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Cahiers de l'Institut d'histoire de la Révolution française
Rupture(s) en Révolution

Rethinking Republicanism in Switzerland during 1798-1801

Between Rupture and Continuity

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Electronic version

URL: <http://journals.openedition.org/lrf/344>

ISSN: 2105-2557

Publisher

IHMC - Institut d'histoire moderne et contemporaine (UMR 8066)

Electronic reference

Antoine Broussy, « Rethinking Republicanism in Switzerland during 1798-1801 », *La Révolution française* [Online], Rupture(s) in Revolution. Perceiving and managing ruptures in revolutionary times, Online since 09 December 2011, connection on 02 May 2019. URL : <http://journals.openedition.org/lrf/344>

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Rethinking Republicanism in Switzerland during 1798-1801

Between Rupture and Continuity

Antoine Broussy

- 1 Saying that the French Revolution introduced a break in History, and especially in French History, seems a common place. Thus, Philippe Ariès, when he analyses the making of History and looks at the 18th and 19th centuries, notices that, before the Revolution, the past and the present were closely linked together. He argues that historians, such as Gibbon, were looking back to the societies of the Antiquity in order to find principles that would be able to forge a path toward political action. As he says: “Past and Present were not irrelevant to each other anymore”¹. That sense of continuity was based on the notion of similarity of times sustained by the idea of progress of the human being, meaning a kind of destiny. But, as Ariès adds, the French Revolution opened a gap in the continuity of times:

“The disruptions of the Revolution and the Empire, by making a clean sweep of the past, had interrupted the regular course of the History. There was henceforth a before and an after. Before 1789, the revolutions had never been conceived as a stop for a new start, but rather as a return to a better and older status”².

- 2 The Revolutions of the 18th and 19th centuries made believe that they could put an end to the past and start something new from the present. Then, historians became more focused on the things that were happening to be new, than on the signs reminding the continuity with the past. Following this viewpoint, the notion of rupture in Revolution could have been made of historiographical concerns.
- 3 Indeed, as the Revolution had raised political tensions, which can be widely summed up between revolutionaries and counter-revolutionaries, tremendous debates were held to clarify its causes, at least its origins³. Depending on political backgrounds, the commentators of the Revolution tried to emphasize the factors of rupture or of continuity. Tocqueville, for example, explained that the origins of the Revolution had to be found in the structures of the Ancient Regime. In doing so, he was reducing the legitimacy of the Revolution to being the starting point of the political modernity. It was

much more the achievement of a long-time evolution of the absolutist state and the centralization of the administration⁴. More relevant to us, François Furet, inspired mostly by Tocqueville, depicted a “good Revolution”, before 1793, based on liberalism which principles were debated during the Enlightenment. Then, inspired by Augustin Cochin⁵, he focused on the rupture encapsulated in the Terror, which he linked then with another form of continuity through his analysis of the totalitarianism’s origin⁶. On the other hand, an “orthodox” historiography could have considered the Revolution as the origin of the final social Revolution to come⁷.

- 4 In fact, lots of episodes of the Revolution have been interpreted both ways⁸. And it is not easy to follow the rambling development of the interpretations of the rupture or the continuity. Moreover, it is also quite hard to locate the moment of rupture in the revolutionary times. Was it, for the French case, on May 5. 1789, with the opening of the “Etats Généraux”? Did the rupture happen on July 14. 1789 with the fall of the Bastille⁹? or in 1792 with the birth of the Republic? Unless it happened in 1793, with the beginning of the Terror? In the end, one should maybe admit that the moment of rupture, as well as the presence of continuity, depend on the question that historians ask on the Revolution¹⁰. This may be why the issue of the origins, even if it has haunted commentators for years¹¹, could hardly find an answer.
- 5 But, considering that it would be vain to delineate whether the Revolution encloses many more signs of rupture or of continuity does not mean that these two notions could not become a subject for History. Indeed, rather than concentrating on the nature of the Revolution – was it a rupture or was it just a period that continues the past? – we could try to ask why the Revolution was interpreted as a form of rupture or continuity, when and by who? In this manner, questioning the notions of rupture and continuity amounts to tracking the senses that the Revolution had taken throughout the ages. It is a way of understanding the several dimensions of an episode which immediately became a political problem as well as a marker in the political debates and tendencies.
- 6 In this view, the case of Switzerland during the Revolution appears as especially representative. Indeed, the revolutionary break has merely been presented as a true rupture, for it has introduced violence, shortage and political disorder. These reasons were a major factor in reducing the memory of this episode, as well as its history. In fact, several Swiss historians have worked on the Revolution since the 19th century¹². But, the rupture that it represented was so deeply anchored in minds that only the past before the Revolution had something to say to the present time. By the way, it is remarkable that the narratives of the 19th century had set the tone at least until the middle of 20th century. Be that as it may, in their defence, it seems that things were complicated by the fact that contemporaries themselves used the notions of rupture or continuity in political debates in order to claim for legitimacy or discredit their opponents in people’s eyes. Moreover, regarding the political regime, the use of the concepts of rupture and continuity was complicated by the fact that, Switzerland was composed of several republics so that the Revolution only brought another form of republic, and not a complete new regime. Then rupture? or continuity?
- 7 In this paper, we would first try to figure out how a political rupture, such as one creating a new republican regime, can be sustained in a land that already worked as a republican regime. Second, we will attempt to sketch how the politicians then tried to promote a new political order, based on a rupture, by saying it was in fact a continuation of the

ancient political order. Last, we would ask whether the command of this vocabulary could have influenced the historiography, and in which manner.

8 But first of all, let us remind the context.

The French Revolution and the Helvetic Republic

9 At the early beginning of the French Revolution, the Helvetian Body looked like a divided organization, composed of thirteen cantons which used to dominate subjects territories – some of them being dominated by several sovereign cantons¹³. Bern and Zurich appeared at this time to be the most powerful cantons both military and spatially.

10 During the second half of the 18th century, the Helvetian Body is crossed by more or less strong movements of revolts which dispute the will of the aristocratic or oligarchic governments of the sovereign cantons to impose a more centralized power. It happened for example in the Land of Vaud and in the countries of Schaffhouse and Valais in 1790 and 1791. The more the French Revolution grew in importance the more the pressure went up towards the Helvetian Body (and especially after 1792 and the beginning of the European war). Indeed, in the border regions, the ancient political order was breaking down as it was shown in Geneva, in the Graubünden and in the bishopric of Bale. In 1795 and 1796 the whole political system seemed to be about to crumble because of troubles. There were also outbursts of revolts in the cantons of Bern and Zurich just before 1798, as the revolution was to begin in Switzerland¹⁴.

11 It is generally said that the French Directory paid interest to Switzerland in December 1797. In Paris, Frederic-Cesar Laharpe¹⁵ and Peter Ochs¹⁶ were entering its views. Since, they were mostly considered, in the historiography, to be responsible for the invasion of Switzerland. At the beginning of January 1798, the Land of Vaud and Bale started their own revolution. They knew that the French Directory would support this movement for General Menard and his army remained near the border as a protection in case Bern attempted to repress the Waldesians. But it happened that two French soldiers got killed accidentally by two villagers in Thierrens. Menard took advantage of this to enter Switzerland and to fight against Bern which was finally defeated within a month.

12 Meanwhile, in Switzerland, the subject territories were freeing themselves from the domination of the sovereign cantons by making their own and peaceful revolutions. Since February, the new Constitution written by Peter Ochs in Paris, based on the principle of national unity and inspired from the French Constitution of Year III¹⁷ was circulated round the country and finally proclaimed on April 12, 1798. This constitution was built on the human rights and its first article said that the new Helvetic Republic was “one and indivisible”¹⁸.

13 But the new Republic soon had to face several problems: the French army stationed in the country cost a lot and the exasperation of the inhabitants increased as time passed by; the government had great difficulties getting taxes and so could not well start the reforms; the new economic system based on freedom first disorganized the balance in the economy; finally, the second coalition war from 1799 to 1800 took partly place in the country. For all these reasons the new system was getting more and more unpopular and its opponents could easily criticize it. Furthermore, its supporters were themselves divided about the goals and methods of the government. As a result, it put the Republic in a difficult situation. From 1800, several seizures of power happened until the French army

left the country in 1802 which was the start of uprisings between supporters of the unity system and the federative one. In this atmosphere of civil war, Napoleon imposed his Mediation Act which restored the cantonal power and put an end to the centralized system¹⁹.

1798, a republican rupture?

- 14 The feeling of the near weakening of the Helvetian Body appeared before 1798. Already in 1796, Frédéric-César Laharpe had published his *Essay on the Constitution of the Land of Vaud*²⁰. His purpose was to ask for the support of the French Directory to free the Land of Vaud from the Bernese domination. His main line of argument was based on an old treaty – the treaty of Lausanne signed in 1536 – which guaranteed the help of France in case the Ancient “States of the Land of Vaud” would not have been convened anymore. Laharpe concluded that not only the freedom of the Waldesian people had been confiscated by the Bernese authorities but also that they had become like Spartan “Helots”. On top of that, Laharpe referred to the spirit of the mythical ancestors’ oath that had shaped the first jointure of the Helvetian cantons. In his view, the present political system of the Helvetian Body had become unfair because it has spoiled out the meaning of the fights for freedom of the ancestors. He claimed that power, in the republics, had been confiscated by a minority of the Swiss people, who was part of the aristocracies or the oligarchies of the most powerful cantons. In fact, Laharpe’s arguments stressed his understanding of the republican regime: he meant that the offices in a republic must be opened to merit, virtue, talents and neither to relationship nor to birth. These values are those that he associated with the first confederates. Laharpe’s claims had also evolved. First, he believed in a political reform. But, seeing that the most powerful cantons suppressed every demonstration for more freedom and social changes, he then believed that there was no time left for political reforms. Moreover, the weakness of the Diet of Aarau in January 1798 testified that nothing could be done without a shock. But, in Laharpe’s mind, the latter meant only that the ancient governments of the confederation must be broken with the help of France. After what, the Swiss people could begin to rule itself following the truly republican and democratic principles – as the first confederates did.
- 15 No matter how valuable the historical background of his demonstration was, his pamphlet could have been used as a pretext for the French Directory to enter the Land of Vaud: a first step toward the development of the Revolution in Switzerland. There, the members of the political elites understood the threat very well and tried to oppose their own arguments. Then, the debate between them and Laharpe took place at the level of continuity, since each point of view claims for History to establish proof of its legitimacy.
- 16 Niklaus Friedrich von Mülinen²¹, in a book published in 1797²², answered Laharpe, intending to show that his historical demonstration was mistaken. Indeed, Mülinen tried to demonstrate that, although Laharpe considered that the ancient assemblies had the right to discuss the wills of the Bernese government, these were essentially weak, made up of nobles and rarely convened. Moreover, he argued that the Bernese domination brought prosperity in the Land of Vaud, which explained why the Waldesian people had accepted to be run by Bern²³. The same concern was shared by Franz-Rudolf von Weiss²⁴. His book was published in January 1798 during the meeting of the Diet of Aarau that was supposed to introduce reforms in Switzerland in order to avoid a French invasion which seemed more and more imminent. He agreed with Laharpe that political changes must be

pursued, especially in the relationship between the cities and the countries, the latter claiming for more freedom and power in public administration. But, in von Weiss's view, this did not mean that the whole system must be changed. This is the reason why he intended to demonstrate that the historical arguments of Laharpe were false when the latter described these assemblies of the Land of Vaud as close to the French "Etats généraux"²⁵.

- 17 Thus, Von Mülinen, as well as Von Weiss, considered that the goal of Laharpe was to introduce the rupture in Switzerland as well as between Switzerland and France. Von Mülinen expresses it at the very beginning of his book:

"The several political texts from Mr. Laharpe [...] are written in order to break the present constitution of his fatherland, either in discrediting the Bernese government in its people's eyes or in weakening its friendly relationship with the French Nation"²⁶.

- 18 In his view, Laharpe is a revolutionary, a "Jacobin", and the rupture he wants to promote in Switzerland is one of violence. Von Mülinen and von Weiss point out the risk of violent disruption that could happen if following Laharpe's considerations, whose model of the political rupture is showed as closer to the revolutionary France of 1793 than the France of 1789. This viewpoint gives a negative appearance to the notion of rupture and to the Revolution that can be found again in 1799 in another pamphlet published by Steiguer²⁷. The picture it draws of the first years of the Helvetic Republic is one of desolation: the unitarian form of government, the Helvetic Directory, and moreover the French influence, are said to be responsible for this course of things. The text also claims that the whole Nation, shaped by the first mythological ancestors, will be rebuilt on the principles that they handed on²⁸. Thus, Steiguer ascribes to the "patriots" – those who, as Laharpe, are in line with the Revolution in Switzerland – the responsibility of the rupture, embodied in the French domination. For a land that had not been invaded for centuries and whose identity is based on the concept of neutrality, one could easily understand that Steiguer's arguments, associating the new regime with a rupture, were convincing. Moreover, they show that the meaning of the republican regime for these conservative elites lay much more on the notion of independence and neutrality than on a kind of "republican pact".
- 19 At the end, at least two political projects are facing each other. It is striking that they are both trying to legitimize themselves in pretending that they embody the continuity while their opponents embody the rupture. Indeed, both of them assert that they are in line with the history of their fatherland, trying to get closer to the spirit of the mythical ancestors. We could find here the influence of the *History of the Swiss People*, published in 1780²⁹. Indeed, this book had fixed the narrative of the country at the time when the political debates about the political reforms were rising, in particular in the Helvetic Society³⁰. Who wanted to appear as a "good patriot" must have demonstrated that his political action continued the patriotic project of freedom, independence and solidarity that had begun in the early 14th century. On the other hand, Laharpe showed that the aristocratic elites had already broken this spirit while the latter claimed that the revolutionary plan of Laharpe and his supporters would do the same.

1799-1801, saving the rupture by restoring the continuity

- 20 As it happened, the “patriots” won. A new Republic, based on the unity, was proclaimed on April 12, 1798. And, even if Laharpe had tried to explain that the project of the “patriots” could have been considered as a renewal of the genuine principles that led the Swiss people since the first times of the Helvetic Body, the new regime introduced several changes that were experienced as a deep rupture by a wide part of the population.
- 21 Without a doubt, the main rupture remained the creation of a unitarian republic. But we must also take into account the fact that the country rapidly became the theatre of the war against Austria. The damages of the war increased the exasperation of the inhabitants while weakening the authority of the government. As a consequence, the unitary system became more and more unpopular. It is worth noting that, in this context, Laharpe, who had been elected on June 29, 1798 to be one of the five government’s Directors, intended to raise the national patriotism in declaring war against Austria. Indeed, this fighting would echo that of the first confederates to free their homeland. Doing so, he thought that if the Swiss people were fighting side by side with the French army, this would be an argument in favour of asking the French government for the withdrawal of its army after the victory³¹. So, here again, Laharpe tried to legitimize his policy according to the past.
- 22 But his plan turned out to be a failure because it raised the opposition of the moderate party which was standing in the two councils of the Republic. Indeed, the moderates succeeded in dismissing the three Directors³² – considered as too “Jacobins” – on January 7, 1800. After this first “coup d’Etat”, a provisional order stood in for the previous Helvetic Directory. Then, a period of intense constitutional debates began between the patriots themselves (i. e. between the so-called “Jacobins” and the moderates) as well as between the conservative party. The fall of the Directory was a victory for the “moderates”. From January 8, 1800, a new executive power was put in place, consisting in a commission of seven members taken from the Senate and the Great Council. This decision was in line with the one of creating, from December 12, 1798, a “constitutional committee” of 5 members in order to review the constitution of April 12, 1798.
- 23 As one could guess, the first “coup d’Etat” consisted in political dissensions. Indeed, the moderates were saying that the people could not stand the Directory anymore because it did not seem to have been of any help against the French army’s requests and requisitions³³. Moreover, they were blaming Laharpe, in claiming that he tried to establish a dictatorial power. They also maintained that the Directory had lost its authority and that changing the constitution would be the only way of preventing the country from civil war. As one can see, the divide between the patriots rested much more on the way of ruling than on the question of the unitary form of the Republic. Besides, on January 14, 1800, the Great Council passed a law according to which only plans of a constitution based on unity would be examined³⁴. Behind these political confrontations, the moderates were facing the following problem: the dismissal of the Directory was unconstitutional. As a consequence, they had, on the one hand, to legitimize their seizure of power, which was a rupture in the constitutional order and, on the other hand, to remain in continuity with the unitary form of the Republic.

- 24 The “constitutional committee” presented two projects. The first one was prepared by the majority of the committee and led by Usteri³⁵. The second one was written by the minority composed of Krauer and Kubli³⁶. The two projects outlined the same concern about the upholding of a representative system as well as the principle of the Republic’s unity. But, in trying to minimize the rupture and increase the continuity that embodied their program, they were looking at the past in two different manners.
- 25 One could say that Usteri’s project was an attempt at restoring a system that would have been close to the working of the former governments of the ancient cantons. Indeed, it proclaimed the universal suffrage but, for practical purposes, invalidated its action: several filters were created to exclude the common people from being elected. At the lower level, all the citizens of a “commune” could participate in the Primary Assembly, but they could only choose 25 “eligible citizens of the communes” from which the local magistrates would be elected. In this way, it echoes article 7 of the French constitution. For the next stage, these selected citizens would then assemble at the district level and choose amongst them the “eligible citizens of the Republic”. Among the latter, a “National Jury” would choose the members of the “Legislative Chamber” and some civil servants³⁷. These 45 members would be elected for 15 years and could only be chosen from the list of the “eligible citizens of the Republic”. Furthermore, the new members were elected by the “National Jury” itself. Thus, even if the electoral basis was much larger than at the time of the ancient Helvetian Body, the project is reminiscent of the ancient system by creating a so-called “electoral aristocracy” at every level.
- 26 Krauer’s plan rested on other basis. His introduction explained that his will was, first, to find a balance between the popular sovereignty and its risks of anarchy, then to prevent the return of the oligarchy by defending the popular sovereignty. He meant a text that would be based on the principle of unity and had respect for the representative system, but being also as close as possible to a pure democracy³⁸. In a way, his plan relied on the memory of the ancient institution of the “Landsgemeinde”³⁹. He thought that the Representatives, who embodied the popular sovereignty, were much more able to determine whether or not the government strayed too far from the Constitution. This is the reason why every citizen, from the age of 20 and living in the same place for a year could become a member of the “Primary Assemblies” and elect – as well as be elected – the local judges and the city councilmen. Then, it established a kind of local democracy. But, in order to avoid the risk of electing common people that could rule a radical policy, he created a second level of eligibility to compose the legislative and executive power, as well as the senior civil servants.
- 27 Because it was found more democratic, only Krauer’s plan was studied by the representatives⁴⁰. But, as the “patriots” were in majority in the two councils elected before the first “coup d’Etat”, the discussions went very slowly because they wanted it to be much more democratic⁴¹. During springtime, the hostility between the “patriots” and the “moderates” grew harder and harder, meanwhile the “federalists” were also getting more offensive, trying to bring back to life the ancient regime. This context resolved the executive commission to dismiss the councils on August 7, 1800. A new political order, still provisional, was put in place: a single legislative council of 43 members substituted the Great Council and the Senate. These members chose 7 members out among themselves to compose a new executive council. From now on, this system looked very close to the ancient form of government of the aristocratic cantons.

- 28 But, despite this second “coup d’Etat”, the provisional order still remained, whereas there was not much more consensus in order to proclaim a new constitution. All the parties were trying to put their project forward to France in order to get its help. This situation, at the end, gave the opportunity for France to interfere with the Swiss policy and Bonaparte proposed his constitution of Malmaison at the end of April, 1800. Its tone was much more federalist than the project discussed in Switzerland and showed to the First Consul by Rengguer and Glayre⁴². It is amusing, in a way, to observe that Bonaparte himself legitimized his plan by referring to the past of Switzerland, saying that he was only concerned about the interest of the central cantons of the old confederation that built, in his view, liberty, democracy and the genuine republican system of the country⁴³.
- 29 Thus, what about the management of rupture and continuity in this short example? The majority in the two councils, as well as the whole constitutional committee, agreed that the ancient political system had come to its end. Reforms were needed and the unitarian system, which was a great rupture in the Swiss political traditions, seemed to have been more or less accepted: it was showed as the best way to stop the return of aristocratic or oligarchic powers and to give the nation a better cohesion. But the moderates were also managing the notion of rupture as a manner of condemning the “patriots” that they considered too radical. In associating the rupture with the revolution – i.e. the revolutionary party – they were trying to reject the violence toward the “patriots” and to appear only as reformers.
- 30 On the contrary, the political use of the continuity was different. Indeed, through Usteri’s project of constitution, we can identify a political group that considered that it would have been possible to rule a unitarian country with the political structures of the ancient time. This does not mean claiming for the return of an aristocratic government but limiting the democracy and its dangers. In another respect, Krauer’s plan insists on the democratic basis of the ancient confederation through the remembering of the “Landsgemeinde”. This legacy justified the idea that the people were sufficiently aware enough of their own responsibility even if, obviously, this conception did not exclude the fact that democracy must also be limited at a higher level.

Softening the rupture: the role of the historiography of the 19th century

- 31 If we are coming back to the analyse of Philippe Ariès, that the historiography of the 19th century was trying to think about the past in order to forge a path toward political action, then we could venture the hypothesis that historians of this time looked back on the past to find the origin of the republican regime, since it was the main debate of the early 19th century. For Switzerland, it could have been all the more easy and obvious that the country could claim seniority in respect of its republican model in Europe. At the same time, they had to explain the origin of the Revolution in Switzerland, at least its causes. Then historians also had to manage the rupture and the continuity in their historical narratives.
- 32 In 1891, to celebrate the birth of the Swiss nation, Karl Hilty published a book, edited with the support of the federal state⁴⁴. In this official publication, he echoes the historical narrative of the country, made by the work of Jean de Müller and of the Helvetic Society:

“However, a people can be proud when he succeeded in saving, at the right time, the heritage of the innate and natural right to rule its public affairs [...]. The liberty, that the people had experimented since its very beginning, is a better ground than the one which must have been regained, for the latter only roots very slowly. And what distinguishes us from the other nations around us, which are related to us by blood and race, is precisely the fact that the ancient liberty of the Germanic people always live through us, at least in the small group that grounded the Confederation. Regarding this lasting experience of political independence as well as active participation of the citizens to public affairs, an habit that could not be destroy with a stroke of the pen [...], this is how, more than anything else, we are guaranteed that our liberty will continue to stand”⁴⁵.

- 33 Hilty’s viewpoint rests on a specific political context. Indeed, he was part of a historiography that was close to the Radical party in Switzerland. From the 1830’s, it wanted to promote a political order shaped on the national unity and a strong central government. In 1848, they succeeded in organizing a modern federal state in Switzerland with the proclamation of a new constitution of their own⁴⁶. In a way, the political principles of the Radical party were not so far removed from those of the Helvetic Republic. But they could not come to terms with a past considered as a political rupture. This is why the main goal of the radical historiography was to find an origin for the 1848 constitution in the ancient past of the country, and not in the recent past of the Revolution that had created more dissension than unity⁴⁷.
- 34 In order to support this view, the meaning of history, as understood by Müller and the Helvetic Society, was of great help. Indeed, it had already fixed a master narrative of the past and had been used by leaders of all political parties during the Revolution to legitimize their action. Moreover, at this time, the Helvetic Society aimed to promote a political reform⁴⁸, and not to bring revolution in Switzerland. So it was easy for the radical historiography to be in line with it, all the more since the Helvetic Society had stood out, before the Radical party, for reinforcing the national unity of the country. Lastly, the radical historiography could have made the most of the historical narrative of the Helvetic Society since it was promoting a kind of political modernity. Indeed, the reformers of the 19th century shared the same concern as the ones of the 18th century. They both wanted to anchor in the present the old principles of the past, but in order to modernise the political system of the Confederation. In this respect, the main issue rested on patriotism, the nature of the republican regime and the problem of popular sovereignty – which did not mean exactly democracy. So it was possible to say that a national debate had emerged before the Revolution. And in doing so, the 19th century continued the 18th century.
- 35 On the other hand, as we have already seen it, all the parties during the Hevetic Republic tried to explain away the problems of ruling the regime because of the French invasion and occupation. Here was located the rupture. A rupture that could explain all the dissensions, all the disorders. Without a doubt it could be seen in the treatment of violence. The historical narratives of the 19th century are mostly shifting the violence onto the French army which then hides the clashes between the Swiss themselves. It is also worth noting that the radical revolutionaries are the most often presented as a minority, even on the patriots’ side. Furthermore, it is often said that the regime was ruling from Paris by Bonaparte and Talleyrand. At the end, these analyses are contributing to outsource the responsibilities of the problems and the failure.

36 Then, let us summarize the outlines of this history. First, to anchor the constitution of 1848 in minds, history must have explained that it was a kind of achievement of a long “national” history. Second, as the Revolution was considered as a rupture, it was not possible to include this period in this long-time history. The solution was to explain that the Swiss people was not really responsible for this disruption since it was the first time for centuries that the country had been invaded. Thus, the national, or at least patriotic, feeling had never been crushed. But, as a consequence, this period must have been considered as a parenthesis of the national history. Indeed, it was not possible anymore to say that the principles, at least part of them, on which the new constitution of 1848 was based, were established during the Helvetic Republic⁴⁹. And this conclusion is clearly drawn by Karl Hilty, when speaking about the period that begun after the first “coup d’Etat” in January 1800:

“The confuse history of this late 20 months within Switzerland remained without any constitution is too sad, to say the truth, in its details. And there are good reasons for our history books not to dealing with it in a deep manner. Then, one could easily notice that thing: nothing gets worse on the spirit of the people than a stranger domination when it had not rebelled. A long period of regeneration is then necessary until it recovers its self-esteem which is necessary to rule a republican government”⁵⁰.

37 In a way, we believe that this “period of regeneration” rested on the softening of the memory of rupture, thanks to the historiography.

Conclusion

38 During the Helvetic Republic, the notions of rupture and continuity had been used for political purposes. We do not mean that the perception of rupture was not real for the contemporaries and that the rupture was just something fictional. Although this paper is certainly too short to demonstrate it, we are assuming that there existed a narrative of the rupture and the continuity in the political debates of the Helvetic Republic’s time in order to legitimize political tendencies and rulings. But it happened that all the parties tried to be in line with a patriotic history, mostly because the latter had been defined before the Revolution and offered a good framework to assert their identity in a national feeling. In a way, they were saying that they were acting for the good of the country. We could figure out some of these positions in the debates for the revision of the constitution, first because the first “coup d’Etat” was illegal and needed legitimacy, second because it was all about the nature of the republican regime that was, in fact, new and needed to be anchored in traditions to be accepted by the people. At the same time, as the historical narrative had already increased the notion of independence and neutrality to be one of the most important features of Switzerland, one could have said that France held the responsibility for all the negative aspects of the Revolution.

39 These political interpretations of the Revolution are surviving in the historiography of the 19th century. At that time, the political debates focused on the new constitution to be given to the country. The scheme looked all the more similar to that of the time of the Helvetic Republic that the political project of the Radical party rested on the same principles. But, for political purposes, it was still impossible to refer to this tremendous past. This is the reason why the period of the Helvetic Republic remained linked to the

notion of rupture, in its negative sense. And, as a consequence, was not really discussed anymore until the late 20th century.

NOTES

1. Philippe ARIÈS, *Le temps de l'histoire*, Paris, Editions du Seuil, 1986, p. 204.
2. Ibid, p. 207 (translation is mine).
3. An example can be found in Jean BAECHLER, « Le problème de la rupture révolutionnaire. A propos des origines de la Révolution française », *Archives européennes de sociologie*, XV, 1974, n°1, p. 3-32.
4. Alexis de TOCQUEVILLE, *L'Ancien Régime et la Révolution*, Paris, Michel Lévy frères, 1856 (2^e éd.).
5. Augustin COCHIN, *Les sociétés de pensée et la démocratie. Etude d'histoire révolutionnaire*, Paris, 1921.
6. François FURET, Denis RICHEL, *La Révolution française*, 2. vol., Hachette, Paris, 1965 ; François FURET, *Penser la Révolution*, Gallimard, Paris, 1978 ; see also the work of Alfred COBBAN.
7. See for examples, Albert MATHIEZ, *La Révolution française*, 3 vol., Paris, Denoël, 1985 (1922) ; Albert SOBOUL, *Les Sans-culottes de l'an II*, Paris, Librairie Clavreuil, 1958, George RUDÉ, *The Crowd in the French Revolution*, Clarendon Press, 1959 ; Eric HOBBSBAWM, *The Age of Revolution*, New American Library, 1962 ; Edward p. THOMPSON, *The making of the English Working Class*, London, V. Gollancz, 1963.
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9. Jean-Clément MARTIN, *La Révolution française*, coll. « Idées reçues », vol. 153, Le cavalier bleu, 2008.
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12. Anton VON TILLIER, *Histoire de la République helvétique*, 2 vol., Genève, Cherbulliez, 1846 ; Karl DÄNDLIKER, *Histoire du peuple suisse*, trad. Mme Jules FAVRE née Velten, Paris, Librairie Germer Baillière et Cie, 1879 ; Wilhelm ÖCHSLI, *Vor hundert Jahren. Die Schweiz in den Jahren 1798 und 1799*, 2 Bd., Zürich, F. Schulthess, 1899 ; Paul MAILLEFER, *Histoire du Canton de Vaud dès les origines*, Livre 8, Lausanne, Payot et C^{ie}, 1903 ; Johannes DIERAUER, *Histoire de la Confédération suisse. Tome. V, de 1798 à 1848. 1ère partie de 1798 à 1813*, Lausanne, Payot, 1918.

13. For example Orbe, Grandson, Morat belonged to Bern and Fribourg. In places, 7, 8, 9 or 10 cantons shared Argovia or Thurgovia.
14. *Nouvelle histoire de la Suisse et des Suisses*, Editions Payot, Lausanne, 1986 (2^e éd.), p. 465 et p. 484.
15. Antoine ROCHAT, « La Harpe, Frédéric-César de », *DHS*, url: <http://www.hls-dhs-dss.ch/textes/f/F15222.php> (10/03/2009).
16. Peter F. KOPP, « Ochs, Pierre », *DHS*, url: <http://www.hls-dhs-dss.ch/textes/f/F11674.php> (25/08/2009).
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18. Johannes STRICKLER, *Amtliche Sammlung der Acten aus der Zeit der helvetischen Republik (1798-1803) im Anschluss an die Sammlung der ältern Eidg. Abschiede. I Band : October 1797 bis Ende Mai 1798*, Bern, Stämpflische Buchdruckerei, 1886, p. 567 (From now on ASHR).
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22. Nicolas F. VON MÜLINEN, *Recherches historiques sur les anciennes assemblées des Etats du Pays de Vaud*, Chez la Société typographique, 1797.
23. *Ibid*, p. 58-71.
24. François Rodolphe DE WEISS, *Réveillez-vous Suisses, le danger approche*, Lyon, Imprimerie Franoy, janvier 1798.
25. *Ibid*, p. 19ff.
26. VON MÜLINEN, *Recherches historiques...*, op. cit., p. III (translation is mine).
27. Frédéric DE STEIGUER, *Déclaration des Suisses réunis pour rétablir leur Patrie à leur rentrée en Suisse : le 1 mai 1799*, s.l., s.n., 1799.
28. This extract can be read in Anton TILLIER, *Histoire de la République helvétique depuis sa fondation en 1798 jusqu'à sa dissolution en 1803*, vol. 1, Cherbulliez & Cie, 1846, p. 135-136.
29. Johannes VON MÜLLER, *Die Geschichten der Schweizer*, Boston [i. e. Bern], bey der neuen typographischen Gesellschaft, 1780.
30. For more information about this society, see: Emil ERNE, « Die helvetische Gesellschaft », *DHS*, URL: <http://www.hls-dhs-dss.ch/textes/d/D16429.php> (05/12/2007). See also, Ulrich IM HOF, François DE CAPITANI, *Die helvetische Gesellschaft. Spätaufklärung und Vorrevolution in der Schweiz*, 2. Bände, Verlag Huber, Frauenfeld und Stuttgart, 1983.
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32. Laharpe, Secretan and Oberlin.
33. Anton VON TILLIER, *Histoire de la République helvétique*, vol. 1., op. cit., p. 204ff.
34. *Ibid.*, p. 229.
35. *Rapport présenté au Sénat le 15 janvier 1800 par le Citoyen Usteri, au nom de la Commission de Constitution*, [s. l.], followed by *Opinion du Citoyen Muret, qu'il a prononcée au Sénat le 15 janvier 1800, comme membre de la commission de constitution, et qui a précédé la lecture des amendements qu'il propose, au projet présenté par une partie de la commission*, Archives fédérales Suisse (AFS): BO 1000/1483 78b 1799-1802.

36. *Rapport fait au Sénat le 15 janvier 1800 par le citoyen Crauer au nom de la minorité de la commission de Constitution composée de lui et du Citoyen Kubli, en lui présentant le plan de changement rédigé par cette même minorité* (Berne: Imprimerie nationale, 15 janvier 1800), AFS: BO 1000/1483 78b 1799-1802.
37. USTERI, *Rapport...*, op. cit., p. 14-15. The idea of the jury is also influenced by Sieyès's thought, see Alfred RUFER, "Das Problem der Verfassungsgerichtsbarkeit während der Helvetik," *Schweizerische Zeitschrift für Geschichte*, 5, 1955, p. 288; in order to point out the nuances between the "National jury" of Usteri and the "Jury constitutionnaire" of Sieyès, see Erwan SOMMERER, *Sieyès, le révolutionnaire et le conservateur*, Paris, Michalon Editions, "le bien commun", 2011, p. 73-101.
38. CRAUER, *Rapport...*, op. cit., p. 6.
39. For a definition, see Hans STADLER, « Landsgemeinde », *DHS*, URL: <http://www.hls-dhs-dss.ch/textes/f/F10239.php> (10/03/2009).
40. Submitted on Februar 3, the plan of the majority was rejected on Februar 7. See ASHR, V, p. 1376-1377 and Alfred RUFER, « Das Problem der Verfassungsgerichtsbarkeit während der Helvetik », art. cit., p. 293-298.
41. Tillier adds that the rules chosen to discuss the project increased also the length of the debates. See Anton VON TILLIER, *Histoire de la République helvétique*, vol. 1., op. cit., p. 229.
42. Corinne CHUARD, *1798 : à nous la liberté. Chronique d'une révolution en Pays de Vaud*, Lausanne, 24 heures, 1998, p. 222-223.
43. ASHR, VI, p. 885-886.
44. Carl HILTY, *Les Constitutions fédérales de la Suisse*, Neuchâtel, 1891.
45. *Ibid*, p. 6-7 (translation is mine).
46. Albert TANNER, « Radicalisme », *DHS*, URL: <http://www.hls-dhs-dss.ch/textes/f/F27156.php> (27/07/2010).
47. The same tendency appears in the histories written by Johannes DIERAUER, *Histoire de la confédération suisse*, op. cit. or Wilhem ÖCHSLI, *Vor Hundert Jahren*, op. cit.
48. Emil ERNE, « Die helvetische Gesellschaft », art. cit.
49. To be honest, we must admit that Hilty and Dierauer introduced a nuance in this viewpoint. But, even if they argue that the modern state in Switzerland takes inspiration from some principles grounded by the Helvetic Republic, they insist to say that the centralize power was anachronistic and agree with the idea that the French domination compromised the whole thing.
50. Carl HILTY, *Les constitutions fédérales de la Suisse*, op. cit., p. 369 (translation is mine).

ABSTRACTS

A partir de 1798, la Suisse entre en révolution. Toutefois, la notion de révolution est rapidement controversée et assimilée à la violence destructrice ainsi qu'à la perte d'indépendance et de neutralité du pays. L'étude des débats constitutionnels qui se succèdent en Suisse entre 1798 et 1801 est l'occasion d'aborder le jeu des relations complexes qui se nouent entre la notion de rupture et celle de continuité. Je propose ici de montrer comment les élites politiques de tous bords prétendent se forger une légitimité en inscrivant leur discours et leur action dans la continuité de l'histoire « nationale ». En cherchant ainsi à placer leurs pas dans les traces du passé, la rupture créée par la Révolution tend à être dévalorisée et interprétée de façon négative

par les acteurs eux-mêmes. Cette lecture « à chaud » de l'événement donne par la suite naissance à un biais historiographique par lequel la portée de la République helvétique est dépréciée pour longtemps dans l'histoire de la Suisse.

INDEX

Mots-clés: historiographie, représentations, république helvétique, Révolution, rupture

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