlightenment that criticized France on two levels: for its luxurious culture that expanded the effeminate manners of the court and for its aggressive absolutist politics that created "despotism" at home and abroad.

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<sup>47</sup> Zentralbibliothek Zurich, MS V 119, 5<sup>v</sup>; see Michael Kempe and Thomas Maissen, *Die Collegia der Insulaner, Vertraulichen und Wohlgesinnten in Zürich, 1679–1709. Die ersten deutschsprachigen Aufklärungsgesellschaften zwischen Naturwissenschaften, Bibelkritik, Geschichte und Politik* (Zurich: NZZ 2002), 276–78.

<sup>48</sup> Michael Kempe, *Wissenschaft, Theologie, Aufklärung. Johann Jakob Scheuchzer und die Sintfluttheorie (Frühneuzeit-Forschungen, vol. 10)* (Epfendorf: Bibliotheca Academica, 2003).

<sup>49</sup> Guy P. Marchal, "Die 'Alten Eidgenossen' im Wandel der Zeiten. Das Bild der frühen Eidgenossen im Traditionsbewusstsein und in der Identitätsvorstellung der Schweizer vom 15. bis ins 20. Jahrhundert," in *Gesellschaft Alltag - Geschichtsbild (Innerschweiz und frühe Eidgenossenschaft. Jubiläumsschrift 700 Jahre Eidgenossenschaft)* (Olten/Freiburg i. Brsg.: Walter, 1990), 2:307–403, esp. 317–19, 330–32; Katrin Gut, *Das vaterländische Schauspiel der Schweiz. Geschichte und Erscheinungsformen (SEGES, N. F., vol. 16)* (Fribourg: Universitätsverlag, 1996), 50–53.

One of the first major contributions to this discourse were the *Lettres sur les Anglais et les Français et sur les voyages*, written in the 1690s, but printed only in 1725. The author, the Bernese Beat Ludwig von Muralt, contributed an original essay to the upcoming discussion of national characters. Von Muralt praised “l’ancien Caractère [sic] de notre nation” and opposed the true simplicity of poor freemen to the artificial behavior at court and especially in France where, for a long time already, one had been used to laughing about the “simplicité” of the uncivilized Swiss.<sup>50</sup> Like Scheuchzer, von Muralt wanted not only to rehabilitate his fellow countrymen’s reputation in the face of French insinuations, but also to warn them of the degeneration that was menacing from the west. He was especially worried about the officers of the mercenary troops in France who aped the French mores.

The English ambassador Abraham Stanyan joined this critique and warned that those officer’s “Luxury and general Corruption of Manners” would change the Swiss and their “simplicity in their Manners, as well as in their Dress.”<sup>51</sup> Stanyan’s *Account of Switzerland* (1714) was translated into French and could thus influence the international debates of the early Enlightenment just as the minister Abraham Ruchat from the Vaud did in the same year when publishing in Leiden *Les délices de la Suisse*. According to Ruchat, the Swiss had lived for a long time hidden in their mountains, lacking commerce with the outside world almost completely; they were simple and a little bit rough, but open and warm. Even though the Swiss still remained relatively sane compared to other nations, there had been a major change in 1690, when they had undertaken commerce with the rest of Europe and the officers had brought back “la dissimulation, l’hypocrisie, & ce libertinage qu’on appelle galanterie” (the vices of dissimulation, hypocrisy, and the libertinage called gallantry).<sup>52</sup>

In the morally dangerous situation dated and analyzed by Ruchat and his fellows, the Alpine shepherd as opposed to the mercenary serving in France became a metaphor not only for the opposition of simplicity and luxury, but also for the contrast between (democratic or republican) freedom and monarchical servility. In his heavily influential poem *Die Alpen*, printed in 1729, Albrecht von Haller put this idea into poesy: “Dann, wo die Freiheit herrscht, wird alle Mühe minder / Die Felsen selbst beblümt und Boreas gelinder” (where freedom rules, every pain is softened, the rocks are flowered and dulcet the winds).<sup>53</sup> The German Enlightenment especially found in Haller’s *Switzerland* a model for freedom and reform in an absolutist world. Behind the appearance of moral ingenuity, what the admirers actually praised was a country lacking a dynasty and a strong state. That spared it from the endemic hereditary wars of the time and from sustaining an expensive court. These were the two main reasons why the relatively poor Swiss had to pay little or no taxes at all, which made a big difference in comparison with the situation of the Dutch, who accumulated a heavy public debt while trying in vain to keep up with the national monarchies.

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<sup>50</sup> Beat Ludwig von Muralt, *Lettres sur les Anglois et les François. Et sur les voiajes* ([London?], 1725), 306; see also Simone Zurbuchen, “Barbarei oder Zivilisation? Beat Ludwig von Muralts Lettres sur les Anglais et les Français et sur les Voyages und ihre Bedeutung für die Schweizer Aufklärung,” in Zurbuchen, *Patriotismus und Kosmopolitismus. Die Schweizer Aufklärung zwischen Tradition und Moderne* (Zurich: Chronos 2003), 525–48.

<sup>51</sup> Abraham Stanyan, *An Account of Switzerland* (London, 1714), 147–50; the French translation appeared the same year and allegedly in Amsterdam, “chez les frères Wetstein.”

<sup>52</sup> Abraham Ruchat, *Les délices de la Suisse* (Leiden, 1714), 4:777–79.

<sup>53</sup> Albrecht von Haller, “Die Alpen,” in von Haller, *Gedichte*, ed. Ludwig Hirzel (Frauenfeld: J. Huber, 1882), 20–42, quotation 23.

Thanks especially to Jean-Jacques Rousseau, the influence of this idyllic Swiss was not limited to the German-speaking world but became a version of the innocent and noble savage: the happiest people in the world, made of virtuous peasants always acting wisely and directing affairs of state after gathering under an oak.<sup>54</sup> However, the literary, mythical, and historical narratives of Swiss simplicity did not correspond with reality, as the “citoyen de Genève” was to realize in his own conflicts with the “République de Genève” to which he had once dedicated his *Discours sur l'inégalité parmi les hommes*. As explained above, in Geneva and its allied Swiss cantons, the word “Republic” meant the absolute, sovereign rule of a limited number of families, a de facto aristocracy that excluded the regular citizens from political participation, let alone the peasant subjects who were the object of the pastoral poetry.

Rousseau was the first Swiss, if we consider him Swiss, to discover and praise Machiavelli’s work as “the book of republicans.”<sup>55</sup> This reference recalls the original question: why was there no Machiavellian moment in Switzerland (or only very late)? For a considerable time, the Swiss did not participate in the “Atlantic” debates that originated in the opposition of (French) absolute monarchy and the (Anglo-Dutch) republican experiences. The Confederation was best explained historically (and not theoretically) within the traditional frame of the Empire, as an anachronistic league of imperial cities. This was a decidedly conservative explanation that did not legitimize a new or changed constitution, as the Dutch and English had to in the seventeenth century, but claimed on the contrary that the good old constitution remained unaltered. When debates over the republic were imported into Switzerland in the second half of the seventeenth century, this became a discourse about the new concept of sovereignty—and not about virtue. Virtue for the Swiss, then, was still essentially religious, not civic. In a confederation divided by confessional strife, only the secular concept of the virtuous Alpine shepherd as developed in the early eighteenth century could slowly overcome the lines of religious separation, forming a core element of the republican language and national identity that were fostered from the 1760s onwards in the *Helvetische Gesellschaft*, which brought together enlightened members of the elite, Catholics and Protestants, German speakers and Francophones, inhabitants of the capital and of smaller towns as well.<sup>56</sup>

As elsewhere, the republican language used in these circles had ambivalent implications in Switzerland. A kind of court/country antagonism enabled the biconfessional and bilingual nation to claim a particular national identity based on its republican liberty. This was a distinguishing mark, not least in the German-speaking world that was politically and culturally dominated by princes and not by the declining imperial cities. According to this republican logic, agricultural reforms were debated in the second half of the eighteenth century, which aimed at cultivating the virtue of free farmers who would serve in a militia army. This was an “Augustan” argument, to put it in Pocockian terms, because it went along with criticism of the proto-industrial putting-out system and the investments especially of the Bernese treasury in the

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<sup>54</sup> Jean-Jacques Rousseau, *The Social Contract or Principles of Political Right*, ed. Charles Frankel (New York: Hafner 1947), 92 (4, 1); Rousseau, “Contrat social; ou, Principes du droit politique,” in Rousseau, *Œuvres complètes*, vol. 3, ed. Bernard Gagnebin and Marcel Raymond (Paris: Gallimard, 1964), 349–470, 437 (4, 1).

<sup>55</sup> Rousseau, *Social Contract* 64 (3, 6); Rousseau, “Contrat social,” 409 (3, 6).

<sup>56</sup> Ulrich Im Hof and François de Capitani, *Die helvetische Gesellschaft. Spätaufklärung und Vorrevolution in der Schweiz* (Frauenfeld/Stuttgart: Huber 1983).

Dutch and English public debt.<sup>57</sup> Following Johann Jakob Bodmer, some “patriotic” Swiss *philosophes* proposed a kind of “neo-Harringtonian” political reform in order to restore the virtue of their ancestors. However, there existed another alternative, the “Scottish” or “cosmopolitan” optimism of authors like Isaak Iselin who believed that commercial exchange would civilize the manners of the corrupt Swiss oligarchs.<sup>58</sup>

In both its forms, the patriotic, political version and the cosmopolitan, economic version, the Swiss Enlightenment’s appeal to virtue powerfully contested the Swiss oligarchs’ monopoly on power and their interpretation of the “Republic.” What they had had in mind when they adopted this nomenclature for their cantons was absolute dominion of a selected collective. When they spoke about liberty, it was their liberty from foreign interference and the negative liberty of citizens in a well-organized, inexpensive state. Albeit unintentionally, using the republican language and the symbols of liberty led further than that: inspired first by the Dutch and then as part of pan-European enlightened debates on natural rights and moral reform, Swiss authors came to understand the republican constitution of the cantons and their allies as a framework for emancipation and for liberty as political participation—a claim that Rousseau made into a universal argument that would change the world in 1789. [A]

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<sup>57</sup> Béla Kapossy, “Neo-Roman Republicanism and Commercial Society: The Example of Eighteenth-Century Berne,” in *Republicanism: A Shared European Heritage*, ed. Martin van Gelderen and Quentin Skinner (Cambridge: Cambridge University Press, 2002), 2:227–47.

<sup>58</sup> Simone Zurbuchen, “Patriotismus und Nation: Der schweizerische Republikanismus des 18. Jahrhunderts,” in *Republikanische Tugend. Ausbildung eines Schweizer Nationalbewusstseins und Erziehung eines neuen Bürgers*, ed. Michael Böhler, Etienne Hofmann, Peter H. Reill, and Simone Zurbuchen (Geneva: Slatkine 2000), 151–81.