Thomas Maissen. *Die Geburt der Republic: Staatsverständnis und Repräsentation in der frühneuzeitlichen Eidgenossenschaft.* 2nd, revised edition. Historische Semantik. Göttingen: Vandenhoeck & Ruprecht, 2006. 672 pp. EUR 59.90 (cloth), ISBN 978-3-525-36706-3.

Reviewed by Randolph Head (Department of History, University of California-Riverside)

Massive and Provocative

The second printing of Thomas Maissen's ambitious, sprawling, and often brilliant study of Switzerland as an early modern republic suggests that this important work is getting the attention it deserves. While Maissen's work focuses specifically on the Swiss Confederation from the mid-sixteenth to the late eighteenth centuries, his goal is to explain more broadly what it meant to be a "republic" during this transformative period, and to explore how diverse understandings of republican political identity found expression in media ranging from political treatises to court ceremonies to public architecture and decorations. Maissen's extraordinarily detailed description and analysis of evidence from Switzerland brings to light fascinating material that has enjoyed hardly any attention from historians and art historians, while his broad-ranging explorations of both classical political theory of the period and diplomatic maneuvering in Europe's courts will engage readers from many branches of early modern history and politics. Almost every reader will find something unexpected and enjoyable in Maissen's massive volume, as well as something provocative worth arguing with.

Rather than constituting a single monographic narrative, Maissen has structured the work as five distinct essays that approach early modern republicanism from different though related perspectives. The first addresses sixteenth-century political theory to support Maissen's core argument that the early modern idea of the republic did not follow continuously from Italian city-state republicanism or from communalism, but depended on the prior emergence of a distinct theory of sovereignty as articulated by Jean Bodin. The second essay turns to the place of republics across Europe in the seventeenth century, with attention both to the canonical authors of political jurisprudence and the practices of polities with republican characteristics, from Venice to the English commonwealth. In his third section, Maissen pivots to the Swiss Confederation in particular, with particular focus on its shifting status under international law (*Völkerrecht*), showing how Swiss politicians and thinkers were forced to adapt their initial position that the confederation was above all a privileged subset of

the theoretically universal Holy Roman Empire. In the fourth essay, Maissen tightens his focus further to trace how Zurich developed new models of statehood and autonomy, and how those models found expression in contexts as diverse as theology, architecture, and popular movements after the early sixteenth century. In the final essay, he then surveys republican imagery and representations across the Swiss Confederation and its allies from Geneva to Graubünden; the resulting catalog, at once quirky and engaging, in effect provides an updated and enriched version of Wilhelm Oechsli's seminal analysis of Swiss political terminology.[1]

At the heart of *Die Geburt der Republik* stands Maissen's contention–reached while he was working on the volume–that the republican self-consciousness that developed in seventeenth- and eighteenth-century Switzerland appeared only *after* the Swiss came to see their confederation or its members as sovereign polities. Moreover, the Swiss came to adopt the language of sovereignty (which Maissen associates in relatively conventional terms with Bodin's seminal *Six Books of the Commonwealth* [1576]) not owing to internal developments, but rather through a century-long learning process driven by foreign relations and deeply influenced by French and Dutch thinkers and diplomats. Even during the negotiations that led to the treaties of Münster and Osnabruck in 1648, the Swiss delegate, Johann Wettstein, initially drew on traditional Swiss models of the confederation's particular legal status within the empire (*Reichsrecht*), and only later adopted the new public law model (*Völkerrecht*) of a sovereign confederation under the tutelage and with the support of France. Back in Switzerland, the same language and associated imagery of sovereignty spread only slowly, producing various hybrid political vocabularies well into the eighteenth century.

Maissen's interpretation thus breaks sharply with both J. G. A. Pocock's model of republicanism emerging through a series of "Machiavellian moments" shaped by classical political vocabularies and inflected by primarily internal conflicts in republics such as Florence and the English Commonwealth, and with Peter Blickle's argument that late medieval communal practices and discourses provided the foundation for parliamentary institutions and republican practices of political inclusion that eventually led to democracy. In contrast to the lines of continuity that characterize both of these genealogies, Maissen concludes that the language of (modern) republicanism represents a complete break from classical and medieval discourses, and depends on the prior establishment of sovereignty and international public law for its cogency. The first section of the work documents Maissen's recognition of this point by contrasting a close reading of Bodin's *Six Books*–especially its knowledgeable discussion of Switzerland–with Josias Simler's nearly contemporaneous *Regiment gemeiner loblicher Eidgnoschaft* (1577, originally published in Latin as *De re publica Helvetiorum libri duo* [1576]). Although both Bodin and Simler describe the confederation as subject to no other lord, their perspective is nevertheless quite different in Maissen's exposition. Bodin at one point describes the Swiss as "civitates ab imperio Germanorum avulsae, quae nec imperii, nec Imperatoris edictae se teneri satis declaraverunt" ("cities wrested away from the German Empire, who have clearly enough declared that they do not hold to the Empire or to the Emperor's edicts") and thus as thirteen sovereigns (p. 58). Although Bodin elsewhere treats the Swiss as vassals, as well, Maissen stresses that in a world of sovereign entities, only these two options–sovereign and autonomous, or subjects–were possible. In contrast, Simler stresses that while the Confederation formed a single republic–"sunt populi & urbes non paucae, una nihilominus est civitas, una Respublica" ("although the people and towns are not few, they are nevertheless one city, one republic")–this republic was legitimately self-governing because of the titles and privileges it had obtained from the empire (p. 62). Its rival was not the Holy Roman Empire itself, but the corrupt aristocracy, which the Swiss had expelled in the fourteenth century. Simler's defense of Swiss liberty is couched conventionally in the language of feudal law and privilege; noteworthy is the way that, like most Swiss political writing from the sixteenth century, it quietly elides the fact that the aristocrats in question included the imperial Habsburg family itself. Maissen's exposition in this section relies almost exclusively on the key authors themselves, rather than on the abundant theoretical and secondary literature on Bodin (if not on Simler). As he concludes: "Ein Schweizer, der die Eidgenossenschaft im Reich verankert sieht, und ein Franzose, der sie für souverän erklärt … –in Simler und Bodin ist die Grundproblematik der vorliegenden Untersuchung exemplarisch vorgeführt worden" (p. 70). For Maissen, the Swiss continued to think of their confederation as a republic in medieval terms–as a commonwealth, with no implications about its form of government–until the concept of sovereignty swept away old limitations and opened the path for them to think about their republic specifically as a polyarchic form of state.

In its second major section, the work explores the

public law context for the emergence of new concepts of republican politics in Europe. According to Maissen, the reconceptualization of Europe as a collection of sovereign states made it possible to identify polyarchy as the characteristic feature of republics in particular. Maissen systematically reviews the key theoretical literature, including Johannes Althusius, Hugo Grotius, and Henri de Rohan, and surveys the polities that by the end of the seventeenth century were generally recognized as republics: Venice, the Netherlands, England during the commonwealth, and (controversially) the Holy Roman Empire. His concise synthesis stresses two points. First, none of these republics rested ideologically on a foundation that required wide popular participation, although various forms of mixed constitution were frequently invoked to explain the organization of their internal institutions. Second, Althusius at the beginning of the seventeenth century could still describe France in terms of a mixed constitution, thus drawing on the medieval sense of *res publica.* By the end of the century, in contrast, the term "republic" clearly meant a *Freistaat* ruled by some larger number of individuals, and was defined specifically in contrast to the absolute monarchy of one that was the canonical form of governance at the time. The European republics of this type whose sovereignty was generally recognized by 1700 survived the *ancien régime*; the various complex mixed governments without sovereignty all faded before 1800.

Maissen's third section offers a sparkling interdisciplinary romp through politics, law, art, and iconology that explores how the Swiss Confederation figured as a subject of international law in the seventeenth and early eighteenth centuries. He begins with a sober consideration of Swiss legal theories about their own system, and disquisitions on the confederation in scholarly German law, or *Reichspublizistik.* The chapter then turns to the pivotal negotiations in München and Osnabruck that ended the Thirty Years' War. The Swiss Confederation actually failed to send any delegation of its own to the peace conferences, but the city of Basel dispatched an experienced diplomat, Johann Wettstein, who eventually gained accreditation from the Swiss Diet as well. Wettstein at first defended a traditional view of Switzerland as an integral but constitutionally privileged association within the Holy Roman Empire. At the urging of French delegates, however, he soon adopted the language of sovereignty in describing the confederation, and managed to insert language to this effect into the final treaties (although the Austrian negotiators absolutely vetoed the actual word). The treaties describe the confederation as

in "possessio vel quasi plenae libertatis et exemptionis ab imperio" ("possession of effectively full liberty and exemption from the empire") (p. 196). The second half of Maissen's chapter then turns to the symbolic vocabularies that developed to describe a sovereign Swiss republic in action, including political language of interest and of neutrality, and the icons of "Helvetia" and the Phrygian hat. A particularly scintillating section describes the Swiss embassy of 1663 to Versailles. Whereas Swiss historiography has treated the Swiss delegation's reception by Louis XVI as a triumph (famously depicted in various media that showed the wedge of Swiss delegates in black among the colorful panoply of Versailles courtiers), Maissen demonstrates that the Swiss were in fact led by the nose and publicly humiliated owing to their unfamiliarity with court protocol. Only after these slights did Swiss diplomats turn seriously to the crucial details of ceremony and address that helped organized the world of baroque states. Maissen's astonishing range of material, and the lucid insight and easy fluidity with which he handles diverse genres of argument, make this brilliant chapter a particular pleasure to read.

Having established that the sovereignty of the Swiss Confederation emerged largely owing to external impulses, Maissen then uses the detailed case study of Zurich to explore how the languages of sovereignty and republicanism evolved *within* Switzerland. Covering the entire period from Huldrych Zwingli's initial Reformation writings to the late eighteenth century, the chapter represents a concise history of political theory and representation in Zurich throughout the entire early modern period. Maissen stresses that as long as Reformed theology placed all true sovereignty firmly with God, the emergence of a sovereign secular republic was impossible. He therefore argues that a significant secularization of political thought in Zurich began during the Thirty Years' War, opening the door to a secular and historically situated polity organized as a polyarchy constituted by the *Bürgermeister*, the council, and the entire community. As the political class in Zurich increasingly attributed political sovereignty to its own state, however, disputes arose over who exercised that sovereignty, and especially who could reform the fundamental statutes that specified the functions of each part of the polyarchic structure. Maissen is intent upon showing that most Zurich politicians consistently saw democratic forms of participation as potentially disastrous. The traditional conception of a communal *res publica* at least potentially included the entire community, but both political thought and forms of representation increasingly empha-

sized a "herrschaftlichen 'Republic' als polyarchischen Staat" (p. 427). Indeed, Maissen argues that Zurich was relatively late in adopting the term "republic" in its official designation and iconography exactly because of this tension, which was higher than in some other Swiss cantons owing to Zurich's guild constitution.

Maissen's final section consists of a catalog of political iconography that sensitively tracks a number of visual and linguistic hallmarks of "sovereignty" and "republicanism" in many of the political entities that made up the early modern Swiss Confederation. In this, he reproduces, updates, and expands on Oechsli's 1916 catalog of cantonal designations–a study that has been extremely influential in the historiography of Swiss politics. By comparing terminology across the heterogeneous polities that made up the confederation–not only the thirteen cantons that were full members, but the allied republics, condominia, and semi-autonomous associates–Oechsli allowed his readers to develop a nuanced but more systematic understanding of Swiss politics. Maissen's survey builds on this achievement by systematically investigating each entity's use of political language and of symbols such as personifications, constellations of imperial and cantonal arms, and medals. Drawing on the terms he carefully defined in his Zurich study in the fourth section, Maissen can thus illustrate the range of variation in the use of terms such as "liberty" and "republic," in the timing of when imperial symbols were removed or mutated, and in the way both reformers and conservatives described diverse constitutional arrangements. Anyone interested in European comparative political symbolism will discover treasures in this section; historians of *ancien régime* Swiss politics will rely on it to enrich their interpretations and to guide them away from errors based on the quirks of any particular canton.

In short, this book will provide rich stimulus to anyone interested in early modern political theory, language, and the symbolic representation of the political. Maissen not only provides a clear challenge to several major theories of republican evolution in this period, but also delivers a multilayered catalog of material that will open up new debates and help shape the research agenda for both Swiss and European historians of politics. His indefatigable collection of material from eighteen archives and his encyclopedic analysis of both published and unpublished European political discourse that touches on the Swiss Confederation add greatly to the volume's value. The scholarly literature that touches on Switzerland and its politics in the seventeenth and eighteenth centuries is extremely limited. By pioneering a wide range of issues and bringing together a wide variety of discourses, Maissen's *Die Geburt der Republik* represents a major contribution whose heterogeneity and nuance do full justice to the complexity of the issues it raises.

Note

[1]. Wilhelm Oechsli, "Die Benennung der Alten Eidgenossenschaft und ihre Glieder," *Jahrbuch für Schweizergeschichte* 41 (1916): 51-230; and 42 (1917): 87-258.

If there is additional discussion of this review, you may access it through the network, at:

https://networks.h-net.org/h-german

Citation: Randolph Head. Review of Maissen, Thomas, *Die Geburt der Republic: Staatsverständnis und Repräsentation in der frühneuzeitlichen Eidgenossenschaft.* H-German, H-Net Reviews. June, 2009.

URL: http://www.h-net.org/reviews/showrev.php?id=24518