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Continuity and Conflict
The Struggle for Political Rights
in Eighteenth-Century Geneva

Presented by Angela C. Bennett, M.A.
of Rutherford College
for the title of Doctor of Philosophy in History
of the University of Kent

December 1995

Preface

I should like to thank all those who have contributed to the realisation of this work. By name, and in chronological order, Dr. Xaver Baumgartner, the Librarian of the University of St. Gallen for Business Administration, Economics, Law and Social Sciences, for all his sterling work in obtaining the plethora of books and articles I needed for this study; all the staff at the various Archives where I studied, especially those in the Bibliothèque Publique et Universitaire, Geneva, who must, on occasions, have wondered if I had become a permanent fixture in the Salle Senebier; Professor Clive Church for his unfailing support and stimulating and helpful suggestions and comments. Many thanks also to all our friends in Geneva for providing temporary homes, thus enabling me to use the Archives in the city, especially to Valerie and Robin Offord for their unending hospitality and the light relief of the 'frog problem' after a day spent working in the Archives. The staff at the Cantonal Library in St. Gallen, the Vadiana, also did all in their power to assist my research, for which I am most grateful. Above all, I should like to thank my husband John, for his unfailing patience, his endless support and his willingness to live with the 'Geneva problem' during the last four years, without which I would never have completed this work.

Finally, I should add that all the omissions and errors in this study are mine alone.

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Introduction

While researching the stay of the Stanhope family in Geneva 1764-1774, I became aware of a 'problem' of Genevan history. The Geneva at the time of the Stanhopes' stay which emerged was different from that normally depicted. The views expressed by many historians concerning Geneva's history did not do sufficient justice to the importance of the city's very special nature and history. This thesis is an attempt to show that Genevan history cannot easily be accommodated with the theory of the Atlantic Revolution. Geneva appeared to have a much longer history, amongst those who had political rights, of questioning where the sovereignty in the state lay, or should lie, while at the same time there was no desire to alter the constitution of the state, no wish to remove the government, no thought of breaking or acting in any way against the established law of the land. The confidence and trust in the government and those who were members of it remained largely intact until 1782.

The 'Atlantic Revolution' theory of R.R. Palmer,¹ seconded by Godechot,² and of which Geneva is considered to be an integral part, provides a coherent explanation for the various upheavals encountered throughout Europe and the United States in the second half of the eighteenth century. Indeed, Geneva is considered as one of the first countries to suffer 'revolution' in 1768. Palmer seems to have been unaware of Genevan history before 1734 which is vital to an understanding of later events in the city. For Palmer especially, a 'revolutionary situation' is 'one in which confidence in the justice or reasonableness of existing authority is undermined ... the sense of community is lost...'³ From this position there need be no actual revolution but 'some new kind of community must be formed'⁴ The importance of Rousseau's *Social Contract* is emphasised as one of the markers of the beginning of the Atlantic Revolution. The influence of the American War of Independence and the ideas which arose within and from that war are held to have further influenced groups and events in Europe.

Godechot agrees with Palmer's arguments, but like Palmer, did not consider Geneva before the mid-eighteenth century. He also considers that the example of the United States had a profound effect upon the city as well as the propaganda of the *philosophes* which 'opened the eyes' of those in opposition to the government.⁵ His arguments that economic difficulties may have lain behind the political difficulties has been overtaken by later work.⁶ Furthermore, the lack of understanding of the Genevan political scene leads Braun⁷ to claim, quite erroneously, that after 1707 there was no real calm in the city throughout the century. Thus, inevitably, these historians give only a limited picture of Geneva.

¹ R.R. Palmer *The Age of the Democratic Revolution. A Political History of Europe and America*, Vol. I *The Challenge*, & Vol. II *The Struggle*, Princeton: Princeton University Press, 8th Princeton Paperback, 1989.

² Jacques Godechot *France and the Atlantic Revolution of the Eighteenth Century, 1770-1789*, London: Collier Macmillan, 1971, (Translated by Herbert H. Rowen).

³ Palmer, *op. cit.*, p. 21.

⁴ *loc. cit.*

⁵ Godechot, *op. cit.*, p. 53.

⁶ Anne-Marie Piuz and Mottu-Weber *L'économie genevoise, de la Réforme à la fin de l'Ancien Régime XVIe.-XVIIIe. siècles*, Genève: Georg pour la Société d'Histoire et d'Archéologie de Genève, 1990.

⁷ Rudolf Braun *Le déclin de l'Ancien Régime en Suisse. Un tableau de l'histoire économique et sociale du 18e. siècle*, (Traduit Michel Thévenaz), Lausanne: Editions d'en bas, 1988.

What emerged from the research was a Geneva difficult to fit into any general pattern. In order to understand the political unrest in the city in the eighteenth century, it was necessary to go back to the creation of the modern state of Geneva at the time of Calvin. The political questions which troubled and divided Geneva in the eighteenth century all revolved around the central question of sovereignty and where it lay. The question of sovereignty was not one that emerged as important in Geneva in the last forty years of the eighteenth century, it had been a constant within the city almost since the constitution of 1543. This constitution also introduced a system of governance of the state which enabled the rapid development of an oligarchy, with an interest in weakening and if possible marginalising the *Conseil Général*. It was awareness of this that caused the initial suggestions for reform in 1578, when the question of sovereignty was first raised, within thirty-five years of the creation of the independent Calvinist state in the city. The enduring and unchanging belief amongst all those in the city with political rights that sovereignty lay in the *Conseil Général*, with it alone and went back to the creation of the commune in the city in the fourteenth century. The *Conseil Général* was the assembly of all those in the city with political rights. The incorporation and continuation of this *Conseil Général* in a weakened form within the constitution of 1543, but with smaller councils enjoying, in reality, the powers of sovereignty, ensured that in securer times when the city was not under serious military threat or the stresses of frequent visitations of the plague in the sixteenth and seventeenth centuries, there would be conflict. Even the terms used by both sides in 1578, or 1605 or 1698 were the same as those used in the eighteenth century. More surprising still was the clear concept of the sovereignty of the *Conseil Général* which the politically empowered in the state had developed by 1718, well before such problems began to seriously disturb American-British relations in the 1760s.

By 1718 those who supported of the sovereignty of the *Conseil Général* had formed a loosely organised 'party' organisation with its own political manifesto and meetings. In part this was due to the late introduction of guilds in the city, together with the fact that they were strictly under government control. Guilds in Geneva never attracted the loyalty and following and power they managed in other cities. The claims of the sovereignty of the *Conseil Général* replaced the guilds in Geneva as the referent for the *Bourgeois*. In its turn, this led to the creation of a government 'party' opposed to the sovereignty of the *Conseil Général*. The level of organisation of those in opposition to the government was remarkable and effective, and had to operate outside the existing political structure of the state. The writing of two letters by Antoine Léger, in 1718, clearly setting forth the arguments for the sovereignty of the *Conseil Général* pre-date the more sophisticated and amplified arguments of Rousseau found in the *Social Contract*.

Efforts over many years to find a compromise between the two parties in the state ultimately failed in 1782. Until that late stage, there was little withdrawal of confidence or trust in the government, as the attempts to negotiate with and trust in the good faith of the government until April 1782 clearly demonstrated. There was certainly no desire for a new basis for society. Indeed, the determination to do nothing to damage the constitution of the state and the patience displayed by those in opposition are surprising.

The position of the majority of the population in Geneva without political rights, the *Natifs* and *Habitants*, mirrored that of those with political rights. By the 1730s, the *Natifs* especially were divided between those who accepted the sovereignty of the *Conseil Général* and those who did not. The *Natifs* continued to be divided when a group of them, discontented with their lack of rights, took to the streets in 1770. The division continued until 1781, when they supported the party in the state willing to make the greatest concessions to them.

Genevans were notoriously introverted. In the myriad of pamphlets during the 1770s there is no mention of the war across the Atlantic, nor the arguments of principle which helped cause the war, perhaps because, for the Genevans, these were not new or startling

arguments; sovereignty and who had the right to it were old friends in Geneva. The one contemporary country mentioned is Britain and that sparingly. This apparent introversion may account for the non-revolutionary tone and attitude of those in the city. Some of them were mildly conservative, but were willing to accept an element of evolution within the existing parameters of the constitution, others were truly conservative, wishing to see no change in the state or society, still adhering to Calvin's injunction to change nothing in the state. The Genevan politicians' insularity meant that for many their own problems were all-absorbing (to the exclusion of much else), certainly until 1789.

The difficulty for historians also revolves around the much-used word 'revolution' and the changes that the meaning of the word underwent in the last twenty years of the eighteenth century, a confusion which affected people at the time in the same way. D'Ivernois entitled his history of the political unrest in Geneva *Tableau Historique et Politique des Révolutions de Genève dans le dix-huitième siècle*,⁸ the first part of which appeared in 1782. The revised version, which brought matters in Geneva right up to date, was published in 1789, after the early stages of the French Revolution. At no time in his early career did d'Ivernois wish to see the system of government in Geneva overthrown. He, together with many of his political colleagues, wanted a restoration of the sovereignty of the *Conseil Général* as the one palliative which would restore the harmony and balance of the constitution and which would contain the power of the oligarchy.

Much of European history has been judged on the basis of the changed attitudes which occurred as a result of the French Revolution. Geneva seems to have suffered more than most from this attempt to read history backwards. There is a considerable difference between limited adaptation of an existing constitution and its overthrow and replacement with something radically different. Not until 1782 was there violence and change in the city, which was rapidly crushed by external force. Compromise in 1789 and 1791 still, paradoxically, maintained the old foundations of the Calvinist constitution, based on privilege.

It was from France that Geneva caught the contagion of violence and the violent overthrow of the existing constitution within the state in 1792. During the previous sixty years and particularly after 1768, it was France that had made it impossible, by regular interference in Geneva's internal affairs, for the state to settle its internal problems and develop politically. The support and encouragement given by France to those in the city who were determined never to make the compromise of 1768 work was an important factor in the unrest of April 1782, culminating in the removal of the government. The weakness of France in 1789, as in 1768, enabled a compromise to be forged between Genevans that, in the event, was to be overtaken by the new idea of equality which emanated from France as a result of the French Revolution and which proved fatal for the old 1543 constitution. Diaries and letters from the eighteenth century would perhaps give a clear idea of what happened in the city.

The vast majority of original manuscript sources are in the archives of the *Bibliothèque publique et universitaire* (hereafter BPU) in Geneva, which contains a great deal of material from the eighteenth century, including letters and diaries. It was clear that these letters and diaries, written during the events they discussed could give a clear picture of the reality of contemporary opinions and actions. Until well into the 1760s, most of the material is from one side of the political arguments and disagreements, that of the pro-government group but, later on, there is more available from those who were opposed to the government party. In much of this material, there are at least three numbers on the pages, sometimes a number in red ink - but not always - and often two different numbers in black ink. In this work, I have taken the number nearest the corner of the page as the

⁸ Sir François d'Ivernois *Tableau Historique et Politique des Révolutions de Genève dans le dix-huitième siècle*, Vol. I, Genève: 1782, Vol. II, Londres: 1789, Vol. III, Londres: 1789.

reference number of the document quoted.⁹

Attempts to find any correspondence between Genevans whose letters are in the BPU and any of the leaders of the American Revolution drew a blank. The odd letter that exists is from a later date and refers to legal matters.

The *Archives de l'Etat de Genève* (hereafter AEG) were also used, especially with regard to the *Registres des Conseils*, the official records of the two smaller councils in Geneva and the collection of pamphlets contained in the Girod and Janot collections. The *Registres*, written up after the meetings, can give a sanitised version of events and are therefore not a reliable tool, although the way certain events are treated can give an indication of the attitude of those in power. The difficulty for the historian concerning the political argument that went on in the two smaller councils was that no-one except the council secretary was allowed to take notes of what was said. Thus all reported comments in the letters and diaries in the BPU, are at best remembered and written after the event, while those of the *Registres des Conseils* always reflect the current thinking of the government and, on occasions such as the Sarasin affair in 1667, are totally silent and therefore not reliable.

The Stanhope Archives in the Kent County Archives at Maidstone also contain some interesting letters between Charles, 3rd. Earl Stanhope and some of his old Genevan friends. Such correspondence, meagre though it is, throws up questions concerning the so-called 'revolutionary' activity of men such as Du Roveray.

The use of French in the Middle Ages and Calvin's time also raises some problems. The individual system of transcribing early French used by Roget has been much criticised. Even in the eighteenth century, however, the French contained in some Genevan letters and diaries is far from the French that was standard at that time. I decided that it was interesting to retain the French as written by the authors of letters and diaries in the eighteenth century as it appears in the originals. This gives a greater understanding of the level that French culture had attained in Geneva at this time, than transcribing quotes into impeccable modern French.

Needless to say, the whole language question was further complicated by the difficulty on some occasions of trying to decipher what had been written. Where the text was illegible, I have made this clear if I have quoted from such a passage. The papers of Horace-Bénédict de Saussure come into this category; with the best will in the world, they are for the most part totally illegible, and there is a considerable collection of his papers, some of which would surely be of interest to the historian.

The printed sources for Genevan history, although varied, are not extensive. The standard history is by P. E. Martin¹⁰ and is the only detailed history of the city from its beginnings through to modern times. This two-volume work is far from exhaustive in attribution of source material, often using uncited material, but it does cover in some detail the events of Geneva's history and is often the only source available, hence, at the risk of seeming a plagiarist, I have had to cite it relatively frequently. The other disadvantage of Martin is his reluctance to express an opinion, added to the fact that the work was written before the emergence of Palmer and Godechot's concept of an 'Atlantic Revolution'. Geneva is thus examined from a mainly Genevan viewpoint, almost as an isolated island.

⁹ They are in the process of re-titling the manuscripts, so that all manuscripts in French will have the designation FR., those in Italian I, etc.

¹⁰ P. E. Martin (Ed.) *Histoire de Genève des origines à 1789*, Genève: Société d'Histoire et d'Archéologie de Genève, 1951.

A second book, edited by Paul Guichonnet,¹¹ covers much the same period, but in one rather than two volumes, and goes into little detail concerning many of the important events of the eighteenth century.

The numerous *Bulletins de la Société d'Histoire et d'Archéologie de Genève* have some articles concerning Geneva, but surprisingly few for the important period of the eighteenth century. Articles by Gür on various events in the eighteenth century are excellent, but tend not to be put in the overall context of the century. The same is the case of the *Revue Suisse d'Histoire*.¹² The earlier works by Henri Fazy¹³ are both interesting and informative, but only cover parts of the eighteenth century. The vast amount of work carried out by Amédée Roget concentrates on the earlier period of Genevan history, although his articles on the councils and the *Syndics* in Geneva are useful.¹⁴ Modern works relating to Geneva tend to cover specialist areas, e.g. Barbey,¹⁵ or are intensely detailed works on one aspect of the century, such as Sautier.¹⁶

The excellent work on the economy of Geneva edited by Piuz and Mottu-Weber, for the period 1543-1792 is a source of up-to-date information, which makes it clear how prosperous Geneva was until the very end of the period.¹⁷ The general histories of Switzerland, such as Martin and Béguin, Oechsli and Favez,¹⁸ have small references to Geneva, but little of length. Antony Babel's work still provides an excellent source of information concerning the watch and jewellery industries.¹⁹ Bergier has additional information.²⁰

¹¹ Paul Guichonnet *Histoire de Genève* Univers de la France et des pays francophones - Histoire des Villes, Lausanne: Payot 1974, Troisième édition, 1986.

¹² André Gür 'La négociation de l'édit du 11 mars 1768, d'après le journal de Jean-André De Luc et la correspondance de Gédéon Turretini', *Revue Suisse d'Histoire*, 1767, [hereafter 'La négociation de l'édit du 11 mars 1768']. Secondly, 'Les lettres "séditieuses" anonymes de 1718, étude et texte', *Bulletin de la Société d'Histoire et d'Archéologie de Genève*, Genève: Alex Jullien, 1982, Tome XVII - Deuxième Livraison, [hereafter 'Les lettres "séditieuses" anonymes'].

¹³ Henri Fazy *Les constitutions de la République de Genève*, Genève et Bâle: H. Georg, Librairie-Editeur, 1890, [hereafter *Les constitutions*]; *Genève de 1788 à 1792 La Fin d'un Régime*, Genève: Librairie Kündig, 1917, [hereafter *Genève de 1788 à 1792*].

¹⁴ Amédée Roget 'Le Conseil Général de l'Ancienne République', *Etrennes Genevoises*, 1879, 3, [hereafter 'Le Conseil Général']; 'Le Petit Conseil', *Etrennes Genevoises*, 1877, [hereafter 'Le Petit Conseil']; 'Les Syndics de Genève', *Etrennes Genevoises*, 1778, 2, [hereafter 'Les Syndics'] and many others, all published in Geneva by J. Carey, Imprimeur-Editeur in the year already quoted.

¹⁵ Paul Barbey *Etat et Gouvernement. Les sources et les thèmes du discours politique du patriciat genevois entre 1700 et 1770*, Thèse présentée à la Faculté de Droit de Genève No. 687, Genève: Université de Genève, 1990.

¹⁶ Jérôme Sautier *La Médiation de 1737-38. Contributions à l'histoire des institutions politiques de Genève*, Thèse pour le doctorat d'Etat 1779.

¹⁷ Anne-Marie Piuz and Mottu-Weber, *op. cit.*

¹⁸ William Martin & René Béguin *Switzerland from Roman Times to the Recent*, (Translated by Jocasta Innes), London: Elek, 1971; W. Oechsli *History of Switzerland 1499-1914*, (Translated E. & C. Paul), Cambridge: Cambridge University Press, 1922; Jean-Claude Favez (Editor), *Nouvelle Histoire de la Suisse et des Suisses*, Lausanne: Editions Payot, 1983, (Edition française).

¹⁹ Antony Babel *Histoire Corporative de l'Horlogerie, de l'Orfèvrerie et des industries annexes*, Genève: A. Jullien et Georg et Co. Librairies-Editeurs, 1916, Tome XXXIII Deuxième série - Tome Treizième, Mémoires et Documents publiés par la Société d'Histoire et d'Archéologie de Genève.

Because the internal structures of Geneva are so vital, I have put some important facts and information in Appendices. Of the various Edicts issued during the eighteenth century in Geneva, the most important was that of the Mediation of 1738, as it is constantly referred to thereafter. The main text of the document I have therefore put into Appendix II, rather than inserting it into the main text. I have also given, in Appendix I, the full text of the Edicts of 1543, as it was to remain the base of the state until 1792, in that subsequent Edicts adapted aspects of it, but the basic structures remained untouched. I have also used different Appendices for additional information, especially Appendix IV, which contains the family trees of several of the main patriciate families involved in political life in the city in the eighteenth century, to give an idea of how long-term and extensive their influence could be. There is also more information in the same Appendix concerning one of the leading families opposed to the government, as well as details of the individuals mentioned in the text.

By their nature, archival sources focus on the political. Modern historians also want to explain the social and economic roots of events as well, and there are two problems with this aspect of Geneva. The authoritative volume on the Genevan economy by Piuz and Mottu-Weber shows that seeking socio-economic strain as a cause of unrest is doubly misplaced. This is because, compared with many other countries, Geneva was prosperous throughout the eighteenth century, hence depression was not a causal factor, and economics do not figure very prominently. Secondly, it is not easy to link political figures with economic causes, primarily because sources such as the early medieval Edicts and Genevan political motives do seem to have been the main determinant of events.

This thesis, therefore, is a political history, based upon the politics within the city. This is particularly the case in the eighteenth century, when politics and rights were the dominant factor in life. Aided above all by the tremendous and rapid development of the watch industry and those industries associated with it, from jewellery to woodworking, the city was prosperous and successful until difficulties began to intrude in the late 1780s. This perhaps explains the dedication of so many in the city to politics, which appears to have been a hobby, a passion and a replacement for the missing theatre, forbidden by the church.

In the structure of the thesis, I have followed a basically chronological narrative form, mainly because of the complications of the situation and the various changes that were made to the constitution during the course of the century. Constitutions in Geneva are very important; it is difficult to appreciate the political divisions within the city except in terms of previous constitutions and political events connected with them. To some extent, this approach and organisation is a function of the archival material. The writers are concerned with the political, not the social identification of their opponents. Part I examines the origins of the Genevan commune and the struggle for independence from Savoy it becoming necessary to trace the medieval city's attempts to establish itself as independent, since Calvin did not work in a void when he was involved in the creation of a constitution for the state in 1543. The results of the influence of Calvin are examined especially in the sphere of government and the creation of a new constitution to replace that of the old commune. This is important since throughout the eighteenth century, all sides to the disputes in Geneva made frequent references to the time of Calvin or before and to the different edicts which came from that period. The reactions and consequences of the 1543 constitution, together with the emergence of opposition to the developing oligarchy, are also examined through to the year 1700. There is a chapter explaining Geneva's political and social

²⁰ J-F. Bergier *Histoire économique de la Suisse*, Lausanne: Payot, 1983; "le dynamisme des structures sociales à Genève du XIV^e. au XVII^e. siècle", *Mélanges publiés par la Faculté des Sciences Economiques et Sociales de l'Université de Genève à l'occasion de son cinquantenaire*, Genève: Georg et Cie. S.A., 1965.

foundations from the late middle ages to 1792 as these are essential to an understanding of the events in the city. In Part II, the six chapters examine and analyse in detail events as they unfolded through the eighteenth century, terminating with the abandonment of the 1543 constitution in late December 1792.

In this way it will be made clear that because of its own history, it is very difficult to make Geneva a part of the Atlantic Revolution before 1782. The history of the city indicates that peaceful evolution in difficult circumstances was possible, but only if there was no interference from outside, a luxury, unlike Britain in 1832, Geneva was not permitted to enjoy in 1781-2.

It is perhaps best to begin with Geneva's first struggles to establish its commune and the endeavours of the commune and its leaders to establish the city's independence from both the Bishop of Geneva and the Duke of Savoy.

Continuity and Conflict The Struggle for Political Rights in Eighteenth Century Geneva

Presented by Angela C. Bennett for the degree of Doctor of Philosophy.

Abstract

This work examines the accepted idea that in the eighteenth century the city state of Geneva was a proto-revolutionary state and formed part of what Palmer and Godechot call the 'Atlantic Revolution'. In fact, Geneva bears little if any relationship in its history to the experience of the Thirteen Colonies, to that of the United Provinces or even to France. Rather, as examination shows, the unrest and troubles that occurred in Geneva throughout the eighteenth century were the continuation and elaboration of problems that had existed in the state since the introduction of the Edicts of 1543, in part inspired by Calvin, which did considerable damage to the rights which Genevan citizens had enjoyed in the previous century. The trouble in Geneva between 1700-1790 was very similar to, and part of, a continuing process first seen in 1578 with Boutilier, continuing with Combe, Sarasin and Gallatin in the seventeenth century. The eighteenth century saw the drama increase greatly with the Fatio affair in 1707, and the involvement of France, Bern and Zürich in the Mediation of 1738. A period of apparent calm was followed by further acts of unrest in 1766-68 and the military intervention of France, Bern and Sardinia in 1782. The subsequent suppression was ended in 1789, but the end of the state established by Calvin came in December 1792.

Close examination of archival material makes it clear that those with political rights in Geneva had no desire to overthrow either the government or constitution of the state, but merely wanted the government to allow them to play the part in the political process to which their legal rights entitled them. Compromise and negotiation were the weapons used in this process, with the citizens of the city holding fast to a legal, totally non-violent approach. Genevans of different parties continued to agree new changes to the constitution by negotiation even as late as 1790. The desire for radical, revolutionary change in the state developed only after the French Revolution and particularly after 1790-1. Thus, the Genevan experience was unique, non-revolutionary and set against an economic background which until the very end of the period covered by this study was one of considerable success.

Part One

Chapter I

From Imperial Episcopal City to Independent Calvinist State 1300-1564

The political divisions, language and practices of eighteenth century Geneva have their roots in the early history of the commune. This chapter starts with the emergence of the commune in the disturbed times of the fourteenth century. Geneva differed in several respects, socially and politically from other towns in similar circumstances. The Charter of the *Franchises*, gave the citizens considerable say in the day-to-day running of the state, and institutions such as the *Conseil Général*, were to continue into the newly-created independent state of Geneva. The *Conseil Général* was to have great importance in the shaping of the new, independent state of Geneva. No sooner had the city established a precarious independence with the help of Bern and Fribourg than it was confronted by the difficulties and the divisions of the Reformation. The arrival in Geneva of Calvin led to an important new constitution heavily influenced by his ideas concerning the governance of states. Opposition to Calvin's ideas was overcome with the arrival of the first wave of Huguenot refugees in 1550, some of whom rapidly became *Bourgeois* of the city. It was Calvin's rapid promotion of such men into government that enabled him to ensure that the government was one that agreed with most of his ideas concerning the governance of the state.

The Early Years

Geneva was an old city. This was due to a favourable geographical position at one end of Lac Léman, as can be seen on Map 1, controlling the crossing point of both the lake and the river Rhône at the point where it exits from the lake. The city was the meeting-point of a number of routes which connected Northern Europe with the Mediterranean either down the Rhône to Lyon, Vienne and Marseille or through the Alps to Venice, a route which reached Geneva via Carouge and was known as 'la Tarentaise', passing via Annecy to Italy,¹ and continued either into the Swiss plain or into southern Germany and central and northern France. The goods most in demand in Europe were silks and spices, which came via the Red Sea and the Indies. It was Italian, especially Venetian, merchants who carried most of these goods, notably to the fairs in Champagne. Returning to Italy, they took with them woollen cloth woven in Flanders which could easily be sold in the Levant.² Geneva was on the Italian merchants' route and was also a fortified episcopal city, around which the merchants tended to congregate.

By the mid-thirteenth century the city's local market expanded into a larger, international market, possibly because of the decline of markets in Champagne. Thus, Geneva, in addition to being on the routes that merchants used to traverse Europe to attend large fairs such as Frankfurt or Beaucaire, became home to four sizeable international fairs of its own, at Epiphany, Easter, 1st. August and 1st. November (All Saints' Day). There was also considerable financial dealing at these fairs:

¹ Guichonnet, *op. cit.*, p. 79.

² Maurice Keen *The Pelican History of Medieval Europe*, London: Pelican Books, 1969, Reprint of 1988, pp 89-90.

Scala di miglia .x. Italiani.



Carte de Fornazeris, 1581, Genève et la région lémanique. St. Gervais is labelled Borgo S. Gervasio.

'sous la forme de trafic de monnaies, d'opérations de crédit, de règlements de toute espèce,'³

with Geneva able to vie with some of the Italian cities as an early banking centre.⁴ The Medici bankers were only lured from their base in Geneva in 1475 after Louis XI of France offered them special privileges at Lyon and because of the problems posed by Savoy, which was allied to the Burgundians. By 1500, Geneva was the largest city in the extensive lands of Savoy, as well as being the largest diocese.⁵

It was in the chaotic times of the twelfth century that Geneva was made an Imperial city by the Bishop in 1162,⁶ the city maintaining the Imperial double-headed eagle as one of its symbols ever since. This should have meant the town could claim status and protection. Unfortunately, the Imperial connection did little to help Geneva against the continued fighting between the various lords and bishops for control of the city.⁷ Hence the Bishops of Geneva had to spend large sums on defences for the city itself and for their other possessions in its environs. Given this and the continuing unrest, it is not surprising that the city reacted against the Bishops. This took the form of creating a commune for the city.

The Genevan Commune

Communes were sworn associations of adult males, and were formed 'to get, guard and exercise rights of self-determination.'⁸

The first mention of a group of citizens coming together was in a document of 1263,⁹ which made it clear that the commune had put themselves under the protection of Pierre, Count of Savoy. This was a late date in the context of similar communes in both Germany and the Swiss cities such as Bern and Zürich and equally in comparison with the agricultural communes such as the three inner Swiss cantons Schwyz, Glarus and Uri.

In all cities which had communes, it was merchants who tended to be the motivating force behind the creation of the commune.¹⁰ Geneva, in addition to creating its commune later showed its originality in the leading spirits in the move to create it. Families such as the Saint-Aspres, Saint-Germains and Tavel, who were associated with the early commune, were not merchants but minor nobility with at least a fief outside the town and

³ Guichonnet, *op. cit.*, p. 104.

⁴ *Ibid.*

⁵ Population numbers are extremely difficult, if not impossible to calculate at this early period. However, by looking at the tax on hearths, Genevan historians have produced the following figures: 491 hearths in 1356, 564 in 1371, 653 in 1377, 858 in 1407. If one multiplies these numbers by 4 or 5 (taken from the measurements of other cities of the number of people 'attached' to each taxed hearth), the figure for 1407 is 3,950 (x4) or 4,950 (x5), including an arbitrary figure of 15% (of the multiple) for those not paying tax. Guichonnet (Ed.), *op. cit.*, p. 100.

⁶ Guichonnet, *op. cit.*, p. 85.

⁷ The Bishop of Geneva fought the Comte de Genève, while the latter was also fighting the Bishop of St. Jovite. The slow decline in the power of the Comte de Genève did little to help the Bishop in Geneva. The Comte was quickly replaced by a new power, that of Savoy.

⁸ Thomas A. Brady, Jr. *Turning Swiss Cities and Empire, 1450-1550*, Cambridge: Cambridge University Press, 1985, pp.28-29.

⁹ Guichonnet, *op. cit.*, p. 93.

¹⁰ Guichonnet, *op. cit.*, p. 93.

were considerable landlords within the city itself and not merchants.¹¹

By 1285, after the occupation of Geneva by the Savoyards, the commune benefited from the support of Count Amédée V of Savoy, who, in a letter, promised to take the citizens of Geneva under his protection and provide the merchants travelling to and from the fairs held at Geneva with protection. The Savoyards further strengthened their influence in Geneva by taking and holding the old episcopal castle on the island in the Rhône between the main part of the city and St. Gervais on the other bank.¹² Within a year, in 1288, they had also obtained the right themselves to exercise the powers of the *Vidomne* from the Bishop.¹³

The 'new' commune was highly organised and managed to take over a number of the powers and sovereign rights of the Bishop, as he complained in a letter:

'Ils ont constitué une commune, soit une association nouvelle et insolite; fait et élu, de leur propre autorité des chefs de la ville; fabriqué pour la première fois un sceau commun... ils ont construit dans la ville aussi sans notre consentement des murs, des tours et autres ouvrages défensifs, ils ont décrété de nouvelles tailles et contributions.'¹⁴

The influence of Savoy in the commune can be judged by the fact that, once the Savoyard forces were withdrawn, negotiations between the commune and Bishop Guillaume de Conflans led to its dissolution in 1293. Certain rights, however, were allowed to the citizens by the Bishop. The most important was the the continuation of some form of *Conseil Général*, as long as it refrained from agitating against the Bishop. This was proof of how important these meetings were to the people of the city. It may also have been a means of maintaining the essential spirit of the commune. The speed with which the commune re-established itself when the opportunity arose would appear to indicate that it remained in some kind of shadow existence, though there is no hard evidence for this.

Further fighting in the area in 1305 saw the commune taking back all the powers it had renounced aided by the fact that the Bishop had to leave the city for two years. His return in 1307 led eventually to a reconciliation between him and the commune, with the commune able to keep all its rights, including those listed above which had so scandalised the previous Bishop. As Monter states, this may have been politic on the part of the Bishop. He needed to be reconciled with the people of Geneva if he was to preserve the independence of his see and that of the city.¹⁵ It was Bishop Adhémar Fabri¹⁶ in 1387 who gave his consent to the *Franchises*, a written form of the compromise agreed earlier in the century - in which the commune, with its own leaders, the *Syndics* and institutions, was accepted.

It had taken Geneva well over a hundred years of struggle to achieve the written charter of rights, demonstrating that the early commune in Geneva was relatively weak. Nonetheless, it is eloquent of the long-standing determination of the people of the city to persevere

¹¹ Edouard Mallet *Du pouvoir que la maison de Savoie a exercé dans Genève*, quoted by Guichonnet, *loc. cit.*

¹² *Ibid.*, p. 95. See also Map 1, p. 1a.

¹³ The *Vidomne* was the Bishop's judge in civil matters, juvenile criminal cases and was also the Examining Magistrate. All these civic powers continued to be held by the Châtelain of the Château d'Ile until 1528. Guichonnet, *loc. cit.*

¹⁴ Guichonnet, *op. cit.*, p. 95.

¹⁵ Monter, *op. cit.*, p.32.

¹⁶ He was Clement VII's confessor and made a brief visit to his see from the Pontifical court at Avignon.

until they had obtained what they wanted. The struggle to establish the commune was never forgotten, and, during future troubles in Geneva in the succeeding centuries, the various parties would constantly refer back to the rights obtained by the commune as found in the charter.

The charter or *Franchises* was a hotchpotch of articles with no reason for their following one upon the other. The *Franchises* contained the right granted to the Genevans to unite in a General Council to name their *Syndics*. Fabri had also agreed to accept:

'tous les autres droits dont il apparaîtrait que la commune et les habitants ont l'usage.'¹⁷

The very vagueness of the statement above was to be unfortunate for the future in Geneva, since those who could find no justification for their arguments in the actual content could fall back on this generous but by then meaningless phrase. It was this phrase that ensured that Geneva developed a legal system which consisted of a mixture of Roman law with the well-used local customs or 'usage'.

Geneva entered the fifteenth century with one of its problems solved. The city had its commune recognised by the *Franchises*,¹⁸ and a state of relative peace existed between it and its sovereign Prince-Bishop. Moreover, it was at the peak of its prosperity. Yet unlike many of the cities in Germany and Switzerland, it had no craft guilds as there was no manufacturing in the city to necessitate their existence. This lack of guild organisation is an interesting aspect of Geneva.

The *Franchises* make no mention of guilds. In Geneva the exercise of a trade was not connected to the need to be a member of a guild or a 'mastership'. While there were *Confréries* in the city, they were very different from the 'Zünfte allemandes et les maîtrises françaises'.¹⁹ In Geneva the *confréries* were not single occupation, members of the same occupation were members of different *confréries*, indeed some of these religious groups were organised on the basis of quarters of the town e.g. 'St. Esprit de St.-Gervais' or 'St. Esprit de St-Germain'.²⁰ There was loose organisation of some trades, but this was principally to fight the scourge of wooden medieval cities - fire. Geneva was not like Fribourg, her ally, where trade organisations also acted as the basis for military organisation. As a result Geneva:

'n'a jamais connu les conflits, si fréquents dans les villes jurées, mettant aux prises les hautes professions et les petits métiers se disputant le pouvoir, comme ce fut le cas par exemple à Zurich et à Bâle.'²¹

Although Geneva thus lacked the political dynamism that the guilds provided in other cities, a replacement impulse was provided by the *Conseil Général*. Indeed, one point which emerges throughout the history of the city is the loyalty of the people to the *Conseil Général*. It is this meeting of all the members of the commune that came in a sense to replace the guilds. At the same time, the absence of the guild structure enhanced the sense of self-involvement and concern of the individual within the city, there was no-one else to whom responsibility could be delegated.

¹⁷ Guichonnet, *op. cit.*, p.100.

¹⁸ The *Franchises* were the confirmation of the law currently in force in the city. They were incorporated in a charter by the Bishop after due examination by the Bishop and the Chapter of the cathedral in 1387. *loc. cit.*

¹⁹ Antony Babel 'Genève a-t-elle été au Moyen Age une ville jurée?' *Mémoires et Documents publiés par la société d'histoire et d'archéologie de Genève*, Genève: 1961, Tome XL, p.403.

²⁰ *Ibid.*, p. 405 + ft. 2, citing Sources du droit 2 no. 346 16 juin 1487, p. 92-93. There were 28 *confréries* in the procession for the Fête Dieu 1487 in Geneva.

²¹ *Ibid.*, p. 415.

The commune faced a serious threat when Amédée VIII of Savoy was created Pope Felix V in 1439.²² The ruler of Savoy had already been created Duke by the Pope (1424), in recognition of the growth of his power and lands.²³ Although he did not remain Pope for long, Amédée VIII was able to ensure that his son Louis de Savoie received from Pope Nicolas V special privileges concerning the appointment of bishops to bishoprics within the state of Savoy, including Geneva. No Bishop was to be appointed to the city by the Pope until he had received the agreement of the Duke.

Consequently, all future Bishops in Geneva were either members of the House of Savoy or their trusted retainers.²⁴ Between 1444 and 1522, six different members of the Savoyard dynasty occupied the Bishop's throne. Only eight of those years saw a non-member of the family as Bishop.²⁵ The additional benefit to the House of Savoy in being able to choose the future Bishops of Geneva must have led many to conclude that Geneva would, eventually, fall under the total control of Savoy.²⁶

However, one difficulty which Savoy faced was the problem of the considerable military power of the Swiss, especially Bern. With the defeat of the Burgundians by the Swiss in 1477, Geneva was in some danger as the Bishop, and thus the city, had supported the Burgundians on the orders of the Savoyards, who were stalwart supporters of Burgundy. In 1475 Geneva had to pay a large ransom of 28,000 écus to a sizeable Swiss army to prevent itself from being attacked. Bern, then at the peak of her military power, was sorely tempted by the *pays de Vaud*, which belonged to Savoy. Geneva lay at the far end of this land, which was bounded on one side, by Lac Léman. If Bern were to force Savoy to relinquish Vaud, it was militarily logical to include Geneva in the whole, especially as, though nominally independent, the city was under the overall *de facto* control of Savoy. Leaving the city 'independent' would permit Savoy to use it as a base for any attempt to recapture lands lost to Bern. Guichonnet makes the point that it was in 1476 that the expression '*Genève, clé de la Suisse*' first appeared.²⁷

It was the unique geographical position of Geneva that was to be another of the causes that helped her to escape the fate of her fellow city states. The Bishop at the time of the Burgundian defeat was Jean-Louis de Savoy, i.e. someone who was only too well aware of the danger to Geneva resulting from the inability of Savoy to protect her. Savoy, with interests in both France and Italy as well as in Burgundy, was overstretched and unable to protect the city. Yet one of the ways that Savoyard rule would become acceptable to the citizens was the ability of that power to ensure the protection of the city. It was the need of the city states of Germany for protection, especially against the desire of local princes to incorporate them into their lands, and the control exerted by the same princes in the Diets, that eventually led these cities to seek Imperial protection.²⁸ This ability to protect was one of the factors which contributed to the extinction of the German city states' independence throughout the German lands of the Holy Roman Empire.

²² Guichonnet, *op. cit.*, p.115.

²³ Monter, *op. cit.*, p.32.

²⁴ Guichonnet, *op. cit.*, p. 116.

²⁵ Monter, *op. cit.*, pp. 31-2. The exception was Antoine Champion, Bishop in 1490 '*chancelier du duché et créature des Savoie*', Guichonnet, *op. cit.*, p. 116.

²⁶ In 1401, the Duke of Savoy had obtained the Countship of Geneva, the old holders of the title having died out.

²⁷ Guichonnet, *op. cit.*, p. 118.

²⁸ Brady, *op. cit.*, p. 44.

To replace Ducal aid, the Bishop in Geneva turned to the cantons Fribourg and Bern in an attempt to obtain greater security for his city. In 1477 he concluded an alliance with them in which all sides agreed to give mutual assistance in the case of any one of them being attacked. This treaty was however limited to the lifetime of the Bishop and, with his death in 1482, it ceased.²⁹ This was the first treaty to exist between any Swiss canton and Geneva and it is surprising that it should have been entered into by the Savoyard Bishop of Geneva. In doing so, he gave the Genevans pause for thought. It was an admission of the weakness of Savoy. Those in Geneva who wished to avert the increase in Savoyard control had been given an indication of how to succeed and where to seek assistance. It would also enable the Genevan commune to return to a situation in which it would be able to exert greater pressure on the Bishop. If any of the Swiss cantons could be persuaded to ally with the city through the commune rather than with the Bishop, then it was possible that, in return for continued loyalty to the Bishop, the commune would be able to gain even greater concessions. Alternatively, it was possible that the commune in Geneva would be able to persuade Fribourg or Bern, two of the nearest Swiss cantons, to support its attempt to free itself from the tutelage of the Bishop and Savoy and 'to turn Swiss', as had been the aim of such cities as Constance and Strasbourg.³⁰ In either event, it was unlikely that the commune would be the loser.

The possibility of military defeat coincided with the difficulties that Geneva faced over the decline in the importance of her fairs. The international fairs at Lyon at the same times as those in Geneva led to a decline in the number of international merchants attending Geneva's fairs, though the city had been able to retain the interest of the Swiss merchants, especially the Fribourg drapers, and it was their support that enabled Geneva's fairs to continue. Savoy held land which extended nearly to Lyon (Montluel), and it could have prohibited the passage of merchants going to Lyon unless they had been to the Genevan market. In 1512, Duke Charles III, in an attempt to win support in Geneva, agreed that he would return the Genevan fairs to their previous glory but under certain conditions:

'2. Que la ville ferait tous les ans un don gratuit au duc; 3. que la garde des portes de la ville appartiendrait au duc durant les foires; 4. que les syndics prêteraient au duc serment de fidélité, au nom de la ville;³¹

The offer was too late, and the inclusion of point 4. revealed the real motive behind it. In 1482, such an offer might have been pushed through the *Conseil Général*. This was the time when one of the Syndics, Pierre Braset, is recorded as having told Swiss Ambassadors to Geneva that:

'Les syndics, citoyens et bourgeois ont à obéir aux ordres du duc de Savoie, auquel ils ne veulent déplaire en aucune manière.'³²

In Geneva, the only person or group which did not have to swear an oath to another was the commune. The *Syndics* were appointed by the commune, assembled together in the *Conseil Général* for that purpose once a year, and took their powers from that body. Any attempt to suggest that the *Syndics* should swear an oath of loyalty to the Duke on behalf of the town would be to place the commune and its officers under the control of the Duke with the consequence of the decline and death of the commune. The determination of the city to maintain its commune and its rights was strong enough to overcome the fears

²⁹ Guichonnet, *op.cit.*, p.118. It is interesting that little comment is made concerning the implications of this action by the Bishop.

³⁰ Brady, *op. cit.*, p. 3.

³¹ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p.87, my emphasis.

³² Guichonnet, *op.cit.*, p.117.

of the continuing decline of its fairs. It made it even clearer that the interests of the city lay in turning to the Swiss for some kind of assistance. In the final analysis, it was the Swiss who had economic strength and military power. This fact was to become increasingly apparent in the crisis which gripped Geneva at the turn of the century.

The Swiss connection and the move to independence in the early sixteenth century

Toward the end of the fifteenth century, Geneva entered a phase of conflict and division which was to allow the citizenry to gain full independence. In this attempt to gain its freedom from Savoy, Geneva was by no means unique. Across Switzerland and Germany there were a considerable number of episcopal cities within the Holy Roman Empire which had already travelled along the path Geneva was attempting. The two-hundred-year period, roughly 1300-1500, had seen great concern and considerable efforts in these cities to create and then protect communal values against the increasing power of the cities' feudal rulers, either princes or Bishops, and to centralise power in their own hands. Moeller is quoted as stating that such cities:

'perceived themselves as sovereign sacral communities and were very jealous of their civic rights and freedoms.'³³

The history of Geneva in the last quarter of the fifteenth century and the first quarter of the sixteenth century makes it clear that, whatever else, the city's commune was determined to hold onto the rights that it had acquired. This was particularly so in the face of the determined efforts of the Savoy Bishops to abrogate them.³⁴

1490 saw two claimants to the Genevan episcopal throne (Charles de Seyssel and Antoine Champion, the candidate of the Duke) which brought the *Conseil Général* back into full active life as both sides vied for the support of the commune for their claims in the city. Indeed, in 1491, a *Conseil Général* called to impose a tax went so far as to decree with regard to the new Bishop, Champion:

'qu'il ne se fasse rien de quelque importance concernant la cité (*non fiat aliquid magnoe, importantioe civitatem concernens*), sans en référer au Conseil Général.'³⁵

Almost the same words were to appear in the eighteenth century, when the *Bourgeois* demanded a return to the rights of the *Conseil Général* so long held in abeyance. The election of Champion as Bishop had seen the battle between the Bishop and the commune develop. He tried to control the *Conseil Général* by claiming that it could not assemble without his permission. Bishop Champion may have hoped, like one of his predecessors, Jean-Louis of Savoy, that, by refusing to call any *Conseil Général* except those for the election of the necessary officers of the state, he might

'tout doucement faire passer aux Genevois l'habitude du Conseil Général.'³⁶

The similarity with events in the eighteenth century is startling, in both the claims of the

³³ Steven E. Ozmet *The Reformation in the Cities The Appeal of Protestantism to Sixteenth Century Germany and Switzerland*, New Haven: Yale University Press, 1975, p.6.

³⁴ In 1473, 1474, 1480, 1481 the *Conseil Général* only met to elect the necessary officers. The same occurred in 1485, 1488-1490 inclusive. The *Conseil Général* had a temporary resurgence in 1482 with the death of the Bishop and his successor.

³⁵ Amédée Roget, 'Le Conseil Général', *op. cit.*, p. 117.

³⁶ *Ibid*, p. 114.

Conseil Général and the desire to make it redundant.³⁷

Geneva was edging toward complete independence from Savoy. The Bishop, a Savoyard nominee, became the clear antagonist of the commune, a central authority which was clearly seen as a threat to the commune and its rights. As Pirckheimer had stated at the time: 'the bishops were the cities' greatest foes.'³⁸

The Genevan diocese was not in the same situation as the forty-six Bishops who sat in the Diet for the other ecclesiastical cities of the Empire. The emergence of the control, both lay and ecclesiastic, of the Dukes of Savoy made it theoretically unnecessary for the city to look elsewhere than the House of Savoy for protection to ensure the peace and order necessary for its development. Unlike cities in Germany, Geneva had already managed to obtain the protection of what was her 'local' lay ruler. However, cities of Germany were in a more difficult position. According to Brady, they looked to the Swiss Confederation as a possible example of how to achieve the kind of security they craved. Much of the Swiss Confederation had once been nominally Austrian lands or Imperial cities such as Zürich, but by the end of the fifteenth century, the Swiss were reaching the pinnacle of their military power. Paradoxically, the very success of the Swiss Confederation was to drive some of the cities into the arms of the Emperor.

Geneva was unique in that, by chance, the enemy of the commune, the Bishop or rather the office of the Bishopric, had been 'captured' by the lay prince whom the commune had previously enlisted in its battle against its internal enemy, the Bishops. The city was confronted by a situation where the intentions of the House of Savoy could not have been clearer. In 'capturing' control of the Bishopric as well as becoming the Counts of Geneva and holding the Vidomnate,³⁹ Savoy was well on the way to taking over the city entirely. Whatever the weaknesses of Savoy after the defeat of her ally Burgundy by the Swiss and the distractions which quickly followed in Italy, where she was fighting France, it was almost certain that eventually Savoy would prevail against the commune in Geneva and succeed in incorporating the city wholly into the Duchy, thus ending the commune and its rights.

In 1517, the Bishop of Savoy suddenly acted to assert his rights by arresting a number of citizens for allegedly insulting him, two, Navis and Blanchet, after being found guilty of a vast plot to assassinate the Bishop, were beheaded. The departure of a group of Genevans to Fribourg, where they were made full citizens of that city, led to the negotiation of the first treaty between Fribourg and Geneva that did not involve either the Bishop or the Duke⁴⁰. But within three months (March), Savoy had persuaded the Swiss Diet to annul the pact, and, in April, Charles III of Savoy entered Geneva where on April 11th., a *Conseil Général* was held which renounced the Fribourg alliance. As far as Savoy was concerned, Geneva was still an integral part of the Duchy and had no right whatever to make treaties with external powers.

In August, after the election of Charles as the Holy Roman Emperor, Bishop Jean de Savoie entered Geneva and was able to execute the leader of the Fribourg alliance, Philibert Berthelier, who had returned to the city under the terms of the Duke's General Amnesty of April 1519. He then called another General Assembly, in which he listed the citizens' rebellion and the infractions of their privileges which they had committed and

³⁷ See Chapter III, IV, V, VI.

³⁸ Brady, *op. cit.*, p. 45.

³⁹ The Vidomne was the Bishop's judge in civil matters, juvenile criminal cases as well as Examining Magistrate.

⁴⁰ The *combourgeoisie*, 1519. A pact of fidelity between Fribourg and Geneva.

punished them by dismissing Geneva's four *Syndics* and naming four replacements.⁴¹ In doing this, he was attempting to severely limit the powers of the *Conseil Général*. At this time, the commune and its rights came under attack from both the Duke and the Bishop. It was a clear demonstration of the kind of pressure Geneva could come under if both the ecclesiastical and the temporal powers in and around the city worked together towards one objective. If the successor to Jean de Savoie had been another close member of the Duke's family, the rights and privileges of the city of Geneva would have been severely restricted if not completely overridden, and Geneva, like so many cities in Germany, would have ceased as an 'independent' city and become a wholly Savoyard town.

Cowed by the execution of Berthelier, the council accepted the Bishop's actions, but at the next election it reverted to its normal practice, and the Bishop did not attempt again to enforce his choice of *Syndics* on the commune. The decree which claimed that only *Syndics* who had the Bishop's approval could be elected by the *Conseil Général* was important for Geneva's later history. Although it was a decree which was subsequently to be ignored, in part at least because the Bishop had no physical power to enforce it, it was to prove useful later in the city's history. In the eighteenth century, the *Petit Conseil* was to argue that it had inherited the rights of both the Bishop and the *Vidamne*, and could thus deny the absolute sovereignty claimed by the *Conseil Général* and the right of that council to refuse to vote for *Syndics*.⁴²

The conflicting pull of the Bishop and cantons began to split the town. By 1520, the minutes of the councils were talking in terms of *Eyguenots* and *Mammelus*.⁴³ In order to be clearly identified both groups resorted to wearing their identifying emblems in the streets, the *Eyguenots* their Swiss-style cock feathers, the *Mammelus* their holly.⁴⁴ Not all the people in the city supported those who wanted to see Geneva more closely associated with the Swiss. *Mammelus* were often officials attached either to the episcopal or the ducal systems of administration within the city, they were not merchants and had social status, living in the upper part of the city around the town hall and the cathedral. The decline in the power of the Bishop after 1527 caused many of these *Mammelus* to leave Geneva withdrawing to their lands outside, abandoning the city to their rivals.⁴⁵

The *Eyguenots*, or at least those who left the city in 1525, were all working merchants who owned no land outside the city and were 'en pleine ascension sociale'.⁴⁶ The advantage the *Eyguenots* had was that their leaders were determined; they had to succeed or become permanent refugees from their home town. Charles had clearly shown his hand when he had tried very hard to capture all 22 of the *Eyguenots* as they fled Geneva before his arrival in late 1525. There was little doubt as to their fate if they had been captured.⁴⁷ Basically, in attempting to establish closer links with the Swiss, especially Fribourg, these

⁴¹ Monter, *op. cit.*, p. 36.

⁴² See Chapters IV-VII.

⁴³ *Eyguenots* were those who wanted a treaty between Geneva and Fribourg and Bern. *Mammelus* were those who preferred to remain connected with Savoy. *Eyguenot* = altération, par attraction de Hugues, de l'allemand, *Eidgenossen*, confédérés; employé d'abord à Genève, vers 1520-1524, pour les patriotes hostiles au Duc de Savoie (et dont le chef était Hugues Besançon), et vers 1532 pour les Réformés - Huguenots. Albert Dauzat, Dictionnaire Etymologique de la Langue Française, Paris: Librairie Larousse, 1938, p. 394.

⁴⁴ Monter, *op. cit.*, p. 37.

⁴⁵ Guichonnet, *op. cit.*, p. 132.

⁴⁶ *Ibid.*, p. 130.

⁴⁷ *Ibid.*, 'les agents de la Savoie les avaient poursuivis jusqu'en Franche-Comté.' p. 131.

22 leaders were trying to push the city into independence. As such, the Duke considered them as traitors. Most of these men were all fairly recent members of the *Bourgeois*. The father of Berthelier had come originally from Virieu-le-Grand in Bresse and been admitted to the status of *Bourgeois* in 1464; the grandfather of Besançon Hugues was from Caponex and became a *Bourgeois* in 1429.⁴⁸ It was often the case in Geneva that the impetus for action in the body politic was to come from families admitted to the status of *Bourgeois* in fairly recent years.

In 1522 the fact that the new Bishop, Pierre de la Baume, was neither a member of the Ducal family, nor in any official capacity attached to Savoy may have helped calm the situation although he had been imposed against the wishes of the Chapter. In agreeing to the appointment of de la Baume (1477-1544) as Bishop, the House of Savoy made a surprising mistake. The de la Baume family were vassals of Burgundy, France, and Savoy, and the young Pierre had impressed Charles III by his 'remarkable qualities'.⁴⁹ The new Bishop was as concerned to strengthen his powers as the episcopal ruler of the city as the Duke of Savoy was determined to make Geneva an integral part of his territory. Yet he was to be the last Bishop to exercise temporal jurisdiction.

De la Baume showed how crucial it was, if any control was to be exercised over Geneva by the Duke, that the Bishop should be a member of the ruling house of Savoy. It was de la Baume who began a complicated political game of trying to play the various factions against one another, the city against Duke Charles, the Duke against the Swiss, and finally the city against the Chapter, all in order to divide and rule the city to his own benefit. De la Baume stated to the *Syndics* in 1526:

'J'ai bien dit à Monseigneur le Duc ... que quant à moi ... je suis son humble serviteur et sujet, mais tant qu'évesque de Genève je ne suis point son sujet et qu'il n'a rien en ma cité de Genève.'⁵⁰

All to no effect, for in the final analysis he, unlike either the Duke or the Swiss, had no military power. That the two were not working together can be seen by the fact that during Charles' long residence in the city, the Bishop was absent, which hardly improved his standing in the eyes of the Genevans.⁵¹

A visit by Charles in December 1525 led to another *Conseil Général*, known as the *Conseil des Hallebardes*. During this it was agreed that the election of the *Syndics* was subject to his veto. His imposition of this and other concessions⁵² on the Genevans underlined the fact that:

'Le peuple de Genève, pris au dépourvu, avait en quelque sorte signé l'abdication de son indépendance.'⁵³

Charles hoped that this beginning would soon lead to a clear acceptance of Savoy's sovereignty over Geneva. Until the commune could find allies who possessed military forces, it would be in constant danger of losing all its privileges.

The intimidation of the people, or some of them, was short-lived. On 22nd. December, 116 citizens:

⁴⁸ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 107.

⁴⁹ Monter, *op. cit.*, p. 38.

⁵⁰ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 224.

⁵¹ See Appendix IV B II/1. Guichonnet, *op. cit.*, p. 130.

⁵² The Genevans would make no treaties with the Swiss and there were declarations of loyalty to Savoy.

⁵³ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 217.

'se rendirent en corps à l'hôtel-de-ville pour y déclarer publiquement par devant notaire qu'ils faisaient cause commune avec les fugitifs et approuvaient ['les fugitives'] démarches.'⁵⁴

This action by a considerable number of important citizens in stating publicly their support for the actions and ideas of the 22 fugitives marked a turning point. At no point in the future in the battle for Geneva's independence did the *Conseil Général* show any weakness. The 116 had also, as was to happen in the following centuries, elected one of themselves, Jean Bandière, to speak in their name to the *Petit Conseil*.⁵⁵ The right of the citizens to seek redress or to demand action from the government was to become a greatly-prized action. By the eighteenth century, the government and the patriciate were extremely unhappy with this right of *Représentation*. The determination of the Genevans to uphold the rights of the *Conseil Général*, together with their determination to express their feelings publicly to the government had thus come into existence while the city was still Catholic and while there was no religious issue in the air. The results of Luther's teachings were not to be felt in the city for another four years.

Those who had left Geneva in 1525 to avoid Charles' anger had gone to Bern, where they heard that one of their number, Jean Philippe, had been elected as a *Syndic in absentia* (4th. February 1526). The *Conseil Général*, re-establishing its independence, insisted on electing Jean Philippe although his name was not on the list of the eight candidates submitted.⁵⁶ This made it clear that the *Conseil Général* had the right to choose whom it wished and not to be restricted to pre-selected lists. This gave Philippe official status, which he used to negotiate a treaty of *combourgeoisie* with Bern (7th. February 1526). He and the others then returned to Geneva, where they insisted on a meeting of the *Conseil Général*, which ratified the treaty with few dissenting voices. This alliance with Bern was to hold uninterruptedly until the end of the independent state of Geneva. Monter claims that this meeting of the *Conseil Général* was as rigged as the *Conseil des Hallebardes* had been:

'One man who attempted to speak against the treaty was checked by the swords of his neighbours.'⁵⁷

While Monter appears to be the only one to mention this intimidation, there seems little reason to doubt that it could have been the case. There was still a party in the city that was pro-Savoy and there may have been many in the city who leaned to the devil they knew rather than the Bern they did not. The reputation of the Swiss was that of victorious conquerors, looking for areas of expansion.

De la Baume was extremely unhappy with the ratification and decided to appeal against the Treaty and its negotiation to both the Emperor and Rome. He also stated that, if the citizens of Geneva really had the legal right to make such alliances without the consent of their Prince, he would make no further opposition, and his remarks were carefully inserted into the official minutes. De la Baume cannot have been unaware of the danger of such a treaty; assistance from the Swiss to small cities like Geneva in the past had often led to a permanent association and the considerable weakening of the powers of the local ruler. It had happened in Schaffhausen before 1454 and at Mulhouse in the 1460s.⁵⁸ To have a

⁵⁴ Amédée Roget, 'Ami Porral Le Patriote Eidguenot', *op. cit.*, p. 149.

⁵⁵ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 219.

⁵⁶ Amédée Roget, 'Ami Porral Le Patriote Eidguenot', *op. cit.*, pp. 150-151.

⁵⁷ Monter, *op. cit.*, pp. 42-43.

⁵⁸ Brady, *op. cit.*, p. 55.

treaty with Bern was, at the least, to give encouragement and added strength to that part of the commune which was most opposed to having any ruler over it, whether Bishop or Duke. In truth, the General Assembly had no right to act as it had, since Geneva was still not an independent state, and it is clear that the few dissenting voices were not a true picture of the feeling within the commune. The insertion of the Bishop's words into the minutes was to provide yet another precedent for those in the future who sought grounds for the support of their opinions in the charters and Edicts of this period.

De la Baume failed to re-establish his power in Geneva and, by August 1527, fled to his family stronghold in Burgundy, thus leaving Geneva's citizens to take into their hands his remaining episcopal prerogatives. At the same time, the city's rulers were gradually reducing the remaining powers of the *Vidame* until the office had ceased to exist by mid-July 1528. The gap left in the administration of justice in the city was filled by the creation of a civil Tribunal to be presided over by an official, who was given the name of Lieutenant, and who was to be elected by the people of the city after his name had been submitted to the *Conseil Général*. The Cathedral Chapter continued until 1535 though effectively neutralised in 1528, only Genevans or Bernese or Fribourgeois being appointed, with the *Eyguenots* making sure they controlled the appointments. Bernese were acceptable because they were allied to the Genevans and Fribourgeois because of their close association with Besançon Hugues.⁵⁹ By his leadership, Hugues had emerged as leader of the commune.

He was both the First *Syndic* and Captain-General⁶⁰ of the citizens' militia, and by these means had made himself virtual dictator of Geneva in 1528. Geneva had apparently thrown off the tutelage of Savoy and her Bishop. Yet there were still many in the city who continued to support Savoy. It was their misfortune that Savoy was at war with France in Italy with Geneva being, for the Duke of Savoy, a side-issue. Geneva had been fortunate: with the appointment of de la Baume as Bishop, rather than a member of the Savoy family, the Duke had unwittingly re-created the situation which had allowed the commune to emerge in the fourteenth century. It was the weakness of de la Baume which enabled Geneva to contrive to escape from his control, at a time when the other contender to rule the city was otherwise engaged, and be associated with the Swiss to achieve a precarious independence. If the Bishop had been content to work with the Duke of Savoy, the only escape for the city would have been to seek the aid of the Swiss to prevent Savoy swallowing it. But there were inherent dangers in seeking Swiss help, and Geneva, attractive to both Fribourg and Bern, might well have found herself a vassal of either or both. The conflict in Italy and the coming storm within Switzerland were to allow Geneva to survive as an independent state.

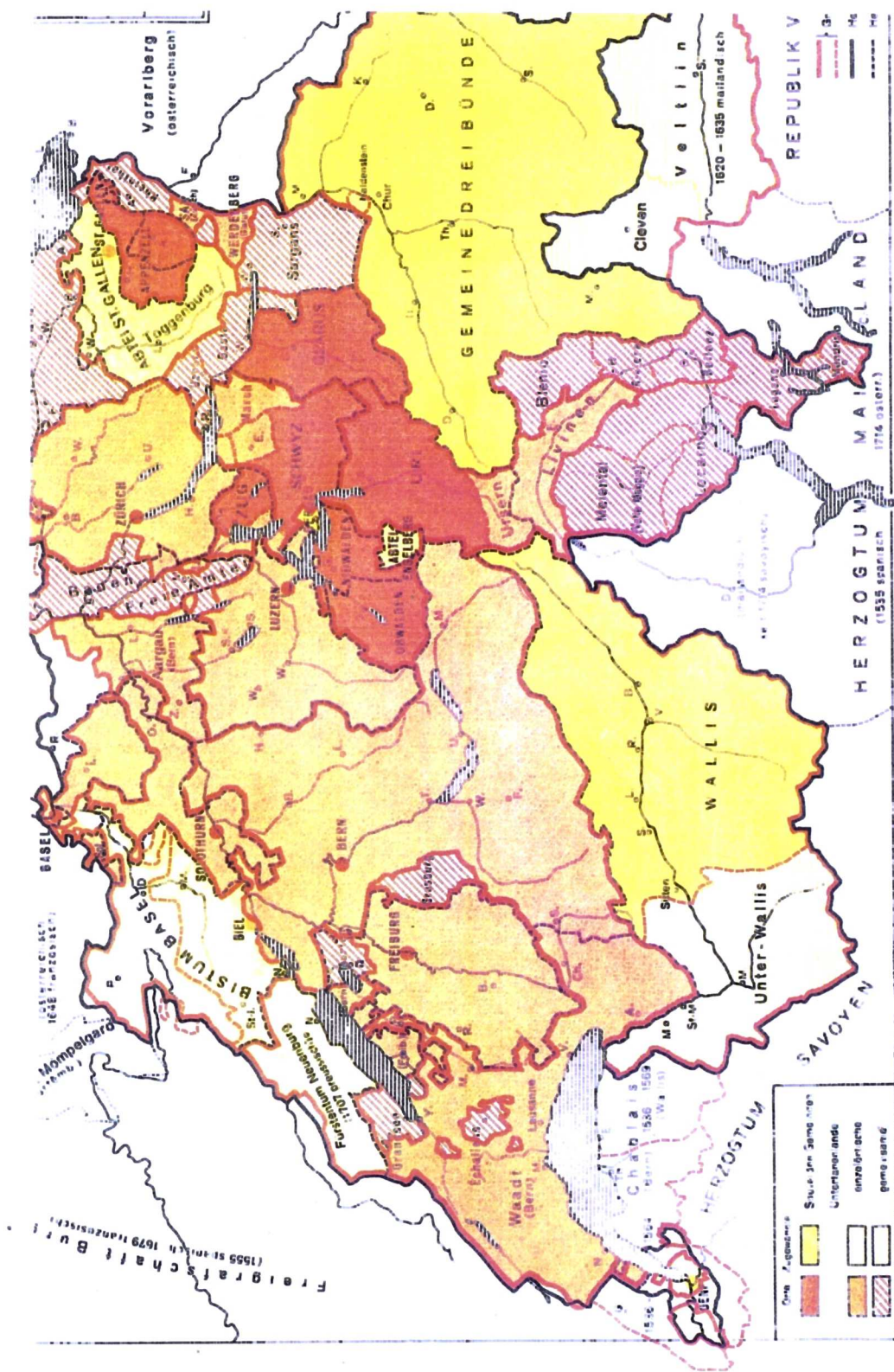
At the moment that Geneva obtained her independence from the Court of Savoy, her two Swiss allies, Bern and Fribourg,⁶¹ were estranged because of the Reformation. Fribourg remained a Catholic canton, while Bern was Protestant by 1528, and it was possible that Geneva might well become a point of conflict between the two faiths. Fighting between Catholic and Protestant cantons led to divisions in the Swiss confederacy.⁶² It

⁵⁹ See Appendix IV B 11/2. Monter claims that he was responsible for Geneva being able to retain relations with both Bern and Fribourg after 1528. Monter, *op. cit.*, p.48.

⁶⁰ *Ibid.*, p. 34. Geneva had a citizens' militia, which had been revitalised by Canon Malvenda in 1491. It was the commander of this militia who was given the title of Captain-General. Its motto was 'what touches one touches all'. p. 34.

⁶¹ See Map 2, p. 12a.

⁶² Zürich was defeated by the Five Inner Cantons at Kappel and Gubel in October 1531.



Map 2

The Development of Switzerland 1536-1797. Copied from Historischer Atlas Der Schweiz, Herausgegeben von Hektor Amman und Karl Schib, Aarau: Verlag H.R. Sauerländer & Co., 1951, p. 31.

also made it clear to Bern that any imperial ambitions it might have would be best directed at areas that were not Catholic cantons, and this was the lands on the Bernese frontier which were held by Savoy. The Bernese could appear as the saviours of Geneva while at the same time, assuming their success, greatly extend their own possessions, including possibly Geneva.

In Geneva during the 1520s, the majority were still clearly unaffected by the ideas of the Reformation. Given the religious situation in the city, it is a surprise to see how quickly the people went over to the Protestant faith, but the fact that their powerful ally, Bern, had converted to Protestantism cannot have been without influence.

Events in Geneva after 1532 reveal a high degree of Bernese interference. This was especially the case after the premature death of Besançon Hugues in 1532.⁶³ Until that point, the influence of Fribourg was as great as that of Bern. He had close connections with Fribourg and remained that city's loyal friend.⁶⁴ Hugues may not have been unaware that it was in Geneva's interest to have two allies rather than one, especially when one of the allies was large and powerful (Fribourg in comparison with Bern was smaller and weaker). For Hugues, there was little point in Geneva's escaping from Savoyard control to be immediately taken under the Bern's control. Equally, while Hugues was alive, Geneva had been rigidly neutral concerning the religious question which was plaguing the Swiss and dividing Geneva's two allies.

The attempts by Savoy to force the return of Geneva under its control were all unsuccessful so that, in 1534, Savoy resorted to a blockade of the city. Not unnaturally, Geneva appealed for help to Bern. Initially reluctant, Bern eventually granted the request for help in January 1536, after the suggestion by Francis I of France that Geneva put itself under France's protection,⁶⁵ a suggestion which was made at some point after 24th. December 1535.⁶⁶ Bern declared war on Savoy on 16th. January 1536. The whole of Vaud, the Gex region, Chablais, part of Faucigny and the Genevois were rapidly taken by the Bernese.⁶⁷ Geneva was reached on 2nd. February.⁶⁸

On 5th. February the Bernese commander, in a meeting of Geneva's *Petit Conseil*, demanded that Geneva should surrender to Bern:

'the old authority, jurisdiction and preeminence of the Bishop, together with the old judicial office of the *Vidomne*.'⁶⁹

The council was given ten days to consider its answer to this 'request'. When the *Petit Conseil* refused the request, the Bernese insisted on a meeting of the *Deux Cents*. This council was equally firm:

'nous ne croyons pas qu'ils soient venus pour nous mettre en sujettion, mais pour

⁶³ Amédée Roget, *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 390.

⁶⁴ Guichonnet, *op. cit.*, p. 133.

⁶⁵ Francis was the nephew of Charles III of Savoy and had some legal claim to a part of the Savoy lands. Francis had assembled an army of 40,000 men for his fight with Charles.

⁶⁶ Captain Verey, a French cavalry officer, arrived in Geneva on this date, with Francis' officer. Oechsli, *op. cit.*, p. 146.

⁶⁷ See Map 3, Chapter III, p. 48a.

⁶⁸ William Martin *op. cit.*, p.95.

⁶⁹ Monter, *op. cit.*, p.55.

nous rendre notre liberté;⁷⁰

Geneva was able to avoid becoming a Bernese dominion because of the presence of ambassadors from other Swiss cantons travelling with the army and who had been assured many times by the Bernese that they were coming to assist Geneva not to conquer her.⁷¹ France had also demanded sovereignty over Geneva three days after Bern. The Genevans wisely ignored this demand, but it was a useful tool to use against Bern if the necessity were to arise.

All Swiss and Genevan historians are remarkably silent about whether or not Geneva used this second attempt upon her sovereignty to protect herself from Bern's intentions, citing only the presence of the ambassadors from the other Swiss cantons in Geneva at that time. Oechsli does suggest that the use of force by Bern would merely have driven Geneva into the arms of France.⁷² It is unlikely the French demand was not used diplomatically against the Bernese, as well as the presence in the immediate vicinity of Geneva of a French army under Francis I. To all intents and purposes, Geneva was defenceless in the face of Bern's demand to hand over power to it. Neither was it likely that any of the other cantons would have been powerful enough to come to the aid of Geneva. It was Bernese nervousness concerning France and her possible conquest of the Savoy lands around Geneva, as well as French interest in the city itself, that had pushed Bern into war with Savoy. Geneva was to escape absorption by Bern in part because it moved to embrace Protestantism, thus opening a new phase in the city's development.

Calvin and the creation of the new Geneva

The next thirty years were to see independence maintained but new internal conflicts, influenced by Protestantism and representing emerging democratic tendencies, were repressed after 1543. The decision of the *Conseil Général* to live henceforth according to the law of the gospel and the word of God and to abolish all papal abuses was taken on 25th. May 1536. It led Farel, the Protestant leader, to appoint Calvin in August. The latter had arrived in Geneva in 1536, and, persuaded to stay, become a preacher at the Cathedral.

Geneva's troubles, though, were not at an end. Between 1536 and 1541, there was a power struggle in the city, between those who supported Farel and Calvin, the *Guillermins*, and those who supported Jean Philippe, the leader of the opposition, known as *Artichauds*.⁷³ Much of the trouble lay in the differences that had occurred between Farel and Bern over religious practice, and anger over continued attempts by the Bernese to seize lands belonging to Geneva. As a result of this, Calvin was expelled from Geneva by the *Conseil Général* in 1538 when his supporters lost control of the government, and Calvin refused to be censured in the pulpit. During Calvin's absence, the battle between those who supported him and those who were opposed was fought out in the *Conseil Général*. In such circumstances, the *Conseil Général* came into its own, as each side appealed to it for support. In 1540, in a period of five months, there were twenty sometimes raucous meetings. This was to be the highest number of meetings in any year in Geneva's entire

⁷⁰ Amédée Roget, *Les Suisses et Genève*, Tome II, *op. cit.*, p. 217.

⁷¹ Guichonnet, *op. cit.*, p. 135.

⁷² Oechsli, *op. cit.*, p. 149.

⁷³ Guichonnet, *op. cit.*, p. 137.

history.⁷⁴

Calvin returned reluctantly, at the city's request, in 1541, aware that Geneva was still divided into factions. On his return, he found himself not only expected to establish the church and its regulations but also involved in political matters too. Having offered his services to the *Petit Conseil*, he was immediately drafted onto the committee considering a revision of the Edicts, and little seems to have been done without his approval.

Although the political Edict of 1543 created by this committee was to incorporate many of the old Genevan practices, the 'constitution' was to be given an orientation heavily influenced by the man responsible for the reformed church in the city. Calvin had already, in his *Institutions of the Christian Religion*, set out his ideas on both the governance of the church and the governance of a Protestant state. A revised edition of this book in Latin came out in 1543, at almost the same time as Calvin's involvement in the revision of the Genevan edicts.

In the book, Calvin sought to calm fears concerning the Reformed faith's teaching on Christian liberty. The theory contained in the book rested on the basic premiss that all authority derives either directly or indirectly from God, although precisely how is left vague. There is a double, parallel 'ministry', that of the pastors on the one hand and the magistrates on the other. Both rule the same people and both receive the authority to govern from God. They exist in a state of mutual cooperation, working together for the good of those they rule.

There was no concept in Calvin's mind of any sort of 'contract' between the Magistrate and his subjects. The Magistrates *did not* have power from the people because the people were not sovereign:

'L'autorité n'est point une délégation du peuple. Le magistrat a charge et commission de Dieu. ... On ne voit d'ailleurs pas pourquoi le magistrat tiendrait son pouvoir du peuple puisque celui-ci n'est pas le souverain.'⁷⁵

Magistrates had to be respected and obeyed because of their position of authority, a position they had obtained because it pleased God that they should do so, as Calvin made clear:

'...it is impossible to resist the magistrate without resisting God.'⁷⁶

The basic belief in predestination helped to reinforce the position of the Magistrates and the smaller councils. For Calvin, it was perfectly logical that the reins of power should be in the hands of those who were 'des meilleurs'. The members of the church had to believe:

'à l'origine surnaturelle du magistrat comme ils doivent croire à l'église ou aux sacrements.'⁷⁷

This was repeated in both the Catechisms and the Confession of the Faith. Even the worst type of magistrate or ruler had the right to be respected by his subjects because of his position of authority, while:

'The correction of tyrannical domination is the vengeance of God.'⁷⁸

Calvin's ideas concerning the sovereignty of the people were therefore set upon a

⁷⁴ Monter, *op. cit.*, p. 69.

⁷⁵ Marc-Edouard Chenevière, *La Pensée Politique de Calvin*, Genève: Editions Labor, 1737, p. 162, my emphasis.

⁷⁶ John Calvin 'On Civil Government', translated from the Latin text *Institutio Christianae Religionis* Book IV, Chapter 20, quoted in Harro Höpfl, *Luther and Calvin on Secular Authority*, Cambridge: Cambridge University Press, 1991, p. 75.

⁷⁷ *Ibid.*, p. 126 and footnote. The quote is in fact taken from *Le Catéchisme de Genève*, 1537.

⁷⁸ Edith Simon, *The Reformation*, Netherlands: Time-International N.V., 1972, p. 61.

collision course with the reality of the position of the *Conseil Général* in Geneva. If the people were not 'sovereign' in Calvin's eyes, because only God was 'sovereign', then it was clear that the claims of the *Conseil Général* must be suspect. While it was right that it should, in accordance with his ideas,⁷⁹ have some kind of overview over the Magistrates, it should have no real control over them. The idea of sovereignty that the people of Geneva had was much nearer to that expressed by Spinoza that:

'absolufé sovereignty is the sovereignty held by the whole people.'⁸⁰

In the new constitution of 1543, the *Conseil Général*, when choosing the new *Syndics*, was to be restricted to a choice of four from a list of eight submitted to it by the *Petit Conseil*. Rejection of all names would result in a second list of eight from which the *Syndics* would have to be chosen. The election of men whose names were not on the list was forbidden. In this manner restricting considerably the maxim: 'que nul ne soit reçu qu'il n'ait esté approuvé du peuple'. Before 1543, the *Conseil Général* had on occasion rejected the names on the list submitted to them and chosen another not on the list. The restriction introduced in 1543 was to have important repercussions in the eighteenth century, since, in effect, it introduced a latent contradiction into the constitution: what would happen if none of the names put forward were acceptable to the *Conseil Général*? The *Conseil Général* would be permitted to discuss matters submitted to it by the *Deux Cents*, while the *Deux Cents* was only permitted to discuss matters which had been submitted to it by the *Petit Conseil*. Thus it was only after both the other councils had discussed a matter that it could be taken to the *Conseil Général*, which could then only either accept or reject the matter. What had been removed from it in 1543, in other words, was the right to raise *matters on its own initiative*, as had previously been the case. It could only react to those questions that were put before it by the other, 'higher', councils. Thus, it had been shorn of one of its most important powers, and the consequences of this were to echo ever more loudly through the ensuing centuries.

The new Edicts of 1543,⁸¹ however, did create certain clear regulations with regard to administrative matters. The *Conseil Général* was to meet every February to elect the four *Syndics*. It was also the task of the *Conseil Général* to elect the *Trésorier* for a period of three years and the *Lieutenant*.⁸² In both cases, the sole candidate put forward to the *Conseil Général* was chosen by the *Deux Cents* from a list of fifty names put forward by the *Petit Conseil*, (two per member). If the *Conseil Général* rejected the name put forward for either position, the procedure began again from the beginning in the *Petit Conseil*. The *Syndics*, as previously, remained judges in criminal cases, and, together with the *Petit Conseil*, they formed the government of the state.⁸³ The *Syndics* met every day, and normally the *Petit Conseil* three times a week. Each *Syndic* was assigned special areas of responsibility, whether it was in the courts of justice, the *Chambre des Comptes* or even the *Consistoire*. The *Syndics* were responsible for the defence of the city and had under their command a militia. The town was divided into areas under the control of *dizeniers*, the smallest unit, through to *quartiers*, which had their own militia captains, the whole being under the command of a *Captain-General*. The same force also had a police func-

⁷⁹ 'qu'on ne peut pas avoir une confiance absolue, même dans le gouvernement des meilleurs.' Chenevière, *op. cit.*, p. 190.

⁸⁰ Henry Kamen *European Society 1500-1700*, London: Routledge, 1984, p. 300, citing *Tractatus Politicus*, 1677.

⁸¹ For text of the Edicts of 1543, see Appendix I.

⁸² See Diagram 3, Chapter II, p. 27a.

⁸³ For details concerning the different councils and the *Syndics*, see Chapter II.

tion within the state.

To attempt to claim, as most Swiss historians do, that Calvin bears no responsibility for the later troubles in Geneva because the 'constitution' was already in existence before he arrived is to miss much of the real story. Nor is it evidence to quote, as Amédée Roget does, examples of the consultations of the *Conseil Général* at the time of Calvin as proof that Calvin did not use his influence to restrict severely the legislative power of the *Conseil Général* of its legislative power.⁸⁴ Roget also gives few details of the Edicts of 1543 in his *Histoire du Peuple de Genève*, but goes into great detail concerning the Edicts of 1568 and gives the impression that it was only in the latter that the power of the *Conseil Général* was curtailed.⁸⁵ As P. E. Martin clearly states:

'Les Edits de 1543 ont donc établi en cette matière [re. le Conseil Général] une règle constitutionnelle qui sera de grande conséquence.'⁸⁶

Fazy argues, correctly, that with the Edicts of 1543:

'le régime aristocratique est en voie de formation et il suffira de quelques années pour la constituer de toutes pièces.'⁸⁷

The 1543 Edicts are dismissed by Monter who, quoting the 'best political historians' (but not identifying them) says that the 1543 Edicts in no way modified 'Geneva's fundamental political dispositions'.⁸⁸ That this view is incorrect is shown by the fact that in November 1539, the following article had been rejected by the *Conseil Général*:

'Que nul citoyen, bourgeois, jurés ni habitans de Genève n'aient à proposer chose en Conseil Général que premièrement n'ait esté proposée en Petit et Grand Conseil [Deux Cents] sus poinne d'estre privé de la bourgeoisie.'⁸⁹

In accepting the Edict the people of Geneva clearly turned their backs on their recent history. By 1543, the Genevans had experienced two years of reform and yet were persuaded to vote away some of the rights they had so doggedly defended. Why this should be is not clear, though the powerful influence of the church under the influence of Calvin's leadership doubtless played a rôle. Nonetheless, the consequences of the acceptance of these new restrictions on the *Conseil Général* were to have a profound and permanent effect on the city until 1792. The limitation of the *Conseil Général* to a basically rubber-stamp rôle fitted better with Calvin's ideas and aims than a free-wheeling, troublesome *Conseil Général*, which would have continued to act as a source of open opposition to his religious and political desires for Geneva. Nonetheless, the people were never to forget what they had lost, even through the difficult and dangerous years that were to follow, as the Boutilier affair, the Combe affair, the support for Fatio and all the attempts to return unquestioned sovereignty to the *Conseil Général* in the eighteenth century were to show.⁹⁰ It is no coincidence that, once Geneva began to emerge from the dangers and

⁸⁴ Amédée Roget, *Le Conseil Général*, *op. cit.*, pp. 120-121: '... on accuse Calvin d'avoir usé de son influence pour déposséder le Conseil Général du pouvoir législatif.' Il suffit pour réfuter cette opinion de considérer qu'on rencontre après la mort de Calvin plusieurs Conseils généraux votant sur des propositions que *leur font les Conseils*. [my underlining] See also Monter *op. cit.*, p. 72.

⁸⁵ Amédée Roget, *Histoire du Peuple de Genève*, *op. cit.*, Tome II, pp. 68-70, including Ft. 1, p. 69-70, & Tome VII pp. 250-251.

⁸⁶ P.E. Martin, *op. cit.*, 3ème partie, Jacques Courvoisier, Ch. III, p. 243.

⁸⁷ Henri Fazy, *Les Constitutions*, *op. cit.*, p. 51.

⁸⁸ Monter, *op. cit.*, p. 72.

⁸⁹ Amédée Roget, *Histoire du Peuple de Genève*, Tome I, *op. cit.*, p. 197.

⁹⁰ Boutilier and Combe, see Chapter III, Fatio see Chapter IV.

difficulties of the sixteenth and seventeenth centuries, serious attempts would be made to return its lost rights to the *Conseil Général*.

The political/religious factional in-fighting did not stop until 1555. In part, this internal strife was connected with the influx of Huguenot refugees. Many of them came from educated and qualified backgrounds and were avid supporters of all that Calvin was trying to do in the state. Their arrival exacerbated the existing anti-French feelings of many in the town and the increased desire to see them leave, as shown in 1546 by a man named Gentilis, accused of having said:

'à la S. Martin, en Conseil Général, tous les Français sortiront dehors.'⁹¹

The implication being that the French would be forced to leave the city by the Genevans. This francophobia was due to the fact that many of the clergy were French, Calvin having had difficulty in finding sufficiently-qualified Genevans to act as pastors. The influx of Huguenots also worried those who were still in control of the two smaller councils, such as the Favre, Vandel and Sept families, as well as Ami Perrin.⁹² For Perrin, it appeared that Geneva, having escaped the control of a Bishop, was in danger of falling under the far stricter tutelage of Calvin. The Huguenot refugees nonetheless brought to the city, apart from their obvious religious zeal 'capital, réseau commercial, techniques de production'.⁹³

The rioting in the streets during 16th. May was a popular reaction to the fact that the Calvinists had gained control of the government. In a letter Calvin wrote to Bullinger, he made it clear that there was a deliberate ploy of the *Petit Conseil* to create as many new *Bourgeois* from pro-Calvin French refugees as possible:

'Parmi les Français qui avaient établi leur domicile dans la ville, il en choisit près de cinquante qu'il adjoignit au corps des citoyens.'⁹⁴

There were 43 admissions in a matter of three weeks before Perrin and his followers realised what was happening.⁹⁵ Clearly Calvin was determined, having obtained a pro-Calvinist government, to ensure that it survived, thus confirming the fears of Perrin and his supporters. Popular discontent with the increasing strictness of life, combined with an inherent anti-clerical feeling in the city, had caused a violent reaction.

If, as Ozmet claims, the Reformation set out to make 'society's sacred institutions and religious doctrines social'⁹⁶, there was a danger that a situation could be created in which the second generation of reformers would attempt to regulate the whole of the congregation's life. It was a reaction against what appeared to be a faith and government which desired 'to stifle all personal freedom'.⁹⁷ Calvin and those like him re-created the very fears the earlier reformers had wanted to relieve - fear of sinfulness followed at death by hell. Genevans had always been noted for their delight in dancing, drinking and a strong tendency to reject the impositions of their rulers. In such circumstances, it was hardly surprising that Calvin and his followers stirred anti-clerical feelings.

⁹¹ Amédée Roger, *Histoire du Peuple de Genève*, Tome II, *op. cit.*, p. 249.

⁹² See Appendix IV B II/3.

⁹³ Jean-François Bergier *Histoire économique de la Suisse*, Lausanne: Payot, 1984, p. 138, (hereafter 'Histoire économique').

⁹⁴ Amédée Roger, *Histoire du Peuple de Genève*, Tome II, *op. cit.*, p. 230.

⁹⁵ *Ibid.*, p. 231.

⁹⁶ Ozmet, *op. cit.*, p. 119.

⁹⁷ Oechsli, *op. cit.*, p. 160.

The rioting was seized upon and magnified by the government as an attempt at revolt, and was used to exile and destroy all serious opposition to Calvin and the government. Perrin fled, together with a hundred other old Genevan families. Twelve Genevans were sentenced to death, eight *in absentia*, for what was claimed to be a plot to destroy ecclesiastical discipline and the Reformation, as well as a plan for the abolition of the *Consistoire*.

The firm stand taken in 1555, together with the passing of time, meant that by 1558 none of the Magistrates who had sat in the *Petit Conseil* in 1536 were sitting there any longer.⁹⁸ In the *Deux Cents*, twenty-two young men, supporters of Calvin, were brought in to replace those who fled as a result of the trouble in May 1555. The Calvinists were in complete control of the government by 1558, much as had been feared by men such as Perrin, their position reinforced by exemplary punishments against opponents.⁹⁹ The restrictions of the powers of the *Conseil Général* clearly caused a feeling of resentment in the *Bourgeois* due to a realisation that the casting of a vote in the *Conseil Général* had become a futile exercise. In 1562 it was reported:

'qu'aucuns ne tiennent compte de venir en Conseil Général et qu'il y en a même, qui encore qu'ils soient dans le temple, ne se daignent approcher pour bailler leurs voix, ce qui démontre un grand mespris qu'ils ont.'¹⁰⁰

This passive resistance was the only way left open to those who were clearly unhappy with what had happened, and continued to be used until the end of the eighteenth century. The minutes of the Councils go on to state that it was announced throughout the town that:

'tous les citoyens et bourgeois estans chefs de maisons se doivent trouver au Conseil Général à peine d'encourir l'indignation de la Seigneurie.'¹⁰¹

Despite this, a reluctance to attend meetings was to be a frequent reaction in the future.

Reluctant though the members of the two smaller councils were to change the Edicts as given in 1543, there was some tidying up of them in 1568. The first was that the *Procureur-Général*¹⁰² was to be elected for a period of three years rather than one. This could be interpreted as a deliberate move in the direction of calling fewer *Conseil Général* meetings, even for election purposes. The second was that the *Deux Cents* were to have the right of grace in the case of a criminal who admitted his crime (this allowed them to commute the death sentence to life imprisonment or banishment). It was also decided that the *Consistoire* would no longer be presided over by a *Syndic*, which was a first step in a clearer separation of the church and the state. This was not a move that would necessarily have been possible in Calvin's time. It marks the beginning of the slow decline in the pastors' power in the state, and made it easier for the government to escape their censure as well as to ignore their often-tendered advice. Finally, it was decreed that there was to be a restriction in both the *Petit Conseil* and the court of the *Lieutenant* with regard to who could sit there. A father and son, a father and son-in-law, or two brothers could no longer sit together, thus allowing more people to be brought into the government bodies.

Two years later, in 1570, there was to be a far more profound change. In that year, the

⁹⁸ Monter, *op. cit.* p. 88.

⁹⁹ Gruet's execution in 1547 for *lèse-majesté*, particularly his criticism of Calvin, the banishment of Jérôme Bolsec in 1551 and the death of the heretic Michel Servet for his ideas on the Trinity.

¹⁰⁰ Amédée Roget, 'Le Conseil Général', *op. cit.*, p. 129.

¹⁰¹ *Ibid.*

¹⁰² The *Procureur-Général* was a member of the *Deux Cents*, elected to his post by the *Conseil Général*. He was responsible for all legal matters within the state and was, if necessary, expected to represent the interests of the *Bourgeois* and the *Deux Cents* to the *Petit Conseil* and the *Syndics*.

Conseil Général accepted the demand of the other two councils that existing taxes on the entrance of wine into the Market at Geneva or the creation of any new taxes should be decided and applied when necessary without first having to consult the *Conseil Général*. The demand was tactfully formulated:

's'ils voudraient s'en mettre à leur [les Deux Cents et le Petit Conseil] prudence et à leurs soins sur ce qu'il y aurait à faire à cet égard.'¹⁰³

In effect, this took control of taxation, a useful tool for control over the government, away from the *Bourgeois* in the *Conseil Général* and placed it in the hands of the increasingly powerful government. The need for flexibility with regard to adjusting the taxes on foreign wine entering the city was clear. However, it was less clear why it was necessary to introduce new taxes without any consultation, except that the government sometimes appeared to be chronically short of money. The greater part of the state's finances passed by 'l'Arche', the name given to the secret treasury of the *Syndics*. Although the accounts of this treasury were checked by the *Chambre des Comptes*, they ceased to be submitted to the *Deux Cents* and were never revealed to the *Conseil Général*.

The power given by the *Conseil Général* to the two smaller councils meant that they had to give no justification for the introduction of new taxes or for increases in existing taxes. By the end of the century, few people in Geneva outside a very small circle had any knowledge of the financial position of the state. It was an effective way for the ruling élite to keep power in their hands. The disadvantage and danger of such a system was that those who decided and raised taxes were accountable only to themselves. Taxation and the right to raise it was to be a further area of bitter conflict in Geneva between the two smaller councils and the *Conseil Général* in the eighteenth century.

There was, however, an important omission in the Edict of 1570: it did not contain any clause which specified that it was eternal and irrevocable, as the earlier Edicts, such as those of 1568, had carefully done. This difference was to be seized upon in future arguments in the eighteenth century as proof that the Edict of 1570 was only a temporary abandonment of its rights by the *Conseil Général*, and had never been intended to allow the *Syndics* and the *Petit Conseil* to take permanent and non-accountable control of the state's finances without consultation with the *Conseil Général*.

The creation of Geneva as the Protestant Rome, contrasted with the creation of another 'Protestant' state in Europe. The United Provinces became independent to defend their civil and religious liberties from Spain. But unlike Geneva, the United Provinces had a far less centralised government as the only way to enable the disparate parts of the country to come together. Sovereignty was divided, each of the seven states¹⁰⁴ having its own administrative machinery, with the seven states electing their own Stadtholder as head of their state. It was thus possible for the head of the House of Orange to be chosen by all or some of the states and become the General Stadtholder of the federation, as a quasi-monarch with strictly limited and carefully scrutinised powers. It was an uneasy compromise between monarchical and republican forms of government, created at a time of war by a loose alliance of Republicans in Holland, the most powerful province, the merchants of Amsterdam, and the most powerful town in Holland and the country, amalgamating with those forces that were led by the Orange family and were monarchist. The initial success of this marriage of convenience could not long hide the inherent contradiction and was to lead to swings when the Republicans gained control of the state, followed by control by a strong Prince of Orange, often in times of war. Like Geneva, the United Provinces' existence was under military threat since Spain had no intention of abandoning her

¹⁰³ P. E. Martin, *op. cit.*, 3ème partie, Jacques Courvoisier, Ch. III, p.274.

¹⁰⁴ Holland, Zealand, Gelderland, Utrecht, Friesland, Groningen and Overijssel.

possession, nor allowing the continuation of the Calvinist faith there. Calvinist Geneva had the additional advantage of having a common, undivided inheritance of the commune and had already won their struggle for independence from Savoy.

To sum up, Geneva between 1200 and 1580 had developed from a small, dependent city to an independent centre for Reform. Due to fortuitous circumstances, the struggle of the commune in Geneva had led to the creation of a weak, independent city state. The arrival of the Reformation in the company of the *combourgeoisie* treaty with Bern, together with the settlement of Calvin in Geneva, changed the fortunes of the city. Calvin had been instrumental in creating a city which was the nearest to a theocratic state ever to be achieved in the Protestant world. The Edict of 1543, with the changes it introduced, where the sovereignty of the people in the *Conseil Général* had been diverted into the 'safe' hands of the smaller councils, was to provide the perfect ground for the seeds of oligarchy to germinate and grow. Before studying this process, it is necessary to examine the social and political structures found in the Genevan state.

Chapter II

The Foundations of Genevan Public Life

Understanding the evolution of Genevan politics, particularly in the conflict ridden eighteenth century, can only be done by coming to terms with the special social and political structure in the Genevan city state, examined in detail below. These structures were to be an element both of continuity and confrontation throughout the three centuries which followed the creation of the Calvinist state. They provided both the arena of public life and the actors, and their characteristics and interactions help to explain the nature of political conflict in Geneva throughout its existence as an independent state.

The underlying fabric of Genevan political life was provided by its social structure. Geneva had a complex social structure based on a myriad of factors, political rights, occupation and wealth. Thus political, social and economic rights became contained within one stratum of the population and attempts were made, unsuccessfully, from the second half of the sixteenth century to make it increasingly difficult for those outside the *Bourgeois* to join the privileged circle. This attempt by an emerging oligarchy in the city was never entirely successful. The emerging oligarchy was nonetheless able to exploit the Calvinist constitution and gain control of the main organs of the government, with the important exception of the *Conseil Général*. This council, originally the assembly of the whole commune, retained its independence and always remained the focus of Genevan sovereignty and identity. The legitimating rôle of the *Conseil Général*, accepted, at least in theory, by all the parties, should never be underestimated.

The social structure

The basic social structure in the city state remained unchanged until the end of the eighteenth century. The city became wealthy only in the eighteenth century. This wealth though blurring the distinctions between the different groups within the social structure nonetheless still left untouched the political and some of the economic divisions within the people in the state. Society was divided into four groups.

1. *Sujets*

These were the lowest group in the social hierarchy. They lived on the old seigneurial lands outside the city and had few rights. The small amount of territory belonging to the city encompassed, in 1797, 9,264 people, the majority of whom were *sujets*.¹ In 1797, they were 30.3% of the state's population.² They were of no real political importance until the post-1789, when they supported the most radical of Geneva's politicians and were a factor in the overthrow of the 'old' constitution.

¹ Piuz et Mottu-Weber, *op. cit.*, 2ème. partie, Alfred Perrenoud, Ch. IV, pp. 168-170.

² *loc. cit.*

2. *Habitants*

Habitants had come to Geneva and obtained permission to work and reside in the town. During the period before 1500, many of these newcomers came from the adjacent lands of Savoy, but (and it was an important but), before the 1540s, the *Habitants* had the right, together with the *Bourgeois*, to attend and to vote at the meetings of the *Conseil Général*. Membership of the commune was therefore extended to include the *Habitants*. During the sixteenth century, this was to change, with the *Habitants* being excluded from the *Conseil Général*.³ By the seventeenth and eighteenth century, the *Habitants* were often household servants or did manual and generally heavy, dirty work or worked in the large-scale silk and cotton factories in the city. But they were able to obtain master-craftsmen status in trades such as building, carpentry, hat-making, cobbling, etc., the trades abandoned by the *Bourgeois* during the seventeenth century. Apart from the right to live and work in the town, they had no other privileges.

3. *Natifs*

These were the children of *Habitants*, who had been born in the city. Subsequently, the children of the *Natifs*, who were born in Geneva, were also *Natifs*. By the eighteenth century, there were many *Natifs* whose families had been in Geneva over three or four generations. This group was originally the semi-skilled part of the population, but gradually in the seventeenth century and early eighteenth centuries the *Natifs* became skilled workers, especially in the jewellery and watch industries, but because they were *Natifs* they had to obtain permission after the 1680s to become apprentices and qualify as master craftsmen and thus become employers. The professions were barred to them. In the eighteenth century, this was to be a source of considerable anger, especially as many of the sons of *Natifs* of that period had had an excellent education and had also obtained professional skills abroad yet they were not permitted to practise them in the state of Geneva. As the *Habitants*, the *Natifs* paid higher rates of taxation than the *Bourgeois* at the *Halles*,⁴ and they also paid one-third more taxation on estate transfers. On marriage, they also had to pay a 'quit deposit' to ensure that they did not become paupers and a burden on the state.⁵

It is important to understand that for Genevans throughout the period of this study the differences between *Habitants* and *Natifs* were significant. It is a mistake to treat them as single group as Palmer suggests.⁶ It was the *Natifs* alone who were offered limited concessions in 1768 and limited political rights in 1781, not the *Habitants*.

4. *Bourgeois*

The *Bourgeois* were full citizens of Geneva and members of the *Conseil Général*, originally because they had been members of the commune or because they had pur-

³ Guichonnet, *op. cit.*, p. 114.

⁴ *Les Halles* was the place where all food and goods sold by merchants (but not producers) had to be taken to be checked for quality, weight and price before they could then be sold to the public.

⁵ Patrick F. O'Mara, *Geneva in the Eighteenth Century: a Socio-Economic Study of the Bourgeois City-State during its Golden Age*, Dissertation - Graduate Division of the University of California, Berkeley: 1954, typescript deposited in AEG, p.131.

⁶ Palmer, *op. cit.*, p. 128.

chased this status. These people were at the top of the social hierarchy and, after 1543, they alone had all the rights of citizenship, including political rights as well as paying lower taxes at the *Halles* and on transfer of land, etc. They had the right to attend and vote at the annual *Conseils Généraux*, were the only people in the town who could sit in the *Deux Cents* or *Petit Conseil* and they alone could become officials of the commune or be chosen as *Syndics* or members of the councils. They were also the ones who could, in the eighteenth century, be craftsmen in *la Fabrique*,⁷ own shops, factories and be pastors, doctors and lawyers.

During the hundred years before Calvin, Geneva had acted as a magnet to those who lived in the countryside. Many had come to live in the city, to share in its relative prosperity. At this time it was easy to become a *Bourgeois*:

'[1409] Bourgeois reçus en grande quantité pendant cette année ... presque tous pour le prix de cinq florins à la ville et un au Conseil:... [1461] Bourgeois ... payoient la plupart sept florins et une arquebuse valant quinze sous, laquelle se payoit comptant et le reste en quatre termes assavoir aux quatre foires de Genève.'⁸

There were a number of advantages in becoming a *Bourgeois*. It meant that those who did could negotiate and trade whenever they wished whereas foreigners and *Habitants* were limited to the city's market days and three days during each of the four Genevan fairs. The *Bourgeois* also had the right to buy wine. They were also expected to do their utmost to buy a house in the town and a vineyard or share in a vineyard on the outskirts of the town. They also had to defend the state, as it was the *Bourgeois* who had to serve in the militia in times of danger and had therefore to be able to equip and arm themselves for such an eventuality.

Throughout Geneva's history, until 1789, the number of those with political rights in the city, the *Bourgeois*, was always greater than the equivalent groups in the other Swiss cantons, as diagram 1 shows,⁹ while at the same time the number of positions in government and government service was appreciably less in Geneva than other Swiss cantons because of the smallness of the state of Geneva. This was not a recipe for tranquility in the city.

5. Citizens/Nobles

By the seventeenth century, the *Bourgeois* were themselves sub-divided, there being a small group at their top which was actively involved in the day-to-day running of the state. This group were often referred to as Citizens, sometimes as *Nobles*, although the latter title was usually reserved for those who had served on the *Petit Conseil*. One had to have been born in the town of Citizen or *Bourgeois* parents to merit the 'title' of Citizen. The demands on the time of the individual *Syndics* and the members of the *Petit Conseil* made it inevitable that before the end of the sixteenth century only the wealthiest could afford to take part in government. The demands on the members of the *Deux Cents* were less onerous, but even in Calvin's time there was a trend towards membership of that body becoming the preserve of certain families, although with some other families still gaining entry. By the eighteenth century, the oligarchy was so successful that there were only

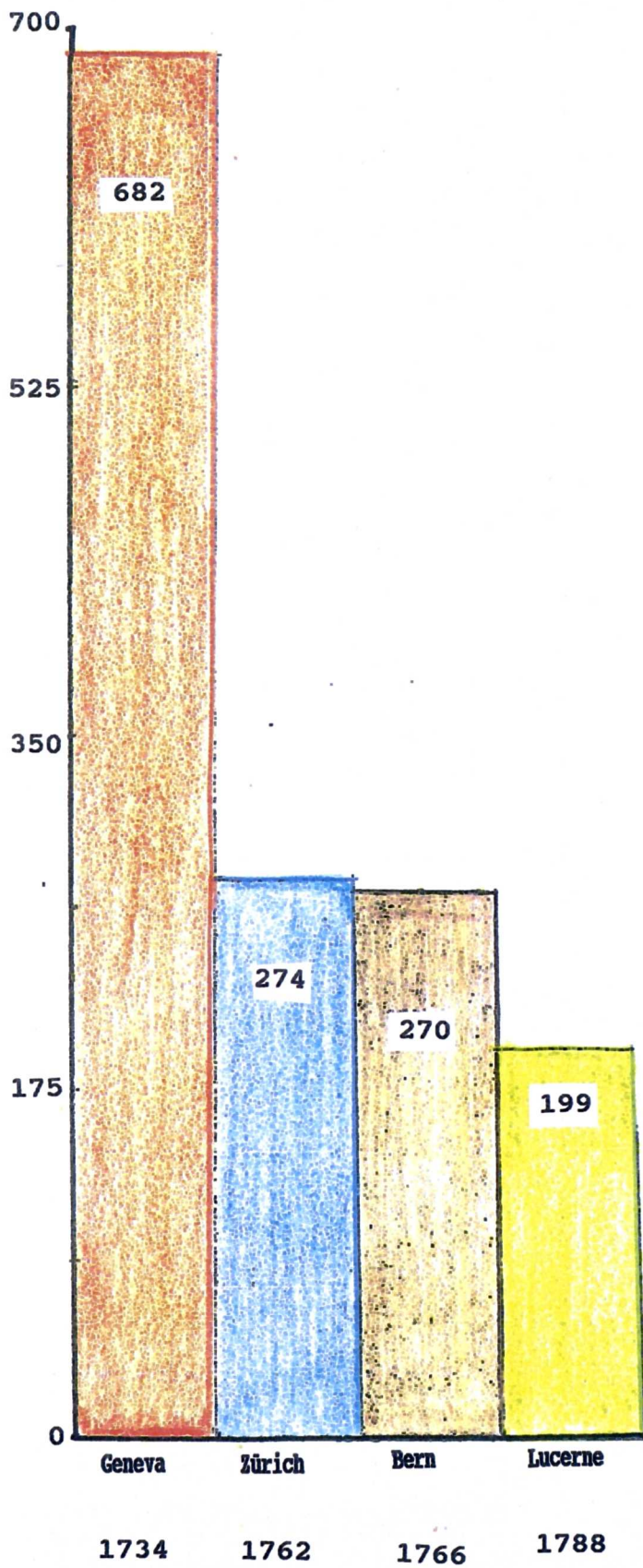
⁷ i.e. silver and gold-smiths, watchmakers and jewellers with all their associated trades.

⁸ Amédée Roget, *Les Suisses et Genève où l'émancipation de la communauté genevoise au seizième siècle*, Genève: Jullien Frères, Librairie-Éditeurs, 1864, Tome Premier 1474-1532, pp. 106-107, Ft. 2. [Hereafter *Les Suisses et Genève*]

⁹ Diagram 1, p. 24a, see also p. 27.

Diagram 1 Those with the right to take part in government in Geneva, Zürich, Bern and Lucerne.

No. of families



Figures from Braun, *op. cit.* p. 132.

ninety different families either *Nobles* or *Citizens* sitting in the *Deux Cents*, with brothers, fathers, sons and cousins of the same family all sitting together to the exclusion of others.

In Geneva's history, there were 682 families which were *Bourgeois*:

'pour quatre-vingt-onze familles dans la distribution des charges: pour quatre-vingt-onze familles en place et représentées dans le Deux Cents en 1734, cinq cent quatre-vingt-onze étaient écartées du gouvernement de la République.'¹⁰

In 1734 there were 91 families with a place in the *Deux Cents*, ten of these same families monopolised 63 seats in the *Deux Cents*.¹¹ Moreover, by 1734, in the *Deux Cents*, there were 9 Trembley members, 9 Lullins, 8 Rilliets, 8 Pictets, 7 Gallatins, 7 Buissons, 6 de la Rives, 5 Du Pans and 5 Favres. The narrowness of the power base in Geneva was clearest in the *Petit Conseil*, where, in 1734, six families had two members each, thus controlling 12 of the votes for the election of the *Deux Cents*.¹²

Not all the families who sat in the *Deux Cents* necessarily took a close interest in the politics of the state in the same way as others. And gradually, because of restrictions introduced in the eighteenth century, it was not always possible for all the male members of a family to sit in the councils. While some sons went to serve as officers in foreign armies, as in the Pictet and the Prévot families, others had in the sixteenth and seventeenth centuries, looked increasingly to the Church.

The political power enjoyed by the ninety families in the eighteenth century was reinforced by their financial position *vis-à-vis* other *Bourgeois*. Families such as the Lullins were the highest tax payers in 1690 and 1716, second highest in 1789 and tenth in 1765.¹³ The names of such families as the Turretinis, the Tronchins, and Saladins appear repeatedly as amongst the wealthiest families, paying the *Grandes Gardes*, a tax on fortune,¹⁴ there often being several members of the same family on the lists.

Post 1707, many of the rest of the *Bourgeois* paid tax under the *Petites Gardes*, which was a capitation tax, but which also took into account any wealth accumulated under the 105,000 florins which placed a person on the *Grandes Gardes* list. Thus a middle merchant, according to O'Mara, would pay around 32 florins, a pastor with capital funds of 94,000 florins would pay 44 florins.¹⁵

6. Areas of residence

The social and financial structure was further emphasised by the location of the groups within the city. By the eighteenth century, the *Habitants* had tended to accumulate in St. Gervais, which lay across the lake from the main part of the city, as can be seen in map 1. The *Natifs*, lived mostly in St. Gervais, a few in the lower parts of the old town of Geneva. The *Bourgeois* lived in the lower reaches of the old town, some in St. Gervais, while the

¹⁰ Sautier *op. cit.*, p. 764. Quote is taken by Sautier from Archives Diplomatiques du Ministère des Affaires Etrangères. Paris: Correspondance politique, Genève, 51, 415.

¹¹ *Ibid.*, pp. 57 and 764-772. The French Ambassador sent to represent France in the Mediation had compiled extensive and detailed lists concerning the *Bourgeois* and the Councils.

¹² Jean-Louis Du Pan, Jacob Du Pan; Bartholémi Gallatin, Abraham Gallatin; Charles Lullin, Jean Lullin; François Pictet, Jean-Louis Pictet; Jean-Marc de la Rive, Horace-Bénédict de la Rive; Jean Trembley, Marc-Conrad Trembley. [Emphasis = *Syndics*]. AEG Registres des Conseils R.C. 233, 1.

¹³ O'Mara, *Geneva in the Eighteenth Century*, *op. cit.*, pp.124-126.

¹⁴ O'Mara *loc. cit.*

¹⁵ *Ibid.*, p. 126.

Nobles lived in the upper area of the old town, at the top of the hill around the Cathedral and the Town Hall, a trend begun before Calvin and accentuated with time thus creating a physical metaphor of the social structure of the state. The use of stone rather than wood at the beginning of the eighteenth century and the town 'palaces' of the patriciate, constructed in this area during the early part of the eighteenth century gave a further strengthening to the differences between the oligarchy and the majority in the city. In this respect, the patriciate in Geneva differed little from the Amsterdam patricians, who lived clustered around the Town Hall of that city.¹⁶ Many of the patriciate, yet another term for the ruling group of families in Geneva, were, with their increasing wealth, purchasing estates in the countryside outside the city, and these, though small in comparison with the estates of the French or English nobility, nonetheless increased the differences between them and their fellow *Bourgeois*.

7. *Becoming a Bourgeois*

It had always been possible for the *Natifs* and even the *Habitants* to apply for *Bourgeois* status. In the period before Calvin, this had been used as a handy way of raising money, as Roget makes quite clear:

'une des mesures auxquelles on recourait le plus volontiers consistait à contraindre un certain nombre d'habitants à postuler la bourgeoisie; on se procurait ainsi quelques ressources au moyen de la somme à laquelle chaque nouveau bourgeois était taxé.'¹⁷

In 1547, there were 138 new *Bourgeois*; this high number was to provide money for work in progress in the city. The register of 21st. June 1547 states:

'[Il a été] ordonné qu'on trouve moyen d'avoir argent pour payer les ouvriers travaillant vers le belloard du Pin et ce qu'on pourra avoir des bourgeois qui seront faits de nouveau soyt employé au dit belloard.'¹⁸

1555 was a watershed for acceptance into the *Bourgeois*. Before that date, it is calculated that 22% of *Habitants*, i.e. new arrivals or arrivals of only a few months, had acquired *Bourgeois* status. Yet as early as 1572, the figure was 3.8% and this dropped to 2.5% in 1573-4 after the massacre of Huguenots in France,¹⁹ reflecting the fact that, by 1572, the financial situation, though far from satisfactory had eased, the two smaller councils having obtained the right to impose taxation without having to obtain the consent of the *Conseil Général*. It became easier for the government to cope with its daily financial needs without having to insist that some in the city became *Bourgeois* in order to raise money. Hence if the patriciate so desired, it could begin the process of limiting the number of those becoming *Bourgeois*.

In Geneva, political, social and economic power and position had become interwoven at a very early stage. It was difficult but not impossible for any *Natif* to progress in one field while ignoring the other two, and every advantage accrued to the *Bourgeois*, none to anyone else. This system was to be maintained until the 1790s. The honour of *Bourgeois* status was rarely a gift but a privilege which had to be bought. At the beginning of the eighteenth century the fee was 4,400 florins, by 1740-49 it was 8300 florins, and in the

¹⁶ Peter Burke *op. cit.*, p. 70.

¹⁷ Amédée Roget, *Histoire du Peuple de Genève depuis la Réforme jusqu'à l'Escalade*, Genève: J. Carey, Imprimeur-Éditeur, Tome Deuxième, 1873, p. 133, Ft. 1. [Hereafter *Histoire du Peuple de Genève*]

¹⁸ *Ibid.*

¹⁹ Guichonnet, *op. cit.*, p.173.

1750s some paid 20,000 florins for the privilege.²⁰ The number of new admissions before 1770 had dwindled to a maximum of three per year.

Geneva, however, never stopped admission to *Bourgeois* status, as had been the case in Bern, where access to *Bourgeois* status was forbidden in the seventeenth century. In Geneva, as a result of the new Edict in 1768, between 1770 and 1779, there had been 459 new *Bourgeois*, of whom 250 were male children.²¹ In Bern, however, due to natural decrease, the number of *Bourgeois* families dropped from 542 in 1650 to 243 in 1784.²² It might have been better for Geneva to have completely stopped the creation of new *Bourgeois*, but Geneva was not Bern. There were only a few official government posts in Geneva, unlike the many posts available and necessary in Bern, especially the Sheriffdoms (*bailliages*), which were well-paid and allowed the patriciate of Bern to devote themselves to politics without having to soil their hands with earning money. The Genevan patriciate families were deeply involved in trade, there being no social stigma against it in the city. Some beginning as merchants became international financiers able to amass fortunes, thus freeing them to dedicate their time to running the state. The 'salaries' paid to the *Syndics* and other government members were not great, certainly no incentive to those without reasonable personal wealth. Geneva was also able to benefit, by continuing to offer the opportunity to acquire *Bourgeois* status, from the entry of highly-skilled Huguenots, both in the sixteenth century before the Edict of Nantes, and in the seventeenth century after the Revocation of the Edict of Nantes.

A further complication of the eighteenth century, was that the *Bourgeois* no longer constituted a majority of the population within the state. In the middle of the seventeenth century, nearly half of the male married population took part in public affairs and only 20% of the male population were without civic rights even though Genevans by birth, while of the remainder 30% were recent arrivals in the city, and thus classified as *Habitants*. The Revocation of the Edict of Nantes and the settlement of refugees dramatically changed the situation in Geneva:

'en moins de dix ans, les Habitants passent de 27% à 42%, puis à 50% dans les années 1720; dans le même temps le nombre des Citoyens [Bourgeois] régresse en proportion inverse, de 46% à 28%.²³

By the 1740s the number of *Natifs* exceeded the number of *Bourgeois*, and by 1760 the *Bourgeois* formed only 20% of the adult population.²⁴ Further confirmation of this shift can be found in the marriage statistics for the years 1770-1774, which give 190 *Natifs* for 100 *Bourgeois*.²⁵ With the increase in survival of children, even allowing for smaller families, the *Bourgeois* were clearly going to be pushed into the position of being an ever-decreasing percentage of the population. This demography was a clear indication of trouble.

Amongst the group of early Huguenot arrivals in the 1550s, who were able to become *Bourgeois*, were families who were quickly to become part of the oligarchy of Geneva, e.g. Normandie, Colladon, Sarasin and Tronchin. The early arrivals from France were nearly all people of social standing, some of them noblemen, and with skills and education missing

²⁰ Puiz et Mottu-Weber (Eds.) *op. cit.*, 5ème. partie, Liliane Mottu-Weber, Ch. XV., p. 394, quoting A. Pèrrenoud.

²¹ D'Ivemois, *op. cit.*, Vol. II. (Tome I), p. 230, f. 1.

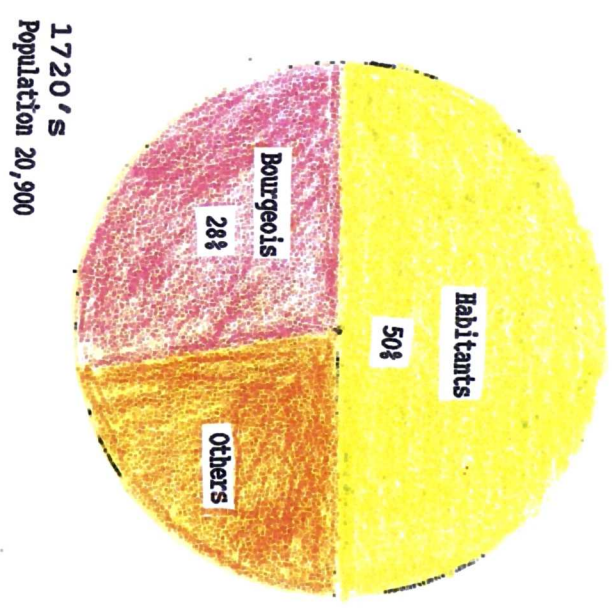
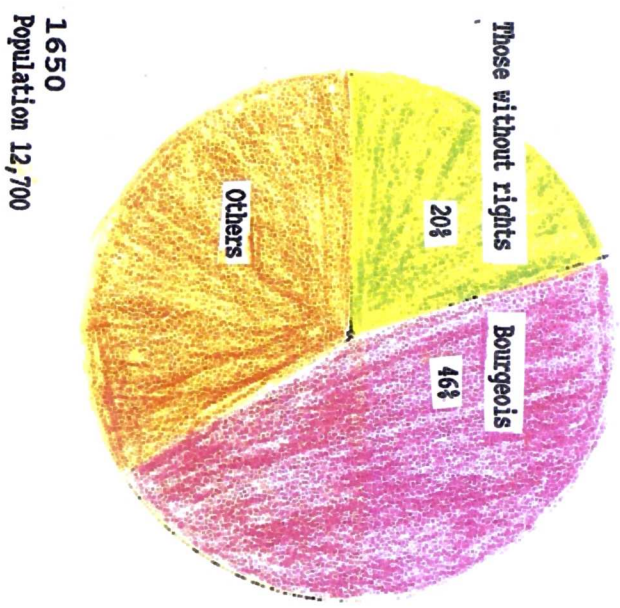
²² Favez, *op. cit.*, François de Capitani, 5, 'Vie et mort de l'Ancien Régime 1648-1815', p. 459. See also Diagram 1.

²³ Puiz et Mottu-Weber, *op. cit.*, 2ème partie: Alfred Pèrrenoud, Les Réalités humaines p. 71. See also Diagram 2.

²⁴ *loc. cit.*

²⁵ *Ibid.*, pp. 71-2.

Pie chart illustrating the decline in the percentage of Bourgeois in Geneva.



Figures from Piuze et Mottu-Weber, *op. cit.*, 2ème. partie, Perrenoud, Ch. III, p. 71

in Geneva since the departure in 1525 of the ruling élite which had no desire to live in Geneva under the control of Hugues²⁶ and his party. Doctors, lawyers and printers were desperately short in Geneva before the arrival of the French and Italian refugees. Some of the French refugees brought printing and mechanical skills as well as the fine art of working in gold, all of which were to be important to the future prosperity of the city. There were also a number of Italians who were leaving their respective cities for the safe haven of Protestant Geneva, families such as the Turretinis, the Diodatis and Michelis, bringing with them skills in silk manufacture and marketing. The Edict of Nantes saw many Huguenots happy to return to France, while those who had gained *Bourgeois* status remained, but few Italians were able to return because they faced persecution.

By the eighteenth century, a number of the families that had come to Geneva as religious refugees in the sixteenth century had become the leaders of the patriciate in the city. All had made a great deal of money in the seventeenth century through manufacture and trade in cloth - the Saladin, Turretini and Lullin families are three of the foremost. While cloth was the most common provider of wealth, others such as the Gallatin family made their fortune from hardware and haberdashery goods, while the Mallet family owed their fortune to tobacco and connections in the trade in Holland.

8. Banks and commerce

Geneva is full of contradictions throughout its history. Thus, in the eighteenth century, it was a city of great wealth, but one which possessed no recognisable state bank. Due to the city's Calvinist inheritance and the influence of the pastors in the late sixteenth century, it nonetheless managed without accepted, official banks until after the period covered by this work. The creation of the *Chambre des Blés* in 1628 was to lead to this institution becoming the equivalent in some way of an official state bank. Created from money lent to it at an annual interest of 6.66%, its main task was to buy grain and to store it in order to provide grain when needed in times of shortage to the people of the city. After initial difficulties, the *Chambre* prospered and found that, within 10 years, after the payment of interest to those who lent to it, there was a surplus of 25,000 fl.²⁷ In an arrangement with the government, the *Chambre* agreed to lend it money in exchange for the right to farm salt in the state. From this point onward, the *Chambre* became, to all intents and purposes the state treasury.²⁸ By the second half of the seventeenth century, the *Chambre* had become 'une véritable banque publique', and by the 1770s, it:

'se lance dans les opérations plus risquées, dont la souscription, en 1777, de billets qui auraient dû être remboursés, entre 1778 et 1792, par le Trésor français...'²⁹

The manner in which the *Chambre* developed meant there was no necessity for the state to worry about establishing any official bank, since it had one in all but name.

By the late seventeenth century, there were a number of patriciate families who, having been international merchants or manufacturers or both, were moving into private banking in connection with their business and religious contacts, becoming, in effect, merchant bankers. From importing cotton and then exporting the finished goods from the seventeenth century onwards, the Genevan merchants had become well-known throughout

²⁶ See Chapter I, p. 12.

²⁷ Piuz et Mottu-Weber, *op. cit.*, 5ème. partie, Anne-Marie Piuz, Ch. XVIII, p. 579, quoting Hermann Blanc.

²⁸ *loc. cit.*

²⁹ *Ibid.*, pp. 579-580.

Europe and some of the European colonies. Capitani claims that 'le nom de "Genevois" deviendra synonyme de commerçant et banquier'.³⁰ Creating offices and banks outside Geneva, in Marseille, Paris and London firms such as Cazenove in London or Cazenove et Clavière and Plantamour & Cie in Paris, they were able to use credit facilities and move considerable sums of money from Geneva into all kinds of uses outside the city. They were equally important for individual travellers:

'[I called] on my bankers, Cazenove, Clavière et fils, from whom I received payment of a bill granted me by Splitgerber and Daum, and on Chappuis et fils, to whom I was addressed by Messrs. Herries and Cochrane.'³¹

The increasing need for money in both France and England to finance wars and their colonial expansion meant that the Genevans were in an excellent position to benefit from this constantly expanding demand for money. Necker ³², by becoming Louis XVI's Minister with responsibility for finance, ensured that the Genevans after 1770 also moved heavily into the loans raised by Necker to solve the financial difficulties of France.

The importance of the Genevan bankers was due to the fact that they had maintained relationships with their co-religionists who had gone to Holland, England, India and the Thirteen colonies, to name a few. The Huguenots, driven from France, had by the eighteenth century formed an extensive international network of trade and banking, and Geneva was particularly well placed to benefit from it. The city was compact, and the work ethic of the Calvinists, together with the simplicity of lifestyle led to there being considerable savings. It was this unused wealth that was to be the basis of much banking activity in the eighteenth century. The wealth of the city was in part due also the efficient working of the government within the city, helping to ensure there was no corruption, unlike many other states which had emerged from medieval communes.

The commune and its structure.

The creation of the commune of Geneva in 1307 was legally recognised by Bishop Adhémar Fabri in 1387, with the granting of a charter called *les Franchises*.³³ This permitted the Genevans to unite in a *Conseil Général*. The initial structure of the commune in Geneva was fairly simple, there being three main elements: the *Conseil Général*, the *Syndics* and the *Petit Conseil*. The *Syndics* were elected to hold office for a year. There was also a *Petit Conseil*, which consisted of the current year's four *Syndics*, plus the previous year's four *Syndics* and other members elected to the council by the *Conseil Général*.³⁴ It is important for this study that, from an early date, the Genevans' loyalty to the commune was expressed through the *Conseil Général*, which became, over time, for many in the city, the very essence of what Geneva meant and what the city stood for, being both a source of identity to the Genevans and a legitimisation of their city's existence. It was

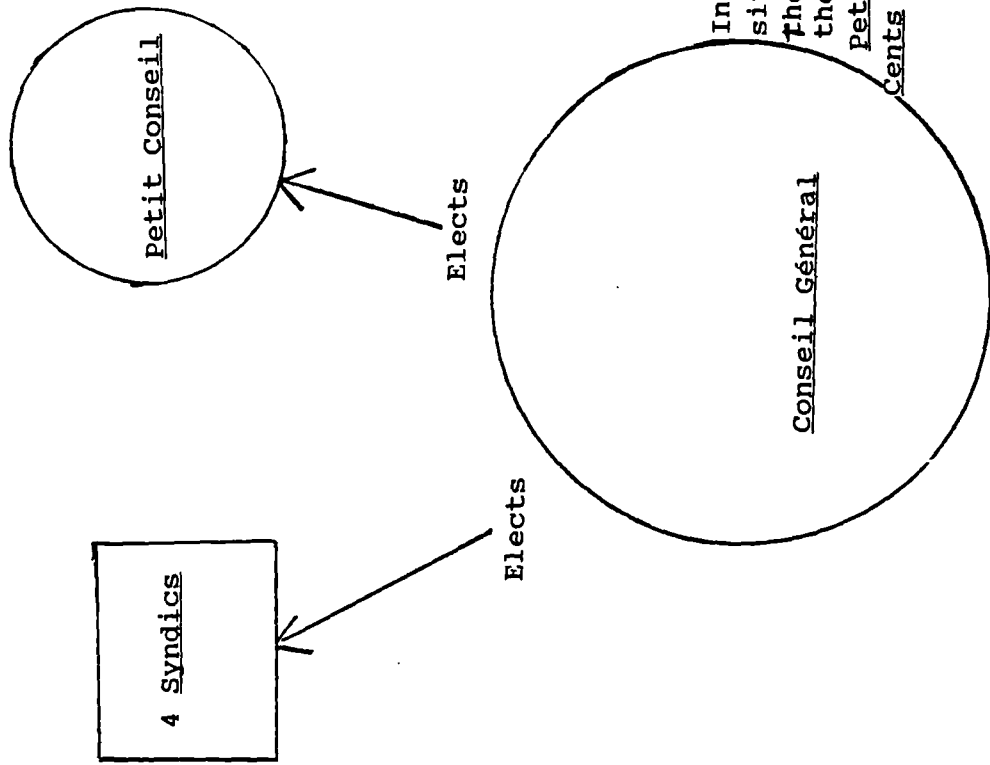
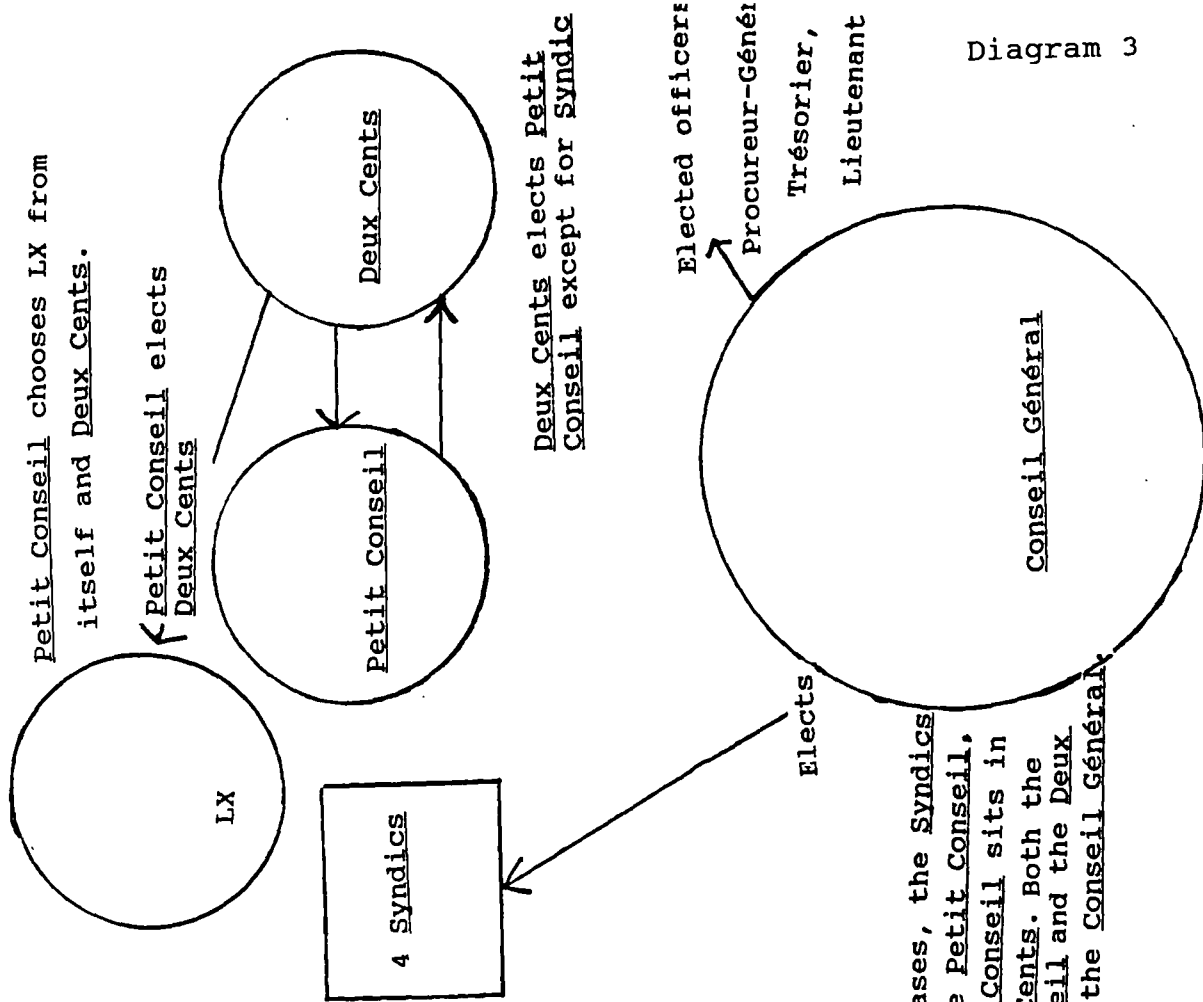
³⁰ Favez (Ed), *op. cit.*, Capitani, 5, p. 439.

³¹ Frederick A. Pottle *The Yale Edition of the Private Papers of James Boswell - Germany and Switzerland*, London: Heineman, 1964, Fourth Edition, Journal, 23 December 1764, p. 272.

³² See Appendix IV B I/1. O'Mara, *op. cit.*, p. 91.

³³ *Les Franchises* was the Charter issued in 1387, whereby the Bishop confirmed all the laws, both written and those of usage, already in existence in the city. It was a confirmation of the existence and of the rights of the commune in Geneva. See Chapter I.

³⁴ Consult Diagram 3, p. 29a.



In both cases, the Syndics sit in the Petit Conseil. The Petit Conseil sits in the Deux Cents. Both the Petit Conseil and the Deux Cents sit in the Conseil Général.

Diagram 3

i Fifteenth Century Commune Government Structure

ii Government Structure post-1543

also the only place where those who were unhappy with what was happening in the city could express their frustration and anger and be heard. This was in contrast with the apparently more advanced Swiss cities of Basle, Zurich and Bern where the equivalent of the Genevan *Conseil Général* was, to quote Monter, 'already a moribund curiosity.'³⁵

1. *The Conseil Général*

The *Conseil Général* was the meeting place for the members of the commune, where they discussed any matters they wished, voted and took decisions which were then acted upon by the *Syndics*. It was in the *Conseil Général* that once a year the members of the commune chose four of its members, called *Syndics*, to carry out the tasks of running the city and administering justice. This was particularly the case when there were divisions between the people on the one side and the Bishop or the Counts/Dukes of Savoy on the other. Equally important was the need for the *Conseil Général* to be consulted on financial matters:

'lorsque le concours armé ou financier de la cité est réclamé ou lorsque la communauté se trouve dans l'obligation de se procurer des fonds.'³⁶

It is clear that at the end of the fourteenth and the beginning of the fifteenth century the *Conseil Général* was an important and powerful body. This can be seen in the amazingly wide-ranging variety of matters put before it for decision. 1457 was a particularly busy year,³⁷ and in the same year the *Conseil Général* gave its consent for the Council of Fifty to borrow money in the city's name. In 1429 there had been five additional meetings of the *Conseil Général*. All these meetings were apart from the two which were held annually for the election of the *Trésorier* and the *Secrétaire* at one meeting and the election of the *Syndics* at the other.

In 1459, the *Conseil Général* decided that it would meet on a monthly basis on the first Sunday in the month. The following year this was amended to four extra meetings, in which all other matters would be discussed in addition to the two meetings for the annual elections. Clearly, throughout this period, there was considerable experimentation with regard to the number of meetings deemed necessary for the *Conseil Général*, while continuing attempts were made to find the right balance between it and the government.

The *Conseil Général* at this period, was an independent body which was not under the domination of either the smaller councils or the executive branch of the government, the *Syndics*. It was to this period in the city's history that appeals were to be made throughout the future, when the *Conseil Général* had become a mere shadow of its original self. Those wishing to limit or reduce the oligarchical powers which the smaller councils acquired by the eighteenth century based a major part of their argument on the period of the *Conseil Général's* most effective power, between 1450-1540.

The partisans of a vigorous and powerful *Conseil Général* were to appeal to this period in order to show how the powers of the council had been increasingly attacked and restricted in contradiction of the clearly-laid-down conditions of the *Franchises*, which remained one of the foundation stones of Geneva's system of government until 1792. This was the case both for its normal powers but also with regard to the regularity of both its

³⁵ William Monter, *Calvin's Geneva*, New York: John Wiley & Sons Inc., 1967, p.31.

³⁶ Amédée Roget, 'Le Conseil Général', *op. cit.*, p. 110.

³⁷ 25th March 1457 concerning the construction of a chapel by the Duchess of Savoy, four meetings to answer demands for subsidies by both the Bishop and the Duke (11th. April, 19th. June, 31st. August, 16th. September, 1457).

extraordinary meetings and the breadth of matters brought before it. It is clear during this period that the *Conseil Général* was acting as a form of legislative power, where no decision of any import was taken without consultation with, and the agreement of, the commune and its members. As Guichonnet proudly but correctly states:

'A Genève, jusqu'à la fin du XVe siècle, le Conseil général, ouvert à tous, reste l'autorité suprême.'³⁸

The numbers of those voting in important meetings of the *Conseil Général* indicate that, at the beginning of the sixteenth century, there were between 200 and 300 men attending meetings and voting.³⁹ These numbers, although small compared with the numbers taking part in the important meetings of the *Conseil Général* in the eighteenth century, where 1200-1500 were often present, still show a sizeable number of Genevans taking part in the political life of the city.

Attacks on the rights of the Conseil Général

The *Conseil Général* had to fight to retain its rights against the Bishop, particularly after the House of Savoy was able to 'capture' the Bishopric. In 1478, a list was presented to the *Conseil Général* on behalf of Bishop Jean-Louis of Savoy, on which were listed the names of those whom he wished to see elected to the council. The response of the *Conseil Général*, though polite, was firm:

'il fut décidé de répondre que les syndics ont le droit et le pouvoir d'élire leurs conseillers et le secrétaire, et qu'ils iraient, aussitôt après le Conseil, montrer les Franchises à Mgr. l'évêque et le supplier, au nom de toute la communauté, de les vouloir observer comme il l'a promis.'⁴⁰

Even before the arrival of Bishops loyal to the House of Savoy, the commune had had to ensure that they did not interfere in its working. The attempt by Bishop Jean-Louis of Savoy to turn the clock back to the earliest days of the commune might well have been in the hope of causing divisions within it from which the Duke of Savoy might benefit. In fact, by the period 1519-1526, the rights of the *Conseil Général* had come under serious attack from the Duke of Savoy, who claimed overlordship of the city.⁴¹

By the use of threats, execution and force, he forced the *Conseil Général* to abrogate a treaty it had signed without his consent (April 1519), overrode its choice of *Syndics*. The *Conseil Général* twice agreed to his right to veto its choice of *Syndics* in August 1519 and December 1525. These three meetings of the *Conseil Général*, where its sovereignty was overridden by the Duke were to cast a long shadow forward. The actions of the Duke strengthened the argument of those who, in the coming two hundred and fifty years, were against accepting that the *Conseil Général* had any real sovereignty and who argued that the smaller councils and the *Syndics*, as inheritors of the power of the Duke and the Bishop therefore had the right to overrule the *Conseil Général*, as had happened in 1519 and 1525.

It was forgotten by those who used these arguments that these meetings of the *Conseil Général* were not the normal 'free' meetings of the commune, but were held under the threat of the Prince's military might. However, it is undeniable that the actions of the three

³⁸ Guichonnet, *op. cit.*, p. 115.

³⁹ Approximately 300 in July 1512, 405 for the election of *Syndics* in 1521, 282 in December 1525. Roget, *Le Petit Conseil*, *op. cit.*, p. 121.

⁴⁰ Amédée Roget 'Le Petit Conseil', *op. cit.*, p. 3.

⁴¹ The Count of Savoy had originally taken the city under a form of 'protection' in 1263. For details, see Chapter II.

unfortunate meetings⁴² of the *Conseil Général* were to be extremely useful to the members of the oligarchy in the seventeenth and eighteenth centuries to support their claims to hold all power in their hands.

The meetings of the *Conseil Général* continued to be of great importance until the 1550s, after the establishment Calvinism in Geneva.⁴³ But, by the 1570s, it was increasingly ignored by the government of Geneva, able to achieve what the Savoy Bishops and Dukes had been unable to do, namely bypass the commune and its members by ignoring their rights and refusing to consult the *Conseil Général*, except in the matter of the election of the *Syndics*.

The ability of the *Conseil Général* to control the election of the *Syndics* was important since the four men elected were the executive arm of the commune and later the government of the city. It was one of the few important powers of control, however limited, over the government which the *Conseil Général* was able to retain through the coming centuries. However, when a *Syndic* died in office, the *Conseil Général* was never consulted about the appointment of a replacement.

2. The *Petit Conseil*

The *Petit Conseil* was responsible, together with the four *Syndics*, for the day-to-day running of the city, see diagram 3. Although not mentioned in Adhémar's edict, an act of 1364⁴⁴ shows that the *Petit Conseil* (or Ordinary Council, as some historians such as Amédée Roget have called it) was established, with certain clear attributes such as allowing new members to join the commune, carrying out the repairs to the city's walls and, importantly, the right to levy taxes, but only after approval had been given by the *Conseil Général*.⁴⁵ There is no clear indication as to how this Ordinary Council developed, but it was initially only consultative, an adjunct to the *Syndics*, and was elected by the *Conseil Général* at the same time as they were. By the end of the fourteenth century, it was the *Syndics* themselves who chose the members of the council, not the *Conseil Général*. The numbers of the Ordinary Council or *Petit Conseil* varied from 12 to 20,⁴⁶ sometimes reaching 30.⁴⁷ It was only in 1544 that the number was reduced and fixed forever at 25. The *Petit Conseil* also contained the two other elected officials the *Trésorier* (responsible for the finances and accounts of the commune) and the *Secrétaire* (responsible for keeping the records of all meetings of all the councils).⁴⁸

The ending of episcopal power in Geneva in 1535 gave a boost to the powers and position of the *Petit Conseil*. All administrative tasks still in the hands of the Bishop, the remaining legal powers both criminal and civil then passed to it. In fact, little was to be outside the competence of the *Petit Conseil*. Roget is moved to comment, justly, that one

⁴² 1. The ending of the original *combourgeoisie* with Fribourg, April 1519; 2. the acquiescence by the *Conseil Général* with regard to the acceptability of *Syndics* to the Duke, August 1519; 3. the *Conseil des Hallebardes*, December 1525.

⁴³ See Chapter I.

⁴⁴ Amédée Roget 'Le Petit Conseil', *op. cit.*, p. 8.

⁴⁵ *loc. cit.*

⁴⁶ Guichonnet, *op. cit.*, p. 115

⁴⁷ Amédée Roget, 'Le Petit Conseil', *op. cit.*, p.9.

⁴⁸ *Ibid.*, p. 3.

cannot help being:

'frappé de l'accumulation de besognes diverses concentrées entre les mains des personnes appelées à former le *Petit Conseil*.'⁴⁹

If the *Petit Conseil* had been an open body accessible to all this concentration of power might not necessarily have been dangerous. But the city was in the process of changing.

In Geneva in the fifteenth and early sixteenth centuries, the circle of rich, successful families had been far from closed. Any merchant or family or any recent immigrant who had obtained *Bourgeois*⁵⁰ status could with ease move into this upper echelon and therefore, into the *Petit Conseil*.⁵¹ By the end of the sixteenth century, the council was becoming far more restricted. In part this was due to the introduction of the Edicts of 1543 which led to the members of the *Petit Conseil* being chosen by the members of the *Deux Cents*. The reason for this was expressed in a meeting of the *Conseil Général* in 1537, where it was stated:

'que le Conseil des Deux Cents peut mieux connaître que 4 personnes les citoyens les plus propres.'⁵²

This apparently more broad-based system for choosing the members of the *Petit Conseil* was not what it looked. The *Deux Cents* being itself chosen by the *Petit Conseil*, it was actually a form of self-recruitment, each of the smaller councils electing the other from within their own ranks. Thus, both councils began the process of making themselves self-perpetuating bodies, difficult for anyone outside to join them. Members of the *Petit Conseil* were chosen from amongst those who sat in the *Deux Cents*, and their election to the council was for life.⁵³

In fact, the *Petit Conseil* was a static body changing its composition only on the death of a sitting councillor or the forced retirement of one who was too sick to continue. Many members of the *Petit Conseil* died in office. In such a situation, it would send two names to the *Deux Cents*, one of whom would subsequently be elected. It was only as a result of political crises such as those of 1540, 1555 or 1782⁵⁴ that there was any noticeable change in the composition of the councils. The families whose members sat in the *Petit Conseil* formed the oligarchy which dominated Geneva during the seventeenth century.

There were attempts by the *Petit Conseil*, working with the *Deux Cents*, to limit the number of candidates from which the *Conseil Général* could choose the *Syndics*, even though there were great objections to the practice. These objections to the constraint placed on the choice of men for election to be *Syndics* were well-founded. The creation of a pre-prepared list of eight names from which the commune could elect its leaders was to be merely the beginning of a process by which the commune's choice would be increasingly limited. The restriction to a list of eight prepared by the *Petit Conseil* was to be enshrined in the new constitution that the city received in 1543, a constitution which as already noted was greatly influenced by Calvin.

The powerful position that the *Petit Conseil* obtained in Geneva made it inevitable that at some point in the future there would be conflict between it and those who wished for some

⁴⁹ *Ibid.*, pp. 26-7.

⁵⁰ See p. 26-28.

⁵¹ Guichonnet also states that entry to the ruling élite of families was 'très ouvert'. *op. cit.*, p. 115

⁵² Amédée Roget 'Le Petit Conseil', *op. cit.*, p.4.

⁵³ See p. 32.

⁵⁴ See Chapters I and VIII.

restraint of its powers. The additional power that it was to acquire by the Edict of 1738, enabling it to ignore the complaints of the *Bourgeois*, added to the strains within the state. Neither was the existence of the other council, the *Deux Cents*, any restriction on the power of the *Petit Conseil*.

3. *The Deux Cents*

In the fifteenth century, an additional layer was added to the commune, with the creation of a second permanent council, initially called the Council of Fifty, introduced because of the increased workload of the government.

The creation of a Council of Fifty (1457) was an innovation. How far this was the result of the influence of Swiss cities such as Bern or Fribourg is impossible to tell. It raises the question whether the introduction of this additional council was possibly a move to transfer the sovereignty of the *Conseil Général* to a smaller, more restricted council like the Grand Council in Bern, or whether it was a realisation that it might be in the interests of the commune to have a council that could meet more regularly and easily than the *Conseil Général*. The latter had previously, on several occasions, elected a small number of its members to examine a particular question and act for the commune, always in the context of disagreement with the Bishop or the Duke. Such powers to act in the name of the commune were however strictly limited, never exceeding a year in duration and were carefully restricted by the inclusion of the instruction 'de ne rien aliéner'.⁵⁵

The Council of Fifty came into being at a time of intense political activity in the city and shortly after the Savoy family had gained the right to appoint the Bishops. Possibly the commune, aware of the danger it faced from the fact that it could no longer use the disagreements between the Bishop and Savoy to bolster its position, felt it needed a more stable body to guard its interests on a regular basis. It was acutely afraid of any move by the Savoy family to trespass upon and destroy the commune's rights and considered it wise to have some group appointed by the commune having a watching brief over such matters. Nor did such motivation exclude the consideration that the Fifty might take over some of the powers of the *Conseil Général*.

The Council of Fifty ceased to exist in 1491 in response to the concern of the Bishop at its existence. It reappeared in 1502, at a time when the Bishop was far less powerful. By 1527, the Council of Fifty lost its political preeminence and was superseded by a new, larger council called the *Deux Cents*. The Council of Fifty became the Council of Sixty, usually referred to as LX, and continued until 1792.⁵⁶ It was the council which dealt with diplomatic matters and its members were drawn from the *Petit conseil* and *Deux Cents* and sat for life. Consulted frequently in the sixteenth century, it gradually became less important.

The *Deux Cents*, a larger council was created, according to one historian, because: 'Il est probable que dans les moments difficiles par lesquels Genève passait alors, on voulut compromettre dans les décisions qu'on prenait tout ce que la ville pouvait compter de gens importants; c'est pour cela sans doute qu'on appelait tant de monde à l'oeuvre gouvernementale.'⁵⁷

The creation of this new council was assisted, according to Oechsli, by envoys from Bern and Fribourg, the new council therefore being modelled on those that existed already in

⁵⁵ Amédée Roget, 'Le Conseil général', *op.cit.*, p. 122.

⁵⁶ Fazy, *Les Constitutions*, *op. cit.* p. 37.

⁵⁷ Amédée Roget *Les Suisses et Genève*, *op. cit.*, Tome premier, p. 278. Roget is quoting from J. Fazy *Précis de l'histoire de Genève*.

those two cantons.⁵⁸ The new council consisted of approximately 200 members. Once elected, a member sat for life. Resignation was not encouraged, only being allowed where a councillor was bankrupt, or in very poor health. The expulsion of members from the *Deux Cents* was normally as a result of political matters, not inappropriate or corrupt behaviour, both of the latter being very rare in Geneva's history. The *Deux Cents*, unlike its predecessor the Council of Fifty, was not a council nominated by the *Conseil Général* but was nominated by the *Petit Conseil*. This was one of the first steps in the slow decline in the power of the *Conseil Général*, by allowing the *Petit Conseil* to choose the members of the *Deux Cents*, rather than as previously the *Conseil Général*. Unlike the case in many of the Swiss cities which possessed Great Councils, the *Deux Cents* in Geneva did not have sovereignty, sovereignty remained in the hands of the *Conseil Général*. At the same time, the members of the *Petit Conseil* were, in their turn, chosen by the members of the *Deux Cents*.

By the second half of the sixteenth century, the families who sat in the *Deux Cents* were creating an oligarchy, since the death of a father or near male relative sitting in that council usually led to the election of another male member of his family as his replacement. Importantly, however, the *Deux Cents* was not able to take control from the *Conseil Général* of the election of the *Syndics*.

4. The *Syndics*

The *Syndics* were the leaders of the commune, first mentioned in 1289,⁵⁹ they had, some time before 1364, acquired the right to try criminal cases.⁶⁰ To carry out their task, they were assisted by the members of the *Petit Conseil*, in which the four *Syndics* sat. The administration of justice was normally one of the most important components of seigneurial power and it was a considerable gain for the commune that the Bishops had handed part of the responsibility for it over to them, although it was:

'à côté de l'évêque et tout en demeurant subordonnés...'⁶¹

The *Syndics* had the right to arrest people at night in the city and hand them over to the Bishop's officials for punishment in the morning.

Before 1458, there would appear to have been no regular system of choosing of the new *Syndics* by the *Conseil Général*, the only limiting factor being that the *Syndics* had to be accepted by the people:

'que nul ne soit reçu qu'il n'ait esté approuvé du peuple.'⁶²

This phrase became deeply imprinted on the minds of the Genevans. Yet, after 1458, however, there were attempts by the *Petit Conseil*, together with the Council of Fifty, or the *Deux Cents*, jointly to recommend to the *Conseil Général* a list containing four names, sometimes eight, of those citizens they had chosen by vote to become *Syndics*. The *Conseil Général* in no way considered itself bound by this list and felt free to accept or reject all or some of the names put forward and to vote others not on the list to office. This was always accepted by the two smaller councils.

By 1518, restrictions were being placed on the *Syndics*. The *Conseil Général* decided

⁵⁸ Oechsli *op. cit.*, p. 135.

⁵⁹ Amédée Roget 'Les *Syndics*', *op. cit.*, p. 1.

⁶⁰ Guichonnet *op. cit.*, p. 100.

⁶¹ Roget, 'Les *Syndics*', *op. cit.*, p. 4.

⁶² *Ibid.*, p. 10.

that no man could be re-elected as a *Syndic* until three years after the end of his previous mandate, and there were restrictions on the money that the *Syndics* could spend without authorisation from the *Conseil Général*. The *Syndics* had been powerful in the fifteenth century, but the increase in the importance of the *Petit Conseil* in the sixteenth century served to weaken them.

In the Edicts of 1568, each of the *Syndics* was given a specific area of government to supervise. The first *Syndic* was the eldest and was guardian of the city's seal; the second was President of the *Chambre des Comptes* and was therefore responsible for the government's finances; the third was President of the Appeal Court and the fourth was the Administrator of the Hospital. Although the *Syndics* were paid for the office they held, it was never a great sum of money. By 1707, it had been fixed at 3,000 florins, with the first *Syndic* receiving 4,000 florins. They carried a baton as a sign of their office, and gradually during the sixteenth century they acquired special rights which increasingly separated them from the rest of the community, as in other oligarchical cities, whether it was in their clothing, their 'titles' or later in their right to wear elaborate wigs. With the development of such outward symbols of power, it was as well that the *Bourgeois*, constitutionally equal as members of the political class with the right to vote in the *Conseil Général*, had already developed a method enabling them to express their views to the government.

Political Processes

The political organisation of Geneva remained mostly unchanged until 1792. It was a strange hybrid, not a *Rechtsstaat*, defined as a system where:

'theoretically all the actions of the government ...[and] private individuals, were subject to precisely defined laws administered by qualified judges,'⁶³

because judges were neither qualified nor independent - all civil and criminal courts in Geneva were presided over and decided by the *Syndics*, who acted as both judge and jury, as in the case of Rousseau.⁶⁴ Appeals for clemency in criminal cases were heard by the *Deux Cents*. The same council was also the place of final appeal in civil legal matters, although clearly, by the seventeenth century the *Petit Conseil* was unhappy with this right.⁶⁵ Yet there was a constitution with clearly defined laws, which was applicable to all the people in the state, regardless of their position within it, as well as a mass of usages built up over a period of several centuries. Thus there was an inbuilt conflict between the diversity of law and custom necessary to a *société d'ordres* and the uniformity of a 'bourgeois' society.⁶⁶ Neither was Geneva a pure *société d'ordres*, except in the political field. Many of the regulations which were supposed to protect the *Bourgeois* and their privileged position within the state were remarkably flexible. The most glaring cases were to be seen in the eighteenth century with regard to the watch and jewellery trade, where there was considerable *Natif* entry. Indeed, there had been unrestricted entry into these guilds until the last quarter of the seventeenth century. Equally, the *Bourgeois* had great difficulty in accepting that the patriciate was anything more or less than *Bourgeois*. Nonetheless, the *Natifs* and *Habitants* paid higher taxes if they wished to act as mer-

⁶³ C.B.A. Behrens *Society, Government and the Enlightenment. The experience of eighteenth century France and Prussia*, New York: Harper & Row, 1985, p. 200.

⁶⁴ See Chapter VII.

⁶⁵ See Chapter III, pp. 61-63.

⁶⁶ *Ibid.*, p. 20.

chants, an additional tax on marriage and a higher rate on transfers of property, but in all other respects they were on the same legal footing as the rest of society. They could buy, sell and own property in the city; it was not a monopoly of the *Bourgeois*. The patriciate continued to trade, run their merchant banks and work, even when they had bought small estates outside the city. There was considerable mixing amongst most Genevans in their living arrangements, many were educated together, even at the Academy, if they were able enough. Freedom of speech was considerable, especially at the daily collection of water from the wells, where the company would be very mixed with *Habitants*, *Natifs* and *Bourgeois*, and there was equal freedom of speech in the *cercles*.⁶⁷ The willingness of the *Bourgeois* to make concessions to the *Natifs* in 1738, 1768, even to a section of them in 1770, and finally in 1781 throws further doubt on the city as a true *société d'ordres*. Indeed, the insistence upon the sovereignty of the *Conseil Général* (though it was non-elected) by the non-oligarchical *Bourgeois* implied that the government was an executive responsible to it which made Geneva unique for most of the eighteenth century.⁶⁸

1. *The right of Représentation*

Upon the withdrawal of the Duke of Savoy and his soldiers from the city, in late 1525, some members of the commune made public their discontent with what they had been forced to do in the *Conseil Général*. They decided to go as a group to the Town Hall and make a legal declaration of support for those opposed to the Duke. At the end of the year 1525 in Geneva, the members of the commune who disagreed with certain aspects of the government's policy had devised a method of expressing their beliefs directly to the *Syndics* and members of the *Petit Conseil* publicly at the seat of government in the city's town hall. The right of *Représentation*, as this type of action came to be known, whereby citizens (i.e. *Bourgeois*) could go together to the *Syndics* to make a statement, or demand government action concerning a particular matter, was to be of profound consequence.

The use of this device in the eighteenth century enabled those who had political rights to act together and to give cohesion to their demands and actions. By that period, the *Représentation* became the only way in which the citizens could express their disagreement and discontent over what the government was doing. By the eighteenth century, the number of citizens who went together to the town hall to make their peaceful representations was often 1,000 or more, compared to the 116 who went in 1525.⁶⁹ The disadvantages to the government of this procedure of citizens massing to voice their demands meant that throughout the eighteenth century serious attempts were to be made to curtail or, if possible, to abolish this right.

2. *The Church and the Pastors*

The Reformer and Pastor Jean Calvin had indeed played a considerable rôle in the development of the city in the sixteenth century. Calvin, deeply involved as he was in helping to create a new constitution was unable to ensure that the church remained free of the control of the politicians. However willing to accept the teaching and ideas of Calvin, Genevans were not prepared to see political control of the state limited by the pastors.

⁶⁷ See Chapter IV, p. 66, Chapter VI, p. 118ff.

⁶⁸ See Chapters IV, V, VII, VIII.

⁶⁹ Amédée Roget 'Ami Porral Le Patriote Eidguenot', *Etrennes Genevoises*, Genève: J. Carey, Imprimeur-Editeur, 1877 Vols. I+II, Tome I, p. 149.

Thus, although Calvin's Geneva was one of the closest to a theocratic state to exist at the time, it was the politicians who retained overall control, even in religious matters. The Church could examine and condemn, but it was left to the secular state to punish offenders or to ignore the recommendations of the pastors. The pastors were organised in a *Consistoire*, the ruling body of the church together with the Elders of the Church. The latter were laymen chosen by the two smaller councils, initially presided over by one of the *Syndics*. Basically, it was a collegial organisation, meeting once a week. When the presiding *Syndic* was replaced, a pastor was chosen to preside for a week (1580). He was, in theory, *primus inter pares*. After the death of Calvin, the eventual rotation of the leadership of the church weakened the pastors *vis-à-vis* the temporal power.

The threats to the faith of the city which were so clear well into the seventeenth century doubtless helped to reinforce the strength of most citizens' faith. Acceptance of the teaching was profound, and obedience to God and the Magistrates (i.e. the *Syndics*) was an integral part of that faith. In such circumstances, it was easy for the government and the two smaller councils to turn away from the origins of the community which was the city and to take more power into their hands as the trusted 'fathers' of the people, who had been elected at the annual meeting of the *Conseil Général*. The attempts made by Jacques Boutilier⁷⁰ to draw government's attention to what the *Bourgeois* thought of what was happening was successfully smothered by the politicians, while the church preached obedience from the pulpit. The last quarter of the sixteenth century saw the pastors working closely with the government, watching apparently benignly as the rights of the *Conseil Général* were ignored, except in the election of the *Syndics*.

Support by the pastors for the people

At the beginning of the seventeenth century, however, several pastors on a number of occasions spoke up for the people against the government. Their expulsion from their churches and from the city for their refusal to refrain from criticising those in positions of authority was perhaps not so surprising. In the seventeenth century some of the foremost pastors came from the most important families in the town, families such as the Tronchins and Turretinins.⁷¹ Even at the beginning of the eighteenth century, there were still some pastors who came from the leading families, the most well-known and important being Jean-Alphonse Turretini.

The very public divisions between the pastors over theological matters in the last thirty years of the seventeenth century may also have had some influence on their relationship with the people of the city. The pastors had, at the time of the Sarasin affair (1667), been trusted as a neutral element between the *Petit Conseil* on the one hand and the *Deux Cents* on the other, but this was because they were acting as a neutral body between what was, in effect, the ruling families of the state.⁷² Gradually, over the remainder of the century, they began to lean increasingly towards favouring the government position.

By the eighteenth century, the pastors supported the government over the Fatio case,⁷³ rather than support the aspirations of the *Bourgeois*. The ability of some of the lesser *Bourgeois* to become pastors meant as the eighteenth century progressed, the pastors were to become as divided as the former. This made attempts by the pastors to intervene

⁷⁰ See Chapter III, pp. 56-58.

⁷¹ See Appendix IV B I/1.

⁷² See Chapter III, pp. 60-61.

⁷³ See Chapter IV, p. 65 ff.

between the government and the *Bourgeois* increasingly difficult. Much of their efforts in the crisis of 1766-68 were carried out by individuals rather than the pastors attempting to act as a body. In 1782, they had to go to the assistance of two of their members, one attacked for being pro-government, the other for being anti-government. What emerges over the period covered by this study is of a gentle but steady decline in the moral authority and real neutrality of the pastors in Geneva, a trend which was accentuated, almost certainly, by the more liberal religious atmosphere which the eighteenth century engendered. Even Boswell was surprised at the Genevan clergy, who danced and played cards, even on a Sunday.⁷⁴ The pastors were the group in the city which reflected the complete range within the *Bourgeois*, drawing their members from the complete spectrum of the political class, making it inevitable that the political divisions within the city would also divide the pastors.

The Church in Geneva had been successful in one particular area - that of the theatre. The existence of the theatre in Geneva was forbidden in 1620. This ban remained in force except for short durations until 1782. As much else in Genevan life, the question of the theatre had become, by the eighteenth century, almost inextricably bound up with political matters. The permitted existence of a theatre in the city at times when the French were involved in attempting to solve Geneva's internal difficulties added to the problem, as support for a theatre became intertwined with support for France and French ideas, all of which were considered inimical to the *Bourgeois* cause.

3. Pamphlets, brochures and newspapers

The insistence that the people should be able to read the scriptures meant that by the eighteenth century most of those living in the city who had grown up there were able to read. Serious efforts were made to ensure that most children received some primary education, ensuring that they could read. A great number of pamphlets appeared in the last fifty years of the eighteenth century, but the creation of the first Genevan newspaper was in 1787, late in comparison with England, France and the United Provinces. Paradoxically, the *Journal de Genève*⁷⁵ appeared at a time of strict censorship, not in the freer period before 1782. Until 1792, the government of the city was still publicly burning those brochures and pamphlets it considered to be seditious, although, on the whole, such actions did little to stem the tide of pamphlets before July 1782, when severely enforced censorship was introduced. There has been no detailed study made of the many pamphlets which showered over the city in the last forty years of the eighteenth century, of which there are at least 6,000 waiting to be studied.⁷⁶ The government tried hard to control what was printed within the city, and it was most successful in the period 1782-1790.

Many of the pamphlets had to be bought, which may explain why it was often the case in the *cercles* of the both the *Bourgeois* and *Natifs* that meetings centred around the reading of a pamphlet followed by a discussion of its contents. Discussion was an important part of the *cercles*. Some pamphlets cost as much as 5-7 sols, making it relatively expensive, especially if several pamphlets were needed to keep abreast of the current arguments. Hence the strengthening of the oral tradition in the *Bourgeois* circles. Some pamphlets were also 40-50 pages long, requiring considerable time to read. The

⁷⁴ Pottle, *op. cit.*, Journal, Sunday 30 December 1764, p. 297.

⁷⁵ AEG Rivoire 2886, 4 août 1787, there were 400 subscriptions.

⁷⁶ Favez *op. cit.*, Capitani, 5, p.476. When looking at the pamphlets in the AEG, I certainly did not count them, or look at all of them. There is enough material for a life's work.

vast majority of these political tracts are closely argued and were often part of a long chain of responses to a previous pamphlet.⁷⁷ The seriousness with which the same ground is covered time and time again from the different points of view is very Genevan. The question of the sovereignty of the *Conseil Général* and whether the smaller councils had sovereignty was discussed time and time again, each writer referring to previous pamphlets, previous eras in Geneva and interpreting them to support his viewpoint. The contemporary country mentioned by all parties was England and the rights of Parliament, even as early as 1718, but otherwise there is the impression that Geneva existed in a strange limbo, untouched by the stirring events elsewhere. As one writer complained:

'l'on s'est vû inondés d'une foule de petites productions de ces redoutables Champions, qui n'ont crainte d'entrer en lice...'⁷⁸

During the period 1782-1789, there would seem to have been a number of samizdat-type works circulating. Often written on small pieces of paper (easier to secrete and smuggle out of the city?), they are satirical and quite different from the pamphlets above. All the pieces in this archive attack the government and those that support it, and the tenor is typified by what is claimed to be an extract from the register of the *Petit Conseil* of 6th July 1782, where the First *Syndic*, Baraban⁷⁹ says:

'...par le bonheur que j'ai de voir sous mon Syndicat une aussi brillante révolution...'⁸⁰

Whether the papers in this volume are the sum of this type of material to circulate is impossible to know.

The lack of specifically Genevan newspapers led to the import of papers such as the *Gazette de Leyde*, though there is surprisingly little reference to them in the pamphlets, one being in the second dialogue appended to *Lettre d'un solitaire*,⁸¹ where there is reference on p. 7 to what had been printed about Geneva in the *Gazettes* of Amsterdam and Paris. It is startling to see how self-absorbed the Genevans could be, with equally little mention of the conflict between the Americans and the British. Rumour and false information was common as instanced in a letter from Lady Stanhope to Lady Chatham concerning a tale circulating in Geneva about Lord Chatham and George III. The latter had escaped and gone to Hanover, while the former had been beheaded!⁸²

Geneva and the Swiss

Geneva throughout the period of this study was an independent state. At no time was the city part of the Swiss nation. Although allied to Bern and Zürich for most of the post-Calvin period, Geneva was unable to join the Swiss because of the religious divide within the Confederation. Attempts, in the eighteenth century, to be associated with Swiss

⁷⁷ AEG Rivoire 2024 'Seconde réponse aux deuxième, troisième et quatrième Lettre d'un représentant qui cesse de paroître modéré', Genève le 18 décembre 1780.

⁷⁸ AEG A67/1 bis Collection Janot Vol. 10, 26 Lettre d'un Citoyen à un de ses Amis, 1781, p.3.

⁷⁹ André-Jacques Baraban, *Syndic* 1774, 1778, 1782, 1786.

⁸⁰ BPU Ms. fr. 2480 Papiers De Luc, *Ecrits satiriques* 1782-1789, 32.

⁸¹ AEG, MS. hist. 268, 7, pp.7-9.

⁸² Kent County Archives, Maidstone (hereafter KCA, Maidstone), Stanhope Manuscripts U1590 S/5 C11 1, *Letters of Grisel, Countess Stanhope to Countess Chatham*, Geneva, 5th. March 1770.

neutrality were more successful. Geneva had obtained its independence from Savoy at a much later date than the Swiss achieved their independence from Austria and had not experienced the successes that Swiss arms had enjoyed in the fifteenth and sixteenth centuries. Thus the city had no military tradition, except in her town militia, and memories of the struggle for independence were fresher and more compelling. The achievement of independence shortly before the arrival of Calvin and the creation of an independent, Calvinist Geneva gave the city a distinct identity and passionate belief in itself which might well have made it difficult for it to become Swiss. The differences between Geneva and the Swiss were further accentuated by the incorporation and continued use, however attenuated, of the *Conseil Général*, the medieval gathering of the commune, which had died in cantons such as Bern, although it still continued in cantons such as Appenzell, Uri and Schwyz. The smallness of the state, the lack of military service overseas, together with the late introduction of the guilds and their weakness, added to the strictness of life in the Calvinist state, all these factors may well have played a rôle in the *Bourgeois* concern over their rights, which was one of their sole distractions. It was the long, determined refusal of the *Bourgeois* in Geneva to allow the loss of their rights to go unchallenged which also separated them from many of their Swiss allies and friends.

Geneva was an urban society which, unlike Venice, Bern or Zürich, had very little countryside. Geneva was also unlike Amsterdam in that it was a small isolated city-state and not part of the Swiss confederation. Amsterdam was a wealthy city in Holland, one of the seven provinces of the United Provinces, paying 25% of the taxes of the whole nation. Such economic power gave the city a powerful voice in the United Provinces.⁸³ In comparison, Geneva was a minuscule urban city-state of religious importance in the second half of the sixteenth century.

The pre-1543 development of the early commune with the creation of the *Petit Conseil* and the *Deux Cents* unwittingly laid the foundations of a system on which oligarchy could flourish. The Edicts of 1543 saw an amalgamation of the rights of the medieval commune with Calvin's ideas of governance giving further impetus to and strengthening of oligarchy. The *Conseil Général*, the centrepiece of the old commune continued post-1543 to be of prime importance to the *Bourgeois*, the political class of which the oligarchy were but a small minority. The dichotomy between the rights of the *Conseil Général* and the smaller councils, where the oligarchy alone held power, were soon to cause political disagreements within the state.

⁸³ Peter Burke *Venice and Amsterdam A Study of Seventeenth Century Elites*, London: Temple Smith, 1974, p. 42.

Chapter III

Geneva after Calvin and the Emergence of Opposition 1564-1700

Calvin's rule had consolidated a new system of government. Over the next 150 years the structure of the state was to remain largely unchanged. However, there was no stasis as new factors within the state emerged especially in politics and international politics. The influence of the pastors began to decline after the death of Calvin. Secondly, the demands of the city's international position, increasingly exposed it to French influence and forced it into new measures. Thirdly, the arrival of considerable numbers of refugees placed considerable strains upon the city. The emergence of political discontent over the sovereignty of the *Conseil Général* was the constant backdrop to whatever else happened within the city. The strengthening of the position of the *Petit Conseil* at the expense of the *Conseil Général* served both to strengthen the criticism of the new order and to divide the oligarchy. All this was to pave the way for the eighteenth century confrontation.

During the same period, the inability of Savoy to reincorporate Geneva into its lands saw it gradually becoming less of a danger. This was balanced by the mounting influence of France, a European military power with extensive lands adjacent to the city and particularly after the establishment of a French Resident in the city. The arrival of refugees in Geneva after the Revocation of the Edict of Nantes (1685) caused social problems within the city, but also tensions between Geneva and France, the latter desirous to prevent the large-scale settlement of Huguenots on the frontier of France. Fear of French power heightened because of the apparent weakness of Bern and Zürich *vis-à-vis* France.

Criticism of the government emerged shortly after Calvin's death emphasising the awareness of some of the *Bourgeois* that there needed to be reforms to the system to act as a curb on the emerging oligarchy. Initially, criticism came from the pastors as protectors of the people; but as the period of the chapter progressed the church was, to a certain extent, 'captured' by the oligarchy, with many pastors coming from the ruling families. The sovereignty of the *Conseil Général* was seen as the medium for achieving reform, and the actions of Boutillier, Combe and Gallatin over this period made it clear the question of sovereignty was not going to fade away and that politically the *Bourgeois* were not in the state of stagnation and apathy that the oligarchy had hoped. The attempt to override the constitution by the government in attempting to silence the *Deux Cents* over a legal matter led to a serious confrontation within the state. Thus, although the difficulties and dangers of the seventeenth century were to make changes difficult, the various demands for change which were made were, nonetheless, to prepare the ground for all subsequent suggestions for change in the eighteenth century.

The Pastors and Guilds

The pastors were a source of considerable annoyance to the Magistrates and the members of the *Petit Conseil* on numerous occasions in the second half of the sixteenth and early seventeenth century. The pastors intervened where they believed Calvin's teaching was being ignored. When called to account for their actions in front of the *Petit conseil*, the pastors then took refuge behind the confidentiality that existed between a

pastor and the individual members of his flock, and refused to elaborate.¹

Although the two smaller councils were gradually able to ensure that the *Conseil Général* became an easily manipulable tool used only for the election of the *Syndics*, they found much greater difficulties in coping with the *Compagnie* and its members. Théodore Bèze was chosen to succeed Calvin as the senior pastor or Moderator of the church in Geneva, in addition to the Chair he held at the Academy. Bèze, unhappy at the responsibility and work-load and concerned about a possible cult of personality, repeatedly asked the *Petit Conseil* to allow him to retire as Moderator (1573, 1576, 1577 and 1578). This was finally permitted in 1580.² The subsequent introduction of a weekly rotation of Moderator was from the government's viewpoint ideal, making it unlikely that any strong leader would emerge.

There was continuing conflict between the pastors and the government over interest to be paid on loans. The government, as always, was short of cash, especially to repay loans to Basle and Bern. Some merchants in 1580 suggested the establishment of a bank in Geneva, but this was blocked by the Consistory. The pastors feared that a bank would bring riches to the town which would corrupt the morals of the people and weaken their faith.

Extensive discussions between the *Petit Conseil* and the pastors attempted to distinguish between personal loans and commercial credit. The former were deemed to be blameworthy while the latter were accepted as necessary for trade. The official rate of interest in the city was fixed at 8.3% in 1572.³ The government, however, attempted, after 1568, to create loans at 10% over three months via the public exchange. The pastors were able to carry their point, and the state's rate was made the same as the officially agreed rate. Ami Varro,⁴ a magistrate lending at rates between 10-15%, was convicted and forced to pay a heavy fine, for as the pastors said: 'Quand la tête est malade, qu'en sera-t-il du reste?'⁵

The church also took to task those it claimed were buying grain at low prices and holding it until prices were high, thus forcing up the cost of bread. The pulpit was being turned into a quasi-political force, with the pastors taking the part of the people and trying to force the government and its members to follow the highest standards of public service. Such actions by the pastors were increasingly necessary as the century wore on because of the lack of any medium for the people in the city to express their views. The *Conseil Général* was not allowed to discuss such matters meeting after 1584, only to elect the *Syndics*.

The pastors in the city were more closely in touch with the people than were the councillors. They were aware that the people continued to murmur against some of the practices of the government. In October 1626, a Remonstrance⁶ was sent to the *Petit Conseil* by the clergy on behalf of the people complaining that places in the government had been passing to certain families which had more relatives than others, thus excluding people of both ability and virtue. The same arguments were to be repeated in 1737. It was

¹ See Appendix IV B III/1.

² Guichonnet, *op. cit.*, p. 153.

³ *Ibid.*, p. 155.

⁴ See Appendix IV B III/2.

⁵ P.E. Martin, *op. cit.*, 3ème partie, Jaques Courvoisier, Ch. III, p. 271.

⁶ This was a formal complaint on the part of the pastors to the government.

suggested that, when elections took place in the two councils, it would be better if the relatives of the candidates were not permitted to vote. After several discussions the Remonstrance was rejected, the *Petit Conseil* declaring that:

'[il voulait] s'en tenir à l'édit et fuir toute nouveauté.'⁷

This constantly-repeated theme was to the fore in the religious celebrations of the century of Reformation in Geneva, which were held in 1635. In a small work printed to celebrate the anniversary, Jacob Laurent actually included the following:

'il est d'un bon citoyen de ne pas demander de changements dans l'Etat.'⁸

The necessity to repeat and repeat the government's desire to adhere completely to the Edicts as they were given must raise doubt as to how many others in Geneva held the view that some changes were desirable.

Between 1564 and 1591, the sumptuary laws were revised eight times. By 1642, a separate body to deal with such matters was created. The *Chambre de la Réforme* consisted of a *Syndic*, two councillors, an *auditeur* (a junior official), the *Procureur-Général* and a member of the LX. An ordinance of 1621 had already divided the people in the republic into those of 'quality', those of 'middling condition' and those of 'low' condition. The criteria on which the divisions were made were unclear, although members of the councils were in the first category, the *Bourgeois* were in the second, together with the artisans and *Habitants*, while the lowest category were the labourers and domestic servants.⁹ Geneva was not unique in having such regulations, but the seriousness with which they were imposed was unusual. The attempt to placate God and banish the obvious manifestations of sin did little, however, to save the city from plague.

The plague struck Geneva in 1565 and then again from 1573 to 1578, when it never left the city, returning in force each summer. Plague returned in 1615, 1629-1631 and in 1636-40.¹⁰ Alfred Perrenoud states that in 1615 the plague began a period of decline in Geneva, which continued until 1645:

'Onze années de peste, des disettes répétées interrompent le commerce, ralentissent la production et entraînent un dépeuplement important.la population a atteint son plus bas niveau, 12,3000 habitants, entre 1640 et 1645.'¹¹

The recurrence of the plague, beyond the understanding of contemporaries, led to an element of fatalism in many. For the pastors, it was the punishment of God on the people of Geneva because of their wickedness.¹²

There was economic decline throughout Europe, where countries like France increased Customs duties and limited the sale of wool and linen fibre. This had serious repercussions on the wool and worsted (serge) trades, in Geneva and Zürich. In Geneva, the successful *Grande Boutique*, founded in 1593 had ceased production in 1627. Even the linen trade of St. Gallen encountered difficulties during the period 1620-1650. Neither was Geneva able to benefit from the Domestic system (Verlag System) because she had no agricultural hinterland, the lands of Savoy, France and Bern which surrounded Geneva, were all

⁷ P. E. Martin, *op. cit.*, 3ème partie, Gustave Vaucher, Ch. VI, p.342.

⁸ *Ibid.*, p.349.

⁹ *Ibid.*, p.347.

¹⁰ Guichonnet, *op. cit.*, pp. 202-3.

¹¹ Piuz, Mottu-Weber (Eds.), *op. cit.*, 2ème. partie, Chap. III (Alfred Perrenoud) La Population, p. 47.

¹² The *Consistoire* complained to the *Deux Cents* about the reprieve of a woman convicted of double adultery in 1637, just as they had similarly reprieved an adulteress in 1615. In both cases, such clemency had been followed by visitations of the plague.

protectionist. Nor could the city benefit from mercenary service, the selling of soldiers to foreign rulers as Lucerne and Schweitz.¹³

Simultaneously, the pastors were involved in maintaining the strictness of Calvinism in the face of the Lutherans. Two Genevan pastors, Jean Diodati and Théodore Tronchin,¹⁴ attended the Synod at Dordrecht during 1618. The Synod's declaration condemned those who rejected the Calvinist teaching on predestination as heretics and established punishments for those guilty of heresy. One result was the prohibition of the theatre in 1620, as well as severe restrictions on any intellectual criticism.¹⁵ But, by the 1660s, there was a gradual lessening of this rigid orthodoxy. This led the Swiss Protestant cantons to agree the *Formula Consensus Ecclesiarum Helveticarum Reformatarum* in 1672,¹⁶ dealing with the dogma of original sin, of election (predestination) and of eternal punishment.

The introduction of the Formula was not universally welcomed in Geneva and was only enforced in 1679 after considerable debate in the *Consistoire*. The *Formula* had been the orthodox reaction to the increasingly rationalist approach to faith, associated especially with the Protestant school for pastors at Saumur, France, and brought into Switzerland by Huguenot refugees. Liberal elements, supported by some French pastors, resisted the imposition of such a rigid statement of faith. Though less strict than the Declaration of Dordrecht, it was sufficiently orthodox to cause some to leave Geneva rather than accept its principles, speaking of:

'L'inquisition de la foi [qui] fleurit tellement à Genève, que l'on considère comme hérétique ...celui qui, lors d'entretiens privés en présence d'un seul témoin, affirme qu'une plus grande modération serait souhaitable dans la fixation des règles [théologiques].'¹⁷

All those studying theology with the aim of becoming pastors had to sign the new document. Bishop Burnet¹⁸ was unhappy with the severity of the *Formula*

'but they would needs ... enter into people's consciences ... impose a test upon them, [applicants to train as pastors] which perhaps some have signed not without strugglings in their conscience.'¹⁹

The Bishop, gives an interesting insight into the strictness of Geneva's religious leaders, as well as their limitations, when he adds:

'Yet some that set on this test, or consent, are men of such extraordinary worth, that I am confident they have acted in this manner out of a sincere zeal for that which they believe to be the truth; *Only I wish they had larger and freer souls.*²⁰

Geneva abandoned the application of the *Formula consensus helvetica* in 1706. In part, due to the influence of Jean-Robert Chouet, who, as Professor of Philosophy, introduced

¹³ Bergier, 'Histoire économique', *op. cit.*, pp. 139-143.

¹⁴ See Appendix IV B III/3.

¹⁵ Favez, *op. cit.*, Martin Kömer, 4, 'Reformes, ruptures, croissances (1515-1648)', p. 390.

¹⁶ Maria-Cristina Pitassi *L'orthodoxie aux Lumières Genève 1670-1737*, Genève: Editions Labor et Fidis, 1992, p. 17.

¹⁷ *Ibid.*, p. 20 Taken from a letter written by Jean Le Clerc 1657-1736 who had left Geneva in 1683 to live in Holland rather than sign the *Formula Consensus*.

¹⁸ See Appendix IV B III/4.

¹⁹ Bishop Gilbert Burnet *Travels*, Edinburgh Sands: Murray & Cochran for Thomas Glas, Bookseller in Dundee, MDCCCII, p. 49 (Letter from Zürich).

²⁰ *Ibid.*, my emphasis.

Cartesian philosophy into the Academy,²¹ with the separation of reason and faith, and Jean-Alphonse Turretini, Professor of Theology to accomplish for theology what Chouet accomplished for philosophy.²²

In some ways the seventeenth century was a rehearsal for the eighteenth in the city, since disagreements concerning theology amongst the pastors were not kept private. Pierre Bayle witnessed this when, in Geneva as a student, he noted:

'... les disputes de la Grace Universelle ont étrangement partagé les esprits. La division commença par les Professeurs....Des Professeurs elle passa dans les autres Ministres. De ceux-ci elle se répandit dans toutes les maisons de Genève, chacun se rangeant à l'opinion d'un tel Ministre, son parent ou son ami. Cela alla si avant que jusques aux gens de métier se demandoient s'ils étoient pour la Grace Universelle ou pour la particulière. De-là naquirent cent factions et cent cabales,...'²³

This extract gives a fascinating insight into everyday Geneva at the time. The idea that the artisans ('les gens de métier') were busy discussing the question of God's Grace is an interesting prelude to the intensity of their political discussions which were taking place within forty years and were noted by Vallette in his book.²⁴

Unfortunately, at this juncture, the death of the French Resident, a Genevan citizen representing France in Geneva led France to insist upon the appointment of a Frenchman, and catholic to the post. Thus Mass would be said within the city, for the first time in one hundred and forty-four years. A similar problem in 1574, concerning the dispatch of troops for the Genevan garrison from Fribourg and Soleure had faltered on the difficulty of what to do concerning the need for the soldiers to say Mass. In 1574, though desperate for additional soldiers, it had been impossible for Geneva to accept Catholic troops,²⁵ the *Compagnie* objected strongly to Mass being said in Geneva.

By November 1679, Laurent de Chauvigny, the French Resident had presented his credentials to the *Petit Conseil* and mass was being said in his chapel, Geneva having accepted the appointment of a Frenchman as the French Resident, with the result:

'ces Pères [deux Jésuites] n'étaient point absolument étrangers à Genève ... [ils] pourraient y habiter et s'y montrer publiquement sous la qualité d'aumôniers du Résident de France.'²⁶

The unwillingness of the *Compagnie* to protest concerning the public saying of mass in the city reflected the division that existed within that body at this precise moment over the *Formula consensus helvetica*. It also reflected of the fact that during the seventeenth century, it had become common for some of the sons of the patriciate to join the church:

'l'admission de Genevois de vieille souche dans la Compagnie des Pasteurs, institution totalement française du vivant de Calvin.'²⁷

²¹ See Appendix IV B III/5.

²² See Appendix IV B III/6.

²³ Pitassi, *op. cit.*, p. 16. A letter written during September 1671.

²⁴ See Chapter IV, p. 66.

²⁵ P.E. Martin, *op. cit.*, 3ème partie, Jaques Courvoisier, Ch. III, p. 262.

²⁶ Extract from book written by Pierre-Jean Grosley 1718-1785, from Troyes, cited in J-D. Candaux *Voyageurs européens à la découverte de Genève*, Genève: Imprimeries populaires Art graphique à Genève, 1966, p. 68. He is referring to the year 1758.

²⁷ Guichonnet, *op. cit.*, p. 182.

Their attitudes were, on the whole, those of their background and began a process whereby they ceased to be the spokesmen of the people in its dealings with the government but moved into a position of trying to use their religious authority to bolster the government. By the eighteenth century, to add to their difficulties, the pastors were to be as divided as the rest of the people of Geneva.

The inability of the government to do anything other than accept a French Resident also manifested publicly its weakness *vis-à-vis* the French. The city, with Savoy still a lingering menace, could not afford to offend Louis XIV and French military power. Nonetheless, there were a number of minor riots in Geneva, so that the government ordered that the gates of the city should remain closed on Sunday until after midday. In this way the influx of Catholics from outside the city was prevented from attending mass within Geneva's walls.²⁸ A coexistent tension for the *Bourgeois* was government action over the guilds.

It was only post-Reform that Geneva developed a guild structure, when the new political structure of the state was established. This may explain the unusual position of these guilds or corporations in the city. In Flanders, the Dutch towns like Antwerp, many of the Imperial cities, Germany and England the guilds had extensive political rights and took an active part in political and municipal life. Sometimes the guilds worked as a kind of electoral college which chose from amongst its members those who would be able to exercise municipal rights and from whose members councils, aldermen and *bourgemaitres* were elected.²⁹ There is nothing similar in Geneva. The guild regulations were as strict as anywhere, but ultimately, it was the *Petit Conseil* which controlled the guilds with members of the *Petit Conseil* sitting in the guild councils. The most telling examples are found in the late seventeenth and eighteenth centuries, when the *Petit Conseil* would admit to the guilds as apprentices or artisans those specifically excluded by the guild regulations frequently against the advice of the guild itself. This was especially the case after the watchmakers' guild excluded all but the *Bourgeois* from joining it (1673). From that moment:

'Le Conseil, dès lors, a sans cesse à statuer sur les requêtes de natifs, d'habitants ou d'étrangers, qui veulent s'occuper d'horlogerie...'³⁰

In Geneva, unlike Zürich or Basle, it was the government which controlled the guilds, not the guilds which provided the members of the government. *In Geneva, there was to be no competition for the government from the guilds, by encouraging guilds but bringing them under its overall control, the government saw them as 'un instrument de contrôle social'.*³¹ Thus the energies of the *Bourgeois* came to be increasingly focused on their sole 'political' outlet, the *Conseil Général*.

Geneva and International Relations

The Duke of Savoy, restored to his lands in Savoy by the Treaty of Cateau-Cambrésis (1559), was determined to take Geneva under his control. In the hope of finding safety

²⁸ P.E. Martin, *op. cit.*, 3ème partie, Bernard Gagnebin, Ch. VII, pp. 379-380.

²⁹ Babel, 'Genève a-t-elle été au Moyen Age une ville jurée?', *op. cit.*, p. 415.

³⁰ Antony Babel *Histoire corporative de l'horlogerie, de l'orfèvrerie et des industries annexes*, Genève: A. Jullien & Georg & Co., (Mémoires et documents publiés par la société d'histoire et d'archéologie de Genève), 1916, Tome XXXIII Deuxième série - Tome Treizième, pp. 187-188, quoting cases of Isaac Dufour, Gilbert Renaud both refugees and a *Natif* in 1705 De la Planche.

³¹ David S. Landes *L'heure qu'il est. Les horloges, la mesure du temps et la formation du monde moderne*, Paris: Gallimard, 1987 - (Translated by Pierre-Emmanuel Dauzet & Louis Evrard), p. 302.

from Savoy and the power of the Counter-Revolution, Geneva tried three times to join the Swiss Confederation (1572, 1573 and 1584). The renewal of her treaty with Bern in 1584 (August) and its extension to include Zürich did little to boost Geneva's confidence.³² The city could not become part of Switzerland because of the treaties that the Catholic cantons, which formed the Borromeo League in 1586, had signed with Spain in 1587,³³ in addition to the treaties that they had already signed with Savoy in 1577 and in 1581. In these treaties with Savoy the cantons promised to prevent any alliance between the evangelical Confederates and Geneva, although this breached existing federal law.³⁴ The Catholic cantons had also agreed with Savoy not to recognise Bern's possession of the *Pays de Vaud*.

In desperation, Geneva looked for help. The only possibility seemed to be, paradoxically, in turning to France. The latter had the virtue of being an enemy of Savoy. It was clearly not in French interests to allow Geneva to fall into Savoy's hands. Bern had already signed, on 8th. May 1579, the Solothurn Treaty with France and Solothurn.³⁵ The moderate policies which were at that time being followed by Henri III of France enabled the negotiation and the signing of this treaty, whose main aim was to protect Geneva from Savoy.

Following this lead, in April 1589, Geneva signed a treaty with France³⁶ which, apart from seeking greater protection, also promised Geneva territorial gains which would end her encirclement by Savoy. The city, by careful manoeuvring, managed to overcome the military difficulties of the situation that faced it in the second half of the sixteenth century, but at considerable cost. From this point onwards, Geneva had constantly to look over her shoulder, at the attitude of the French with regard to any attempt by the city to extend its allies. In order to survive the threat from Savoy and to counter the weakness of both Bern and Zürich, tied as they were into the increasing weakness of the Confederation due to its religious divisions, Geneva turned to France, the country which would eventually destroy its independence.

In 1586, a complete blockade of the city by Savoy, raised the question of whether, for the Calvinists, there could be any theological justification for going to war. Twice in this period (1582 and 1588), the government asked the opinion of the Church. It responded with a document in 1588, written by Bèze and Lect,³⁷ arguing that a defensive war was acceptable. Therefore on 2nd. April 1589, the *Deux Cents* ordered a defensive war against Savoy. This momentous decision was in contravention of the Edicts, it was the right of the sovereign body to declare war and peace but, of course, there had been no meetings of the *Conseil Général*, other than to annually elect the *Syndics*, since 1584.

France and the Swiss occupied the Gex region as well as Chablais and Faucigny.³⁸ The land Geneva was promised by France, the *Pays de Gex*, would have given the city territorial security and improved food supplies, especially grain. France, however, once the territory had been taken, quickly withdrew from the area. Bern also abandoned Geneva in

³² *Ibid.*, p. 396.

³³ William Martin, *op. cit.*, p. 97.

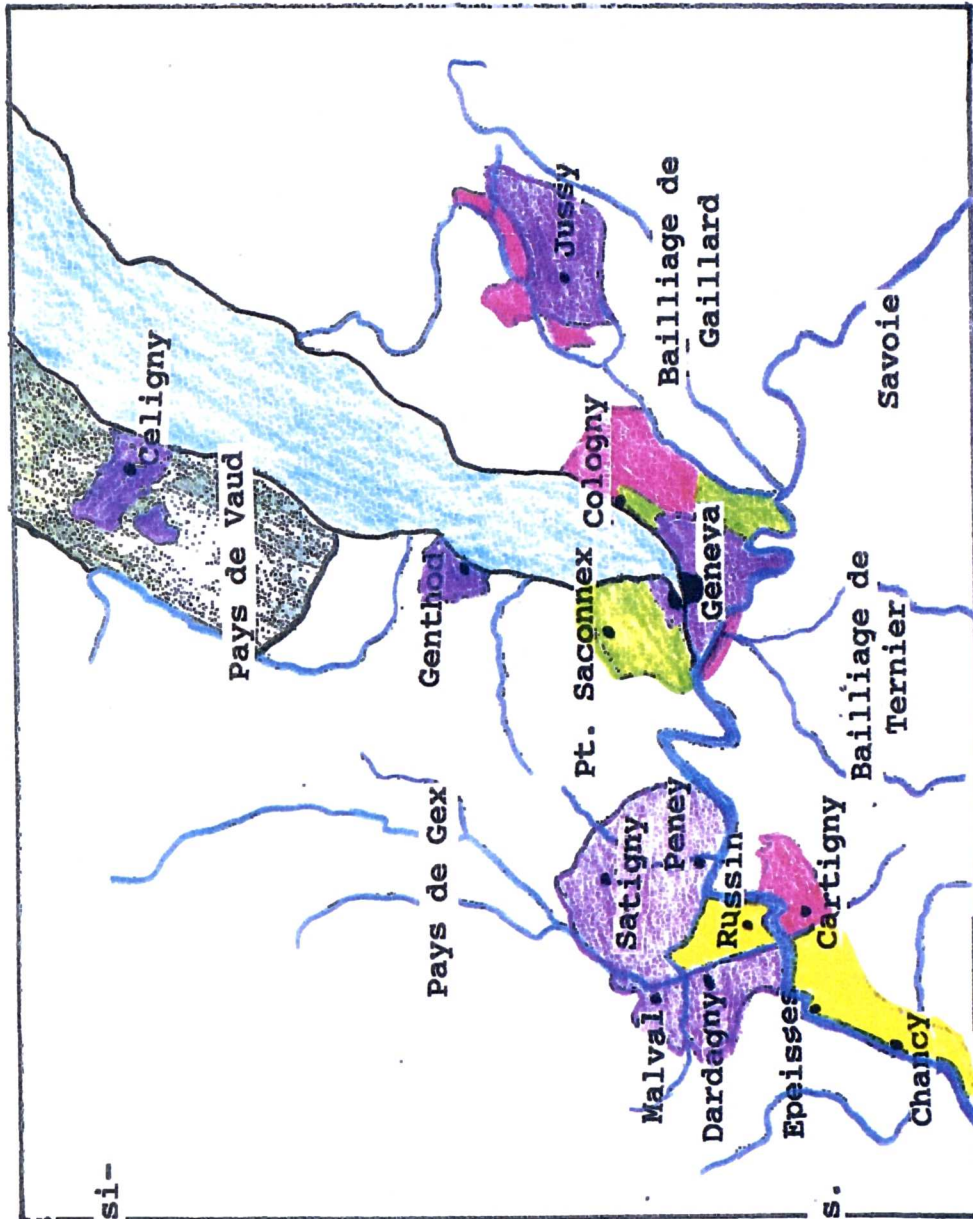
³⁴ *Ibid.*





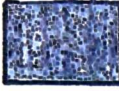
³⁵ Favet, *op. cit.*, Martin Körner, 4, p.405.

³⁶ William Martin, *op. cit.*, p. 97.

³⁷ Jacques Lect, Professor of Law at the Academy.

³⁸ See Map 3, p. 48a.



-  Anciennes Franchises et mandements épiscopaux, avec acquisition de 1445.
-  Elargissement des Franchises en 1536 (accord avec Berne).
-  Acquisition de la France au Traité de Paris, 1749.
-  Acquisition de la Sardaigne au Traité de Turin, 1754.
-  Possessions bernoises.

L'Evolution territoriale du Moyen Age au XVIIIe siècle
 (D'après P.F. Geisendorf) Guichonnet, op. cit, p. 237.

October and signed a treaty with Savoy.³⁹ Ultimately, Geneva found herself fighting the war alone for three years. Hostilities calmed in 1592, and in 1594 a precarious truce was agreed, renewable every three months.

It was a time of great difficulty for the city, which was constantly short of cash, forced to resort to copper coinage and to levying additional taxes on both wheat and wine.⁴⁰ Geneva was to lose the *Pays de Gex* as a result of the Treaty of Vervins, which, as far as Geneva and Savoy were concerned, effectively re-established the situation as it had been in 1559 at the Treaty of Cateau-Cambrésis.

Geneva had until 1562 been closely associated with the French Huguenots. The city had done its best to answer the call for pastors for the many new churches in France, creating the Academy to train them. The outbreak of the religious wars in France added to the discomfort and dangers for Geneva. The same wars were also to bring considerable long-term benefits to the city. The influx of Huguenots introduced watchmaking into Geneva as well as boosting textiles in the city, while the arrival of a number of printers and booksellers fostered the book trade in the city.⁴¹

The Edict of Nantes, 1598, was negotiated and agreed while France and Spain were negotiating the Treaty of Vervins.⁴² The Edict marginalised the Huguenots, and created numerous problems of interpretation because of its ambiguous text. The Huguenots had been allowed a meagre existence. If that were the compromise offered by a King who claimed to have sympathy for his Protestant citizens, what could Geneva expect from the Catholics surrounding her?

The greater danger - Savoy or France?

Catholic Savoy ensured that the seventeenth century began dramatically for the city. The Savoyards, determined to retake Geneva, came dangerously close to succeeding on the night of 12th. December 1602, when some of their men managed to climb over the walls of the city in an attempt to take and then open the gates to their army. The Treaty of St. Julien, which ended the war with Savoy, did little to restore confidence in Geneva with regard to Savoy's intentions.⁴³

The danger to Geneva lay in a coming-together of France and Savoy. The signing of the Treaty of Suze, which ended the war between France and Savoy, meant that, by 1629, both countries were in consultation concerning the 'problem' of Geneva.⁴⁴ France needed Savoy to attempt to counter the power of Spain in Italy. Plans to conquer the city and divide it between them came to nothing, because Savoy wanted to reconquer the *Pays de Vaud*, which had been lost to Bern in 1564 by the Peace of Lausanne. France, aware that the strength of its armies depended on existing treaties with the Swiss cantons, including

³⁹ Accord of Nyon, 1st. October 1589. Guichonnet, *op. cit.*, p. 162.

⁴⁰ P. E. Martin *op.cit.*, 3ème partie, Jaques Courvoisier, Ch. III, p.276.

⁴¹ Kamen, *op. cit.*, p. 88.

⁴² Peace of Vervins 1598 between Spain and France. Thomas Munck *Seventeenth Century Europe State, Conflict and the Social Order in Europe 1598-1700*, London: Macmillan, 1990, Reprinted 1991, p. xxvii.

⁴³ The Treaty of Saint Julien, 1603, confirmed the existence of Geneva as a free city, theoretically within the Holy Roman Empire, but in reality fully independent.

⁴⁴ Treaties of Cherasco, 8th. February 1631; the first created an offensive alliance between the two countries, the second concerned the position of the fortress town of Pignerol.

Bern, was unwilling to find itself at war with Bern and other Swiss cantons over Savoyard desires concerning the *Pays de Vaud*, especially as France needed the support of the Swiss to resist the progress of the Swedish army in the Grisons.⁴⁵

The Genevans, aware of the precariousness of their position, attempted once again to join the Swiss Confederation. The whole question of enlarging the Confederation had become a complex matter of having to maintain the balance between the religious protagonists, or at the least not to upset the existing balance within the Diet. It was hoped, in 1641, that Geneva could join at the same time as the Imperial city of Constance. France formally opposed this attempt and encouraged the Catholic cantons to vote against the suggestion in the Diet. The Genevans had omitted to inform the French Ambassador to the Swiss Confederation of their intention to seek this 'alliance'. For France this omission was in contravention of the terms of the Treaty of Soleure, with which Geneva was associated. Hence the French reaction that the approach to the Swiss Confederation had been made: 'à l'insu de Sa Majesté et contre son service.'⁴⁶

It was a convenient excuse that the French were able to use to keep Geneva isolated and therefore more amenable to French control than would have been the case if the city had joined the Swiss.

The French veto was the first instance of what was to prove more than a century of French manipulation and interference in Genevan affairs. The continual care that France took to keep Geneva within her sphere of influence and control was to create an interesting paradox, after 1685, when the Revocation of the Edict of Nantes and the serious attempt by Louis XIV to eradicate Protestantism in his French domains was to be counter-balanced by the French preservation of Geneva, at a time of considerable French expansion in areas close to and religiously close to Geneva such as Franche-Comté or Strasbourg. The seizure by the French of Franche-Comté from Spain had brought French territory much closer to Geneva,⁴⁷ and the fact that the Swiss had not gone to the aid of Franche-Comté, even though they were allied to the area, cannot have increased Geneva's feeling of security.⁴⁸

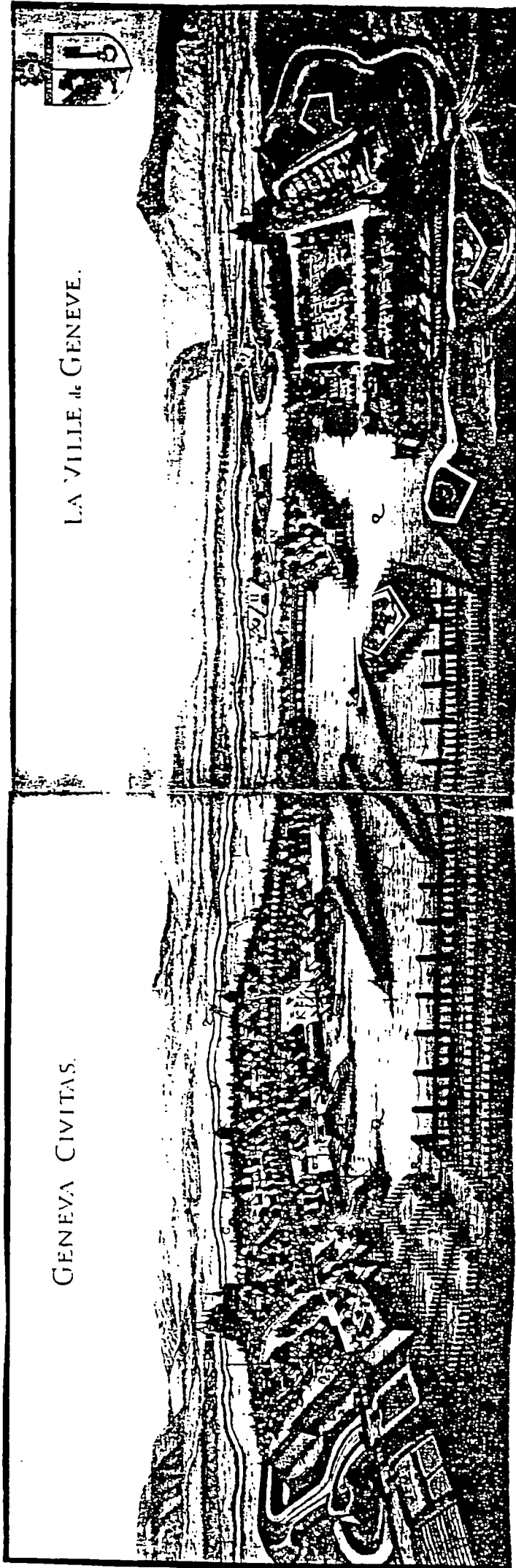
This was especially true after the military occupation of Strasbourg by Louis in September 1681, an event that went far in encouraging the belief amongst some in Geneva that the city must do nothing whatever to upset the French King if it wished to retain its independence and its faith. The refusal of Bern and Zürich to resist Louis' incorporation of Strasbourg, their ally, into France heightened Geneva's fears since they were also Geneva's allies. There emerged in the city a faction within the government and especially the *Petit Conseil* which argued that Geneva's continued existence had to be based on not upsetting the French. Such attitudes were further strengthened in 1684 by the French attack on Genoa. Although neutral and not involved in war with France, the Genevan government felt sure that if they bent to the French wind the state could survive, especially if it could retain a reasonably functioning system of government. As a result, many in the government of Geneva and many in the oligarchy were to be pro-French, leading to the

⁴⁵ William Martin, *op. cit.*, pp.106-7. There was fighting in the Grisons for thirty years. Protestants led by the Salis family, supported by the Franco-Venetian party, were opposed by Catholics led by the Planta family, which sided with the Empire party. French interference under Richelieu led to further complications, with the French being used to eject the Spanish and the Spanish being called back to remove the French.

⁴⁶ P. E. Martin, *op.cit.*, 3ème partie, Bernard Gagnebin, Ch. VII, p. 371.

⁴⁷ Confirmed by the Treaty of Nijmegen, 1679.

⁴⁸ William Martin, *op. cit.*, pp. 113-114. The Swiss had been responsible for the defence and protection of Franche-Comté since the time of Philip II of Spain. The retaking of the area by the French in 1674 led to its final incorporation into France by the Treaty of Nijmegen 1679.



GENEVA CIVITAS.

LA VILLE de GENEVE.

Geneva - 1655

Illustration 1

Taken from L'Histoire de l'université de Genève, pp. 46-47.

additional irony of Protestant Geneva being allied to Catholic, anti-Protestant France.

The harassment by Savoy over the territories dependent on Saint-Victor and Chapitre, concerning the *taille* and questions of faith reinforced Geneva's desire to be friendly with France. It also made clear the need to improve and extend the defences of the town ⁴⁹ which continued throughout the seventeenth century, regardless of the burden it placed on the city. Major additions to the fortifications were finally finished in 1668,⁵⁰ the garrison was kept up to strength, and the city remained on the alert, watchful and nervous. Such feelings were accentuated by the treatment under which the Huguenots in France were suffering. Before the Revocation of the Edict of Nantes, there had been a steady stream of refugees arriving in Geneva. With the Revocation, the stream became a flood which placed Geneva under severe strain. This was to interact with religious uncertainties to encourage political conflict and opposition.

Refugees and reactions

The arrival of considerable numbers of fleeing French refugees in Geneva after the Revocation of the Edict of Nantes and the persecution by Savoy of the Piedmontese Protestants coincided with a series of bad harvests, from which Geneva was suffering as was much of the rest of Europe. The *Chambre de blé*, although releasing bread made from its reserves, had been unable to bring the price of wheat down, so that bread remained expensive. By 1698, wheat had reached 44 florins at the market,⁵¹ and there was general discontent at the high cost of other foods, especially wine, where it was believed that the Nobles enforced an extremely protectionist market to benefit from the sale of wine made from their grapes, as the only wine permitted to enter the town without paying a heavy tax came from grapes grown by the *Bourgeois*. It was believed by many in Geneva that this led the local Savoyard peasants not to sell their wheat and barley to Geneva in retaliation.

By 1697-8, there was considerable disagreement between the two councils over what, if any, measures should be taken to deal with the difficulties over the price of grain for bread-making and the particular rights of those Genevans who owned vineyards. It had been suggested by Pierre Fatio ⁵² in the *Deux Cents* in 1698 that all the regulations with regard to the sale of wine in Geneva should be reviewed. The local production of wine had been sufficient for demand during much of the seventeenth century, 90% of wine sold in the city coming from a region that was no greater than 15 kilometres wide around it.⁵³ Wine was imported when there was too little available for normal needs; otherwise, imported wine was severely restricted and taxed. In order to calm the situation, the *Petit Conseil* had abolished the customs duties on French wines and suppressed some of the restrictions on the wholesaling of foreign wine.⁵⁴

The presence of the French Resident, who maintained constant pressure on Geneva

⁴⁹ The extensiveness of the defences of Geneva can be seen in Illustration 1, p. 50a.

⁵⁰ Guichonnet, *op. cit.*, p. 222.

⁵¹ Jean Ferrier "Une tentative de révolution à Genève en 1698 (Le complot Gallatin)", *Revue d'Histoire Suisse*, 3, 1923, p. 322.

⁵² See Chapter IV, p. 68 for the results of his suggestion.

⁵³ Piuz, Mottu-Weber (Eds.), *op. cit.*, 4ème partie, Chapitre XI, p. 309. The figure relates to the year 1682.

⁵⁴ Ferrier, *op. cit.*, p.326.

with regard to the presence of the refugees within the city, placed the *Petit Conseil* in difficulties. The government and the people, wishing to assist as much as possible the Huguenot refugees, could not ignore the possibility that Louis XIV might move against the city and conquer it. This led to a series of attempts by the government to pacify the French Resident, while trying to help the refugees. Even the pastors were expected not openly to criticise the actions of the King, with the *Petit Conseil* hoping that in their sermons, they would:

'ne rien dire en chaire qui se puisse rapporter à la personne ou à la conduite du Roy de France, mais ... se tenir dans les termes généraux d'adversaire et d'afflictions.'⁵⁵

Not satisfied with that injunction, the council a few days later elaborated, telling the pastors that they should avoid using such terms as 'tyrannie, cruauté,' and refrain from 'toute comparaison odieuse'.⁵⁶

Fear of the military might of France was confirmed when the Genevans looked to what had happened in the United Provinces, where in 1672 the Dutch had opened their dykes to prevent the French from taking Amsterdam. The Dutch were larger and wealthier than Geneva, though they had been seriously weakened by the reluctance of De Witt and Holland, the dominant force in the States-General, to spend money on an army, because they feared it would support the Orange family rather than the aristocratic burghers who had wrested power from the Orange party in 1652. If the United Provinces, economically powerful and with an Empire greater than Venice's had ever been, could nearly succumb to Louis XIV desire to make the Rhine the frontier of France, what chance would tiny, weaker Geneva stand?

The first apparently serious move by the Genevan councils against the refugees occurred several days before the news of the Revocation reached Geneva. All protestants who had resided on Genevan territory for less than a year were to be expelled and forbidden to return.⁵⁷ At the end of 1685, the *Petit Conseil* and the *Deux Cents* decreed that the refugees had eight days in which to leave the city, by early 1686, they were also being forced to leave Genevan territory outside the city gates.⁵⁸ Some of the refugees eventually continued to Brandenburg, where they had been offered a new life by the Elector. Others passed into the *Pays de Vaud*, where they settled, or into the other Protestant cantons of the Swiss Confederation. But many, once ejected from Geneva, waited and then quietly returned and about whom the government wisely did nothing. Many of the refugees had skills that would be useful to Geneva, and unlike some Swiss cantons such as Zürich they were not expelled. Geneva's position was difficult, especially when the French overran Savoy, thus surrounding Geneva completely.

These difficulties, however, eased with the signing of the Treaty of Ryswick in September 1697, where France, despite her many military victories, was forced to return conquests. By the late 1690s, it was becoming clear how many of the refugees had been able to remain in the city. Although it was inevitably a small proportion of the number which passed through Geneva, it was large with regard to the actual size of the city's population.

⁵⁵ Olivier Fatio & Louise Martin-van Berchem, "L'Eglise de Genève et La Révocation de l'Edit de Nantes." *Genève au Temps de la Révocation de l'Edit de Nantes 1680-1705*, Genève: Librairie Droz, Mémoires et Documents publiés par la Société d'Histoire et d'Archéologie de Genève, 1985 Tome L, p. 187.

⁵⁶ *loc. cit.*

⁵⁷ P. E. Martin, *op. cit.*, 3ème partie, Gustave Vaucher, Ch. VI, p. 354.

⁵⁸ *Ibid.*

A census taken in July 1693 showed 3,300 refugees in an urban population of 16,111.⁵⁹

In 1696, there was a backlash against the continued presence of the refugees and particularly their integration into the city's commercial activity, where restrictions against foreigners opening shops and small businesses had been decreed throughout the seventeenth century. In 1609 and 1630 there were *Ordonnances de Police* which restricted trading by foreign merchants, and in the 1660s, there was an attempt to impose a tax or *protection* on all foreign traders in the city. All of this was before the flood of refugees after the Revocation of the Edict of Nantes.⁶⁰

In the 1670s, there was disagreement between the *Petit Conseil*, which wanted the benefits of foreign merchants trading in Geneva, and the *Deux Cents*, which was desirous of protecting Genevan traders, all of whom were *Bourgeois*. In the 1680s, there was a general relaxation in the restrictions to accommodate the inflow of the French refugees, at the very moment of a decline in trade, because of the wars in Europe and a series of poor harvests. By 1693, it was decided to reintroduce the 'protection' tax. This was insufficient, for in 1696, a *Représentation* signed by 215 *Bourgeois* was presented to the *Procureur-Général*,⁶¹ aimed at those refugees who had managed to open shops in the city.

The petitioners denied that they were motivated by avarice or spitefulness, but that they had been:

'déjà mis eux mêmes extrêmement à l'étroit et dans de grandes incommodités et souffrances, comme chacun le sait assez.'⁶²

They argued that those who wanted, as an act of Christian charity, to allow the refugees to settle and open shops were not amongst those that subsequently suffered from the increased competition; it was they, the small merchants and shop keeper-artisans, who suffered, and they made the point that:

'aucun réfugié exerçant une profession libérale - pasteur, avocat, médecin, apothicaire - n'a été autorisé à s'établir dans la cité.'⁶³

Indeed, the *Compagnie* had been very restrictive, not appointing any of the refugee pastors to positions in the Church.

The petitioners added that Geneva was only a small town and could not continue to have a large number of *Habitants*. It was this augmentation that had led to a rapid increase in prices and the presence of people who were unwilling to accept the strict code by which the Genevans lived and who had encouraged the spread of various immoralities within the city. The refugees should thus be encouraged to depart and be aided to reach such places where the rulers had invited them to settle. Equally, some method of compensation would have to be found for those in Geneva who would suffer from loss of rents at present paid by the refugees.

The *Représentation* was not the only evidence of this strength of feeling in Geneva. One Philippe Savyon wrote a memorandum which he thought of presenting to the commission set up to investigate the situation as a result of the petition. Less tactful and more forthright than the possibly more sober petitioners of the *Représentation*, his report concluded with

⁵⁹ Liliane Mottu-Weber, 'Marchands et Artisans du Second Refuge à Genève', *Genève au Temps de La Révocation de L'Édit de Nantes 1680-1705*, *op. cit.*, p.385.

⁶⁰ *Ibid.*, p. 387.

⁶¹ The *Procureur-Général* was the guardian of the law for all the citizens. He acted as a Procurator-Fiscal in Geneva. It was also his task to represent the citizens to the government.

⁶² Liliane Mottu-Weber, 'Marchands et Artisans de Second Refuge à Genève', *op. cit.*, p.383.

⁶³ Fatio & van Berchem, *op. cit.*, p. 270.

the recommendation:

'Il n'y a donc pas de meilleur remède que "d'escumer le pot et d'en faire sortir tout ce qui est de nuisible dont faire un roolle [sic] par les dixaines."⁶⁴

The French Resident in a letter had little good to say of the *Deux Cents* members:

'des petits marchands peu éclairés et capable de prendre la mauvaise partie sans aucune mauvaise intention, mais par imbecillité et par un faux zèle pour leur religion et pour leur liberté, qu'ils croient en grand danger sur les paroles des chefs de la Cabale.'⁶⁵

The *Cabale* were the group in Geneva favourable to the Prince of Orange (William III of England) and his allies in the War of the League of Augsburg. According to d'Iberville, the French Resident in Geneva, the *Cabale* had considerable popular backing but only minority support in the government of the city. The majority within the government remained loyal to the French alliance but was 'relativement dépourvue d'assise populaire'.⁶⁶

The commission found that, of those merchants complained about, 22 had been granted *Bourgeois* status between 1685 and 1695. In 80% of cases, the commission was in favour of allowing the traders to continue, in 10% against continuation and in another 10% of cases no decision was taken.⁶⁷ No one was expelled or forced to leave the city, but those whom the commission had found to be both *Habitants* and shopkeepers or merchants were from 1697 heavily taxed for the privilege. Once they were *Bourgeois*, they ceased to pay the heavy taxes imposed on them for trading as *Habitants*. There were 28 such cases between 1696 and 1700.⁶⁸

According to G.E. von Haller, Geneva underwent a dramatic change as a result of the French Huguenot settlement:

'En 1687, elle sentoit sa ville de campagne..... La sortie des réformez de France, la guerre de 1688 qui porta le commerce à Genève, en ont fait pour ainsi dire une nouvelle ville. Les richesses que produit ordinairement un commerce florissant, ont contribué à faire abattre la plupart des maisons pour en élever d'autres où règnent le bon goût et l'agrément que donne la belle architecture.....'⁶⁹

But it was not just the new artisanal skills that the French brought to Geneva. They had never in their homeland been strictly regulated by such matters as sumptuary laws and had been scattered communities living amongst other French but Catholic citizens. They were far more independently-minded than many of their more naïve Genevan brothers. They were not accustomed to the closed community that was the old Geneva. The fresh breeze which they created swept through the city, the government and Church, bringing with it the potential for considerable change. The strategy of the government had been to permit no change to the existing system, which was, by the turn of the century, already clearly out of date.

The first wave of religious refugees to Geneva, in the period 1550-1570, had quickly managed to move into the two smaller councils, especially the children of the first genera-

⁶⁴ Lilliane Mottu-Weber *Genève au Temps de la Révocation de l'Edit de Nantes 1680-1705*, *op. cit.*, p. 385.

⁶⁵ Fatio & van Berchem, *op. cit.*, p.215. Letter to Croissy 17. 2. 1696.

⁶⁶ *Ibid.*, p. 254.

⁶⁷ Lilliane Mottu-Weber, 'Marchands et Artisans du Second Refuge à Genève', *op. cit.*, p.392.

⁶⁸ *Ibid.*, p.393.

⁶⁹ *Ibid.*, p.395, ft.1.

tion. By 1604, 3 of the 8 elected members of the *Petit Conseil* were descended from the first immigration. There were 10 more sitting as members of the LX and 67 out of the remaining 138 sitting in the *Deux Cents*.⁷⁰ Several families provided *Syndics*, de Normandie 8 times in 1683-1716, Sarasin twice between 1694 and 1698.⁷¹ How far the 'old' refugee families were in favour of giving as much assistance as possible to the new wave of immigrants is impossible to say. The virulence of the dislike of the new wave of French refugees found amongst the *Bourgeois* small traders may have been increased by fears surrounding their awareness that this new group of refugees might be able to emulate their ex-fellow countrymen who had arrived in the first wave in the 1550's and who composed a sizeable part of the oligarchy ruling the town. If this were to be the case, then those of the 'old' Genevan *Bourgeois* would be pushed even further from obtaining seats on the *Deux Cents* or any kind of government position. The city certainly benefited from the refugees as far as future trade, skills and wealth were concerned, but they also gave an unconscious boost to the desire for change within the state, a desire that was to make Geneva surprisingly unsettled at the political level throughout the coming century.

The arrival of considerable number of French Protestant refugees after 1685, though posing some strain on the city brought further skills which enabled the city to expand its skilled base and flourish through most of the eighteenth century. French power had not been used against the city as it had against Strasbourg, so that despite all its difficulties and dangers, Geneva had managed to survive, like a number of other old republics - Genoa, Venice, Lucca and San Marino. Regardless of the many differences between them, all these republics bordered powerful neighbours which were absolutist states and had tried hard to incorporate these tiny non-monarchies into their Kingdoms. Genoa was as much under threat from Savoy as Geneva had been a century earlier and survived in part, just as Geneva had, because of the protection of a powerful ally, Spain. In surviving, these republics kept alight the flame of republicanism as an alternative to monarchy. Although different in religion and constitutional forms, many of these republics, as Geneva, attempted to remain neutral in the quarrels of their powerful neighbours, seeking solace for their military weakness in concentrating on commerce and finance.⁷² Most laboured under constitutions which seemed singularly inept and inadequate for the contemporary world, especially the United Provinces, where the Union of Utrecht (1578), established in war, seemed unstable, with sovereignty in the seven local estates, and no apparent authority for coherent policy. The refugees found the *Bourgeois* in Geneva unhappy with their loss of rights, which had already caused difficulty for the patriciate and government.

The emergence of criticism

As far back as 1577, an anonymous placard had appeared which had criticized the ambition of a *Syndic* called Roset,⁷³ and the behaviour of Bernard, another member of the government. Some three hundred and fifty *Bourgeois* were associated with the complaints:

'Celui qui écrit ces choses craint Dieu et honore l'estat de la ville avec 350 homm-

⁷⁰ Guichonnet, *op. cit.*, pp. 181-2.

⁷¹ Amédée Roget, 'Les Syndics', *op. cit.*, p. 26.

⁷² Franco Venturi *Utopia and Reform in the Enlightenment*, Cambridge: Cambridge University Press, 1971, pp. 21-23.

⁷³ See Appendix IV B III/7.

es desquels le coeur souscrit au présent billet. Pensez-y.⁷⁴

The placard complained about the manner in which the *Syndics* were elected and that it was always the same people chosen, that such a procedure was valueless and:

'tend à ériger une principauté opposée à l'état populaire.'⁷⁵

The placard was headed *Pro Libertate* and had been put up on the Cathedral wall. Hard though the *Petit Conseil* tried to discover the author or authors of this tract, they were unsuccessful. Taken together with the difficulty that the government had getting people to vote in the *Conseil Général*, it clearly suggests that there were a considerable number of *Bourgeois* in the city who were unhappy at the political control exercised by the *Petit Conseil* at the expense of the *Conseil Général*. In 1570, it had been necessary to order the doors of the Cathedral closed until the end of the meetings of the *Conseil Général* in order to stop people leaving and not voting,⁷⁶ the refusal to vote being the only resistance left to the *Bourgeois* and an action that they were to repeat on a number of occasions in the eighteenth century.

The placard incident was followed within a year by the more serious attempt by a member of the *Deux Cents* Jacques Boutilier to introduce reform.⁷⁷ He needed persistence to overcome the reluctance of the *Syndics* and then the *Petit Conseil* to obtain a hearing of his ideas in the *Deux Cents*. In the introduction to his written suggestions, he includes phrases such as '[Genève] constituée en état de démocratie comme celle-ci' and concludes his opening paragraph:

'il est besoing de dire franchement et hardiment son advis pour le public.'⁷⁸

His first demand was the rescinding of the prohibition imposed on the *Conseil Général*, preventing it from discussing matters other than those sent to it by the *Deux Cents*, thus overturning one of the basic tenets of the 1543 constitution. The second was the demand for a change in the system of voting at the meetings of the *Conseil Général*; at this time, voting was carried out by speaking the name of the candidates being voted for in the ear of one of the two secretaries, who then made a stroke on paper against the names spoken. This was done in the Cathedral in full view of everyone, and some of those present, though unable to hear the votes being cast, could certainly see the marks made by the secretaries and would therefore know who had voted for whom. Boutilier wanted a ballot, thus ensuring genuine anonymity of voting. He demanded when any post was being filled, there should be at least two candidates to choose from, which was not the case for the elected officers of the state. Only in the choice of *Syndics* was there any element of choice. He concludes this point:

'Davantage tel ballotement estant bien entendu et practiqué céans au gré du peuple sera pour fermer la bouche à ces compositeurs de cartels, semeurs de placards, et à ces escrivains de lettres diffamatoires.'⁷⁹

There were echoes of Boutilier's demands in those put forward by Fatio and his

⁷⁴ Amédée Roget, 'Les propositions de Jacques Boutilier ou discussion constitutionnelle à Genève en 1578'. *Mémoires et Documents Publiés par la Société d'Histoire et d'Archéologie de Genève*, Genève: 17, 1872, p. 60. [Hereafter 'Boutilier']

⁷⁵ *loc. cit.*

⁷⁶ *Ibid.*, p. 129.

⁷⁷ See Appendix IV B III/8.

⁷⁸ Amédée Roget, 'Boutilier', *op. cit.*, p.62.

⁷⁹ *Ibid.*, p. 63.

followers in 1707, one hundred and twenty-nine years later.⁸⁰ The constancy of the *Bourgeois'* demands in Geneva is one of the most interesting, but overlooked, aspects of the city's history. It also clearly indicates that the ideas put forward concerning the government and the way that it worked in the eighteenth century were not new and 'revolutionary', but had been present in the state for well over a hundred years, certainly since 1578.⁸¹

Boutillier also wanted the addition of 10-12 'silent' councillors in the *Petit Conseil*, who would sit in all meetings but be unable to speak or vote, but who could then be sent on difficult diplomatic missions abroad, fully informed of the situation with which they were expected to deal. It would also widen the number of people in office and, more importantly widen the choice for office:

'cela servira que vous ne serez plus ainsi sujets à si souvent remettre les memes personnages d'office, sans intermission, comme s'il n'y en avait point d'autres aussi ou plus capables d'entre tous les autres citoyens et qui plus est, il n'y aurait tant de mescontentemens, d'envies ni murmures, si point il y en a...'⁸²

Once again, Boutillier made a point that was to cause constant complaint in the eighteenth century: it was always the same people in office. They rotated their various tasks, but there was very little chance for anyone outside the patriciate to join the *Deux Cents* let alone the *Petit Conseil*. Boutillier was here complaining against:

'the possession of government, or any public power, by any established, privileged, closed, or self-perpetuating groups of men.'⁸³

This is much earlier than the eighteenth century about which Palmer is writing. It makes it clear that the future difficulties in Geneva in the eighteenth century, such as the hold of oligarchy on power had been recognised and were resented as early as 1578. The existence of such an oligarchy in Geneva was responsible for denying what rights remained to the *Conseil Général*, except those of electing government officials.

Two further points concerned the improvement of justice. One argued that the supreme courts should be made up half of members of the *Petit Conseil* and half from the *Deux Cents*, because, as the latter had the right of grace, they needed people experienced in court practice. The second called for a greater ability on the part of justice to act without delay in criminal cases. Finally, he wanted to ensure that the rights of the *Bourgeois* were regularly and correctly observed, especially with regard to primogeniture and precedence.⁸⁴

The insistence of the *Deux Cents* that the matter should be considered finally forced the hand of the *Petit Conseil*. They consulted Bèze and Perrot,⁸⁵ both pastors, and Colladon, a lawyer. A reply was drawn up by the Lieutenant, Michel Roset, the *Syndics* and several councillors. At a meeting of the *Deux Cents* on 23rd. January 1578, both Boutillier's text and the *Petit Conseil's* response were presented and discussed. The rejection of Boutillier's

⁸⁰ See Chapter IV, p. 69 ff.

⁸¹ See Chapters IV, V and VII.

⁸² Amédée Roget, 'Boutillier', *op cit.*, p. 64.

⁸³ Palmer, *op. cit.*, p. 5.

⁸⁴ The law system in Geneva at this time was an amalgam of practice and Roman law. Part of the future difficulty for the state was to be that the Edicts were not explicit, but relied on previous practice. Where there was need for new law, this was always on the basis of Roman law. In conflict, Roman law was secondary. It was only with the Napoleonic era that the full power of Roman law was applied in Geneva.

⁸⁵ See Appendix IV B III/9.

document in its entirety was justified in part by recourse to Xenophon, who states that 'tout changement en une république l'expose au danger de la mort'. It was argued that, if the ideas of Boutilier were introduced, there would be no need for the LX, the *Deux Cents* or the *Petit Conseil* 'mais il faudroit que le Conseil Général eût l'administration de toutes les affaires', followed by:

'D'ailleurs jamais homme prudent n'approuva une pure démocratie, c'est-à-dire un gouvernement du tout attribué à la multitude populaire, puisque jamais il n'y en a eu de telle nature qui ait esté de longue durée. Et la raison est évidente à savoir qu'il y a par nécessité dans une grande multitude plus de personnes mal propres à manier un Estat que d'autres.'⁸⁶

The term 'pure democracy' was one that was used frequently by all those opposed to any changes in the existing constitution of Geneva from this point onwards. The word 'democracy' continued to be used as a term of considerable disapproval whenever there was any suggestion of lessening the hold of the oligarchy on power. In the Geneva context, Palmer's claim that 'democracy' at this time replaced the use of words such as 'radical, liberal and progressive' certainly appears to be the case.⁸⁷ It had more relevance in 1578, when a greater proportion of the population were members of the *Conseil Général* than it would have in the greater part of the eighteenth century, when the *Bourgeois* were a very small part of the total population of the city. For those determined to allow no change in the constitution of Geneva the term 'pure democracy' became the rallying cry to come to the aid of the state, to defend it against the uncontrolled hordes about to devour it.

The *Deux Cents* also rejected Boutilier's suggestions and made him promise that he would continue to attend meetings of the Council on pain of being fined 1,000 écus if he disobeyed. Unfortunately, he seems to have either before or after the rejection, given copies of his paper to too many people. Arrested in April, he was brought before the *Petit Conseil*, where he was forced to confess his 'fault' after which he was allowed to go free, although he ceased to be a member of the *Deux Cents*. All matters which were discussed in the two smaller councils had to remain secret. It is unclear whether the treatment given to Boutilier was because his ideas were too generally known or whether he was being punished for the temerity of his suggestions together with his insistence that the whole matter be aired in the *Deux Cents*. That he had support among the *Bourgeois* is proved by the fact that three years later he was voted to the office of *Auditeur* by the *Conseil Général*; this meant that he also returned to the *Deux Cents*.⁸⁸

The Boutilier affair has very important implications for Geneva in the seventeenth and the eighteenth centuries. Many of the points he highlighted in his suggestions were to recur again and again, well before the Enlightenment. In other words, well before Fatio, the writer of *Lettres séditieuses*⁸⁹ or Rousseau,⁹⁰ Boutilier had identified some of the main structural difficulties of the Calvinist 'constitution' of Geneva. At the same time, he had provoked a reaction from the authorities which was to be mirrored in the coming two centuries, with greater or lesser violence, depending upon how threatened they perceived their hold on power to be.

⁸⁶ Amédée Roget, 'Boutilier', *op. cit.*, p.68.

⁸⁷ Palmer, *op. cit.*, p. 13.

⁸⁸ Amédée Roget, 'Boutilier', *op. cit.*, p.75.

⁸⁹ See Chapter IV, pp. 82-84.

⁹⁰ See Chapter VII, p. 136 ff.

Unfortunately, for the oligarchy, Boutilier's ideas were shared by others in the city, perhaps encouraged by the manner in which the smaller councils continued to ignore the *Conseil Général* except for the necessary elections. Thus, in 1604, the *Petit Conseil* accused Abraham de Combe of having spread throughout the town a text:

'tendant à donner l'autorité souveraine de toutes choses au Conseil Général.'⁹¹

Combe, having confessed his crime - daring to criticise the government and its treatment of the rights of the *Conseil Général* - was sentenced to three days' imprisonment and deprived of his right to take part in the *Conseil Général*. The words used by Combe were:

'bailler l'autorité souveraine de toutes choses au Conseil général.'⁹²

In Geneva in 1604, there were some members of the *Bourgeois* who were raising the question of the sovereignty of the *Conseil Général*, and who had the courage to do so publicly. This gives a clearer picture of the strength of feeling in the city. The demands that the *Conseil Général* should have sovereign power were not novel to the eighteenth century; Combe's demand was 101 years before Fatio's. The idea was deeply embedded in the Genevan *Bourgeois* as de Combe's text shows. It was over the case of Combe that the pastors, when pleading for leniency for him, had pointed out to the *Petit Conseil* that oligarchy could be as dangerous as ochlocracy.⁹³ It was a warning that the government and oligarchy⁹⁴ were to ignore throughout the coming century.

There had been some talk in the town concerning the need to re-establish 'la liberté et l'autorité du peuple' as well as the opportunity to be appointed to government posts without having to be a member of the *Deux Cents*.⁹⁵ But it was not the time to spend a great deal of energy on internal quarrels because of the external threat to Geneva. A combination of military dangers, plague and poor harvests were to mute the objections to the political situation in the city until after 1660. However, the battle lines were clear and had not changed since Boutilier, there was a desire in some quarters to see the *Conseil Général* returned to the position it had enjoyed before 1543. It was also becoming clear that the members of the two smaller councils were developing into a self-perpetuating group, hence the talk about government positions being available to those outside the *Deux Cents*. The *Bourgeois* in Geneva had no desire to allow the development of an entrenched oligarchy and had at hand an organ that might be able to stem the power of the ruling families if it could be re-established in its original position in the commune.

The development of the oligarchy in Geneva had been rapid. This was in part due to the circumstances of the city: restricted within its walls, without much land, isolated and surrounded by enemies, both religious and military, it was under constant threat. The necessity for men of substance to have sufficient time to spend on government business reinforced this trend to oligarchy, since by the seventeenth century the *Petit Conseil* met every day and by mid-seventeenth century the *Deux Cents* met once a week. For many of the ordinary *Bourgeois* the necessity to work made it increasingly difficult for them to participate in government. A further reinforcement of oligarchical development in the city

⁹¹ Amédée Roget, 'Le Conseil Général', *op cit.*, p. 133.

⁹² Fazy, *Les Constitutions*, *op. cit.*, p. 82.

⁹³ P.E. Martin, *op. cit.*, 3ème partie, Gustave Vaucher, Ch. VI, p. 338.

⁹⁴ The oligarchy had decided in 1607 that the members of the government should be accorded the title of 'Noble'. The accumulation of wealth and political power amongst those in the two smaller councils continued throughout the seventeenth century. Of the 32 wealthiest families, 6 sat in the *Petit Conseil* and 8 were closely involved in the governments financial matters, quite apart from sitting in the *Deux Cents*. Guichonnet, *op. cit.*, p. 196.

⁹⁵ *Ibid.*, pp. 336-7.

was the teaching of Calvinism.⁹⁶ Group identity was strengthened by intermarriage between the families which had places in the two smaller councils.⁹⁷ The development of oligarchy in Geneva was in line with what was happening throughout much of Switzerland at the same time.⁹⁸ The success of the towns in the United Provinces in the seventeenth century was another example of the successful development of oligarchy, though many of the towns in Holland were wealthier than Geneva, the Dutch being in the middle of the seventeenth century at the peak of their economic success, pioneering ideas which led to their creation of a national bank, the stock exchange and the chartered company.

The United Provinces differed from Geneva in a number of important ways. Calvinism was in a privileged position with all public offices filled by Calvinists, but other religions were tolerated. It was the Jewish refugees from Portugal that created the diamond industry in Amsterdam and men like Pereira of Amsterdam, a Portuguese Jew, was a financier to William III. Jews were not permitted to enter Geneva. Tolerance extended also to Catholics and all manner of refugees. It was to Holland that Peter Bayle went, not to Geneva, which he knew from his student days, while Jean Le Clerc went to Amsterdam to escape from religious intolerance in Geneva.⁹⁹ Thus the United Provinces became the centre of a flourishing printing industry of books, pamphlets and journals, many in French to be exported to France and the rest of Europe, and reinvigorated by the Huguenots in the 1680s: 'the newswriter's job was a refugee job par excellence'.¹⁰⁰

The successful move to an entrenched oligarchy, in Geneva as elsewhere, led to increasing conflict when a proportion of the *Bourgeois* in the city were themselves successful, educated and wealthy, and saw no reason for their virtual exclusion from all political matters. The attempt by the *Petit Conseil* to weaken the *Deux Cents*, in 1667, was to show the strength of feeling of those 'excluded'.

Divisions within the oligarchy?

In 1667, Geneva found itself embroiled in a serious internal political row at the same time as it was in danger of war with Savoy. The *Petit Conseil* attempted to override one of the constitutional rights of the *Deux Cents* as it had previously managed to do with the *Conseil Général*, by refusing to call any meetings except for the election of officials and *Syndics*. The subsequent division between the two councils provided the *Bourgeois* with opportunity to manifest their anger by supporting the *Deux Cents* and its fight to retain its rights. At a meeting of the *Deux Cents*, the *Premier Syndic* presiding at the meeting was opposed to the hearing of an appeal by a member of the *Deux Cents* called Ducommun¹⁰¹

concerning the application of an Edict from the *Parlement de Grenoble* with regard to a civilian matter. The rejection of an appeal to the *Petit Conseil* could be reviewed in the

⁹⁶ See Chapter II, pp. 15-17.

⁹⁷ As an example of the complexities of this intermarriage by the end of the seventeenth century, see Appendix IV, 2.

⁹⁸ Favez, *op. cit.*, Martin Kömer, pp. 38-39.

⁹⁹ Elizabeth L. Eisenstein *Grub Street Abroad. Aspects of the French Cosmopolitan Press from the Age of Louis XIV to the French Revolution*, Oxford: Clarendon Press, 1992, p.20.

¹⁰⁰ *Ibid.*, p. 6 citing Rosalie Colie, *John Locke in the Republic of Letters*.

¹⁰¹ The family had become *Bourgeois* in 1624.

Deux Cents before action was taken. The refusal of the *Syndic* to allow any discussion, together with the fact that he considered the matter closed, caused great anger in the *Deux Cents*.¹⁰² The members of the *Petit Conseil* then withdrew from the *Deux Cents*, which meant that the larger council also ceased to function. However, Ducommun persisted in his appeal to be heard so the *Deux Cents* decided to hear the case.

Sarasin the longest-serving junior official of the government in the *Deux Cents* chaired the meeting. The first *Syndic* warned the *Deux Cents* that they were acting illegally and declared whatever was decided would be treated by the government as null and void. At a meeting of the *Petit Conseil* called for the following morning, Sarasin was summoned:

'pour rendre raison de ce qui se passa le jour d'hier au Magnifique Conseil des Deux Cents sur le sujet de la requête du Sieur Ducommun.'¹⁰³

The attempt by the *Petit Conseil* to question Sarasin only led to an exchange concerning the question of to whom he considered himself responsible. He considered that it was not for the *Petit Conseil* to question him or ask him for any explanation of his behaviour:

'et en persistant à reconnaître V[os] S[eigneuries] pour mes magistrats, je persiste aussi à leur dire que je ne suis comptable qu'à mes magistrats souverains [le Conseil des Deux Cents], en tête desquels quand V.S. seront, ainsi qu'elles en sont la première partie sans être les maîtres, alors j'aurai l'honneur de leur répondre article par article sur tout ce dont elles prétendent m'interroger.'¹⁰⁴

It was decided to hold him in prison, but the compactness of Geneva made it impossible to do this without its rapidly becoming known. The *Procureur-Général* Lullin, with around 120 members of the *Deux Cents*, quickly arrived at the Town Hall, where the *Petit Conseil* and demanded an audience with the *Petit Conseil* concerning the imprisonment of Sarasin.

The arrogant and delayed response made to Lullin's demand, together with the *Petit Conseil's* refusal to release Sarasin, provoked the *Deux Cents* to remain where they were, thus forcing the *Petit Conseil* to stay in their chamber. The *Syndic* responsible for the security of the city was allowed to leave the *Petit Conseil* to change the guard on the gates and to supervise their closure as normal. Unfortunately, instead of doing so, he kept them at the Town Hall, thus leading the *Bourgeois* to become involved, because they feared that there was some plot to betray the city to the enemy.

An attempt by the pastors to negotiate a settlement between the two councils was unsuccessful. The pastors' suggestion to the *Petit Conseil* that it release Sarasin into their control also failed. The *Petit Conseil* would only agree if the *Deux Cents* were to cease their 'illegal' meeting, which they in turn refused to do until Sarasin was released. At eleven at night, the *Deux Cents* agreed to meet at seven the following morning, a Sunday:

'avec l'épée au côté pour marque d'autorité, afin d'aller de là au prêche de St. Pierre prier Dieu du plus profond de nos coeurs, de vouloir bien bénir nos délibérations tendantes à conserver l'autorité SOUVERAINE [sic] du Conseil des Deux Cents et faire rester après le prêche tout ce qui s'y trouverait de bourgeoisie assemblée, et leur justifier notre conduite....et, sur le résultat de leur assentiment,

¹⁰² There had already been a skirmish between the *Petit Conseil* and the *Deux Cents* over legal matters in 1661. Etienne Cassin was found guilty of causing the death of René du Bulat. He was sentenced by the *Petit Conseil* to various punishments, including a payment of 500 écus, but his mother appealed against the fine to the *Deux Cents* as the court of final appeal. The *Petit Conseil* initially refused to hand the papers to the *Deux Cents* but was finally forced to concede. Dictionnaire Historique and Biographique de la Suisse, Neuchâtel: Paul Attinger, 1924, Vol. II, p. 431.

¹⁰³ Edouard Mallet "Conflit entre le Petit Conseil et le Conseil des Deux Cents en 1667 ou l'épisode de l'auditeur Sarasin." *Mémoires et Documents Publiés par la Société d'Histoire et d'Archéologie de Genève*, Genève: Chez Jullien et fils, 1841 Tome 1er. p. 289.

¹⁰⁴ *Ibid.*, p.291.

prendre telle résolution que l'on trouverait convenable.¹⁰⁵

After the service, the *Petit Conseil* returned to its meeting place in the Town Hall, while the *Deux Cents* remained in the Cathedral, where the crowd grew ever larger, double what it was for the yearly elections, according to one eye-witness.¹⁰⁶ The small committee of pastors chosen to act as intermediaries went to see Sarasin in his prison cell, where they persuaded him to sign a request for clemency to the *Petit Conseil*. After three attempts at composition, the council was willing to accept it. In the Cathedral, Lullin addressed the *Bourgeois* on the affair to date, rather too successfully, as they wanted to rush, armed, to release Sarasin from prison.

The support of the *Bourgeois* for the *Deux Cents* made it clear to the *Petit Conseil* that it was necessary to end the confrontation before there was bloodshed. Only when it was clear that the government had few supporters amongst the *Bourgeois*, would they agree to release Sarasin into the care of the four pastors, who then conducted him home.¹⁰⁷

Passing the entrance of St. Peter's, Sarasin was seized by the crowd, taken into the cathedral and made to sit in his habitual place. After prayers and the congratulations of all present, Sarasin was allowed to go home and the gathering peaceably dispersed. A meeting of the *Deux Cents* was ordered for the following Friday, where, after explanations from both councils and the exhortations of the pastors to work in peace and harmony, the affair ended. It was agreed between the two councils that the *Registres* of the councils were to refer to the whole matter in only the most impersonal terms. Since these were written some time after the meetings to which they related, this proved no difficulty, and the entry for the Saturday reads:

'Il ne s'est rien traité concernant le public, sinon de ce qui se passa hier en Deux-Cents'¹⁰⁸

The meeting of the *Petit Conseil* on the Sunday following the service at the cathedral is not mentioned at all. The Registers, carefully kept throughout the period of Geneva's independence, were always open to this kind of manipulation. It makes them less than totally reliable as a complete reflection of what was happening in the city, especially with regard to events which did not necessarily cast a favourable light on the proceedings of the councils or their claims to powers which they did not possess under the Edicts.

The Sarasin affair was important because the *Deux-Cents* were willing to go to the lengths of 'consulting' and winning over to their side the *Bourgeois* of Geneva. The members of the *Deux-Cents* theoretically had more in common with those who sat in the *Petit Conseil* than with the greater number of *Bourgeois* who sat in the *Conseil Général*. What the *Bourgeois* grasped is that the *Syndics* and the members of the *Petit Conseil* had acted in an extremely arrogant and high-handed fashion. In a state where so much of life was strictly controlled by the state, where 'on tracasse, on poursuit, on surveille',¹⁰⁹ any attempt to flout the power of the *Syndics* and the *Petit Conseil* while under the protection of another part of the government was bound to find sympathy and support. In addition, there was the existing resentment at the increasingly aristocratic nature of the whole system of government, which had already been expressed earlier in the century, together

¹⁰⁵ *Ibid.*, p.301.

¹⁰⁶ *Ibid.*, p.303.

¹⁰⁷ *Ibid.*, p.295. The four appointed by the *Vénérable Compagnie des Pasteurs* were: De Lesmillières, Moderator of the week, Pictet, Dufour and Sartoris.

¹⁰⁸ *Ibid.*, p.315.

¹⁰⁹ Guichonnet, *op. cit.*, p. 218.

with the constant repetition of the claim that nothing should be changed in the system. It was unfortunate to insist that nothing must be changed in the state, that all had to be governed by the existing Edicts, when clearly, the *Syndics* and the *Petit Conseil* were themselves not abiding by the terms of the very Edicts they repeatedly mentioned. As Fazy claims, the events had given:

'au peuple une première occasion de mesurer sa force ... il se prononça sans hésiter contre le Petit Conseil, qui personnifiait à ses yeux le *despotisme aristocratique*.¹¹⁰

The *Bourgeois* seized the opportunity to manifest their anger toward the government and demonstrated that in the face of such action the government could be forced to back down. It was a lesson that the *Bourgeois* did not forget as events after 1700 were to show. The government and oligarchy also understood that, should there be further trouble, they would have to have some means of intimidating their people. This was a lesson they were to put to good use in 1707.

Relations between the two smaller councils returned to normal and all appeared calm in the city, struggling to cope with the influx of refugees from France. But during the wine harvest of 1698, the sole remaining *Syndic*,¹¹¹ Jacques Pictet, was informed of the existence of a plot to overthrow the government. The plotters, according to the informer, were a group who:

'sous prétexte de faire rétablir les privilèges des citoyens et bourgeois, se devaient attrouper et "forcer le magistrat à faire ce qu'ils voudraient".¹¹²

The leader of this plot was alleged to be Jean-Antoine Gallatin, a member of the LX and *Deux Cents* and of a family which had for many years been one of the leading families in Geneva.¹¹³ Further investigation established that there were three in the plot, apart from Gallatin himself.¹¹⁴ There was little real evidence against the men except their confessions of talk about an attempt at overthrowing the government, possibly with the help of some Swiss troops. The one recurring theme in the evidence of the men was that the main motivating force of the arguments used to gain support amongst the *Bourgeois* was, as stated by Bartholoni in his evidence to the *Petit Conseil*, quoting Gallatin talking to other *Bourgeois*:

'enfin nous mettrons les choses sur l'ancien pied et nous aurons nos vieux privilèges.¹¹⁵

Clearly, there was a well-developed idea of 'the old times', when the ordinary *Bourgeois* had had a much greater share in government. People were well aware of the old history of the *Conseil Général* and cognisant of the fact that their rights as citizens in the state had been systematically overridden for a century.

The reaction of the *Petit Conseil* was harsh. It sentenced Gallatin to perpetual imprisonment, loss of his *Bourgeois* status, the confiscation of all his possessions to the benefit of the state, and the need to beg the Council's forgiveness. Bartholoni was condemned to perpetual banishment, Chevaux to a year's banishment and Arlaud to be severely cen-

¹¹⁰ Fazy, *Les Constitutions*, *op. cit.*, p. 97. Fazy is quoting from Edouard Mallet writing in *Mémoires de la Société d'Histoire et d'Archéologie de Genève*, Tome I, p. 277.

¹¹¹ There was always one *Syndic* who remained in the town at all times.

¹¹² Ferrier, *op. cit.*, p.329.

¹¹³ See Appendix IV B III/10.

¹¹⁴ See Appendix IV B III/11.

¹¹⁵ Ferrier *op. cit.*, p. 343.

sured. Bartholoni's sentence was never carried out.¹¹⁶

Geneva, at the end of the seventeenth century, thus faced considerable problems. The question of the rights of the *Conseil Général* was one around which disagreements and arguments raged. Argument over the rights of the *Conseil Général* that were to be carried forward into the coming century, assuming ever greater importance. These rights were an integral part of the constitution which the government and those in it had hoped would fade and be forgotten if not used. The treatment of Gallatin in 1698 compared with Combe and Boutilier made it clear that the ruling élite was increasingly unhappy about talk concerning the 'old' times and the rights of the *Bourgeois*.

The danger of attempting to by-pass the *Conseil Général* had already been recognised in 1578, with the proposals of Boutilier. The apparent success of the government in not calling meetings of the *Conseil Général* for any purpose other than the election of the *Syndics* after 1586 was questionable, since, although the Sarasin affair was not one initially concerned with *Bourgeois* rights, the latter were happy to grasp the opportunity to support members of the *Deux Cents* when they were in conflict with the government and the *Petit Conseil*. The high-handed manner in which the government and the *Petit Conseil* had acted towards the *Deux Cents* and what its members understood to be the rights of their own council was symbolic of the way the government and the members of the *Petit Conseil* had habitually acted towards the *Bourgeois* as a whole.

There was also the danger that the *Petit Conseil* and the *Syndics* might well wish to emasculate the *Deux Cents* in exactly the manner that they had overturned the rights of the *Conseil Général*. The inability of the *Petit Conseil* to override the *Deux Cents* made clear the limits of the *Petit Conseil's* powers. The rapidity with which the *Bourgeois* had supported the rights of the *Deux Cents* and the fact that the *Petit Conseil* had been forced to back down in the face of such opposition gave a clear indication to the *Bourgeois* as to how they should proceed to right their long-standing grievances concerning the rights of the *Conseil Général*. The eighteenth century was to see the results of the lessons of 1667. Equally, the patriciate had seen the dangers of their own divisions and how the *Bourgeois* would be quick to take advantage. Such major divisions between the two councils were never seen again until 1779.¹¹⁷

The early success the oligarchy had had in emasculating the pastors with the weekly rotation of their leadership and then 'capturing' that body by sending their younger sons into the church was an indication of their desire to remove all possible opposition. The reaction provoked by Gallatin from the government with his talk about restoring the rights of the *Conseil Général* in 1698 showed how anxious the government and the members of the two smaller councils were about their long-term attempt to pervert the constitution. It also showed that anyone wishing to cause trouble in the state and obtain support was aware of the feelings of the *Bourgeois*, and could be certain of a response.

On balance, however, Geneva, with a constitution established by Edict in 1543, based on the *Franchises* was in a better position to face the coming century than other republics such as the Venice or Lucca, unless the real inheritance of the Calvinist constitution was examined. The refusal of the *Bourgeois* to accept the neutering of the *Conseil Général* and what they considered to be their rights within the state together with the consistency of their demands since Boutilier posed a serious question mark over the apparent stability of the state.

¹¹⁶ *Ibid.*, p.347.

¹¹⁷ See Chapter VIII.

Part Two

Chapter IV

The Consolidation of Challenges in the Early Eighteenth Century

The last years of the previous century had not been entirely happy ones for Geneva. The city, in 1700, appeared safer from external enemies than it had at the beginning of the seventeenth century. Despite this, the first twenty years of the century were to see considerable unrest in Geneva with the consolidation of serious opposition from the *Bourgeois*, well-organised and determined, this caused considerable concern to the government. The events of 1700-1720 show that the *Bourgeois* were able to successfully organise and extract important concessions from the government. The execution of the *Bourgeois'* leaders and subsequent suppression was unable to end the *Bourgeois* aspirations.

The desire to see the *Conseil Général* regain its lost importance led to concerted action by the *Bourgeois*. The rejection of a petition by the government led to large open-air meetings in the depth of winter. Arranged in less than twenty-four hours and held in calm, these indicated considerable organisation. The concessions gained of quinquennial meetings of the *Conseil Général* to discuss matters in the state was an important gain. It was the first of a number of concessions that were to be gained by the *Bourgeois* during the course of the century, well before the 'positive impression of 1768' claimed by Palmer.¹

So important was the gain made by the *Bourgeois* that the oligarchy was reduced to linguistic sophistry in attempting, successfully, to deprive the *Bourgeois* of their advance at the earliest opportunity. Followed as this action was by the imposition of taxation for a large programme of fortification extension served only to increase the anger and determination of the *Bourgeois*. The emergence of two letters the *Lettres séditieuses* in 1718 served notice that the question of the sovereignty of the *Conseil Général* and all that flowed from it was firmly, whatever the oligarchy and the government hoped, on the political agenda. The suppression of the letters simply drove the *Bourgeois* to be extremely careful in their continuing organisation, via meetings in private homes and through the two societies *société de l'arquebuse* and *société du canon*. In fact, the *Lettres séditieuses* were seminal, laying down the arguments concerning sovereignty from the *Bourgeois* side for the remainder of the century, pre-dating and influencing Rousseau.

Geneva as seen by visitors

Geneva was, according to André Le Mercier in a book was published in Boston, Massachusetts in 1732,

'la plus forte place militaire de la Suisse, la forteresse du protestantisme latin et l'une des premières villes d'affaires de l'Europe. On voit à Genève une chose qui ne se voit nulle part ailleurs: une place forte possédant aussi du commerce et de l'instruction.'²

Another French writer gave a further and most interesting view of what Geneva was like:

¹ Palmer, *op. cit.*, p. 112.

² Mercier, *Genève du commencement du dix-huitième siècle*, is cited by André Corbaz, *Pierre Fatio Précurseur et Martyr de la Démocratie Genevoise 1662-1707*, Genève: Editions Atar, 1923 p.21.

'Les horlogers de Genève discutent à perdre haleine sur les affaires de l'Etat et sur celles du monde entier. Ils causent le jour dans leur atelier, à la nuit tombante sur le bas de la place de Coutence ³ autour de la fontaine où ils se rassemblent chaque soir.... Là on raisonne, on dispute avec ce singulier mélange d'ardeur passionnée dans la conviction et de froideur logicienne dans l'argumentation, qui est un des traits les plus saillants de l'esprit genevois.'⁴

The men described by Vallette ⁵ were skilled artisans, many of whom were *Bourgeois* and thus entitled to vote in the *Conseil Général*. These were the men whom Gallatin had hoped to attract to his cause, and they were only too aware of how little real power they possessed within the state. It also gives an indication of the difficulty that faced the *Petit Conseil* and the *Deux Cents* in governing the state. It would be exceedingly difficult to prevent people from talking and discussing around the fountains or anywhere that people gathered. It also shows how politically conscious people were in the city and clearly, not all those involved in the discussions around the fountains were *Bourgeois*. In the confines of Geneva, many *Natifs* would draw water from the same wells quite apart from those *Natifs* who worked alongside *Bourgeois* in the watch and jewellery trades. It is difficult to see Geneva fitting easily into Palmer's claim that:

'the mass of the population, perhaps the bottom three-quarters of society, was politically apathetic ...'⁶

Vallette is also very informative concerning the oligarchical tendencies in Geneva:

'Cette aristocratie électorale tendait de plus en plus à se transformer en une aristocratie héréditaire. Une vague noblesse s'était formée, accessible seulement à ceux dont les pères avaient siégé dans les Conseils.'⁷

The system was by the 1700s a closed one. The word 'elective' is technically correct, the members of the *Deux Cents* were chosen by the *Petit Conseil*, while the members of the *Petit Conseil* were elected by the *Deux Cents*. Vacancies on the *Deux Cents* were always filled by members of families already serving on either of the smaller councils. The chances of any of the 'ordinary' *Bourgeois* being elected to the *Deux Cents* were infinitesimal. In effect, except for the election of the *Syndics* and even here all eight names submitted came from the *Petit Conseil*, the *Deux Cents* appeared to have replaced the *Conseil Général*. That was the case in many Swiss and similar city states. In Bern and Zürich, to name but two, the equivalent of the Genevan *Conseil Général* had ceased to exist, sovereignty passing to the Great Council, the equivalent of the Genevan *Deux Cents*.⁸ Possibly in Geneva, the *Conseil Général* had been maintained because, as Fazy states:

'Le Conseil Général, autrefois souverain, ne conserve plus que l'ombre de ses

³ This was in the heart of the St. Gervais area of the city, across the Rhône from the old town centred around the cathedral of St. Pierre. St. Gervais was 'le foyer et la boutique de la classe artisanale, celle des maîtres, compagnons et apprentis...' Patrick O'Mara, "L'affaire des lettres anonymes et l'agitation politique à Saint-Gervais en 1718." *Bulletin de la Société d'Histoire et d'Archéologie de Genève*, Tome X 1951-55. [Hereafter L'affaire des lettres anonymes]

⁴ *Ibid.*, p. 30.

⁵ Identified by Corbaz as the writer. [Vallette seems to be without any traceable details.]

⁶ Palmer, *op. cit.*, p. 365.

⁷ Corbaz, *op. cit.*, p. 102.

⁸ Oechsli, *op. cit.*, pp. 262-277.

anciennes attributions.⁹

The eighteenth century saw an increase in the importance of the *Petit Conseil*, which was in effect the government of the state. This trend was the same in the other city states in Switzerland, many of which went through periods of restlessness in the years 1680 to 1720 at the same time as Geneva.¹⁰ There were also important differences.¹¹ As can be seen by the summary of complaints which caused unrest in Basle and Zürich shown in diagram 4, in Geneva, there were no accusations of perjury or of illicit enrichment, and there were no guilds involved in the political processes in Geneva. The *Bourgeois* in Geneva had organised themselves to obtain what they believed to be the neglected rights of the *Conseil Général*. In contrast with Zürich, Geneva had no military organisation except the Militia and equally, there was no loyalty to guilds to create reaction from members when the guilds rights were seen to be overruled or ignored by the government. In cities such as Schaffhausen in 1689, Basle in 1691 and Zürich in 1713, the guilds were determined to maintain their rights on the cities' councils. Unable to wrest all power from members of the commercial oligarchy, the guilds representatives nonetheless had an appreciable number of seats on the ruling councils, at the heart of government. In Geneva, the corporations were strictly under the control of the government. It was only later that the cities such as Bern (1749), Fribourg, Soleure and Lucerne (1764-1770), where the oligarchy was able to grow rich by service to the state, by military service or by living from investments, that conflicts between those excluded from, but theoretically entitled to participate in power, and the oligarchy manifested itself. Geneva was different because the ability to obtain relative wealth was not restricted to the small number of families which were part of the government. All the *Bourgeois* were able to trade, some *Natifs* and *Habitants* also managed to gain considerable wealth. Fortune was not tied exclusively to government office. Bern was the best example of a city where the oligarchy had taken control, both political and financial. The refusal to accept any new members of the *Bourgeois* in the seventeenth century went hand-in-hand with a limitation of those *Bourgeois* able to take part in the government. From 542 *Bourgeois* families in 1650, there were 243 in 1784, while those families able to sit in the *Grand Conseil* at Bern went from 120 to 76; it was these families alone that were able to benefit from the rich rewards of government posts.¹² In Soleure and Fribourg, the opposition was unable to show itself openly at all.

In Geneva, the *Bourgeois* could not all have seats on the *Deux Cents*, and even a rotation of seats on an annual basis would have left many families outside the political process for long periods. In 1734, there were less than 100 different families serving on the *Deux Cents*. In the same year, there were 682 families which formed the *Bourgeois*. The continued existence of the *Conseil Général*, established by the original commune in the thirteenth century, offered a place where all the *Bourgeois* could, if they desired, take some part in the political processes of the state. This was precisely what the oligarchy had been working hard to prevent since the end of the sixteenth century. Godechot's statement that:

'the *Bourgeois* ... enjoyed the rights of citizens but did not sit in the councils...'¹³

⁹ Fazy, *Les Constitutions*, *op. cit.*, p. 51.

¹⁰ Favez, *op. cit.*, Capitani, 5, p. 459.

¹¹ See Diagram, 67a..

¹² Favez, *op. cit.*, François de Capitani, 5, p. 459.

¹³ Godechot, *op. cit.*, p. 52.

Diagram 4 Comparison of Unrest in Basle and Zürich.

From Braun, *op. cit.*, pp. 210-213.

This diagram gives in abbreviated forms the main claims of those involved in the unrest in both Basle 1690-91 and Zürich 1713.

Basle 1690-91

Grand Conseil rarely called in C16.

Complaints:

1. electoral abuse
2. perjury
3. illicit enrichment
4. fear of corruption by French Corporations and Bourgeois Militia came together, with 1000 in the street. Federal arbitration requested and the emergence of *Doléance* of 178 points. Eventually suppressed by government with aid of loyal Bourgeois and troops from the Basle countryside. Showed the corporations were still capable of organising opposition to government, though concessions gained were lost after two years. As the Federal Mediator said of the situation: 'leur gestion des biens publics a été honteuse ... [les familles Burckhardt et Socin ont] administré la justice avec partialité. ... Les bourgeois avaient plus d'une raison d'exiger des réformes.'

Zürich 1713

Disagreements between the church and government preceded 1713.

Complaints were:

1. violation of rights of Tanner's Guild
2. declaration of war without consulting corporations and Constable
3. defective military organisation and weak military leadership.

In the Secret Council, the Intendent Bodmer accused the Magistrates of various offences and corruption. The rejection of his claims and an attempt to blame him led to his correlative supporters to take up arms. 600 met at Lindenhof and eventually it was agreed to negotiate with the government on the basis of 115 Demands including an end to the political influence of the merchants and the limitation of the same members of a family in the council. By small concessions and evasions and considerable pressure a compromise was reached and agreed by Advent 1713. Basically reaffirmed existing constitutional rights such as the co-decision of Constable and corporations for declarations of war, treaties of peace and treaties of alliance.

is not totally accurate. The *Conseil Général* was one of the four councils concerned, constitutionally with the governance of the state. The refusal to consult the *Conseil Général* where all *Bourgeois* sat and had the right to speak was precisely what the complaints were about.

There were also considerable contrasts between Geneva and the United Provinces in the eighteenth century. The latter saw economic stagnation and decline.¹⁴ With the death of William III; the regent burghers seized control and the country came to be governed by a closed hereditary oligarchy who held offices in the municipal corporations, especially in Amsterdam. The wars at the beginning of the century caused irreversible damage to Dutch trade. From 300 Dutch vessels on average each year at Danzig at the beginning of the century, the figure sank to 91 by 1780.¹⁵ The development by nations of their own shipping led to less trade for the Dutch and the refusal to make Amsterdam a free port in 1738 and 1751 due to commercial rigidity merely aggravated the situation. The oligarchy, especially in Amsterdam, had ceased to trade but lent money to banks both in Holland and abroad, protecting them from the consequences of their insistence on commercial rigidity. More telling was the near stasis of the population at a time when the rest of Europe, including Geneva, was increasing. As the Dutch settled into a gentle decline,¹⁶ Geneva began an ascent to commercial success and considerable prosperity.

Wine and Political Unrest

The success that a group of both citizens and *Bourgeois* achieved over the question of wine, its taxation and sale in Geneva, acted as an educational process and dress-rehearsal for the *Bourgeois*. The move was almost totally successful: the Edict of 1699 was abrogated, and the tax on the import of foreign wine was revoked. It had been introduced in 1704 and had been felt by the *Bourgeois* to be an attack on their privileges.¹⁷ A complete list of all the orders issued on behalf of the *Chambre des Vins* was also to be printed and made public. It had been a well-organised campaign which had included officers in the companies of the militia, the *dizeniers* and the senior master craftsmen of each craft and trade.

The weakness of the government in the confrontation over wine was not to be disguised by the comments of the *Procureur-Général*, who, when a deputation went to thank him for his efforts on their behalf, urged them:

'à éviter toutes sortes d'émotions et de cabales particulières ou autres comme très dangereuses au bien public et à la sûreté de l'Etat, qui ne pouvait subsister que par une parfaite union de tous les membres qui composent son corps.'¹⁸

The members of the *Petit Conseil* learnt little from the wine question. The attempt to suggest that the state would only survive if its people did nothing to create divisions fell on

¹⁴ Simon Schama *Patriots and Liberators. Revolution in the Netherlands 1780-1813*, London: Collins, 1977, pp. 35-45.

¹⁵ M.S. Anderson *Europe in the Eighteenth Century*, London: Longman, 3rd. Edition, 1991, pp.90-91.

¹⁶ Schama, *op. cit.*, pp.24-35.

¹⁷ The government order of 1699 had restricted the right to sell foreign wines; that of 1702 stated that foreign wine purchased by the *Bourgeois* abroad could not be treated as wine from Geneva (and was therefore taxed). The order of 1704 imposed a hefty tax of an *écu per sétier* (approx 1.5 gallons?) of wine rather than the previous tax of 6 *sols*. P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 402. It was Fatio who had first suggested a review of the taxes on wine in 1698.

¹⁸ *Ibid.*, p. 403.

deaf ears. Many of the features of this attack on the government's power to tax wine were to be repeated in the political movements of the remainder of the century. The organisation of smaller units of the *Bourgeois*, the claim that the government was attacking the group's privileges, especially the prerogatives of the *Conseil Général* especially with regard to taxation and the desire to see printed and made available the laws under which the state operated, all these elements were found repeatedly in the years that followed. It also demonstrated that the *Bourgeois* if they organised themselves could obtain concessions from the government. From reform of the wine tax, it was an easy step to right an old wrong.

In 1706, a group in the city was preparing a list of suggested reforms to the Edicts. François Delachenaz, a *Bourgeois*, and Pierre Fatio, a member of the patriciate whose elder brother was one of the *Petit Conseil*, together with Jacob de Normandie and Pierre Gallatin,¹⁹ sought the return to the *Conseil Général* of its rights as the sovereign body of the state. In Pierre Fatio's case, though recognised in Geneva as having political ambition, he found that, nonetheless:

'[sa] voie en politique était barrée par un frère aîné, en vertu du privilège coutumier du primogéniture pour pénétrer dans les charges publiques.'²⁰

The reforms desired were based on four main points. The first was that voting in the *Conseil Général* should be by ballot,²¹ the second that the *Deux Cents* should elect its own members rather than their being elected by the *Petit Conseil*. The third was an attempt to limit the number of members of the same family within the two councils (a demand that went back to the sixteenth century).²² And finally, the Edicts upon which the governance of the state was based should be published. As had happened with the wine taxes, these reforms were to be presented piecemeal. The first demand for a ballot was presented to the *Procureur-Général* on 1st. December 1706. Neither of the councils was willing to adopt such a procedure, so the proposal was rejected by them, but, to mollify the petitioners, it was agreed that a curtain should be hung between those voting and those who registered the vote.

The argument concerning a ballot in the *Deux Cents* centred in part on the literacy of the *Bourgeois*. In the debate, Fatio claimed that there were only about twenty *Bourgeois* who could not write, adding that he had asked the *dizeniers* for the information. Thereupon, he was charged in the discussions with having:

'fait de grandes cabales parmi le peuple et corrompu les dizeniers.'²³

It was at this meeting of the *Deux Cents* that Fatio, Jacob de Normandie and Pierre Gallatin clearly took the lead in opposing the policies of the government. Gallatin in a speech, drew the attention of the council to what had happened in England, where the English had been in danger of coming under the control of a strong ruler. He then continued:

'Ils ont travaillé à affirmer leur liberté, ils ont pris de sages précautions pour tenir l'ambition de ceux qui sont appelés à gouverner. C'est à Vos Seigneurs à imiter

¹⁹ See Appendix IV B IV/1.

²⁰ André E. Sayous 'La haute bourgeoisie de Genève entre le début du XVIIème. et le milieu du XIXème siècle', *Revue Historique*: Librairie Felix Alcan 62e. année T. CLXXX juillet-décembre 1937, p. 42.

²¹ This took up the demand that had been made by Boutilier in 1578. See Chapter III, p. 55 ff.

²² *Ibid.*, p. 102. To give an example: for the year 1706, according to Corbaz, quoting from J.A. Gautier, there were in the *Petit Conseil* 3 Trembley family members; an *Auditeur* and another judge were also Trembleys. There were also 6 Buisson brothers who sat in the *Deux Cents*.

²³ *Ibid.*, p 91.

cette prudente nation. Déjà nous voyons le gouvernement de cet Etat partagé entre deux ou trois familles seulement, et finalement, au pouvoir de celui de la dite famille qui sera l'idole des autres.²⁴

It was a speech which was unlikely to be well received by the government.

The seventeenth century in England had seen the success of Parliament in obtaining control over the crown through the annual voting of supply, as well as by removing two Kings and their favourites. In the next twenty years in Geneva, there were to be a number of references to events in England, and especially the need for the House of Commons to vote supply. This tied in with the belief in Geneva that the *Conseil Général* was the sovereign body of the state with the right to approve or reject taxation.

The *Conseil Général* in January 1707 for the election of the year's *Syndics* was relatively peaceful except for an attempt by François Delachenaz²⁵ to make a speech. Dissuaded from doing so by Fatio, because the Edicts stated that nothing could be discussed in the *Conseil Général* unless it had previously been discussed in the other councils, Delachenaz had his manuscript, which contained proposals for reform, seized and the meeting ended peacefully. He immediately began, with another copy, to go from house to house collecting signatures in support of its contents. Stopped from doing this by the Magistrates, he proceeded to collect signatures from the customers in his shop. This open defiance of the government led to his case being heard by the *Deux Cents*, where he was defended by Fatio. It was decided that he had to appear before the Magistrature and hand in his petition. This he did, going to the home of the first *Syndic*, Jean de Normandie, who, on receiving the petition, threw it into the fire.

Whatever the *Syndic* might have thought of the contents of the petition, this was hardly the way to treat the signatures of the 600 *Bourgeois* who had signed it. As a result, Fatio, Jacob de Normandie and Gallatin decided to call a meeting for the following day at the covered, but open-sided, riding school. 400 attended but were finally dispersed by the *Procureur-Général*, Du Pan.²⁶ But it was agreed to hold a further meeting the next day. At this second meeting, more than 600 turned up and Gallatin, sent by the *Petit Conseil* to disperse the crowd, had little success. The speed with which Fatio was able to assemble such numbers was doubtless related to various meetings which had been held at hired rooms in various inns in the town, and in the *Bourgeois* militia units. The crowd began to move toward the town hall, where they were met at the door by three *Syndics*, accompanied by some councillors. In such situations, the *Procureur-Général* would be expected to present the demands of the people to the *Syndics*. However, Du Pan failed to present these demands, remaining silent, an action which angered those present.

It was agreed that a commission from the *Deux Cents* would meet a delegation from the *Bourgeois*. The delegation consisted of 18 members²⁷, with Fatio as the speaker in the meetings with the commission. The four points already listed above were to form the core of the delegation's arguments. Fatio, in his speech however, went much further demanding that a *Conseil Général* needed to be called to overcome 'une infinité d'abus', because:

'car c'est lui le maître souverain et non les autres conseils.'²⁸

The meetings held in the *manège* on 17th. and 18th. January 1707 over the burning of

²⁴ Corbaz, *op. cit.*, p. 133.

²⁵ See Appendix IV B IV/2.

²⁶ See Appendix IV B IV/3.

²⁷ See Appendix IV B IV/4.

²⁸ P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 406.

Delachenaz's petition were the first in a series of political assemblies that were to take place in Geneva throughout the eighteenth century. In leaving the second meeting and moving towards the town hall in a body, the *Bourgeois* were able to obtain the first concession from the government, namely the formation of a commission to receive a deputation from the *Bourgeois*. They also had a coherent policy to guide them - the desire to have the *Conseil Général* recognised as the sovereign legislative power within the state and therefore to have some element of control over the government and the two smaller councils. In effect, this was to lay down the battle lines for the remainder of the century. The inherent contradiction contained within the Edict of 1543 had returned once again to haunt the body politic of the state, as in 1578, 1604 and 1698.

The militia was the organisation through which the *Bourgeois* had organised themselves. The *Bourgeois* met together with the members of the patriciate who were in their unit, where each had a vote, and the clergy of each district to which the unit was attached also took part, and it is the ability of the *Bourgeois* to mobilise and organise political activity that gives them a 'modern' appearance. The non-existence of any form of outlet for the exercise of what the *Bourgeois* considered to be their political rights forced them into finding ways to organise themselves. Otherwise they would disintegrate into the kind of cabals and factious groups that the patriciate were convinced they actually were. The ability to discuss within the twelve militia groups and to come to collective decisions was of itself a sign of seriousness of purpose and political maturity.

What adds uniqueness to the whole situation in Geneva throughout the greater part of the eighteenth century is the second component of the *Bourgeois* concept: whatever they did had to be done within the existing laws and edicts. There were to be no illegal acts, and every action and demand had to be acceptable and legally based. It was perhaps a natural approach for the *Bourgeois*, who were convinced that they did not desire any change in the existing constitution, merely the restoration of certain rights which had been deliberately held in abeyance.

At the end of January, Fatio had added a fifth point to the four already being discussed, to the effect that:

'Toute proposition, toute demande sera dans un temps déterminé, examinée et discutée 1) en Petit Conseil lorsque 3 conseillers le demanderont; 2) en Deux Cents lorsque 10 conseillers le demanderont; 3) au Conseil Général lorsque 50 citoyens le demanderont.'²⁹

By March, with the *Petit Conseil* and some of the *Deux Cents* determined not to make any serious concessions, the discussions were making little progress. Attempts by the *Syndics* to exclude Fatio from his seat in the *Deux Cents* had as little success as their attempts to detach his followers. It was at this point that the idea of appealing to their two Swiss allies for some kind of assistance was first mooted. The *Petit Conseil* wrote to Bern asking for their assistance on 4th. March and in their letter said:

'leurs bourgeois ne tendaient qu'à renverser le gouvernement.'³⁰

The letter also contained the statement that Bern and Zürich were:

'l'unique moyen que la Divine Providence et nos alliances nous mettent en main pour ramener et conserver la tranquillité de cet Etat...'³¹

It was Du Pan who, in a meeting of the *Deux Cents* on 7th. March, claimed that:

'S'il fallait recevoir la loi de quelqu'un, il aimerait mieux la recevoir de nos Alliés

²⁹ Corbaz, *op. cit.*, p. 140.

³⁰ *Ibid.*, p. 157.

³¹ Charles Melly Du-Bois 'Genève en 1706 - Pierre Fatio & les troubles populaires de l'année 1707', *Chronicles*, Genève: J. Julien, 1870, p. 148.

que de trois ou quatre particuliers.³²

As later, so in 1707, for some of the patriciate, recourse to their allies was better than allowing the *Conseil Général* any say in the governance of the state, foreshadowing 1737-8, 1766-8 and 1782. The attitude of the members of the *Petit Conseil* was to be consistent throughout the crisis: the demands of the group led by Fatio were dangerous and had to be silenced.

While trying to find a way to divide Fatio's followers and offering compromises to end the stalemate, the government was determined to crush completely all opposition, even if it involved bloodshed. Three letters written by the secretary of the deputation from Bern to a colleague in Bern give an insight into the attitude of the *Petit Conseil*. In the letters, Gros comments on how the members of the *Petit Conseil* regarded Fatio and the other leaders as 'séditieux et des mutins'. Gros also says that:

'Leur système est toujours de réduire la bourgeoisie à la soumission par menace et crainte, prétendant que les Alliés les doivent soutenir là dedans.'³³

By 14th. March, the *Petit Conseil* had decided not to call a meeting of the *Conseil Général* until there was calm and tranquillity in Geneva and

'lorsque les syndics et le Petit Conseil le trouveraient à propos.'³⁴

The *Petit Conseil* also decided that it would no longer tolerate any further public meetings of the kind that had been held at the riding school. They expected the commissioners sent by Bern and Zürich would without hesitation back the stand that had been taken by the council. In Geneva itself, they were heartened by the defection from Fatio's followers of a group led by Antoine Comparet, who begged the first *Syndic* not to call a meeting of the *Conseil Général*, and the pastors, who had remained neutral but now began, with very few exceptions, to take a pro-government stand. According to Corbaz, Comparet and his group had been won over by bribery:

'les uns d'avoir une place dans le CC à la première promotion, d'autres un emploi vacant, d'autres une pension à vie,.....d'autres étaient gagnés par la crainte d'être ruinés.'³⁵

The representatives from the two Swiss cantons, more realistic than the Genevan government, persuaded it to call a meeting of the *Conseil Général* for 5th. May. The meeting opened with a speech by the second *Syndic* Chouet, considered the least unpopular of the *Syndics*, which was why he was given the task of speaking at this meeting. In his speech, Chouet insisted upon the sovereignty of the *Conseil Général*:

'il n'y a personne sans exception ... qui ne doive tomber d'accord qu'elle [la souveraineté] appartient uniquement à ce Conseil ici.'³⁶

He added later in the speech:

'que quand même ce Conseil général ne s'assembleroit jamais, et qu'il ne feroit jamais par lui même aucun acte de Souveraineté ... qu'il ne faudroit pas avoir peur pour cela que sa Souveraineté se perdit ou qu'elle receut par là quelque atteinte, car il n'y a point et il n'y peut point avoir de prescription à cet égard.'³⁷

³² P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 407; also Corbaz, *op. cit.*, p. 141.

³³ Corbaz, *op. cit.*, p. 163.

³⁴ Corbaz, *op. cit.*, p. 148.

³⁵ *Ibid.*, p. 154.

³⁶ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 407.

³⁷ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 189.

Accepting the sovereignty of the *Conseil Général*, Chouet then went on to claim that: 'Il [le Conseil général] en a commis l'exercice à une autre assemblée moins nombreuse, je veux dire au Conseil des Deux Cents. ... que ce Conseil général n'a point voulu exercer par luy même ces grands actes de souveraineté, mais qu'il l'a toujours fait par le ministère des autres Conseils; parce que tout ce que le Petit et Grand Conseil font ... est censé être fait par ce Conseil souverain luy même, lequel il représentent, et au nom duquel ils agissent'³⁸

In reply Fatio argued of the *Conseil Général* that:

'qu'il falloit qu'il en deliérât actuellement ...[Autrement] son droit, sa liberté, et sa souveraineté seroient chimériques. ... En remettant son droit, on dira qu'il [le Conseil général] est toujours le souverain, mais il ne sera que *in abstracto*, et jamais *in concreto*, toujours souverain sans l'exercice de sa souveraineté.'³⁹

It was clear to Fatio that:

'Tout ce qu'il y a d'autorité de crédit et de force coactive dans les Conseils (Petit et Grand) émane radicalement du souverain qui est tout le peuple en corps ... Il faut simplement ne pas souffrir que l'on fasse des lois sans consulter le peuple.'⁴⁰

For both the government and Fatio and his supporters in the *Bourgeois*, the 'people' in all these and future discussions referred only to the *Bourgeois*, those with the right to take part in political life in the city, around 1,300 people at this time. In reality, the gap between the government and Fatio and his supporters was profound. It was an argument at the heart of all future trouble in Geneva. The concept of the sovereign rights of the *Conseil Général* and the belief that the smaller councils were only able to act as executives of that power was to be of prime importance to Geneva. The sovereignty of the *Conseil Général*, already claimed by Combe in 1604 and again by Fatio in 1707 was that of 'the delegation of authority' mentioned by Palmer.⁴¹ The same argument concerning sovereignty and whether it was divisible, as the smaller councils in Geneva claimed in 1707 but Fatio denied, was to be hotly debated between the British and the Thirteen Colonies in the 1760s and also in the United Provinces in the 1780s.

All was not lost for the government however, it had been decided by two smaller councils to spring a surprise at the *Conseil Général*. This was to be presented to the meeting after the speeches of the *Syndics* and the response made by Fatio but before there was any voting. All the *Bourgeois* should swear an oath of loyalty to the state before the proceedings continued, it having been some time since this had last been demanded.

This was an astute political move since swearing the oath, a solemn, religious occasion, would influence some of those present. It was Councillor Antoine Piaget ⁴² who, jumping to his feet, explained the significance of this move to the representatives of Bern and Zürich, attending the *Conseil Général* as observers:

'notre serment promettant fidélité au Magistrats et soumission aux Edits de la République [semble] exclure tout changement dans l'Etat.'⁴³

³⁸ Mélanges Wolfgang Amédée Liebeskind 'Le Discours du Syndic Chouet sur la nature du gouvernement de l'état de Genève', *Institutions politiques et traditions nationales*, Genève: Librairie de l'Université, Georg & Cie. S.A., 1973, pp. 192-193.

³⁹ *Ibid.* 'Un débat sur la démocratie genevoise Chouet et Fatio au Conseil Général (5 mai 1707)', pp. 202-203.

⁴⁰ *Ibid.*, pp. 181-2.

⁴¹ Palmer, *op. cit.*, p. 5.

⁴² See Appendix IV B IV/5.

⁴³ Du Bois-Melly, *op. cit.*, p. 156.

De Normandie, on leaving Geneva on the service of the Prussian King (who had been asked by the Magistrates to order him to Neuchâtel) told all those who spoke to him: 'gardez-vous bien de prêter le serment.'⁴⁴

De Normandie may have heard of the idea of the government through his family connections. The attempt to introduce the oath led to considerable disorder. In addition, the presence of the Swiss delegations at the *Conseil Général* was also questioned. The wrangling only ended when the session was adjourned to 12th. May, after lasting eight hours and achieving nothing.

At the second meeting of the *Conseil Général* on 12th. May, doctor Chenaud⁴⁵ suggested a way forward by voting on the current suggestions as a block: voting by ballot, augmenting the *Deux Cents* by 40 and the challenging of cousins sitting in the councils, together with the publication of the Edicts. The latter had already been conceded by the government. Fatio saw this as a trap, even though the suggestion came from Chenaud, considered a Fatio supporter. It was enough, however, to give hope to the Magistrates that they would be able to separate the moderate *Bourgeois* from the hard-line supporters of Fatio. Some of the *Bourgeois* were unhappy at the continued unrest:

'toutes les affaires étaient abandonnées, le mal allait augmentant chaque jour et l'on apprenait encore que la Savoie allait être occupée par de nouvelles troupes étrangères... Le sentiment d'un commun danger et l'amour de la république disposaient maintenant la plupart des citoyens à ne point trop se rallier contre la Seigneurie.'⁴⁶

The meeting was adjourned for a fortnight without any decision. There was also a reluctance among the more moderate members of the *Bourgeois* to push the government too far. This offered a useful lever to the government, which it did not hesitate to use to the disadvantage of the *Bourgeois*.

A concession made by the government with regard to the *Conseil Général* also helped the Magistrates' case. In addition to the annual meeting of the *Conseil Général* for the election of the *Syndics* and other officials, there would be one held every five years to legislate. This concession from the government went some way to meet the demands of the *Bourgeois* for the restoration of the *Conseil Général* and the right they claimed it had to be consulted concerning matters of importance in the state.

The crucial meeting of the *Conseil Général* to discuss the proposed concessions took place on 26th. May. Fatio's supporters attempted to meet beforehand in the Madeleine church, but found the doors locked, so broke the windows and entered the church, whence they marched *en masse* to St. Pierre for the *Conseil Général*. The number of men who attended and subsequently marched to the Cathedral was some 600-700. At the *Conseil Général*, the two councils were willing to offer the revision and publication of the Edicts, voting by ballot, a limitation on the members of the same family permitted to sit in the smaller councils, and a legislative *Conseil Général* every five years. It was a stormy and unpleasant meeting which must have done much to confirm opinions concerning the inadvisability of the *Conseil Général* having any serious political rights. Even the voting was noisy and disorganised:

'Fatio s'apercevant que la pluralité des suffrages alloit à l'approbation, il s'est retiré dans le bas du Temple avec ses adhérens; il s'y fait (pour interrompre) des huées redoublées ...Ms. les Syndics ont fait crier pendant environ une heure que

⁴⁴ Amédée Roget, 'Les membres des conseils adhérents de Pierre Fatio, 1707', *Etranges Genevoises*, Genève: J. Carey, Imprimeur-Editeur, 1880 4, p. 173. [Hereafter 'Les membres des conseils']

⁴⁵ See Appendix IV B IV/6.

⁴⁶ Du Bois-Melly, *op. cit.*, p. 163.

ceux qui voudraient passer s'avancassent, mais les Chefs se tenoient dans les couloirs pour empêcher qu'on ne passât [pour voter].⁴⁷

The atmosphere can be judged by the comments shouted by Jean Trembley,⁴⁸ a member of one of the patriciate families:

'que P. Fatio n'était qu'un nouveau venu dans l'Etat et fils de bourgeois; qu'il ne faillait pas souffrir qu'un seul gouvernât dont la ballote changerait entièrement le gouvernement.'⁴⁹

The quiet comment made by the young Turretini directly to Fatio, who was sitting near him, that he, Fatio, 'n'était qu'un tyran' is indicative of the passions stirred by the events, and the anger generated was still to be found fifty years later. In a mémoire sent by François Rilliet⁵⁰ to Cramer in 1766, there is the following:

'Notre ville [a] été *dechirée* en l'année 1707 par une faction et *un parti violent* soutenu par quelques Italiens d'un certain ordre et accrédités ...'⁵¹

The Fatio family had come as religious refugees to Geneva, acquired *Bourgeois* status, and become accepted into the patriciate, where various members of the family had held high positions in the government. Pierre Fatio, for example, had broken the rules of loyalty both to the patriciate and his family. Clearly, outsiders remained suspect long after they had settled in Geneva.

At another point a body of Fatio's supporters walked out of the cathedral, claiming they had been misled or betrayed. Gallatin decided to accept the compromise that was offered, and Fatio lost all the votes taken, though the *Bourgeois* thus gained a certain amount of what they had demanded.

The session closed, and the members of the two councils withdrew, leaving only Fatio's supporters in the cathedral, where they were rejoined by those who had left earlier. The councils wanted to arrest Fatio, who was talking to his followers in St. Pierre, but were dissuaded by the Bernese delegation, who sent for Fatio and persuaded him to send his followers home. The government, fearing that those around the cathedral might sound the tocsin,⁵² had the cathedral surrounded by troops. Fatio re-entered the cathedral, where, after singing a psalm, his followers dispersed.

There was however rioting in the town, where the shop of a known supporter of the government was destroyed and he was lucky to escape with his life. The rioting was not by the *Bourgeois*, it was by the *Natifs* and the *Habitants*. They were theoretically in no way concerned with what was happening within the *Bourgeois* section of the population, yet they were the ones who reacted violently to the frustration and anger felt by the core of Fatio's supporters. This kind of rioting was unusual in Geneva, especially in the early years of the eighteenth century. It was possibly the result of the close connection that there was in the work place between the poorer *Bourgeois* and the *Natifs* and the *Habitants* as well as the fact that there was much intermingling in accommodation, especially in the St. Gervais area of the city.

⁴⁷ BPU, Genève, Ms. Tronchin 281 Mémoires commencés en janvier 1707, 246.

⁴⁸ See Appendix IV B IV/7.

⁴⁹ Corbaz, *op. cit.*, pp.205-206.

⁵⁰ See Appendix IV B IV/8.

⁵¹ BPU, Genève, Ms. Cramer 87 Vol. II février 1766-décembre 1766, 5 mai 1766 *Vues Politiques* Charles Bonnet, 113. [My underlining]

⁵² This was the call for all the *Bourgeois* to go to their militia positions with their arms. In effect, it would have put all the *Bourgeois* on an armed footing, which in the tense situation might well have been extremely dangerous.

The government, at the bidding of the Bernese, announced a general amnesty. Yet, according to Gros, two months before the introduction of the amnesty, there was already talk of the necessity for blood to flow:

*'Dans les conversations particulières, ils font assez sentir qu'ils ont envie d'ensanglanter la scène, c'est-à-dire de couper quelques têtes. Mais ce sont là des choses qu'il est à propos de ne pas divulguer...'*⁵³

Further trouble erupted on 27th. May, when windows were broken and supporters of the government were threatened and attacked. Fatio was quickly on the scene to calm matters and there were no serious injuries, but this time the Magistrates acted severely, people were arrested and the town was in a state of semi-siege. In the heightened atmosphere, even the preachers at Divine service were not immune to reaction from members of their congregation, as the Pastor Després discovered in the Madeleine on Sunday, 29th. May. He insisted on the need for obedience to the Magistrates, when a member of the congregation by the name of Lachanas called out in a loud voice:

*'Il faut obéir au Magistrat quand il nous conservera nos privilèges.'*⁵⁴

It was a cryptic statement, which would appeal to both sides of the fence, depending on what the individual interpreted as the preservation of the privileges of the *Bourgeois*.

With the concessions granted and the Amnesty, the Genevans appeared to have solved their difficulties, permitting the Swiss delegations to return home. Unknown to the *Bourgeois* was the agreement by both Bern and Zürich to send troops to Geneva, ostensibly to strengthen the garrison against the threat from the occupation of Savoy, but in reality to strengthen the hand of the Genevan government. Fatio was expelled from the *Deux Cents* on 6th. June, though this did little to decrease his popularity with those living in St. Gervais, and the government created a secret commission which consisted of:

*'Ms. Rilliet, J.C. Trembley et Sartoris pour observer les démarches des chefs.'*⁵⁵

Their task was to gather information about every act and word of those perceived as enemies of the state; a typical example of such 'information' was :

*'Delorme étant à la fermeture de la Porte de Rive avec sa femme, avoit répondu au Capitaine de garde qui lui témoignoit sa joy du retour du calme. Il n'est pas tel que vous pensés, la paix n'est pas encore dans la Ville, le feu couve sous la cendre, on se plaint de l'arrivée des Suisses.'*⁵⁶

Evidence built up that Fatio was meeting with those who agreed with him, both in Geneva and outside the town, but there was little, solid proof of anything other than talk. It was however on occasions provocative and very public, as in the report of Fatio's comment to his friend Chouan, made in a street, doubtless for all around to hear:

*'on voit bien pourquoi on tient ici des Suisses, nous n'avons pas besoin de Troupes pour nous garder, ce n'est donc que pour nous opprimer.'*⁵⁷

Whatever the intentions of the government with regard to the Swiss troops, there was considerable unease in the city concerning their arrival, and it was easy for Fatio and his supporters to play on those fears to increase their own following. The consequences of the Swiss troops' being in Geneva at a time of repression after September 1707 was to be

⁵³ Corbaz, *op. cit.*, p. 163.

⁵⁴ BPU, Genève, Ms. Tronchin 281 *op. cit.*, 25, the underlining is in the original, presumably because Tronchin is quoting Lachanas' words.

⁵⁵ *Ibid.*, 260. See Appendix IV B IV/9.

⁵⁶ *Ibid.*, 261 [Under entry for 'mardi 2 août']

⁵⁷ *Ibid.*, [under 'dimanche 7 août'] 261.

often referred to in the future and caused an inherent distrust of the government's intentions whenever they wished to call upon the Swiss for military protection.

The government finally acted on 17th. August, arresting Fatio, Lemaître⁵⁸ and Delachenaz; Piaget eluded them but was drowned trying to escape. The reports received by the *Petit Conseil* that there was still considerable unease and talk amongst the *Bourgeois* may have decided them to move. Tronchin reports on 2nd. August concerning the murmurs of men such as Moudry aîné and Badolet:

'il y en a qui disent que dans les prochaines Elections il faut en éloigner les grandes familles, celles qui ont beaucoup de parens.'⁵⁹

This was possibly seditious talk, except that the *Bourgeois* in the *Conseil Général* were, in fact, not in any position to carry out the threat. All candidates for all positions that were elected by the *Conseil Général* were chosen by the two smaller councils and consisted of names coming from families that sat in those councils. Unless the powers of the *Conseil Général* were returned to what it had enjoyed before 1543, the talk of Moudry aîné and Badolet was merely discontented muttering. It did make it clear to the authorities however that under the surface of apparent calm there was seething anger in many of the *Bourgeois*.

The legal process against those arrested was carried out in haste and in secret and was based on the testimony of an innkeeper of questionable reputation.⁶⁰ Lemaître denied everything, even under torture and up to the moment of his execution. He was hanged in public and his denial of any wrongdoing immediately before his death made a deep impression on those who witnessed his execution. Antoine Léger,⁶¹ pastor and Professor at the Academy, who had accompanied Lemaître to his execution, was so distressed by what he witnessed that, on returning home, he withdrew to his room, having said to his son:

'c'est quelque chose de terrible, si ce pauvre est innocent.'⁶²

Delachenaz, considered by many to be slightly mad, was banished for life. Fatio was allowed no lawyer for his defence. There was no proof of any plot against the state, but the government, who were also his judges, were convinced that, if he lived, there would be no peace in the state. The attitude of the judges was summarized in the statement made to the *Deux Cents* by the *Syndic* Jean de Normandie:

'délivrer la République des scélérats qui en troublent le repos, de ne pas tant s'attacher à la formalité et en la procédure dans les jugements qu'il aura à faire qu'à la souveraine loi, qui est le salut de l'Etat qui veut que les perturbateurs du repos public soient ôtés de parmi nous.'⁶³

The decision for conviction and the death sentence was delivered by the *Petit Conseil* on 31st. August. The execution was carried out in the yard of the prison by a firing squad on 7th. September. This was against normal practice and was carried out in private to protect

⁵⁸ See Appendix IV B IV/10.

⁵⁹ *Ibid.*, 261 [under entry for 'mardi 2 août'].

⁶⁰ Brochet, host of the *Tour Perse*, who claimed that Lemaître had said in his hearing that he would slit the throats of the *Syndics*, throw the Swiss troops in the Rhône and then sack the houses of the patriciate. Martin refers to Brochet as 'un homme taré'. P.E. Martin, *op. cit.*, p. 411.

⁶¹ Later he preached obedience to the government in a sermon in St. Gervais. The comments of some *Bourgeois* to him after this, together with later meals with them caused him to change his position.

⁶² Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 166, ft. 101.

⁶³ P.E. Martin *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 412.

the sensibilities of those members of the Fatio family who were part of the government. It also had the advantage that another public denial was spared the government, as, clearly, Fatio would not have gone quietly to a public death. Neither could the government be sure whether such a public execution might not provoke severe rioting in the city. Fatio, upon being told by the *Petit Conseil* that his life was forfeit and that he had lost all fear of God, asked for a Bible and then read to them Psalm 58,⁶⁴ rarely used in church life, the content of which made it perfectly clear what Fatio thought of those who had judged and condemned him. For Fatio, the guilt, if guilt there were, rested upon their shoulders not his.

The two death sentences and the banishment of Delachenaz did not end opposition. By 13th. September, Jacob de Normandie had been forbidden to enter Geneva and then expelled from the *Deux Cents*, together with Pierre Perdiau.⁶⁵ In June 1708, Etienne Dentrand was denounced for having visited de Normandie at Coppet. He had been one of the delegation which had attempted to negotiate with the committee of the *Deux Cents*. After this, de Normandie decided to leave Geneva permanently to live in Prussia. This demonstrated that the government was keeping a close watch on those who had been prominent in the Fatio matter.

The extent of the fears of the Magistrates was demonstrated by the punishment they meted out to Jacques Després, a pastor who, in the Madeleine, offered prayers for:

'une famille considérable qui s'est mise à present en voyage.'⁶⁶

The government decided that:

'Després, en priant pour des gens suspects, a voulu entretenir l'esprit de sédition, qu'il doit être censuré grièvement, demander pardon à Dieu et à la Seigneurie'^{67, 68}

He was punished with temporary suspension. His response was that he had not been sanctioned by the *Compagnie* and that, as for the rest:

'il vaut mieux obéir aux hommes, que sa conscience ne lui reproche rien.'⁶⁹

So the Council destituted him, forced him to beg their pardon and to plead for their mercy, whereupon all punishments were revoked. All because of prayers for the departing wife and children of Jacob de Normandie.⁷⁰ It was indicative of the state of control and fear in Geneva in the post-Fatio period.

The concessions that were made by the government in 1707 concerning the meetings of the *Conseil Général* every fifth year to discuss any new laws or any other difficulties in the state had been made in order to calm the situation. These concessions were all that remained to be dealt with by the government, which had, by executions, banishments and punishments over a period of more than a year, managed to silence all opposition. The remaining concessions were dealt with in 1712, when the *Conseil Général* voted by 780 to 271 to end the quinquennial legislative meetings.⁷¹ The motion proposing this was

⁶⁴ See Appendix II. An interesting revelation of the degree of biblical knowledge in the city.

⁶⁵ See Appendix IV B IV/11.

⁶⁶ *Ibid.*, p. 180.

⁶⁷ The *Seigneurie* was the ancient name given to the government.

⁶⁸ Amédée Roget, Fatio, *op. cit.*, p. 180.

⁶⁹ *Ibid.*, p.182.

⁷⁰ *loc. cit.*

⁷¹ P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 413.

cleverly worded:

"Whether the opinion of the councils, for abolishing the periodical assemblies, should pass into law?" The words employed on the billets delivered for that purpose, were *approbation*, *rejection*; so that whichever side was taken it came to the same point. If the billet of *approbation* were chosen; the opinion of the councils which rejected the periodical assembly was approved; if that of *rejection* then the periodical assembly was rejected of course.⁷²

thus ensuring the end of the one possible check on the power of the two smaller councils and returning the *Bourgeois* to their previous state of relative impotence. It also negated the main gain that had come from 1707. As one historian has correctly said:

'en 1712, la Bourgeoisie a été effectivement bernée par le Magistrat, et le vote du 20 décembre a été ressenti comme une véritable escroquerie politique ...'⁷³

The realisation that they had been tricked did little to help the *Bourgeois*. The situation reverted to what it had been since the end of the sixteenth century, with the government, as Fazy comments, '[qui] se considéra comme maître absolu de la république'.⁷⁴ It remained to be seen whether the *Bourgeois* would accept or organise some further attempt to obtain their goals. They had been consistent in their demands from Boutilier onwards for the restoration of the rights of the *Conseil Général*. The success of 1707, though lost in 1712, ensured that the fight would continue, if necessary in small meetings held in homes and via the militias.

Geneva, democratic action and 1707

Well before the 1760s and Rousseau's *Social Contract* the disagreement between the government and some of the *Bourgeois* in 1707 had already laid down the outlines of the conflict in Geneva over what precisely sovereignty was and who had the power to rule the state. Geneva thus saw, as a result of the argument in 1707, the first concession obtained from the government. The acceptance that the *Conseil Général* would be called to meet every fifth year to discuss political matters gave an inkling to what might be achieved if the *Bourgeois* could act in concert in the *Conseil Général*. Palmer states:

'The first occasion ... when a movement of modern democratic type made a positive impression on institutions of government was at Geneva in 1768.'⁷⁵

It would seem that the date of 1768 should, in effect, be 1707. The *Bourgeois* were clearly well organised, they had a clear aim and they made a (to them) positive impression on the government in forcing it to concede the quinquennial meetings of the *Conseil Général*. Their loyalty to the government remained, but the long ignoring of the *Conseil Général* and the rule of the patriciate families through the two smaller councils was an aberration which had to be corrected. 1707 was therefore the first occasion when the action of the *Bourgeois* was able to force a concession from the oligarchy which had taken into its hands powers that belonged to the sovereign body, the *Conseil Général*.

Neither would the *Bourgeois* in Geneva have seen their action as in any way radical or revolutionary, merely a return to the Edicts which stated that there should be a meeting of

⁷² Rev. William Coxe, *Travels in Switzerland in a series of letters to William Melmoth Esq.*, London, 1789, Vol. II, Letter XXXVII, p. 456. I have used the Coxe letter as it is one of the clearest explanations of the actual motion put to the *Conseil Général*.

⁷³ André Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p.135.

⁷⁴ Fazy, *Les Constitutions*, *op. cit.*, p. 113.

⁷⁵ R.R. Palmer, *op. cit.*, p. 112.

the *Conseil Général* once every five years.⁷⁶ Neither does it seem that the the *Bourgeois* had lost confidence in the leaders of the state. It was merely a partial return to what was perceived as the ancient rights of the *Conseil Général* and the *Bourgeois*. The aims of men like Fatio and Delachenaz were very similar to the reforms that had been suggested by Boutilier in 1576. They wished to see the *Conseil Général* recognised as the sovereign body of the state, through which the *Bourgeois* would be consulted concerning important matters relating to the state, especially the creation of new laws. The *Conseil Général* would act as a check on the government and prevent further power concentrating in the hands of the smaller councils.

The long-standing battle between the *Bourgeois* and the Genevan government was not ended in 1707, however, but, for a while, the *Bourgeois* had tasted success. The *Bourgeois* in Geneva were traditional and conservative in what they wanted. They were also consistent over a considerable period of time. Neither were the *Bourgeois'* arguments rooted in 'lost, often mythological communal liberties'.⁷⁷ Yet clearly this is how the demands of the *Bourgeois* appeared to the oligarchy. Even after the changes introduced to the system of government in Geneva in 1543, the *Conseil Général* had continued to meet and have control over taxation. The oligarchy gradually allowed the *Bourgeois* no say whatsoever, and were, from their point of view, rightly concerned over any attempt to in any way restrict their power to rule. In the attempt by the oligarchy, aided by the Edicts of 1543, to reduce the *Bourgeois* to zero political influence was born the long-term division of the state.

The eighteenth century in Geneva, with its prolonged and profound political problems, was not a sudden, dramatic phenomenon of the eighteenth century, as Amédée Roget would have us believe:

[que] Genève avait joui d'une paix intérieure profonde qu'on avait ignoré l'existence des partis, si bien qu'on a de la peine à signaler pendant une si longue période quelque modification tant soit peu importante effectuée où même seulement réclamée dans la Constitution et les lois de l'Etat.⁷⁸

The seventeenth century did not resound with cries of anguish from the politically crippled *Bourgeois*, but there had been Combe in 1604, the Sarasin affair in 1667 and the Gallatin plot in 1698.⁷⁹ The eighteenth century saw an easing of the stresses and tensions which had dominated life before. The resentments which had already shown themselves were quick to take advantage of this easing of circumstances. The consensus which is necessary if any régime is to maintain itself⁸⁰ was nonetheless still intact, even though there was some concern over the position of the *Conseil Général*. The *Bourgeois* in Geneva did not consider their trade organisations 'contrary to national or civil liberty'.⁸¹ They perceived the greatest threat to their liberty to be the refusal of the government to accept the sovereignty and rights of the *Conseil Général*. The level of organisation shown in the speed of the response to the burning of Delachanaz's petition also shows that the *Bourgeois* were clearly organised and meeting to discuss the situation and their desire for

⁷⁶ Contained in the Edicts concerning the Church and the pastors, this quinquennial meeting was to have the laws read to the people. The publication of the Edicts had led to the cancellation of these meetings.

⁷⁷ Black, *op. cit.*, p. 159.

⁷⁸ Amédée Roget, 'Les membres des conseils', *op. cit.*, p. 162.

⁷⁹ See Chapter III, pp. 62-63.

⁸⁰ C.B.A. Bahrens *op. cit.*, p. 163.

⁸¹ *Ibid.*, pp. 20-21, citing the authors of the *Allgemeines Landrecht*.

change before the 1730s,⁸² where Palmer places their initial organisation.⁸³

Patriciate victory and miscalculation

Immediately after the promise to consult the *Conseil Général* concerning any important matter in 1712, the *Deux Cents* and the *Petit Conseil* created a commission to examine the question of the fortifications of the city and what needed to be done to make Geneva one of the most strongly fortified towns in Europe razing the existing fortifications to build new ones 'plus étendues et plus régulières'.⁸⁴ One important difficulty was the cost of such a venture, apart from the advisability or necessity of such a large undertaking. The government's idea was to finance a type of sinking fund at 7%, which would have required an annual levy of 105,000 florins,⁸⁵ but the two smaller councils were divided over the issue. Rocca implies that it was in part because of this disagreement that the matter of the taxation necessary to finance any new work was not taken to the *Conseil Général*.⁸⁶

Unable to provide sufficient funds for such a programme, it was decided, after much discussion in the two smaller councils, to raise a loan and to increase taxes to ensure the payment of the interest on the loan as well as slowly reducing the debt. Increasing individual taxation was rejected, but taxes on wine, sold in the hotels and inns were increased, the tax on imported grain was doubled, the tax on meat was increased, together with a tax on all legal documents, a sure way of raising considerable sums of money in a city which owed its life to commerce and trade. All of the taxation decisions were taken without consulting the *Conseil Général*, in defiance of what had been recently promised.

While the *Bourgeois* in the city accepted that there was some need to improve the fortifications around the town, they were unhappy that the taxes needed to achieve this aim had been introduced without any reference to the *Conseil Général*. On 14th. October 1718, the *Petit Conseil* was informed of the receipt by the *Procureur-Général*, Jean Tronchin,⁸⁷ of a letter of 24 pages sent from France. It was anonymous and was a letter from a citizen of Geneva to a newly-created *Bourgeois*.⁸⁸

The letter dealt with matters of current concern, especially the matter of the right to introduce or change taxation without the consent of the sovereign power, the *Conseil Général*. It was decided to make enquiries about the letters. Initially, the *Procureur-Général* deemed that there were several copies extant, two similar copies having been sent at the same time to two other *Citoyens*, Duval and Mourgues.

Called to account for these copies and their part in the affair, they claimed that two others had seen one of the letters and a brother had the copy of the other. Worried that the contents of the letter must be well-known throughout Geneva, the government was nonetheless surprised that initially all seemed quiet. The receipt by Tronchin of a second letter, theoretically in response to the first letter, but in fact giving further support to it and

⁸² See p. 88ff.

⁸³ Palmer, *op. cit.*, p. 129.

⁸⁴ BPU, Genève, Ms. Rocca 12, p. 106.

⁸⁵ O'Mara, 'L'affaire des lettres anonymes', *op. cit.*, p. 255.

⁸⁶ *loc. cit.*

⁸⁷ See Appendix IV B IV/12.

⁸⁸ Gür, 'Les lettres "séditieuses" anonymes,' *op. cit.*, p. 141.

containing also the text of a *Représentation* to be made to the *Syndics*, made it clear that the letters and contents were more generally known.

M. Gaudy, had received the second letter several days before Tronchin giving sufficient time for any copies to be made of it before it was handed over to the government. Those who were involved in the organization clearly did not intend that the letters should remain secret. They deliberately sent copies of both their 'manifestos' to the government authorities in the post, perhaps as a warning of the seriousness of the situation.

The letters, particularly the first, are of seminal importance in Geneva's history. Clearly written, they both develop the ideas of 1707 and prefigure those of Rousseau in both the *Social Contract* and *Lettres de la montagne*. They clearly set out the ground on which the *Bourgeois* were to base their arguments. In the preface to the first letter, the author goes straight to the point:

'qu'il n'y a pas deux Souverains dans cet Etat, et que la Souveraineté reside entiere dans le Conseil général.'⁸⁹

In the first letter, he states clearly, quoting words used by Chouet in 1707:

'Mais il [le Conseil Général] a créé ses Magistrats pour en faire seulement les fonctions en son nom et sous son autorité,... un Souverain, un Maitre qui établit des officiers est en droit d'exiger d'eux ce qu'il veut, de retirer d'entre leurs mains l'autorité qu'il leur a confiée.'⁹⁰

This statement can be compared to Rousseau in the *Social Contract*:

'and that the holders of the executive power are not the people's masters but its officers; and that the people can appoint them and dismiss them as it pleases ...'⁹¹

The author of the *Lettres* argues that there is a necessity for regular periodic meetings of the *Conseil Général*:

'Ces assemblées periodiques étoient un des principaux apuis de sa liberté; Car dès qu'un peuple ne peut pas s'assembler quand il veut, ou qu'il n'a pas un tems fixé pour cela et pour proposer ce qu'il veut, sa liberté est bien peu de chose.'⁹²

Again what Rousseau writes in *The Social Contract* is similar:

'there must be fixed and periodic assemblies which nothing can abolish or pro-
rogate, so that on the appointed day the people is rightfully summoned by the law
itself without any formal convocation being needed.' [Bk. III, Ch. 13] 'And it is by
this simple means [refusing to allow the General assemblies of the people to
assemble] that all the governments of the world ... sooner or later usurp the
sovereign authority.'⁹³

In one of his pamphlets written in 1767, the same points were made by Delorme that:

'The Sovereign in Geneva is the General Council The General Council as sover-
eign assigns functions to others; it receives none from any higher source.'⁹⁴

Yet Delorme was merely repeating what the writer said in the first *Lettre* and what had also been stated by Chouet in 1707 - see the first two quotes from Léger's *Lettres* above.

⁸⁹ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 178.

⁹⁰ *Ibid.* pp. 188-189.

⁹¹ Jean-Jacques Rousseau *The Social Contract*, London: Penguin Classics, Translated by Maurice Cranston, 1968, Book III, Chapter 18, p.146.

⁹² Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 195.

⁹³ Rousseau, 'The Social Contract', *op. cit.*, p. 137 & p. 147.

⁹⁴ *Purification des trois points de droit souillés par un anonyme, où Réponse à l'examen des trois points de droit traités dans les Mémoires des Représentants du 19 mai et 16 octobre, 1767*, cited in Palmer, *op. cit.*, p. 135.

The writer of the letter works clearly and logically through the various arguments put forward by the two opposing sides, but always concluding that the *Bourgeois* and the Citizens in opposition to the government are in the right. The crux of the argument in 1718 is put with considerable clarity:

'Il s'agit donc de savoir si le Droit de mettre des Impôts appartient au Peuple, c'est à dire au corps des Bourgeois et des Citoyens qui composent l'assemblée générale, ou si le Conseil des 200 peut établir des impôts sans demander qu'ils soient autorisés par le Conseil Général.'⁹⁵

This posed, in Geneva, in 1718, the question which was to exercise the British and the Americans in the 1760s. Where did sovereignty lie and where the right of taxation? This can be seen in Otis' 'Rights of the British Colonies':

'But to have the whole levied and collected without our consent is extraordinary. ...yet if taxes are laid on ... without consent, they cannot be said to be free.'⁹⁶

The *Lettres* of 1718 argues that the attempt by some in the patriciate to liken the *Deux Cents* to the British Parliament (in reality they meant the House of Commons) is shown to be a false analogy. In the Commons, the writer points out, the 'people' have the opportunity every five years to change their representatives sitting in the chamber, whereas, in Geneva:

'Si ... le peuple créoit les membres du Conseil des 200, et les pouvait changer au bout de quelques temps, il remettrait avec plaisir à ce Conseil le pouvoir d'établir des impôts, parce qu'alors il n'aprehenderoit pas qu'il s'y fit la moindre chose contre sa liberté.'⁹⁷

Thus, clearly, the claim that, in reality, the *Deux Cents* is like the House of Commons and therefore has the right to decide taxation, is a false one.⁹⁸ There is also an attempt to establish that the form of government existing in 1718 is different from that which existed in the important year of 1570. The author argues that, in 1570, the *Conseil Général's* decision to allow the smaller councils to decide on questions of taxation was only a temporary matter, indeed he quotes at length from the Edict itself.⁹⁹

The interpretation of this same Edict of 1570 was to be a further strand of the disputes in Geneva. Couched in rather vague language, it could be, and was, interpreted by each side according to their respective positions. Unlike the Edict of 1568, however, it does not contain any statement that would clearly make it permanent. A clause of perpetuity having been so carefully and clearly inserted in the Edicts a mere two years beforehand, the absence of such a clause in the 1570 taxation Edict would seem to indicate that, at the time, it was not conceived of in those terms but only as a temporary measure. The insistence of the *Deux Cents* that it had the right to tax due to 1570 was to set it and the government on a road which led to the divisibility of sovereignty in 1738, but such arguments were inherent but not fully worked out in 1718.

The letters reject the argument that the people would refuse to accept necessary taxation, be difficult and bring Geneva to a state of crisis. The author states quite clearly that it was the attack on the rights of the *Conseil Général* that had angered the people. He

⁹⁵ Gür, 'Les lettres "séditieuses" anonyme', *op. cit.*, p. 180.

⁹⁶ Edward Bailyn (Ed.) *Pamphlets of the American Revolution 1750-1765*, Cambridge MA: The Belknap Press of Harvard University Press, 1965, Vol. I 1750-1765, pp. 451 & 461. (Hereafter Bailyn 'Pamphlets')

⁹⁷ *Ibid.*, p. 186.

⁹⁸ *Ibid.*, pp. 185-6.

⁹⁹ *Ibid.*, p. 190.

then continues:

'Les Conseils, ... doivent déclarer au peuple ... que dans l'établissement des impôts, ils n'ont point eu intention de blesser ses droits; qu'à l'avenir on ne fera rien de semblable... Ces démarches de la part des Conseils sont d'une absolue nécessité, car s'ils n'abandonnent pas la pensée où ils sont, ... il est certain que la confiance ne se rétablira point, parce que le peuple est trop bien informé de ses droits et de ses libertés.'¹⁰⁰

It is noticeable that, when given an opportunity to vote taxation in future years, the *Conseil Général* was perfectly willing to vote for taxation for the continuation of work on the defences of the city for a further ten years without any difficulty.¹⁰¹ Nonetheless, there is also a clear warning to the patriciate in the last three lines above.

The second letter is much shorter than the first and was written, theoretically, to express surprise at the attitude taken by the Magistrates to the first letter. The writer finds it amazing that the initial letter has been treated as a seditious text. He also suggests that it is not surprising that those who are unable to follow blindly wherever the Magistrates wish to lead them should take care to avoid detection by those same Magistrates. The shadow of what had happened in 1707 fell over the events of 1718. Finally, the letter ends on a threat: the Magistrates, having refused all attempts at conciliation and also refused to consider all representation as anything but crime, had only themselves to blame:

'et s'il arrive du désordre, on voit bien qui en sera responsable.'¹⁰²

On the basis of the second letter, a series of *Représentations* were made to the *Syndics* in early December 1718. There were at least eight different groups including engravers, merchants and watch-makers, who went to the *Syndics* with their demands.¹⁰³ All asked for a meeting of the *Conseil Général* to discuss the imposition of the new taxes for the fortifications based on the text which had accompanied the second letter:

'Nous souhaitons donc que pour faire calmer ce murmure et pour éteindre cette funeste division, on assemble le Conseil Général, que le peuple y soit prié de donner son consentement à l'établissement des impôts pour un temps fixé et nous promettons que le peuple donnera les mains avec empressement à cet établissement.'¹⁰⁴

The promise was clear: if the government would call a meeting of the *Conseil Général* to discuss the matter, the people would be willing to agree to extra taxation for a fixed period to finance the project of strengthening the defences. Unfortunately, the government was unwilling to concede the necessity of calling the *Conseil Général* for such a matter, since to do so would be to concede the sole sovereignty of the *Conseil Général*.

The difference between 1707 and 1734 and what was happening in 1718 was that there were no overt, large political meetings. O'Mara claims that this was the result of considerable organisation, but not 'mass' organisation. However, the level of co-ordination that was required to ensure that so many *Représentations* were actually taken in sequence to the authorities necessarily implies the organisation of the 'mass' of those with the right to take part in the *Conseil Général*. While there were no large, open public meetings such as those in 1707, clearly there were a considerable number of small meetings all over the

¹⁰⁰ *Ibid.*, p. 200.

¹⁰¹ See Chapter V, p. 95.

¹⁰² *Ibid.*, p.203.

¹⁰³ O'Mara, 'L'affaire des lettres anonymes', *op. cit.*, p. 250.

¹⁰⁴ P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p.416.

town.

The groups of *Bourgeois* were well aware that their coming together in large numbers would anger the Magistrature. They had not have forgotten the severe measures taken against twenty *Bourgeois* who were accused of having formed cabals and fomented intrigues concerning the annual elections in the *Conseil Général*, some of the accused being sentenced to life banishment from Geneva (1694). The various trade groupings within the city provided the ideal method of organising the *Bourgeois*, and the fact that some of the most senior members of the watch-making industry were involved indicated the extensive nature of the organisation and the agreement amongst the *Bourgeois* over the matter of the *Conseil Général* and taxation.¹⁰⁵ It was also a continuation of the type of organisation which had been successful in 1704, when the master-craftsmen of each craft and trade had, with others, been able to force the government to change the tax on wine in the city.

It indicated to the *Petit Conseil* that knowledge of the two letters was far more extensive than they had believed. It decided to declare the letters subversive, ordering the return of all copies in private hands and forbidding all meetings and caballing. Disobedience would lead to loss of *Bourgeois* status, banishment and heavy fines. In submitting this decision to the *Deux Cents*, the Magistrates used the old, well-tried comments with regard to the *Bourgeois'* demand that there should be a meeting of the *Conseil Général* talking of:

'une partie de notre bourgeoisie, qui parait s'inquiéter dans la vue d'obtenir des changemens à nos Edits (particulièrement sur la manière d'établir les impôts) qui iroient à renverser notre Constitution, et à rendre notre gouvernement entièrement populaire, qui est le pire de tous les gouvernements...'¹⁰⁶

The apparent success of the government can be seen in the elections the following January for the *Syndics*. There was little trouble, although between two and three hundred abstained from voting for any candidate, almost certainly in an organised way. Only seventy-five had the courage to vote against the candidates. The reaction of some of Geneva's *Bourgeois* immediately after 15th. December, when they went in considerable numbers to pledge their loyalty to the government, even though they may have 'listened' to the arguments contained within the two letters, gives a clear idea of the atmosphere that existed there at this period. Even some of those who had led deputations presenting *Représentations* went to beg forgiveness and reconciliation.¹⁰⁷ The Magistrates also used spies in the cafés of the town to listen to and report conversations.¹⁰⁸

The government tried hard to find the authors of the letters. In the document declaring the letters seditious, they had offered a reward of a thousand écus 'a quiconque en fera connaître les auteurs'.¹⁰⁹ A clergyman by the name of Michel Léger was suspected, but so was his father Antoine Léger. The latter had already, in 1695, and then again in 1704, been involved in controversy concerning the complete independence of man's spirit and religious belief from that of the civil power. He had also denounced the establishment of the *Consensus* and was one of the clergy who wanted it ignored or dropped.

Gür has shown clearly that the letters were written in great secrecy, and the same

¹⁰⁵ 'maîtres-jurés' were master-craftsmen who chosen to sit in judgement on all matters concerning their fellow workers. They were also responsible for supervising the system of apprenticeship.

¹⁰⁶ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 151.

¹⁰⁷ O'Mara, 'L'affaire des lettres anonymes', *op. cit.*, p. 253.

¹⁰⁸ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 154.

¹⁰⁹ Paul Barbey, *op. cit.*, p. 103.

secrecy and organisation was used with regard to their distribution.¹¹⁰ The copies were made by hand, the *Lettres* were not printed, and copies were doubtless shared, being read out loud amongst friends and family. The oral tradition in Geneva was strong¹¹¹ and was to remain so well into the 1780s. Gür, in his article *Les lettres 'séditieuses' anonymes de 1718, étude et texte*, has proved Antoine Léger was their author. Professor Léger, under suspicion, had already been subjected to the unkind disapproval of his fellow councillors in the *Deux Cents*, who 'luy tournoient le dos quand ils le voyoient.'¹¹² Already very ill, the stress of being suspected of having written the letters precipitated his death in January 1720. The attitude of the authorities can be judged from the comments made to Antoine as he lay dying by two members of the *Petit Conseil*, Marc Conrad Trembley¹¹³ and Jacob de Chapeaurouge:

'Ces deux membres du Conseil luy dirent là dessus au dit Spble. [Spectable]

Antoine Léger ... *que la tête de son fils en repondroit s'il en etoit l'auteur.*¹¹⁴

They had attempted to persuade Léger on his deathbed to admit to being the author of the letters.

The involvement of Léger, a senior and much respected pastor, with the *Bourgeois* cause highlighted the difficulties of the *Consistoire*. The divisions within the political class were also to be reflected in the *Consistoire*, which was to find it difficult to avoid the arguments and disagreements amongst the *Bourgeois* being reflected among its pastors.

The Importance of the 'Lettres anonymes'

Antoine Léger had, in his two anonymous letters, provided the *Bourgeois* with a clear programme. The letters had set out in clear, simple language the basis upon which the *Bourgeois* could build their case. O'Mara argues that the organisation of the *Représentations* made in 1718, apart from being through the medium of the various trade organisations, was also based on the fact that many of the men who are known to have led delegations to the *Syndics* came from the same street in St. Gervais, the *rue de Coutance*.¹¹⁵ Isaac Rousseau had moved to 17 rue de Coutance in 1717. He lived on the top floor of the house, while François Terroux¹¹⁶ and his family lived on a lower floor.¹¹⁷ While there is no evidence that Isaac was involved in the actions of 1718, he would not have been unaware of the *Lettres* and neither would Jean-Jacques. Although only six in 1718, he was to remain in Geneva for another eleven years in the environment of the watch-making community. He cannot have been unaware of the sentiments of the majority of the *Bourgeois*, especially as, according to Duval during his interrogation by the court, 'les trois quarts de la bourgeoisie partageait les sentiments exprimés dans les lettres séditieux-

¹¹⁰ *Ibid.*, pp. 156-176.

¹¹¹ See p. 66.

¹¹² Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 156.

¹¹³ See Appendix IV B IV/13.

¹¹⁴ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 171.

¹¹⁵ See Appendix IV B IV/14.

¹¹⁶ See Appendix IV B IV/15.

¹¹⁷ O'Mara, 'L'affaire des lettres anonymes', *op. cit.*, p. 264.

es'.¹¹⁸ These same men also lived and worked amongst some of those who had been involved in 1707 and others who were to be involved in 1734. Geneva was densely inhabited within its old medieval walls and it would not be inconceivable that a few of those who acted together concerning political matters might live in the same street; nonetheless, the proximity of so many involved in the movements of opposition to the government is interesting.

All these men were comfortable, Terroux seemingly was the wealthiest, but the others worked in their own workshops at home ('cabinotiers') making watches from materials provided by the large *maître-horlogiers*, in return for a high salary. All the skilled work was done in Geneva by such men, and during the eighteenth century the level of specialisation in one aspect of watchmaking by each man became greater.¹¹⁹ It was a perfect system but it was unable to respond to the increasing demands for ever more watches as the century progressed, thus allowing competitors in Neuchâtel to benefit from their non-corporative structures in the last quarter of the eighteenth century.

The question must arise as to whether the words "faction" or "opponents of the government" are the appropriate terms in the context of what was happening in Geneva. What the *Bourgeois* had done was to create a secret, well-organised party. They had persuaded one of their 'converts', Antoine Léger, to write them what amounted to a party manifesto.

The definition given by O'Gorman of what constituted a political party in the British context is applicable in Geneva at this much earlier period.¹²⁰ There was no Parliament in Geneva, but in the context of the Republic the *Bourgeois* saw the *Conseil Général* as a similar body. The *Conseil Général* provided the non-oligarchical *Bourgeois* with a referent, a clear sense of collective identity. The *Bourgeois* were not a factional group, since they were in their entirety those with political rights within the state. They were more than a pressure group, since they desired the return of the rights of the *Conseil Général* in order to return to it control over the government which they believed to be acting in an arbitrary and unconstitutional manner.

In the context of O'Gorman's definition, the real difficulty with regard to those *Bourgeois* who were involved in the 'underground' organisation concerns whether they really desired to obtain political office. The constant criticism that the two smaller councils were in the control of a small group of families must lead to the conclusion that, in fact, though not stated as such, their aim, in widening the people able to sit in these smaller councils to the generality of the *Bourgeois*, was that some of them would ultimately enjoy some part of political power, rather than the current small and closed oligarchy.

For the patriciate, however, the concept of 'party' was similar to that expressed by Bolingbroke:

'party is a political evil, and faction is the worst of all parties.'¹²¹

Whether those *Bourgeois* who supported Léger's view were regarded as a faction, 'the superlative form of party'¹²² or as a party made little difference to the patriciate. The aim was clearly that of destroying the city's constitution.

¹¹⁸ *Ibid.* O'Mara cites from 'Interrogation de Louis Duval', Procès criminels et Informations, no. 6677, p. 260.

¹¹⁹ Bergier, 'Histopire économique', *op. cit.*, p. 166.

¹²⁰ 'an organised group which pursues political power and thus political office. It endeavours to cultivate popular support for its beliefs and focuses its activities upon Parliament.' Frank O'Gorman *The Emergence of the British Two-Party System 1760-1832*, London: Edward Arnold, 1982, p. viii, ft. 1.

¹²¹ Bailyn, *Ideological Origins*, *op. cit.*, citing Bolingbroke, *The Idea of a Patriot King*, London 1754, p. 151, f. 13.

¹²² *loc. cit.*

The threat made by the government in its declaration in 1718 against the letters did not stop the continuation of meetings of those committed to seeing a return of the rights of sovereignty to the *Conseil Général*. In a note written in 1735, François Rocca gave details of a group who met regularly on Sunday evenings at the home of Sieur Du Roveray, who lived in St. Gervais.¹²³ Amongst the diners were Jacques-François De Luc,¹²⁴ and Jérémie Bouverot, who was known to have copied the second *lettre anonyme*, as well as Michel Léger, the son of Antoine Léger.¹²⁵

There was a second group which met on Sunday evening, when they dined in turn at the home of each member and continued their meeting till later in the evening, which was unusual in Geneva. This group had existed for some years. In it, were men such as François Chevrier the apothecary and Louis Duval a merchant of gilded goods.¹²⁶ Michel Léger was a member of both these societies, which between them contained some of the more important leaders of the *Bourgeois* in Geneva. It was inevitable that these ostensibly social meetings should discuss the situation in Geneva and more than probable that plans were discussed as to how to organise their followers in such a way as persuade the government and the two smaller councils of the seriousness of their demands.

Even more interesting is the information which emerged from witness statements as the result of a criminal case of assault and battery of Michel Léger which was brought against a junior member of the government, the *Auditeur* Jean-Louis de Normandie, in May 1720. The evidence makes it clear that the evening was spent by Michel Léger with Jérémie Bouverot and Louis Duval at the home of Mestrezat.¹²⁷ Thus, although there were at least two groups or societies meeting on Sunday, there were also other occasions when members of these different groups came together to dine and talk.¹²⁸ All of the men named above were to play leading rôles in the troubles of 1734-38¹²⁹, some of them in 1763-1768¹³⁰, while their sons were to play similar rôles in both 1763-8 and future troubles in the state of Geneva.

How far such social gatherings and the matters discussed at them could be called 'pratiques secrètes' is debatable.¹³¹ Societies, or *cercles*, which met in the evening were, and remained, an important part of the social fabric of the town, as there was little else to do in the evenings. In a society like that of Geneva at this time, it was unwise to speak about or discuss political matters in public. To debate openly different opinions, concerning

¹²³ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 157, ft. 72.

¹²⁴ For details of the De Luc family, please see Appendix IV.

¹²⁵ The others in this Sunday dining club were: Bernard Veyrat, merchant, Antoine Naville, merchant for gilded goods, Bernard Veyrat, merchant, Augustin Passavant, ironmonger, Isaac Amy Marcet, Sieur Du Roveray and his son, Jean Du Roveray.

¹²⁶ See Appendix IV B IV/16.

¹²⁷ See Appendix IV B IV/17.

¹²⁸ Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 157 ft. 73.

¹²⁹ In 1737, the delegates chosen by Compagnie 2, Martini Regiment were J-F. De Luc and Jérémie Bouverot, Isaac-Ami Marcet was one chosen by Compagnie 4, Micheli Regiment, Louis Duval was one of the delegates of the Compagnie des Canoniers.

¹³⁰ The De Luc family, the father Jacques-François and his two sons between them played an exceedingly important rôle in the *Bourgeois* until the middle of the 1770s. See Appendix IV.

¹³¹ The expression 'pratiques secrètes' was used extensively by the members of the government with regard to actions by the *Bourgeois* throughout the century.

taxation and the rights of the *Conseil Général*, was to risk severe punishment from the authorities. In such conditions, the *Bourgeois* were not going to remain silent, but were going to ensure that their discussions were amongst friends who could be trusted. Their organisation of their followers had to be carefully hidden from official view.

There is therefore some evidence that the 'party' continued to meet fairly regularly after 1718. This evidence also demonstrates that the future, as well as the current, leaders were meeting at organised social events. This amounts to sustained political activity, maintained behind the scenes, in part because of the danger in Geneva resulting from overt political organisation. These regular meetings kept alive the important question of sovereignty rather than:

'taxes ... commercial policies or individual cases of injustice.'¹³²

These meetings were already taking place 10-15 years earlier than Palmer states. It should also be remembered that in the Geneva situation taxation was an intergral part of the discussion of sovereignty after 1715.

The *Bourgeois* also had at hand an additional method of meeting, organising and passing ideas. There were two 'amicales' of a semi-military kind, the *Société de l'arquebuse* and the *Société du Canon*. Originally created to maintain skill in arms, they met regularly and in the summer organised shooting competitions, the winner of which in each society was elected King for the year. O'Mara demonstrates that a number of the leaders of 1707, 1718 and 1734 were closely connected with these societies.¹³³ There were also the regular meetings of the Militia, where all *Bourgeois* men were enrolled. These again made ideal meeting places and provided a structure which the *Bourgeois* were to use in the future. Learning from the experience of 1707, the *Bourgeois* had avoided meetings in Inns which they had used in 1707, much to the chagrin of the authorities, who were unable to discover any clues as to the real 'leaders' or the authors of the *Lettres*.

The government encouraged one of its members to write a response to the letters. Jacob de Chapeaurouge¹³⁴ wrote *Response à la lettre anonyme concernant les impôts contenue en quatre lettres*, in which he attempted to show that 'liberty' and sovereignty should not be confused. In opposition to the author of the *lettres anonymes*, he argued that:

'[la] liberté ne rend pas souverains les peuples qui en jouissent ... [qu'ils peuvent] être libres, sans être souverains, et plus encore, sans exercer la souveraine autorité par eux-mêmes.'¹³⁵

He went on to try to prove that the right to tax was the sole prerogative of the two small councils. His arguments were based on both historical and legal grounds. In the latter context, he stated that civil liberty was thus a combination of the rights and duties of the individual in society, but that sovereignty was:

'le pouvoir dont disposent les gouvernants sur la société par le contrat social de sujétion.'¹³⁶

Unlike the letters he wrote in April 1707 concerning the demands of the *Bourgeois* his letters of 1718 bring to the fore for the first time arguments based on the theory of social contract. In Geneva, because of its restricted size, the people had, after concluding a

¹³² Palmer, *op.cit.*, p. 129.

¹³³ O'Mara, 'L'affaire des lettres anonymes', *op. cit.* pp.257-8.

¹³⁴ See Appendix IV B IV/18.

¹³⁵ Paul Barbey, *op. cit.*, p. 104.

¹³⁶ *Ibid.*, pp.104-5.

social contract, ceded their right of *summa majestas* to the smaller councils. Included in this secession was the right to levy taxation.

Thus, even though the *Bourgeois* of Geneva might no longer have the power to decree new taxes as part of the *summa majestas*, they nonetheless remained 'free' men, with their 'liberty'. The appearance of *Les lettres anonymes* and the four letters written in response by de Chapeaurouge saw the creation of clear lines between, on the one hand, the government and those who agreed with them and, on the other, the leaders of the *Bourgeois*, which were to be further elaborated in 1734. For the *Bourgeois*, *Les lettres anonymes* was the clear elaboration of beliefs that went back to Boutilier. For the government, Chapeaurouge's response was an attempt to justify its belief, position and actions in response to the continuing troublesome and misplaced claims of the *Bourgeois*.

A sudden calm

It is surprising that the trouble over the two letters died down quickly. In part this may have been due to the effects on some Genevans of the crash in France resulting from the collapse of Law's bank in Paris in 1720.¹³⁷ There was also some worry over the resurgence of the plague.

The Magistrature and the government party had been able to enforce their interpretation of the constitution, but all they had achieved was public silence. It was not acceptance and as J-A. De Luc wrote:

'Les Révolutions de 1707 et 1718 laissèrent des resentiments dans le coeur des Citoyens [Bourgeois].'¹³⁸

Copies of the two letters were secreted away or committed to memory. They were to form the basis of Rousseau's arguments in his *Lettres de la Montaigne* more than forty years later as well as having considerable influence upon the *Social Contract*. Léger's letters had sharply exposed the impossibility of a clear and certain resolution to the conflict. The existence of earlier Edicts on the manner of governing the state, which stated categorically that there should be no alteration to them, further complicated a difficult situation.

The attempt that the government had made in 1707 to destroy the movement which had questioned its constitutional validity and some of its actions had proved a failure. Tronchin's comments concerning 1707:

'Je n'aime point le sang mais dans ces sortes d'occasions on ne déracine jamais le mal qu'en en répandant abondamment.'¹³⁹

were correct: the roots were deep and they proved impossible to destroy, as future events were to show and past experience should have demonstrated. The events during the first twenty years of the eighteenth century in Geneva showed that the old medieval ideas of the commune and the relative power of the members of the commune had not been lost in the city. The difficulty lay in attempting to return to such a period when contemporary ideas were based on a structured oligarchical society with rights and powers concentrated in the hands of a few.

¹³⁷ Piuz, Mottu-Weber (Eds.), *op. cit.*, 5ème. partie, Ch. XVIII, A-M. Piuz, p. 588. Some families faced financial ruin, though they had been provided with French government stock which was the method used by the Regency to compensate the creditors of the Bank.

¹³⁸ BPU Genève Ms. 2466 Lettres adressées à J-A. De Luc Pr-Va, f. 54. This is a rough copy of a reply that De Luc sent to A.M. Roustan 13.3.1789. Roustan was pastor to one of the Genevan churches in London.

¹³⁹ BPU, Genève, Ms. Tronchin 281, 266 20 août 1707. Jean Tronchin to his brother, Conseiller Antoine Tronchin.

Chapter V

Foreign Intervention and the Crisis of the 1730s

The inability of the government to find a *modus vivendi* with the voters in the *Conseil Général* posed a serious threat to the governance of the city and its position within it. The continuing fears concerning the security of the city also played their part in the political divisions in Geneva with the desire to undertake ever more extensive fortifications provoking disagreement and anger concerning the taxes necessary to finance the work. This was to help turn normal political conflict into a military crisis. The taxation raised without consultation to finance the project led to peaceful attempts to gain concessions. The preference of the government for external mediators rather than negotiating with the *Bourgeois* created further tensions within the state.

In 1734 an attempt was made by the great majority of the *Bourgeois* to persuade the government to accept the right of the *Conseil Général* to decide upon the continuation or otherwise of the taxation for ongoing fortification work. The well argued position of the *Bourgeois*, based on Léger's Letters, in its turn forced the government and oligarchy to elaborate clearly their own position, that the state was an *aristodémocratie*. This was an emphatic slap in the face for the *Bourgeois* as it argued that sovereignty lay not in the *Conseil Général* but in the smaller councils. The inability of the two sides to reach a satisfactory compromise on this issue, and the discovery that the government had decided to disarm cannon in the depot in St. Gervais and remove others led the *Bourgeois* to temporarily take control of the city gates.

Though quickly returned to the government, the exposure of its relative weakness caused the government to accept, in early 1736, the offer of a volunteer force recruited amongst the *Natifs* and *Habitants* to aid the government when required. Unruly behaviour by this force in August 1736 led to a second holding of the gates and much of the town by the *Bourgeois* militia and an appeal by the government for help to Geneva's two Swiss allies. The ensuing negotiations which Bern and Zürich arranged were almost complete when France offered assistance, making it necessary to recommence the negotiations with France as well as Bern and Zürich..

The Mediation document which emerged from the joint involvement of France, Zürich and Bern, though accepted by the *Conseil Général* and apparently settling the question of sovereignty in the city, was, in effect, to introduce further restrictions and difficulties. It also meant that in future, France would have a treaty right to intervene in Geneva's affairs if it so desired, as well as Bern and Zürich.

Geneva and her allies in the European context

The fact that, in 1738, the patriciate and government were able to emerge with their power enhanced was in part due to the intervention of their powerful 'ally' France. Between the fear of Sardinia and the danger from their own *Bourgeois*, the patriciate:

'ont besoin de la France pour contenir la bourgeoisie et l'appui du roi leur est nécessaire pour les défendre des entreprises du roi de Sardaigne.'¹

The involvement of France in Genevan affairs in 1737-8, though ensuring the reinforcement of the position of the city's government, merely increased the divide between the

¹ Sautier, *op.cit.*, p. 963. Letter of the French Resident Champeaux to Amelot, 21. 7. 1739.

majority of the *Bourgeois* and the minority ruling élite. The so-called 'pacification' of the city aggravated the problem and introduced further future difficulties for the state.

The *Bourgeois* also learnt that the city's two Swiss allies were almost as in thrall to the French as the government and patriciate of Geneva had become. Bern, itself a highly oligarchic city, had little sympathy with the aims of the *Bourgeois* in Geneva. Bern was apprehensive that any success on the part of the *Bourgeois* in Geneva might well carry over into Vaud, which Bern ruled as a conquered territory, especially since the rulers had already, in 1723, seen the attempt by Davel to raise the Vaud against Bern's rule.² Zürich, more sympathetic, was far too weak to actually defy France and Bern by standing alongside the *Bourgeois* of Geneva.³

The patriciate had little choice in their allies. France was an immediate and powerful neighbour, allied to Geneva and also had close ties with most of the cantons in Switzerland. Few of the cantons could afford to offend the French, quite apart from the 'pensions' and other remunerations which reached many of the ruling élite from French coffers. Thus Geneva was unable to play her Swiss allies Bern and Zürich off against the French. Her other immediate neighbour, Sardinia,⁴ had still not completely abandoned her claims to Geneva.

France, under the rule of the Regent during the minority of Louis XV, had little desire to see great change and upheaval. There was the ever-present danger of the claims of Philip V of Spain, the uncle of Louis. The continued attempts by Philip to reverse the loss of Spain's territories in Italy, caused diplomatic unrest in Europe. Furthermore, the uncertainty of the Hanoverian succession in Britain gave impetus to both Britain and France to move together in alliance.

The old alliance between France and all the Swiss cantons had been renewed in 1723. The Swiss benefited from favourable trading conditions in France, and the use of Swiss mercenary troops by France, including some from Protestant cantons. In Bern and Zürich, such employment was important, since it might well have been difficult to find occupation for the men thus engaged had they remained at home.⁵

The difficulties caused in European diplomacy by the desire of Austria to persuade as many nations as possible to sign the Pragmatic Sanction added to the pressures faced by small, powerless nations such as Geneva.⁶ The city was even more isolated when France, Spain and Sardinia allied to attack Austria in Italy.⁷ Neither could Bern and Zürich take Walpole's offer of a defensive alliance seriously. The British had only shown any real interest in Switzerland when it served their own purposes, so the value of any defensive alliance would have to be very high to overcome the power of the French connections. France, unlike Britain, had never closed her diplomatic mission to the Swiss. This attitude

² Oechsli, *op. cit.*, pp. 270-1.

³ *Ibid.*, p. 263. 'Although Zürich was a "guild aristocracy", ...the nomination of the guild-masters by burghers sufficed to prevent the formation of a patriciate and to preserve legal equality within the town walls.'

⁴ The Treaties of Utrecht (1713) and Rastatt (1714) gave Monferrato, Alessandria and Sicily to the Duke of Savoy, as well as the title of King. Within seven years, however, Sicily had to be exchanged for the poorer Sardinia. Giuliano Procacci *History of the Italian People*, London: Penguin, 1970, p. 250.

⁵ David Horn *Great Britain and Europe in the Eighteenth Century*, Oxford: Clarendon Press, 1967, p. 312.

⁶ The Pragmatic Sanction was the document by which foreign nations would guarantee the succession of the Habsburg territories to Maria-Theresa, the eldest daughter of the HRE Charles VI, in default of male heirs.

⁷ Black, *op. cit.*, p. 288. The War of Polish Succession, 1733-35. Louis XV, Charles V and Charles Emmanuel III of Sardinia attacked Austria, the latter the ally of Russia. Russia was attempting to prevent the election of Louis' father-in-law, Stanislaus Leszcynski, as King of Poland.

on the part of the two Protestant cantons was proved correct when Britain did little to help Austria in the war of Polish succession.

Fortifications and finance

Initial work had begun by 1715, but so extensive were the plans that many decisions still had to be made in the mid-1720s. Micheli du Crest⁸ argued that the plan of Desroques for the extension of the fortifications on the land-side of the city was not the right one for Geneva. Micheli believed that it ignored the city's geographical position, and he proposed his own solution to the *Deux Cents*, which contained five main ways of strengthening the city:

'1. par un bon gouvernement, 2. par des alliances, 3. en agrandissant cette ville, la peuplant, la disciplinant et la bien exerçant dans l'art militaire, 4. en y accumulant un trésor bien régi, 5. enfin par des ouvrages bien faits suivant les bons principes du génie.'⁹

This was a wider-ranging plan than a mere strengthening and extension of the existing fortifications. There was considerable danger in the third point, as there had been enough difficulty in absorbing the French and Piedmontese refugees who had sought refuge in Geneva in the 1680s. Moreover, by implication, the Micheli plan could be seen as calling for new ideas on the way the state was organised and governed.

In 1727, although Micheli was a member of a commission of the *Deux Cents* created to examine the whole question,¹⁰ he was not consulted being absent from Geneva on military duty in France. Present in the *Deux Cents* for the debate upon the report (1727), he lost his voice and was advised to submit a written report. He had fifty copies of his *Mémoire*¹¹ printed to be sent to different members of the two councils eight months later. The printing of the *Mémoire* led to conflict with the government, which claimed that it risked giving the enemies of the state too clear a view of the city's defences and especially those weak points in the fortifications highlighted in the report.

Careful reading of the report makes it clear why the *Deux Cents* and the *Petit Conseil* were annoyed. There is much argument concerning whether it was necessary to build vast new walls to strengthen the city on its land side. Micheli argued that:

'l'ennemy passant le Rhône emporte St. Gervais par deffaut de fortifications. ... il est evident, [pour St. Gervais] que sa conservation ne doit pas être moins précieuse que celle de l'autre partie de la ville...' ¹²

The engineers based all their calculations on their belief that no attack was likely to take place from the direction of the river Rhône,¹³ what Micheli called the 'non-passage du Rhône' and was he argued:

'c'est vouloir s'aveugler que de s'endormir sur une telle supposition et en la supposant, ... c'est encore derechef mal raisonner, que de vouloir former de

⁸ See Appendix IV B V/1.

⁹ P.E. Martin, *op. cit.*, 3ème partie, Jean-Pierre Ferrier, Ch. IX, p. 415.

¹⁰ Barbey, *op. cit.*, p. 108.

¹¹ "Mémoire sur ce qui s'est passé au sujet des fortifications de Genève."

¹² BPU Genève Ms. Cramer 49, Micheli mémoire, 3.

¹³ See Map 3 of Geneva, p. 48a.

nouvelles fortifications.¹⁴

There were two serious implications in Micheli's comments. The territory immediately adjacent to St. Gervais was French, an ally of Geneva. His insistence upon the need to fortify St. Gervais implied that there was the possibility of attack from France via the Rhône. The second was that St. Gervais was the area of the city which housed those *Bourgeois* who had already shown their opposition to the government. St. Gervais also contained a large number of *Natifs* and *Habitants*. The former, many of whom had become skilled workers in the watch trade, had already shown some stirring of political interest even though they had no political rights within the state. The desire of the government to leave this area exposed, while spending considerable sums on that part of the city where they and their followers lived, did little to enhance their standing in St. Gervais.

The attempt by the *Deux Cents* to try Micheli over his *Mémoire* was illegal, since under the Edicts it could not act as a court of first instance. Its only power in the judicial field was to act as a court of appeal. He should have been tried by the *Petit Conseil*.¹⁵ Nonetheless, he was punished by the loss of his *Bourgeois* status, his fief of Crest taken away from him and all his goods were forfeited to the state.

Micheli claimed that the *Deux Cents* did not have the right to judge him and published a tract explaining his position,¹⁶ some copies being seized by the government, while others continued to circulate clandestinely. In it, Micheli argued that there had been a serious judicial irregularity, with the wrong council condemning him. There should be a meeting of the *Conseil Général*, as the sovereign council of the state, which could decide what should be done about the violation of the Edicts in the legal process against him. It was, however, one and a half centuries since the *Conseil Général* had done such work.¹⁷

The inability of Micheli to obtain any large-scale support among the *Bourgeois* meant that he remained a fugitive from Genevan justice. His attempt to become involved in the troubles in Geneva after 1734, with his work *Requête, avertissement, placet et mémoire*, led to his being convicted of rebellion and sentenced to death. This was carried out in effigy on 8th. November 1735.¹⁸

The episode underlined the sensitivity of the government to any suggestions made concerning changes to the political system of the state. It also demonstrated that the government continued to treat harshly, as they had Gallatin and Fatio, any member of an oligarchical family who appeared to support the *Bourgeois* and their demands for a more active and powerful *Conseil Général*.

Peaceful attempts at change

An opportunity to curtail the massive work on the fortifications had been lost in 1725, when the *Conseil Général* had had to vote on the continuation, for a further ten years, of the taxes introduced in 1715. This was in part because:

'les affaires du Mississippi et la peste de Marseille ayant dérangé le commerce, chacun occupé à prévenir ou à réparer le naufrage de sa fortune perdit pour le moment les affaires publique de vuê et les Conseils prolongèrent seuls sans

¹⁴ Ms. Cramer 49, *loc. cit.*

¹⁵ Barbey, *op. cit.*, p. 109.

¹⁶ 'Discours en forme de lettres sur le gouvernement de Genève et l'affaire du sieur Micheli du Crest.'

¹⁷ Sir Francis d'Ivernois, *op. cit.*, Volume I, p.86.

¹⁸ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 430.

opposition les impôts pour un terme pareil au premier.¹⁹

As the ten years grant was rapidly approaching its end in 1734, the *Bourgeois* decided that it was time to try in a calm and ordered way to persuade the government to consider a meeting of the *Conseil Général* to examine the question. On 4th. March, over a thousand *Bourgeois*, divided into the sixteen *Bourgeois* militia corps²⁰, led by a delegation of twenty-six, marched in silence and perfect order through the streets of Geneva.²¹ In turn, they visited the house of each of the *Syndics* and the *Procureur-Général* to present their *Représentation*, the whole process taking five hours. This was the culmination of years of work as evidenced by a pamphlet of 1734:

'le placard [la condamnation des lettres de Léger] ... n'a servi qu'à reveiller l'attention des Citoyens et Bourgeois sur leurs légitimes et importants Privilèges. Dès l'année 1718, ils [les Bourgeois] n'ont cessé d'en faire le sujet de leurs conversations ... que le conduite des dits Conseils tendoit à sapper leur liberté...'²²

The *Représentation* of 4th. March 1734 contained two main points. The first was that the two smaller councils should 'bien réfléchir' on the taxes that they had introduced in 1713 to finance the fortifications without any consultation with the *Conseil Général*. The uncertainty of 1724 had enabled the government to obtain the renewal of what some of the *Bourgeois* considered an illegal impost. It was not that the oligarchy in Geneva:

'[was] subject to popular harangue ... for failing to supply adequate defence for the state,²³

as was the case in the united Provinces. For the *Bourgeois*, it was the illegal manner in which the taxes to finance the work were raised. They hoped in 1734 to obtain a complete review of the tax and its original illegal imposition done without the authority of what they claimed was the sovereign body of the state, the *Conseil Général*. The second point was:

'[que] les Magnifiques Conseils aient l'équité de résoudre que, conformément à ce que nous avons droit d'exiger, le Conseil général sera assemblé aux fins que les dites résolutions y soient portées pour le maintien de notre liberté, de même que pour l'affermissement et l'avancement du bien public qui sera, en tout temps, l'objet de nos vœux....'²⁴

All *Bourgeois* males were enrolled in the Militia in units which were attached to the area where they lived. The Militia, based on the four main quarters of the town, was periodically assembled for exercises and practice in the use of its weapons, and its officers were from the patriciate. In 1734, each Militia unit appointed by popular vote one or two representatives, who had to report back to it for instructions, all of which were decided by free vote. All this was done in the absence of the officers.

The existence of the elected 'officials' was intermittent. They appeared at times of crisis, as in July and December 1734 or February 1736. Those elected had the title of *Commission de la Bourgeoisie*, and they arranged to meet at a particular place, appointed a secre-

¹⁹ BPU Genève, Ms. Rocca 12 Vernes et Roustan *Histoire de Genève*, p. 107.

²⁰ All citizens were members of one of four regiments, each with a *Syndic* as Colonel; each regiment had four companies, each company having as its Captain a Councillor, and under them sergeants. Most Captains looked after the interests of their soldiers in commerce, trade, family matters, etc.

²¹ Barbey, *op. cit.*, p. 110.

²² AEG Ms. 532/2 *Rélation des Troubles qui ont régné dans la Ville de Genève pendant l'année mille sept cens trente-quatre*, A Rouen MDCXXXVI, Première partie, p. 6.

²³ Schema, *op. cit.*, p. 48.

²⁴ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 418.

tary and kept registers of their proceedings.²⁵ It was through this commission that leaders such as Michel Léger were able to inform the *Bourgeois* of what was happening, and it was from them that they were able to gauge the mood of their fellow *Bourgeois*. Unlike 1707, there were a number of leaders of the *Bourgeois*, but no overall leader as Fatio had been.²⁶

The absolute maximum of *Bourgeois* voters was 1,500 but, normally, a proportion of those with the right to vote were not in the city, which reduced the number liable to vote to around 1,200-1,300. The presentation of the petition on 4th. March saw five-sixths of the voters on the streets in support of the petition. It was a tribute to the level of organisation and discussion that the *Bourgeois* had been able to maintain during the years since Léger's *Lettres* of 1718, before the 1730s as mentioned by Palmer.²⁷ This was clearly no faction, but a party action 'authorised by the voice of the country'²⁸ but the majority of those with political rights in the state demanding a meeting of the *Conseil Général*. Even those opposed to the demands of the *Bourgeois* were forced to admit the strength of their support. Cramer wrote:

'la Ville entière fut dans l'action et dans le Mouvement, et il est certain qu'une grande partie de la Bourgeoisie eût plutôt abandonné sa Patrie pour se retirer ailleurs que de se désister de cette Demande.'²⁹

It was also a demonstration of the ability of the *Bourgeois* to organise and control their followers. This was a:

'a fully fledged political movement in which devotion to a set of political principles is in greater evidence than attachment to the person of a popular leader.'³⁰

The head of the column was led by the elected representatives of the Militia. There was an 'ideological' content in their demands, as there had been in 1707 and 1718: the right of sovereignty of the *Conseil Général*. The *Lettres* of Léger were further reinforced in another written document in the form of a political catechisme which was doubtless used in the meetings of the Militia to put across the party line.³¹ The extract from the catechism found in diagram 5 makes the position of the *Bourgeois* in Geneva clear, both with regard to the oligarchy they claimed was ruling the state and the rights of the people in the *Conseil Général*. The answers to the questions posed are straightforward, clear and easy to understand, exactly as a party's policies should be. The influence of Léger's *Lettres* are also clear to see. At the same time, the behaviour of the *Bourgeois* in Geneva was quite different from those in America such as the Massachusetts Guy Fawkes crowds or the Wilkes riots in London. An eye-witness was forced to admit that the whole was carried out:

'avec un ordre, une tranquillité, une cordialité, une décence et un respect qui ont fait l'admiration de ceux qui en ont été témoins.'³²

²⁵ Sautier, *op. cit.*, p. 188.

²⁶ See Appendix IV B V/2.

²⁷ Palmer, *op. cit.*, p. 129. See also Chapter IV.

²⁸ Isaac Kramnick *Bolingbroke & His Circle. The Politics of Nostalgia in the Age of Walpole*, Ithaca: Cornell University Press, Paperback edition, 1992, citing Bolingbroke, p. 158.

²⁹ BPU Genève, MS. Cramer 74, 110.

³⁰ Bailyn, 'Pamphlets', *op. cit.*, p. 583.

³¹ See diagram 5, p. 97a.

³² P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 418.

Diagram 5

BPU, Genève, Ms.fr. 840, 76 *Entretien d'un Citoyen avec un Nouveau Bourgeois en forme de Catechisme*, 1734, 78-83.

Extracts taken from *Entretien d'un Citoyen avec un Nouveau Bourgeois en forme de Catechisme*.

'Qu'est-ce que "oligarchie"?'

'C'est un Etat gouverné souverainement par peu de personnes riches et nobles.'

'Qu'est-ce que République Démocratique?'

'C'est un état libre, dans le quel le Peuple exerce par luy même les arts de la souverainité sans pourtant exercer sur sa termes mais remettre le Gouvernement à des Chefs ou officiers qui lui font comptables et dont il a le droit d'examiner l'administration.'

'Vous ne prétendés donc pas que le Peuple aît remis aux Syndics, Petit et Grand Conseils le pouvoir d'exercer d'autres droits?'

'Non, car il n'a pas celui d'établir des Impôts, d'aliéner le Domaine, ou de charger l'Etat de très grosses debts, de déclarer la Guerre ou de faire la paix ou des Alliances, d'élire des Magistrats, ou de faire des loix, car si vous examinés leur pouvoir, vous ne découvriés rien de pareil dans toute leur étendue.'

'Et pourquoi ont-ils pratiqué jusqu'à present tous ces articles reservé l'Election des Magistrats?'

'C'est par abus, et c'est ce qui occasion aujourd'huy les grands difficultés entre les Conseils et le Peuple.'

The reaction of the government, as seen in the Register of the Council, was true to form: 'Par rapport au mémoire, il a été remarqué que le but des auteurs est de renverser le gouvernement et d'établir l'anarchie ... qu'ils (les représentants) sont dans le préjugé qu'étant un peuple libre et souverain ils sont en droit de faire tout ce qu'ils jugeront à propos.'³³

This was not a dialogue of the deaf, but of the deaf and the blind. The smaller councils had no intention of conceding the demand for a meeting of the *Conseil Général*. There was to be no immediate response, and the petition was to be 'lost' in a series of commissions and committees. The Register of the Councils states:

'qu'il ne faut rien presser dans cette affaire, que les Conseils doivent bien prendre leur temps pour s'éclairer et s'unir.'³⁴

But there were no concessions that could be made, as the petition had one demand, the calling of a *Conseil Général*. A further difficulty was that the *Petit Conseil* was not itself united. According to letters written at the time there was considerable concern over Le Fort,³⁵ the First *Syndic*:

'Tronchin et ... quelques autres dont le Premier Syndic est implacable Ennemi. Il [Le Fort] a trouvé le moyen déjà de les rendre odieux au Peuple ...Il obtiendra leur destitution et fera élire en leur place des Gens qui lui sont entièrement dévoués et qui accèderont avec lui à tous les Attentats du Peuple pour renverser le Gouvernement.'³⁶

This was exaggerated as Le Fort could not decide who sat on the *Petit Conseil*. Paradoxically, these apparent difficulties within the government may have strengthened their resolve to make no concessions to the *Bourgeois* such as had been done in 1707. After two months, the petitioners sent a further delegation to demand the councils consider their petition and refrain from using denigratory terms when referring to the *Bourgeois'* leaders in the various papers circulating within the councils.³⁷

The members of the *Petit Conseil* were convinced that some kind of secret council existed which was controlling the *Bourgeois*. Cramer believed that the secret council contained three: Michel Léger, Dr. LeFort (a relative of the *Syndic*) and J-Fr. Chevrier.³⁸ Later, the three became five, and they were in turn joined by seven assessors, making a committee of 12. There appears to be little evidence for the existence of any such 'secret' body at this time or at any time in the period 1734-8. The *Bourgeois* were open in their discussions held in the militia, the elected representatives of the militia met openly, a state of affairs which D'Ivernois confirms in his claim that people began to meet in public places. The *Petit Conseil* considered these meetings to be 'Assemblées d'atroupement' and wished to attempt to prohibit them as well.³⁹ They may have been thinking of the various

³³ *loc. cit.*

³⁴ Barbey, *op. cit.*, p. 110.

³⁵ See Appendix IV B V/3.

³⁶ BPU Genève, Ms. Tronchin 346, Letter written by Tronchin to Bern 16.11.34.

³⁷ They were called: 'novateurs, ingrats, ... boute-feux, parjures, séditeux, brouillons qui agissent contre leur honneur, leur conscience et leur serment.' P. E. Martin, *op.cit.*, p.419.

³⁸ Sautier, *op. cit.*, p. 189, ft.1.

³⁹ D'Ivernois, *op. cit.*, Vol. I, p. 85.

dinner meetings that men such as Léger had held since 1718, but they were hardly secret.⁴⁰ In Geneva, anyone going home after dark had to ensure that he had a lighted candle with him, for security, but also to ensure that he could be recognised.

The *Bourgeois* had, with their *Représentation* shown an ability to organise and an agreement on policy which can only have come about with careful and long-term planning. The use of the militia as the medium of organisation to bring the *Bourgeois* out on the streets in discipline and silence was a brilliant and carefully-thought-out action. The action in Geneva in 1734 must stand as a tribute to the organisers and those who took part in it. The peaceful action of such a large percentage of the *Bourgeois* also had another side. It would be extremely difficult for the government to punish so many people. The execution of Lemaître and Fatio was not forgotten, nor the treatment of those who had shown any sympathy to the de Normandie family. As Cellerier states:

'Les souvenirs de 1707 avaient laissé dans les âmes beaucoup d'amertume, et même de vagues terreurs.'⁴¹

Some in Geneva thought that the government might have recourse to the soldiers of Bern and Zürich as they had done in 1707, especially because in 1734, there were still 62 members sitting in the *Deux Cents* who had called for their help against Fatio and his supporters in 1707.⁴²

The *Bourgeois* became increasingly impatient by the delay in the response to their initial *Représentation* and were dismayed by the claims of the government that they were in any way expressing 'revolutionary sentiments'. A second *Représentation* was therefore made to the *Syndics* in late June 1734, but this was not passed on to the two councils by the *Syndics*.

The government prepares its arguments

During the four months that had elapsed since the initial petition, the two councils had been trying to find some manner of compromise. The legal and philosophical interpretations of the question of 'sovereignty' were examined in detail and for the first time a statement of the philosophical and legal basis of the position of the government and the two smaller councils was formulated.⁴³ The work was carried out by a commission which had the final responsibility for framing a reply to the *Représentation* of 4th. March. The members of the committee were Jean-Jacques Burlamaqui,⁴⁴ Charles Lullin, Gabriel Grenus, Jean-Louis Du Pan, Jean-Louis Chouet, David Sartoris, Marc-Conrad Trembley, Jacob de Chapeaurouge, Jean-Louis Buisson, François-Jean Turretini, Michel Lullin de Châteauvieux and Pierre Mussard, all councillors.⁴⁵

Jacob de Chapeaurouge had already been deeply involved in defending the position of the government and patriciate. In 1707, he wrote *La Lettre d'un citoyen de Genève à un autre citoyen de ses amis sur les mouvements présents*, which was in support of the

⁴⁰ See Chapter IV, pp. 88ff.

⁴¹ J.E. Cellerier "Du rôle politique de la Vénérable Compagnie dans l'Ancienne République de Genève spécialement dans la crise de 1734 et les années suivantes", *Mémoires et Documents Publiés par la Société d'Histoire et d'Archéologie de Genève*, 12 1860, p.197.

⁴² *Ibid.*, p. 198, ft. 1.

⁴³ Barbey, *op. cit.*, p. 111.

⁴⁴ *Ibid.*, pp. 70-4. See Appendix IV B V/4.

⁴⁵ See Appendix IV B V/5.

government. In 1715, it was Chapeaurouge who wanted the *Procureur-Général* to be a tool of the councils rather than the spokesman for the people in the smaller councils.⁴⁶ In 1718, he wrote the *Réponse à la lettre anonyme concernant les impôts, contenue en quatre lettres*. His involvement in the committee in 1734 saw the reiteration of all that he had previously expounded. The basis of his ideas can be taken from what he wrote in 1707. The people were rather like a minor:

'qui, incapable de se conduire lui-même, n'est jamais plus sage que lorsqu'il soumet sa personne et ses biens à la direction de gens qui aient toute l'affection et toutes les lumières nécessaires.'⁴⁷

In this, Chapeaurouge was merely echoing the ideas held by all those who ruled at the time. Brought up to believe in their right to govern, that they were by virtue of their education, training and birth the natural rulers of the state, they had little understanding of the claims of the 'people' or *Bourgeois*. In the Age of Reason, it was believed that the ordinary man, deprived as most were of the benefits of education which enabled the passions to be tamed, was quite unfitted for the responsibilities of power, as Bolingbroke warned Swift in a letter:

'this monstrous beast has passions to be moved, but no reason to be appealed to.'⁴⁸

The hierachical nature of all eighteenth century states was further reinforced in Geneva by the teaching of the church and the relative simplicity of life. Fear of the raging mob was underlined by the examples of Athens and Rome, taken from the classical education that all aristocrats received. The experience of Geneva in the 1530-1560 fortified the innate belief that to accept the claims of the *Bourgeois* that the sole sovereign power of the state lay in the *Conseil Général* was simply to head the state toward anarchy and its destruction. As Sautier rightly says of the members of the committee, they were the most determined opponents of the *Bourgeois* and their ideals.⁴⁹

The committee needed to find a theory to fill the vacuum created by the denial of direct divine intervention in the area of the state and its government. It was a problem that was not unique to Geneva. In England men like Hobbes and Locke, and Pufendorf in Germany had attempted to find answers to the problems raised by the place of man in God's universe, which, in turn, raised the whole question of God's creation. If the authority of God were removed as the controlling force over both the governed and the governors, what was to replace Him? There was no consultation of the *Consistoire* over this matter. The replacement of God as a controlling factor in the political life of Geneva was crucial to the patriciate's continuing to control the state. They had to establish a theory or philosophy which could justify their control of the organs of government while at the same time justifying their rejection of the claims of the *Bourgeois* that the *Conseil Général* was sole sovereign of the state.

Basically, they developed a concept that was based on the idea that societies were created by 'la volonté humaine'. The School of Natural Law closely associated with the

⁴⁶ BPU Genève, Ms. Tronchin 282 *Mémoire et Lettres de M. de Chapeaurouge concernant la Charge de Procureur-Général 1715 à 1717*. The current *Procureur-Général*, Louis LeFort ensured that the post remained free of the control of the *Syndics* and government.

⁴⁷ Barbey, *op. cit.*, p. 89.

⁴⁸ Issac Kramnick *op. cit.*, citing a letter from Bolingbroke to Swift, 21 July 1721, p. 103, f. 43.

⁴⁹ Sautier, *op. cit.* p. 242.

name of Pufendorf⁵⁰ was to be used extensively by the patriciate in the elaboration of their position. Pufendorf had posited that man had renounced his 'natural' state for a civil state where he agreed to submit himself, by means of a social contract, to government created for that purpose. The Commissioners claimed:

'que la genèse de l'Etat est le fruit de la conclusion d'un contrat social, donc d'un accord entre les hommes sans aucune intervention divine.'⁵¹

Having once established that there was such a 'social contract', it was but a short step to concluding therefore that:

'la République de Genève a été créée par la conclusion d'un contrat social, convention passée entre le peuple et la magistrature, par laquelle les membres du Conseil Général ont remis aux Conseils restreints l'exercice de presque tous les droits contenus dans la souveraineté.'⁵²

According to their report, the political Edicts of 1543-1568 were the social contract on which the state of Geneva was created.

In following the teaching of Pufendorf, the patriciate was able to accept that the *Conseil Général* was indeed sovereign but only in its original state. The origin of all society was when people came together and decided jointly on a code for their governance and self-preservation. Resulting from this decision, there would follow the creation of a commonly-agreed form of government and a pact of submission by which:

'après avoir choisi une ou plusieurs personnes à qui l'on confère le pouvoir de gouverner la société, ceux qui sont revêtus de cette autorité suprême s'engagent à veiller avec soin au bien public et les autres en même temps promettent une fidèle obéissance.'⁵³

This was the ideal solution to their problem. While accepting that the people had once been sovereign, it justified the transfer of that sovereignty to the magistrates and the two smaller councils by the political Edicts of 1543, 1568 and 1570. At the same time, there could be no legal, legitimate modification of these Edicts. Thus, sovereignty in the state was divided between the different groups within the state, none of which alone could re-open the question of the division of that authority. It was therefore not possible for the *Conseil Général* to demand the prerogative with regard to taxes because:

'cette "partie" [la prérogative des impôts] de la souveraineté appartient exclusivement aux Conseils restreints en vertu des Edits de 1543, 1568 et 1570.'⁵⁴

There was a right of resistance against tyranny, though this had never been necessary in Geneva. Thus the people Geneva were bound by the 'contract' to submission and obedience to their Magistrates and for good measure:

'tous les mouvements populaires sont condamnables.'⁵⁵

In the eyes of the government therefore, all attempts by the *Bourgeois* to persuade it to agree to a meeting of the *Conseil Général* were against the peace of the state and the basic tenets of the social contract. The government was attempting, through the elaboration of its theory, to make the claims of the *Bourgeois* impossible.

⁵⁰ For details of Pufendorf's theories see Appendix IV B V/6.

⁵¹ Barbey, *op. cit.*, p. 165.

⁵² *Ibid.*, p. 271. (My emphasis)

⁵³ Sautier, *op. cit.*, p. 217. [Taken from *Droit de la Nature et des Gens*, Livre VII, chapitre II paragraphe 7, cité par Derathe].

⁵⁴ Barbey, *op. cit.*, p. 127 & pp. 297-8.

⁵⁵ *Ibid.*, p. 219.



Having set out the Councils' theory at the beginning, the report then works its way through the manner in which various powers were given to the different councils. The Edict of 1570 gave a 'titre particulier' to the two smaller councils to raise any necessary taxation, and they claimed that it was perpetual. Geneva was to call its system of government an *aristocratie* which was defined as an:

'aristocratie élective mêlée de quelques réserves en faveur de la généralité du peuple.'⁵⁶

The publication of the report at the end of June made it clear that there was no common ground between the majority of the *Bourgeois* and the ruling patriciate.

Hence, by mid-1734, there were in Geneva two distinct groups, both with a programme of political action, a 'manifesto' which set out their ideas and aims, and both with followers and supporters. For the *Bourgeois*, the *Conseil Général* was sovereign, the smaller councils and the *Syndics* being the appointees of the sovereign power and with no sovereign power themselves. This had been their constant theme since 1707, carefully set out in 1718 in Léger's two *Lettres*, and repeated in another document which circulated in 1731:

'que l'usage que l'on veut faire de cet Edit [1570] est d'autant plus dangereux, qu'il est directement opposé à notre forme de Gouvernement qui ne reconnoit pour Souverain de cette République que le corps des Citoyen et Bourgeois assemblés avec les Conseils suivant nos Loix fondamentales.'⁵⁷

The *Bourgeois* in Geneva would have had no difficulty in accepting the argument expounded by Martin Howard Jr. writing of the Stamp Act in 1765:

'The jurisdiction of Parliament being established, it will follow that this jurisdiction cannot be apportioned; it is transcendent and entire.'⁵⁸

For the government and the patriciate, sovereignty resided in the smaller councils and the *Syndics*, having been handed to them by the *Conseil Général*. Both sought evidence in previous Edicts to bolster their respective arguments, especially the Edict of 1570 with regard to taxation. Both could argue that it was the other side which had changed or desired to 'change' the constitution of the state. Thus in Geneva the rehearsal for the arguments between the Americans and the British between 1762-1776 was being played out much earlier. The difference lay in the fact that the *Bourgeois* were arguing along the same lines as the British government took concerning the non-divisibility of sovereignty, while the Genevan government was to argue, as did some Americans, for the divisibility of sovereignty. In Geneva, the *Deux Cents* could introduce new taxes without the consent of the *Conseil Général*, which was 'the people' of Geneva, while in the Colonies, the Americans argued that their local assemblies established under Royal Charter had the right to tax locally, not the House of Commons, in London, where they were in no way represented.

The problem in Geneva lay in the fact that there was no mechanism for debate and political compromise within the state. The refusal of one side to call meetings of the one forum where matters could be discussed (the *Conseil Général*) placed the *Bourgeois* in a difficult position. They had no desire to replace, or overthrow the *Syndics* or the *Petit Conseil*. They were content to allow the government to govern but this meant, because of their insistence upon the sovereignty of the *Conseil Général*, that all new taxation, new laws or changes in existing laws had to be debated and accepted by the sovereign.

⁵⁶ Sautier, *op. cit.*, Vol. I, p. 213.

⁵⁷ AEG Ms. historique 257 *Lettre d'un Citoyen à un Citoyen écrite en 1731*, p. 77.

⁵⁸ Bailyn, 'Pamphlets', *op. cit.*, p. 538, Pamphlet 10, 'A Letter from a Gentlemen at Halifax'.

In contrast to Britain, the loosening of religious doctrine in Geneva did not lead to a vast and embittered debate about the fundamental beliefs of the faith. The patriciate, or many of them, in the eighteenth century settled gently into their scientific interests without seeming unduly worried by the problems of Deism and the danger of atheism. Energies were channeled more into the far more contentious political issues of the division of power within the state.

In Geneva, the relaxation of the absolutism of God in life and the world was succeeded by the absolutism of man-made law, i.e. of laws which were to a great extent based on the Edicts which had created the state. Nothing was to change except that the state was not one based on God's direct intervention, which looked to the Bible as its textbook, but on a contract agreed between the rulers and the ruled, buttressed by jurisprudence. Practice and Law were to be used by those already in power to enable them to remain in power.

The fact that the two smaller councils were both the writers of the law and the judges of those same laws was immaterial. There was no independent judiciary in the state. By 1734, the oligarchy had moved into modern times by establishing a sound legal basis for the state and its form of government, which, in theory at least, should not have caused any difficulty. Law was a logical and unemotional task-master, not open to the myriad of interpretations that a divinely-based state might have to face.

Actions rather than words

The government, because of tension in the city during the long wait for its reply to the *Représentation* of 4th. March, gave orders for defensive measures to be taken in the town, especially for the protection of the upper town, where the town hall and the organs of government were located. Conditions in the city were certainly not normal. A number of *Bourgeois* were permanently in the streets, where they discussed amongst themselves, a situation some claimed 'qui ressemblait fort à une émeute permanente.'⁵⁹

It was decided that the cannons in the artillery store in St. Gervais should be spiked in case the wilder elements in the *Bourgeois* should decide to use force to attain their ends. The three men with responsibility for the safety of the city and its inhabitants, Lullin, de Carro and Trembley⁶⁰ acted in accordance with an order that had been given them by the *Petit Conseil* on 4th. June, to prepare a plan of defence according to what Trembley deemed necessary for the meeting of the *Deux Cents* on 1st. July. It was at this meeting that the text of the reply to the *Représentation* of 4th. March would be discussed. Several smaller cannons were to be taken and stored in the old town. The noise, together with the need to work around the clock, attracted attention. That night (30th. June - 1st. July) some *Bourgeois* gained entry to the fort of Chantepoulet in St. Gervais and discovered that the larger cannons had been spiked. Later in the morning, one of the carts coming from the Fort was stopped and inspected by some *Bourgeois*. It was found to be carrying, well-hidden, the smaller cannons from the Fort. The tension and anger in the town were such that, even though two of the leaders of the *Bourgeois*, MM. Vaudenet the elder and Oltramare,⁶¹ went immediately to demand an explanation from the first *Syndic*, the damage was done.

An attempt by the clergy to calm the growing crowd in the place Bel-Air was without success, the crowd believing wild rumours the government was about to use the garrison

⁵⁹ Cellerier, *op. cit.*, p. 204.

⁶⁰ See Appendix IV B V/7.

⁶¹ See Appendix IV B V/8.

to crush them. The government was forced to concede to the demands of the *Bourgeois* that the guard should be replaced by units of the *Bourgeois* militia, the small cannons returned to St. Gervais as well as the spiked cannons de-spiked.

For Genevan historians such as P.E. Martin:

'le gouvernement légal, s'il subsiste encore, est sans pouvoir;'⁶²

The statement appears exaggerated. This is borne out by the statements made to a Commission which was established by the *Compagnie des Pasteurs* in an attempt to negotiate between the government and the *Bourgeois*.⁶³ At a meeting with representatives of the *Bourgeois* on 4th. July,⁶⁴ the representatives were asked by the pastors to speak freely about their proposals and aims. In reply they:

'se bornent à exprimer le voeu d'un prompt Conseil Général, pour décider de la continuation des fortifications, et de celle des nouveaux impôts.'⁶⁵

As the situation in the city had deteriorated in May, the pastors offered their services to the *Petit Conseil* in an attempt to settle the difficulties between the government and the *Bourgeois*. A special commission had been formed with four members from the *Compagnie* and four members from the *Petit Conseil*, but they rarely met before the beginning of July. The crises at the beginning of July saw the pastors attempting more actively to intervene as a neutral force. A new committee consisting of eleven pastors met the representatives of the *Bourgeois*. By the time the pastors returned to the *Syndic* to report on their meeting, it had already been decided that there would be a meeting of the *Conseil Général*. The pastors' help had proved unnecessary.

The government and the *Syndics* continued to function normally and were treated with the same respect. Nonetheless, it was clearly a chastening experience for the members of the *Petit Conseil* to have to deal with the *Bourgeois* militia committee. Arrangements agreed to at such meetings were referred back to each militia unit to be voted upon. Inevitably, agreements reached by the delegates were overturned by the democratic vote of the militia. Slow and frustrating as such procedures must have been, it is equally surprising to see P. E. Martin stating that, in part, this was due to the fact that, although there was the committee with men of a certain stature, there was no leader such as Fatio had been. 1707 had shown how dangerous it was for an individual to act as leader⁶⁶

The *Conseil Général* met within a week of these dramatic events, without any unrest. The *Bourgeois* voted to continue the taxation for the defences of the city for another ten years by 1364 votes.⁶⁷ It was also agreed to end torture, to improve the position of those standing criminal trial, and the militia would no longer be commanded by the sergeants of the garrison, but by *Bourgeois* officers. The entire meeting was conducted in a calm and solemn atmosphere, far from the anarchy that many of the patriciate had expected.

The results of this meeting of the *Conseil Général* were mild. The *Bourgeois* had wanted to have such a meeting because they believed that it was the *Conseil Général's* sovereign

⁶² P.E. Martin. *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 423.

⁶³ Cellierier, *op. cit.*, p. 221. Consisted of the Moderator, Théo. Le Clerc, MM. Turretini, Fatio, Maurice, Bessonnet, Vial, Vautier, Le Fort, Léger, Dentrand and De La Rive.

⁶⁴ *loc. cit.*, Ms. Isaac-Ami Marcet, François Terroux, Michel Girard, le père, Jean-Antoine Rilliet, Nicolas De Lorme, Chevrier l'apothicaire, Gédéon Flournois, Jean-François De Luc, David Ballexert, Dominicé and Jacques Bordier, le libraire.

⁶⁵ *Ibid.*, p. 221-2.

⁶⁶ *loc. cit.*

⁶⁷ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 424.

right to discuss the question of the fortifications and the renewal of the taxes required to finance the necessary work. They were, once that right was conceded, willing to accept the recommendation of the government and to continue the taxation. Yet, before the meeting of the *Conseil Général*, the Register of the *Petit Conseil* laments the fact that:

'le peuple est en armes dans tous les quartiers de la ville et *ne voulant entendre aucune raison*, les Conseils sont à sa discrétion.' [my emphasis]⁶⁸

The persistence of such ideas as above concerning the *Bourgeois* shows how deeply culturally rooted the ideas of the patriciate were.

Immediately after the agreement reached at the *Conseil Général*, the *Bourgeois* handed back to the garrison guard duties in the city. This, together with the calmness of the *Conseil Général* did little to persuade the government of the moderateness of the *Bourgeois*. The *Bourgeois* still had a long and difficult struggle ahead to persuade the patriciate of their fitness to consider political matters.

The Genevan government had informed its allies of the initial *Représentation* on 27th. March, after they had officially informed the representative of France in Geneva (12th. March). All seemed calm and peaceful when the Swiss delegates arrived in the city. In the traditional manner of Geneva, the past and all the actions and words of the last months were to be forgotten, encouraged by the delegates from Bern and Zürich.

The *Bourgeois*, however, sought the condemnation and punishment of the men responsible for the spiking of the cannons. They also wanted an official statement approving their actions since they had discovered the spiking of the guns. Whether this was a calculated move by some of the leaders of the *Bourgeois*, or whether it was the only move that would satisfy elements in the *Bourgeois*, it was a situation which was dangerous, since Trembley and Lullin had acted under instructions from the government.

A declaration described the action of spiking the guns as 'peu convenable' and ended: 'pour affermir la paix et le repos publique parmi nous, il n'y avait pas lieu de faire des perquisitions ultérieures, mais de défendre au contraire toutes recherches et tout reproche à ce sujet.'⁶⁹

After much difficulty, it was agreed by the two councils that the action of Trembley and the others was 'blâmable' but that they were to be 'entièrement irrecherchables à ce sujet.' This was insufficient for the *Bourgeois*, who were adamant that some action was necessary against the men and were not willing to allow the two smaller councils to permit them to escape punishment. The situation was aggravated by the fears and rumours that were circulating in the town. These all centred on a plot by the three men and others in the *Petit Conseil* to destroy the liberty of the *Bourgeois* by using the cannons and the garrison against them.

The withdrawal of Trembley from the city to his country home led to the cooling of the affair, but Trembley set out in a letter to the *Syndic* of 1734, Le Fort, a justification of all his actions. In a letter to Banderet de Luternau, Trembley put his view clearly:

'Les Conseils sur l'accusation des bourgeois ont reconnu mon innocence, et on les force à main armée de me déclarer coupable.'⁷⁰

The same justification was sent to various people in Switzerland, one of whom, Escher,⁷¹ wrote to Jean-Alphonse Turrettini from Zürich:

'Pour vous avouer la vérité, ces deux démarches de M. de Chapeaurouge et

⁶⁸ *loc. cit.*

⁶⁹ *Ibid*, p. 425.

⁷⁰ Paul-F. Geisendorf, *Les Trembley de Genève de 1552 à 1846*, Genève: Alex Julien, 1970, p. 183.

⁷¹ See Appendix IV B V/9.

Trembley me rendent inquiet, je les crains un peu précoces.⁷²
He reinforced his point in a second letter of 18th. October:

'Les Mémoires justicatifs, qui par leur nature deviennent accusatoires, ne font qu'augmenter le mal. ... chaque parti travaille à se fortifier et cherche des adhérens, la division s'échauffe et le public en souffre.'⁷³

Once the contents of Trembley's original letter became known in the town, the precarious peace was lost. Wild rumours of patrician plots and highly imaginative and libellous documents circulated freely. How far the rumours were related to divisions within the *Petit Conseil* itself is difficult to be sure. Certainly, there was a belief amongst men such as Tronchin and Chapeaurouge that others such as the *Syndic* Le Fort were too favourable to the *Bourgeois*.

On 5th. December, the *Bourgeois* made another *Représentation* to the government demanding punishment not only for the three original 'spikers' but also for others.⁷⁴ The three additional names were added because, according to the petition:

'les Membres d'iceux ... sont censés avoir formé ces horribles Projets contre la liberté publique, et ... ont toujours marqué une si grande fierté, hauteur et vanité.'⁷⁵

They ended their petition:

'Déclarant qu'en bons citoyens et bourgeois, ils ne peuvent apporter le moindre changement et même recevoir aucune proposition qui en [de la présente réquisition] peut diminuer l'étendue.'⁷⁶

The demands contained in the *Représentation* were nothing short of an ultimatum. Forced to give way, the two councils deprived the two Trembleys,⁷⁷ Charles Lullin, Chapeaurouge, Tronchin and de Caro of all their appointments and removed them from the councils, as well as exiling Jean Trembley for life.⁷⁸ This was confirmed by a *Conseil Général* held on 20th. December, and an Edict of Pacification was also passed with 1143 votes in favour of its acceptance.⁷⁹ As in 1707, the determination of the *Bourgeois* had forced the government to act in contradiction to its position on its own sovereignty.⁸⁰

The *Bourgeois* having established to their satisfaction the sovereignty of the *Conseil Général* in depriving certain 'appointees' of their posts, was content. Their satisfaction, however, only demonstrated the loss of the claimed sovereignty of the the *Syndics* and smaller councils. It was hardly a sure foundation for future peace within the city, as a letter

⁷² E. de Budé (Ed.) *Lettres inédites adressées de 1686 à 1737 à J.-A. Turretini, Théologien Genevois*, Paris: Librairie de la Suisse Française, Genève: Librairie Jules Carey, 1887, Vol. II, p. 16, 6 août.

⁷³ *Ibid.*, Vol. II, p. 18.

⁷⁴ Marc-Conrad Trembley, Jacob de Chapeaurouge and Jean Tronchin, all hard-line members of the *Petit Conseil*, as has already been seen.

⁷⁵ Cellierier, *op. cit.*, p. 252.

⁷⁶ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, pp. 427-8.

⁷⁷ Jean Trembley and Marc-Conrad Trembley were cousins.

⁷⁸ Marc-Conrad Trembley and Jacob de Chapeaurouge had been the two members of the *Petit Conseil* who had visited the respected Antoine Léger on his death-bed in an attempt to make him confess his authorship of *Les lettres anonymes*.

⁷⁹ Amédée Roget, 'Le Conseil Général', *op. cit.*, p. 137.

⁸⁰ See Chapter IV, pp. 74-75.

of 11th. December 1734 says:

'le mal me paroît trop grand pour en demeurer la, et il ne faut pas doubter que chacun ne cherche a se mettre en parfait securité qu'il en coutte.'⁸¹

The involvement of the Natifs and Habitants in the quarrel

Further troubles in Geneva in 1735 made it clear that internal harmony had not been re-established showing that the crisis was still latent. The patriciate had found it very difficult to come to terms with the attitude of the *Bourgeois*. Du Pan wrote despairingly to Freudenreich:

'le peuple ne craint plus ses magistrats un simple citoyen se croit en dessus d'un sindic. c'est moy dit-il, qui les fais et qui les defais. ... le peuple est absolument le maitre ... quelle anarchie!'⁸²

The inability of the patriciate to appreciate the mildness of the *Bourgeois* is found in all their documents throughout this period. The actions of the *Bourgeois*, their organisation and their apparent loyalty to their own leaders rather than to the *Syndics* and the government was something completely new and upsetting. The dismissal of members of the *Petit Conseil* by the *Conseil Général* was an earthquake in the ordered world of the patriciate.

In response to the uncertainty, in February 1736, Bernard de Budé, seigneur de Vérace, de Ferney, comte de Montréal, ex-officer in the Swiss Guards in France,⁸³ offered his services to the *Petit Conseil*, claiming that there were in Geneva many citizens, *Natifs* and *Habitants*, who were willing to offer their services to help maintain the state and its government. He was willing to put himself at their head and to train them and lead them in the defence, when necessary, of the government - by implication to defend the government against the *Bourgeois* militia. Such an action was unheard of in Geneva, since neither the *Habitants* nor the *Natifs* had any political rights.

There were numerous complaints to the *Syndics* by the *Bourgeois*, concerning the involvement of such people in the state's affairs, all to no avail. The danger of the *Natifs* and *Habitants* being involved in any political activity, even in a volunteer group to protect the government, was recognised in the *Deux Cents*, where it was proposed that:

'Messieurs les Syndics soient attentifs à empêcher que les Natifs et Habitants et eux qui n'ont pas le droit de suffrage ne se mêlent avec Citoyen et Bourgeois.'⁸⁴

Feelings were running high in the city, and, in May 1737, the Lieutenant, de Saussure, refused to accept communion from pastor Michel Léger in the Temple Neuf.⁸⁵ De Saussure was a member of the patriciate and may well have considered that Léger, as one of the most prominent leaders of the *Bourgeois*, was betraying both his calling and his 'patrie'. By the summer, tension was mounting with the temper of the *Bourgeois* clear as they had rejected the list for the election of new *Auditeurs* at the meeting of the *Conseil Général*.

The *Procureur-Général* made a formal complaint to the *Petit Conseil* to inform them of:
'des menées que faisaient quelques personnes pour gagner les Natifs & Habitans

⁸¹ BPU Genève Ms. Tronchin 209, f. 7, Armand de Sartigny to Tronchin.

⁸² BPU Genève, Ms. 1536 Lettres de Du Pan à Freudenreich, 1736-1739, 65.

⁸³ See Appendix IV B V/10.

⁸⁴ Sautier, *op. cit.*, Vol. I, p. 176.

⁸⁵ *Ibid.*, p. 312.

par des repas & par toutes sortes de pratiques.⁸⁶

The council seemed to be little concerned with such matters, even though it was encouraging a spirit of faction within the town. It was the patriciate which was going out of its way to court the *Natifs* and the *Habitants* in this fashion to win their support against the *Bourgeois*. Montréal continued to recruit and train, and the members of this private army acquired the name of 'goujons'.⁸⁷

There was fertile soil to be tilled in that the *Natifs* and *Habitants* suffered a number of disadvantages apart from their total lack of any political rights.⁸⁸ However skilled the *Natifs* became, they could not normally become master craftsmen without special permission from the government. This was hard to obtain and was of recent introduction.

Between 1670 and 1720

'la bourgeoisie accumule progressivement ses privilèges: droit exclusif au négoce, accès aux principales maîtrises, entrée en apprentissage dans les professions les plus lucratives.'⁸⁹

The *Bourgeois* had become extremely protective of their rights. If the *Natifs* were allowed to open their own workshops, as they would be if they were admitted as craftsmen, then that would increase the competition, to the probable detriment of those in the trade. There were, therefore, several reasons why the *Natifs* might well be happy to act against those they considered responsible for their economic and political disadvantages. The *Natifs*, particularly, worked closely with the *Bourgeois* especially those lucky enough to be apprenticed and 'l'horlogerie permet au moins des moments de conversation'.⁹⁰ Many of the *Natifs* were 'des ouvriers spécialisés, relativement instruits' working on a salary basis for a patron such as Elisabeth Baulacre in the gilding trade.⁹¹ They also lived amongst them, drew water from the same wells and were present when groups stood in the street and discussed, and there had been *Natif* involvement in the riot in support of Fatio. Over the years, this close proximity to all matters political was sure to have an effect. They had seen how the *Bourgeois*, acting together, had forced the government to grant concessions in 1707. They were to see the carefully organised actions of the *Bourgeois* bearing fruit, eventually, in 1734. It was a risky matter to try to involve them in supporting the patriciate, as it would only be a matter of time before some of the *Natifs* would begin to wonder what they might be able to achieve if they too began to organise and make reasonable demands.

The patriciate, on the whole, had moved from the level of merchant and skilled worker and were in the process of becoming rentiers. The French Resident, La Closure, wrote in March 1720:

'on peut dire que Genève est une des plus riches villes ... par toutes les richesses

⁸⁶ d'Ivernois, *op. cit.*, p. 111, ft. (e).

⁸⁷ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 432.

⁸⁸ See Appendix I.

⁸⁹ Piuz et Mottu-Weber, *op. cit.*, 2ème. partie: A. Perronoud, Ch. 3, p. 72.

⁹⁰ Rudolf Braun *op. cit.*, p. 108.

⁹¹ François Bergier 'Le dynamisme des structures sociales à Genève du XIVe. au XVIIe. siècle, *Mélanges publiés par la Faculté des Sciences Economiques et Sociales de l'Université de Genève à l'Occasion de son cinquantième*, Genève: Librairie de l'Université, Georg & Cie. S.A., 1965, 172.

qu'ont rapportées ... de ce commerce des actions en France et en Angleterre.⁸² They were merchant bankers, international traders, or in the liberal professions such as the Church, the Academy or medicine. There were also several who were large-scale factory owners, especially in the production of cloth. In Geneva, the oligarchy were wealthier than the majority of the *Bourgeois* and were 'in control of almost all trade and ... industry'.⁸³ It was thus not the case, in Geneva, that the *Bourgeois* were wealthier than the 'nobility' or oligarchy (in the Genevan context). In the city, it was the inverse of what Godechot claims the situation to be in Western Europe.

The decrease in the proportion of the *Bourgeois* in the state⁸⁴ was not without its consequences, ending what had been according to Bergier:

'On aura pu constater toutefois que les différences sociales n'étaient pas aussi accusées à Genève qu'elles l'étaient dans la plupart des villes d'égale importance à la même époque. Cela tient surtout à la faible importance numérique d'un groupe de condition matérielle réellement faible. Par ailleurs, la société genevoise, du Moyen Âge ... au début du XVIIIe. siècle, a fait preuve d'une cohésion qui méritait d'être soulignée.'⁸⁵

This cohesion was not always as visible as Bergier claims, especially from the political point of view, as the events of 1578, 1604, 1698 and 1707 had already demonstrated.

At this juncture, the government tried to prevent the *Bourgeois* from holding meetings in the Militia over the preparation of a *Représentation* concerning a legal matter⁸⁶ :

'Quatre Syndics s'y transportèrent, & voulurent les faire retirer: ce coup d'autorité réunit tous les Citoyens qui paraissaient divisés.'⁸⁷

This action on the part of the *Syndics* was seen as a direct attack on the right of the *Bourgeois* to make *Représentations*. To do the latter, it was necessary for them to meet together to discuss what was to be in the petition to the government.

The 21st. August saw matters come to a head, with Montréal and some of his forces gathering opposite the town hall for a judgement to be given against four *Bourgeois* accused of fomenting false rumours. Insults were traded, and there was some pushing, ending with the traditional cry 'Aux armes'. In response to this, the *Bourgeois* formed into their militia. In number terms alone, the government forces were in a minority, the garrison and the Montréalists numbering about 1,000 men, while the militia were 1,600 men.⁸⁸

The government held the all the upper town, while in the rest of the city, the *Bourgeois* were organised sufficiently to arrest those whom they considered supporters of the government. By nightfall, after the water supply to the upper city had been cut, the government disarmed Montréal's 'goujons'. Attempts by the *Syndics* and others to prevent bloodshed were on the whole successful, except for a single incident, where soldiers from the garrison fired on the units of the militia, due mainly to the nervousness of the garrison

⁸² Piuz et Mottu-Weber, *op. cit.*, 5ème. partie, Piuz, Ch. XVIII, p. 589.

⁸³ Godechot, *op. cit.*, p.11.

⁸⁴ See diagram 2, p. 27a.

⁸⁵ *Ibid.*, p. 173.

⁸⁶ The new right of an accused person to be represented by a lawyer had been infringed when the government refused to allow an accused man to have a lawyer. Although eventually settled, it was disconcerting to see the government openly ignoring a law which had only been agreed in 1734.

⁸⁷ d'Ivernois, *op. cit.*, Vol. I, p. 106.

⁸⁸ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 433.

officers. By nightfall, there was peace throughout the city, with the *Bourgeois* holding parts of the upper town and the government and their forces confined to the town hall and its immediate vicinity.

The following day, negotiations began between the government and the *Bourgeois*. The *Bourgeois* were unprepared for the situation in which they found themselves. They were interrupted by an emissary from the French Resident, La Closure, asking the *Syndics* to go to his residence. Apparently acting independently, La Closure had been asked by the *Petit Conseil* to intervene, but not to be seen to do so at their behest. Shortly afterwards, Montréal, escorted by the French Resident, left Geneva, together with a considerable number of others from the patriciate and also *Natifs* and *Habitants* who had joined Montréal's force and who feared the anger of the *Bourgeois*. The numbers can be judged by the fact that the *Petit Conseil* was reduced to eleven and the *Deux Cents* to fifty.⁹⁹

Bern and Zürich, informed of events in Geneva by the government, hastened to send deputations to the town, where negotiations were already under way between the government and the *Bourgeois*, in which Bern and Zürich quickly became involved. The latter's demands were the election of members of the *Petit Conseil* by the *Deux Cents* but needing the approval of the *Conseil Général*, only two people with the same name to be permitted to sit in the *Petit Conseil* and four in the *Deux Cents*. The demand that the choice of the members of the *Petit Conseil* should be approved by the *Conseil Général* was a new departure which would clearly have reinforced the sovereignty of the *Conseil Général* as well as giving it and the majority of the *Bourgeois* a greater control over the government. If such a programme had been adopted, it might have limited the power of those families who were able to dominate the *Petit Conseil*. It would also have enabled a few more *Bourgeois* to have places in government. The garrison was to be reduced to 540, with officers and N.C.O.s taking an oath of loyalty to the Genevan government.¹⁰⁰

A letter from the Genevan ambassador¹⁰¹ to the court of Louis XV threw this agreement into doubt. Regardless of possible French interference, the representatives of the *Bourgeois* were for completing the settlement between Genevans, with the two allied cantons as mediators and observers, therefore pressed for a meeting of the *Conseil Général* to vote on the results as soon as possible. This was agreed for 26th. September.

The arrival of a second letter containing an official offer from Louis XV to act as mediator arrived on the 21st. It was not an offer that could be refused, as was subsequently made clear to the representatives of the *Bourgeois* by La Closure. The threat of a commercial blockade of Geneva, together with the expulsion of all Genevans from France and the ending of all Genevan privileges in France, was only the beginning of a series of possible threatened actions against Geneva if the King's offer were to be rejected because an agreement had already been reached. The meetings of the various companies were extremely unhappy but were realistic enough to accept that they had no other course of action. The votes for acceptance were 695, with 155 rejecting Louis' offer and 105 abstaining.¹⁰²

Le Règlement de l'illustre Médiation pour la pacification de la République de Gen-

⁹⁹ Fazy, *Les Constitutions*, *op.cit.*, p. 117, 'on assure que le nombre des exilés volontaires s'éleva à près de trois mille'

¹⁰⁰ *Ibid.*, p. 437.

¹⁰¹ Thellusson. He was a member of the patriciate with ideas little different from those of men like Chapeaurouge.

¹⁰² d'Ivernois, *op. cit.*, p. 120.

ève¹⁰³ was finally accepted by the *Conseil Général* by 1316 to 30 rejections on 8th. May 1738.¹⁰⁴ In it, the rights of the *Conseil Général* were both defined and codified. These were to include the right to accept or reject laws, to vote taxes, to elect or refuse to elect the *Syndics*, the *Procureur-Général* and certain other officers of the state from the list proposed to them by the *Deux Cents*. Foreign treaties, any loss of Genevan territory, any loan, any further augmentation of the fortifications would all require the consent of the *Conseil Général*. Such rights were, however, counterbalanced by the fact that, in the future, only the two smaller councils would be able to propose new laws, taxation and so on. In simple terms this meant that the government and the patriciate had obtained what they wanted. Real sovereignty, the right to introduce new legislation was removed from the *Conseil Général* and placed in the hands of one of the smaller councils.

The only initiative left to the *Bourgeois* was in the right to make *Représentations*, but, unlike previously, they would no longer be able to insist that such petitions should be taken directly to the *Conseil Général*. The wording was precise:

'Il ne pourra rien être porté au Conseil des Deux Cents qu'auparavant il n'ait été traité et approuvé dans le Conseil des XXV [Petit Conseil] et il ne sera rien porté en Conseil Général qui n'ait été traité et approuvé dans le Conseil des Deux Cents.'¹⁰⁵

The *Médiation* gave the government and ruling oligarchy nearly all they desired. Although the *Conseil Général* was declared sovereign, the powers of the smaller councils were confirmed, the *Conseil Général* being able to express approval or disapproval only upon matters that the smaller councils deigned to submit to it.

The acceptance by the *Bourgeois* and their leaders of clause VI above provoked considerable disagreement between Micheli and De Luc. The argument was around the word *approuvé*. For De Luc, it was inconceivable that, in a genuine case where a *Représentation* was concerned with an injustice, it would not be approved by both the smaller councils and passed to the *Conseil Général*. He was willing to believe in the good faith of the government

'Il faut être persuadé qu'ils (les magistrats) se souviendront toujours qu'ils sont les Pères de la patrie, qu'ils dépendent du Conseil Général ... et qu'ils agiront en conséquence.'¹⁰⁶

De Luc was demonstrating that for many of the *Bourgeois*, their faith in the government was still intact. If, however, the unthinkable were to happen, then the remedy would be to call upon the guarantors of the Mediation in order to make the *Petit Conseil* carry out its obligations. The objections of Micheli were to be well-founded.

It is also surprising to find that De Luc was so naïve regarding the consequences of Article VI of the Mediation. It shows how deeply ingrained was the belief that the Magistrates were reasonable and just. The willingness of De Luc and the *Bourgeois* to accept the terms of the Mediation proves that they were far from being 'revolutionaries'. They had obtained a statement of the rights of the various councils and a statement of the sovereignty of the *Conseil Général*. The recognition and acceptance of this sovereignty had been one of their main aims.

What they failed to see was that the sovereignty as described in Article III was as

¹⁰³ See Appendix III for the text.

¹⁰⁴ Amédée Roget, *Le Conseil Général*, *op. cit.*, p. 137.

¹⁰⁵ Sautier, *op. cit.*, *Règlement de l'illustre Médiation pour la pacification des troubles de la République de Genève*, pp. 982-990. Article VI, p. 983.

¹⁰⁶ *Ibid.*, p. 949.

restrictive as Article VI was when one weighed the significance of the word *approuvé* contained therein. In listing the rights of the *Conseil Général*, the Article was conferring all unlisted powers to the smaller councils. Article III put the *Conseil Général* in a strait-jacket. While stating the sovereignty of the *Conseil Général*, real sovereignty remained in the smaller councils, thus continuing the dichotomy which 1543 had initiated within the state. The number of members of the *Deux Cents* was also increased by 25 to 250¹⁰⁷, in an attempt to bring a few more of the *Bourgeois* into the council. After the creation of the new members, no further new members were to be admitted until there were fifty vacancies, all of which were to be filled at the same time.¹⁰⁸

The committee of the *Bourgeois*¹⁰⁹ was to cease to exist and there was to be no replacement for it (Article XXVI). To prevent the use of the *Bourgeois* militia for political purposes various restrictions were imposed, including the death penalty for anyone assembling them without the express authority of a *Syndic* or the *Petit Conseil*. This was an attempt to prevent the *Bourgeois* from being able to organise themselves as they had been able to do since 1734. It was to be a failure, as the *Bourgeois* quickly developed other existing means of organising.

The Magistrates punished for the spiking of the guns and alleged involvement in a plot to overthrow the state were to be allowed to return to enjoy their pensions for service to the state, but could not again be employed in government service of any kind. The *Natifs* were to have the right to become master craftsmen in all trades. These rights they retained from the near-agreement which had been reached before the involvement of France. According to d'Ivernois, this measure was particularly important for the expansion of the watch industry in the years after 1738.¹¹⁰ This measure allowed the prosperous *Natifs* to enlarge their work places and sell their own watches anywhere outside Geneva.

The consequences of the Mediation

The agreement which had been reached required the *Bourgeois* in their entirety, from the patriciate through to the humbler members, to work together through the three councils if the government were to function. It also required the denial of the *Bourgeois'* basic article of faith, that the *Conseil Général* had absolute sovereign power within the state. It did little to limit effectively the power of the patriciate, which continued to control both the smaller councils and for a number of years showed a certain skill in persuading the *Conseil Général* to accept most of the carefully chosen propositions put to it. Nonetheless, it would only be a matter of time before further disagreements over the question of sovereignty would expose the weakness of the *Conseil Général vis-à-vis* the smaller councils and how the *Bourgeois* had been cheated. The question of taxation for the improvement of the defences, which had been continued until 1750 by the *Médiation*, might well be such an occasion. Ultimately, the issue of sovereignty which seriously divided those with political rights in Geneva had not been solved, merely shelved. Its reemergence might eventually bring the government to a standstill.

Du Pan, writing to his friend Freudenreich in May, was both fair and correct when he said:

¹⁰⁷ Although the council retained the name *Deux Cents*, it had for some time been nearer to 225 in its actual membership. Thus, the addition of 25 new members would effectively bring the total membership to 250.

¹⁰⁸ Barbey, *op. cit.*, Article XII, p. 984.

¹⁰⁹ p. 96.

¹¹⁰ d'Ivernois, *op. cit.*, Vol. I, p. 164 + ft.1.

'...chaque partie a reçu des coups d'étriers ... Les Bourgeois ont fait de laides grimaces à l'ouïe de certains articles, et en général ils sont beaucoup moins contents que nous.'¹¹¹

Clearly, at the time, some of the witnesses of the events were far from certain as to the real calming of divisions within the state, although Cramer comes to the conclusion that:

'cette Garantie des Puissances Mediatrices formellement exprimée ne me paroit pas si facheuse qu'elle le paroïsoit à bien d'autres.'¹¹²

Some members of the patriciate, such as Ami Lullin,¹¹³ when writing to Jean Tronchin, could even take an optimistic tone:

'nous avons lieu de croire que nos concitoyens [ne sont] plus sous l'impression dans la quelle on les a tenus si longtems.'¹¹⁴

In fact, Lullin was correct and incorrect. The Mediation had tilted heavily in the direction of the patriciate, by limiting the rights of the *Conseil Général* to those clearly stated in the document, and restricting *Représentations*. But the *Bourgeois* were unlikely to change their opinion concerning the full sovereignty of the *Conseil Général*. P. E. Martin takes a very positive view of the Mediation, claiming that the mediators had:

'maintenu ce caractère particulier de la démocratie genevoise: les Conseils électifs ne peuvent rien sans l'accord des citoyens, qui ne peuvent rien à leur tour sans l'accord des Conseils.'¹¹⁵

The Mediators had certainly maintained the Genevan political system of 1543, but had made it very difficult for any complaint or suggestion from the *Bourgeois* to be heard. The right of the *Petit Conseil* to reject *Représentations* was a new power that did not fit into the system.

There can be no doubting P.E. Martin's contention that the independence of Geneva had received a blow.¹¹⁶ France now held the whip hand, and the government lived in a constant state of concern. The French Resident had only to mention that an action would cause offence to his master, Louis XV, to ensure that the measure would be dropped, as the government in Geneva could not afford to offend His Most Christian Majesty.

By the Mediation of 1738, Geneva had set her face against any serious attempt to adapt her constitution to the changed circumstances in the state. The position of the government had been strengthened with the right of the *droit négatif*¹¹⁷, while that of the *Bourgeois* had been seriously weakened. More serious, in the long-term, was that there was no longer any way in which the *Bourgeois* could take part in political activity. If the *Conseil Général* had been accorded a more serious and central rôle in the governance of the city, it is possible that the future trouble in Geneva might have taken a less dramatic turn. Both

¹¹¹ BPU, Genève Ms. 1536 Lettres de Du Pan à Freudenreich 1736-39, 9e. May 1738, 139.

¹¹² BPU Genève, Ms. Cramer 77, 118.

¹¹³ See Appendix IV B V/11.

¹¹⁴ BPU Genève, Ms. Tronchin 209, .79.

¹¹⁵ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, pp. 441-442.

¹¹⁶ *loc. cit.*

¹¹⁷ This was the term that came to be used for the use made by the *Petit Conseil* of Article VI. They claimed that they could reject *Représentations* without attempting to submit them to the *Deux Cents*. Since the oligarchy was in control of both the smaller councils, it was clear that the demands of the *Bourgeois* would never reach the *Conseil Général*. Under the terms of the Mediation, however, the proper process should have been gone through. D'Ivernois defined this right as: '[le droit] que prétendait avoir le Sénat de répondre négativement aux Représentations des Citoyens fondées sur griefs, au lieu de les porter au Conseil-Général.' D'Ivernois, *op. cit.*, Vol. I, p. 189.

the government and the patriciate group and the *Bourgeois* had clear, though opposed, aims, which were succinctly expressed in their respective party documents. Neither were the *Bourgeois* in any way inconsistent with their past demands concerning the *Conseil Général*. The tenacity with which over the centuries they had repeated their desires made it unlikely that the *Médiation* would succeed in stopping such entrenched attitudes, especially once it was understood that the recognition of the *Conseil Général* was, in reality, meaningless. It had not acquired any return of its old position and power.

The *Conseil Général* would have been the ideal forum in which to settle their political differences and learn to make the necessary compromises needed for the good of the state. The refusal of government and ruling élite to consider such a move, combined with their continuing belief that the majority of the *Bourgeois* were little more than a contentious rabble, augured badly for the future. Nonetheless, the acceptance of the Mediation document by the *Bourgeois* and the attitude of men such as De Luč, and agreed to by the majority of the *Bourgeois*, showed that there was still confidence and trust in the justice and reasonableness of the government. It was this which provided an interval of peace before the crisis flared up again in late 1762.

Chapter VI

Intermezzo, 1739-1761

One of the main aims of the *Bourgeois*, the recognition of the sovereignty of the *Conseil Général*, having been attained by the Mediation of 1738, there was reason to believe that the coming years in Geneva would be free of the rancour and upsets in political life that had marred the period 1707-1738. Geneva was to enjoy a period of relative tranquility, untroubled by political arguments concerning the tortured question of sovereignty. The actions of De Luc and others in 1743 demonstrated that under the surface, all was not as calm and stable as it appeared.

This chapter shows that each side had now to adjust to the post-Mediation era. This required the *Bourgeois* to form a new organisational base using the *cercles* rather than the militia, but which nonetheless still remained as much outside the political process as before. It was in these meetings that the ideals and claims of the *Bourgeois* were maintained. The outward calm and prosperity, together with a deceptive docility on the part of the *Bourgeois*, masked a move by the government to extend its powers in defiance of the Mediation. The government could claim some success in the two treaties it was able to negotiate; the first with France settling minor territorial matters, the second with Savoy/Sardinia which finally recognised Geneva as an independent state. The lifting, finally, of the Sardinian menace and the settling of secure, internationally recognised frontiers to Geneva's territory may well have contributed to the apparent tractability of the *Bourgeois*.

Moreover, Geneva, unlike the states of Holland or Genoa, Venice or Lucca, all of which had according to Venturi: 'entered a phase of irreversible decline',¹ was in the happy position of seeing its economy expanding and flourishing with increasing demand for watches placing the city in an advantageous position regardless of the wars of the time.

Geneva in a war-torn, unstable Europe

The Prussian invasion of Silesia on the death of Charles VI led to the War of Austrian Succession and the end of the Franco-Austrian alliance, which had held during the last years of Fleury's² leadership in France. A Spanish army had occupied Savoy in 1742 as part of the Bourbon attempt to seize Habsburg territory in Italy. As a consequence of the Spanish occupation of Savoy, the *Conseil Général* voted on 23rd. September to bring back into being the *garde bourgeoise*. Later, at a further meeting, a majority of the *Conseil Général* voted a sixfold increase in the *impôt des gardes*.³

The ending of the War of Austrian Succession (1748), together with the diplomatic realignment which took place, had one main benefit for Geneva. The agreement between Austria, Sardinia and Spain, signed in 1752, by which all three countries agreed to guarantee each other's possessions, removed Italy and the duchies in it from the rôle of playthings of all three countries. As a result, Sardinia was willing to settle the outstanding territorial difficulties with Geneva, effectively accepting the existence of the city as an independent state. This was to relieve Geneva of one of her great fears and the consider-

¹ Venturi, *op. cit.*, p. 70.

² André-Hercule, Cardinal de Fleury (1654-1743), First Minister of Louis XV from 1726.

³ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 443.

able financial burden that had been caused by her need to be vigilant with regard to Sardinia.

The success of the government in finally settling the territorial disputes with both France and Savoy-Sardinia seems to have done little to improve its overall image. The treaty with France was signed in August 1749 and that with Sardinia in June 1754.⁴ The final settlement of the territorial problems with Sardinia led to minor exchanges of land and was approved by the *Conseil Général* on 30th. May 1754 by 1280 in favour to 26 against.⁵

One of the difficulties for Geneva arising out of the mediation of 1737-38 was the involvement of France in her internal affairs, e.g. pressure was applied to ensure that Geneva no longer sent any religious books into France to those Protestants still managing to survive in the Cévennes around le Désert, and was prohibited from any future correspondence between the pastors of Geneva and their persecuted brethren in France.⁶ It was a small matter, but it signified that in future Geneva was no longer entirely free in her choices; Champeaux, the French Resident in Geneva, was quite clear that:

'la garantie que le roi a donnée à la médiation ne donne déjà que trop d'atteinte à leur souveraineté.'⁷

The aim of Britain in Switzerland and Geneva for much of the eighteenth century was to attempt, somewhat feebly, to limit the extensive influence of France. Britain had become a distant player. The British were doubtless concerned at the influence of France in such a Protestant state as Geneva. The British Resident, Marsey, was not permitted the same status in Geneva as his French counterpart. This was due to French pressure on the Genevan government. It is also possible that Britain's friendship with Savoy may have inclined some in Geneva to prefer France to Britain. Savoy was the country most deeply engrained in Genevan memory as *the* enemy. The threat from the Spanish occupation of Savoy led the Protestant cantons to declare their neutrality, but at the same time to appeal to the United Provinces, Britain and Prussia for help. Geneva, isolated from the Swiss, was in an even more precarious position. The treaty which was finally signed with Turin in 1754 was in part the result of Sir Luke Schaub and British influence⁸ (a fact which never appears to be noted by the Swiss)⁹, and was the most that Britain could do.

The French and the patriciate had to be careful. The French were not popular in Geneva, as Tronchin laments:

'Il faudrait faire le proces aux trois quarts et demy de toute la ville si c'était un crime de montrer de la hayne contre le Roy.'¹⁰

It was this unpopularity that the British failed to use in their diplomatic efforts. Indeed, the British Resident Marsey had meddled in Genevan affairs on behalf of disgraced members

⁴ With France - Treaty of Paris, 1749; with Sardinia - Treaty of Turin, 1754.

⁵ Amédée Roget, 'Le Conseil Général', *op. cit.*, p. 137.

⁶ Barbey, *op. cit.*, p. 133.

⁷ Sautier, *op. cit.*, p. 958. Contained in a letter to Amelot in Paris 21.7.1739.

⁸ Horn, *op. cit.*, p. 322.

⁹ Ferrier in P.E. Martin notes that Geneva had sought the help of various countries including England and above all Bern and Zürich, then talks of the negotiations of one sort or another lasting over a period of 30 years. P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, pp. 444-445. Guichonnet mentions long and difficult negotiations. Guichonnet, *op. cit.*, p. 236. The treaty is not mentioned in Favez, in Oechslis's History of Switzerland, nor in W. Martin.

¹⁰ BPU Genève, Ms. Tronchin 346 Pièces Genevoises et Etrangères du 18ème Siècle.

of the government in the spiking-of-the-guns affair.¹¹

The situation was aggravated by the large number of Genevans who had become bankers and large-scale merchants in France, whether in Paris, Lyon or Marseille. Forced to move from Geneva in order to make their money or to make it work for them, many Genevans had sought openings in France, Holland and England, some going as far afield as Constantinople.¹² This vast network was essential to the well-being of Geneva. Much of its trade passed across French territory (although not forced to do so), in part because of favourable tariff arrangements between the French and Geneva. There were routes down the Rhine and also across Sardinia, but most of the latter were less favourable tariff-wise to the Genevans. There was a constant fear amongst the Genevan commercial community that a blockade of Geneva or some other serious interference with trade would be the result of displeasing their neighbour to the west.

In 1736, the French had blockaded Basle and arrested Baslers living in Alsace over an argument concerning salmon-fishing rights in the river Rhine. Basle's appealed to the Confederation led Zürich, as the *Vorort*,¹³ to summon a Diet. None of the catholic rural cantons attended¹⁴; Solothurn advised Basle to bow to France's demands. Basle received no help from the atrophied Confederation and asked for English mediation to solve the difficulty.¹⁵ The lack of assistance that Basle suffered came in addition to the failure of Bern and Zürich to help either Strasburg or the Franche-Comté at the end of the seventeenth century, both occasions of French aggression. All three events were noted by the Genevans and strengthened their fear of French reactions and 'punishments'.

Trade was the lifeline of Geneva and because of her geographical position all goods had to cross foreign territory. The emergence of the cotton trade at the end of the seventeenth century saw Genevan merchants as the main importers of the cotton, either via Marseille and the Rhône, where they had negotiated reduced fees to encourage the growth of Marseilles, or through Genoa and Leghorn. Much of this cotton went to Zürich or the market at Zurzach. Geneva itself specialised in the printing of calico, even in the face of French attempts to protect the French East Indies Company and their monopoly of printed calico. Geneva's printing of calico used cloth not only from Holland, but also nearly all the cloth produced in Switzerland, whether in Zürich, Glaris, St. Gallen or Langenthal. Such trade tied Geneva very closely economically to the Swiss, though it was Geneva that profitted most. The printing was a skilled task and was carried on in what amounted to factories, that of Fazy had 600 workers in 1728¹⁶, by 1785, there were 11 factories employing 1,200 workers.¹⁷ Many of these were *Natifs* since '*l'indienne rie resta ...résolument libre de toute réglementation corporative*,¹⁸ doing fairly skilled jobs, thus adding to

¹¹ See Chapter V, p. 103ff.

¹² Oechsli, *op. cit.*, 'In 1725 there were 88 Genevese commercial houses in Constantinople, engaged in the East with the commerce of Genevese watches and jewellery.' p. 240.

¹³ Zürich as the *Vorort* was the canton which had the authority to call a meeting of the Swiss Diet.

¹⁴ The *Trückliband*, which had been signed in 1715 between the catholic cantons and Louis XIV by which the catholic cantons put themselves under the protection of France. In effect, apart from giving France a further hold in Switzerland, it made it impossible for the confederation to act at all.

¹⁵ Oechsli, *op. cit.*, pp. 251-252.

¹⁶ Bergier, 'Histoire économique', *op. cit.*, pp. 156-160.

¹⁷ Babel, 'Histoire corporative', *op. cit.*, p. 150.

¹⁸ Piuz et Mottu-Weber, *op. cit.*, 5ème. partie, Mottu-Weber, Ch. XVI, p. 458.

the relatively skilled in the city who had no political rights and suffered distinct tax disadvantages.

The Bourgeois and their cercles

The ending of the use of the Militia for political purposes in the Mediation of 1737-8 in no way prevented the *Bourgeois* from continuing their meetings and political discussions. These were transferred to *cercles*. The patriciate had created for themselves, around 1712, a number of small societies which met in the afternoons, usually to enjoy music together, play cards or engage in any other social diversion.¹⁹ There were also some *cercles* which were for the men only. In these, there was smoking and discussion. All the *cercles* were held in specially-hired rooms, regularly every week. The abolition of the Militia led the *Bourgeois* to expand their own social meetings which had begun post 1712 as well as to form new *cercles*. Madame d'Épinay has left a description of what went on in the patriciate *cercles*:

'on y boit, on y mange, on y trouve les papiers publics; et là on y politique à perte de vue. ... Cependant, ils sont en général plus occupés ici de leurs affaires que de celles des autres.'²⁰

It was clearly not only the *Bourgeois* watchmakers and their apprentices who spent a great deal of time discussing political matters! These *cercles* and societies were an important part of life in a city. But they were equally the ideal vehicle for discussion and organisation. In many ways for the *Bourgeois*, and especially for their leaders, the creation of their own *cercles* was a better vehicle of organisation than the Militia had been. It was not difficult for the *Bourgeois* quickly to adapt this type of system to their own needs. The main difference between the *cercles* and the militia was that, in the latter, the *Bourgeois* met together with the members of the patriciate, except 1734-8 when the latter were excluded. In the *cercles*, there was no mixing, the patriciate had their *cercles* and the *Bourgeois* had their separate and different ones. This separation between the patriciate and the *Bourgeois* led to the following comment in a document written in 1781:

'tous les Citoyens et Bourgeois...ayant droit d'assister à ces assemblées [Compagnies Bourgeoises]...s'y trouvent avec leurs Officiers, presque tous alors Membres du Gouvernement, et avec les Pasteurs, on pouvoit y discuter les matieres, avec quelque apparence d'impartialité; chaqu'un étoit maître de soutenir son opinion, et de prendre la défense du gouvernement, s'il étoit attaqué.'²¹

It was easier to control some elements of the *Bourgeois* when there were members of the patriciate present. Unfortunately, Tronchin conveniently forgets that, in the militia meetings in 1734-38, the officers and those considered attached to the patriciate had been excluded from the meetings and the votes.

The prohibition of the continuation of militia delegations had led to the strengthening of the 'party' organisation which the *Bourgeois* had already established before 1738. This was not what the Mediators and the government had intended. Far more serious was the fact that the *cercles* intensified the party identity of the *Bourgeois* as they were regular and closed only the members of the *cercle* were admitted to them. In the period covered by this chapter, the *Bourgeois* were able to practise and perfect their political discussion so

¹⁹ Sautier, *op. cit.*, Vol. II, p. 911.

²⁰ Candaux (Ed.), *op. cit.*, p. 67 Louise-Florence- Pétronille Tardieu d'Esclavelles d'Épinay 1726-1783. She spent 2 years in Geneva as a patient of Dr. Théodore Tronchin, (1757-1758).

²¹ BPU Genève, Archives Tronchin 343, Mémoire sur les Cercles et sur les Commissaires-Politiques, 1781, 93. [My emphasis]

that, by the 1760s, they would be able to function as an able and successful opposition to the government. What existed in the Geneva of this period was a parallel political system that had no official or constructive outlet. Each group, the patriciate and members of the government on the one hand, the *Bourgeois* on the other, were all discussing politics within their separate *cercles*. Yet there existed within the state a forum - the *Conseil Général* - through which, in coming together, these two groups would have been able to develop (in favourable circumstances) a form of limited democratic process similar in some ways to that in England. Political life in the city was flourishing, but there was, in reality, nowhere to express it, except in the two smaller councils, which were closed to the vast majority of the *Bourgeois*.

There are few details about these early *Bourgeois cercles*. There were many, they were small and sometimes several might meet together. Whether they were entirely political is uncertain, but that they were certainly places where the *Bourgeois* could meet and talk freely cannot be doubted. The lack of any written records may have been an additional protection for those in the *cercles*. Rousseau gave a detailed description of the *cercles* he saw in Geneva in his *Lettre à d'Alembert*:

'Les cercles sont des sociétés de douze ou quinze personnes, qui louent un appartement commode, qu'on pourvoit à frais communs de meubles et de provisions nécessaires. C'est dans cet appartement que se rendent tous les après-midi ceux des associés que leurs affaires ou leurs plaisirs ne retiennent ailleurs. ... chacun se livrant sans gêne aux amusements de son goût, on joue, on cause, on lit, on boit, on fume.'²²

The importance of the *cercles* for the *Bourgeois* and their political organisation is evidenced by a comment in 1766:

'En s'occupant des affaires d'Etat ... les Horlogers ont déserté leurs cabinets de travail pour courir aux cercles.'²³

It was in the *cercles* that the *Bourgeois* received the latest information on the political situation and where matters could be discussed. The numbers of these *cercles* meant that in a crisis they were brought together in twelve large groups where they were able to elect their representatives. The *cercles* also made it possible for considerable numbers of people to read the Gazettes and other newspapers from Leyden or Paris, there being no Genevan newspapers until the late 1780s. It was via the *cercles* that pamphlets were read aloud and then discussed continuing the strong oral tradition. New *cercles* were formed as conditions demanded throughout the period until July 1782, when they were banned, but it was rare for there to be any mixing across the political barriers in the *cercles*.²⁴

The relative peace within which the *Bourgeois* were able to continue their political organisation contrasts favourably with the difficulty any critics of the government encountered in Bern. The disaffection of the city's *Bourgeois*, theoretically part of the governing class, but, in fact, excluded by the oligarchy, was expressed, in 1744, by a petition which demanded a change in the way officials were elected. Treated as traitors, a number of the petitioners were expelled from the city for between five and ten years, including Samuel Henzi, who, when pardoned, later returned to Bern to find all avenues of advancement blocked. He joined a conspiracy to overthrow the government by a *coup d'état*, replacing it with a guild government as found in Basle and Zürich. The government with the aid of

²² Babel, 'Histoire corporative', *op. cit.*, p. 486.

²³ AEG, Girod 7, 4 *Apologie de la Réjection du Plan de Conciliation du 14.12.66* Deuxième partie, p. 6.

²⁴ In 1770 -13.4.1770 a new Society was formed *La Société Littéraire* which had as its stated aim (p.3): 'D'aquérir tous les meilleurs Journaux et feuilles périodique'; it had as members several *Représentants* Le Sage, Floumois and Joly, which was unusual. AEG, Girod 5, 3 *Regléments de la Société Littéraire*.

troops from outside the city ended the whole and executed Henzi and two others, while many fled. The position of the *Bourgeois* in Bern was unfortunate, since unlike their Genevan counterparts, they were not expected to take any part in trade, it being considered incompatible with their status, so office was the sole avenue to enrichment. Zürich and Basle, ensured that the guild members who were the *Bourgeois* had all the privileges, especially over those living in the countryside outside the towns. In Zürich especially, there were problems of censorship during the eighteenth century. Lucerne had a very restricted oligarchy, there being in 1773 only twenty-nine families entitled to any share in the government, and where family feuding, intertwined with disagreements over church matters such as the Jesuits and state versus church rights, led to power moving from one side to the other, each group taking its revenge, ending in exile of Valetin Meyer. Fribourg's ruling oligarchy was small and:

'might be termed a mercenary oligarchy in Bourbon pay, ... even the Bishop was appointed by France and received a pension from France.'²⁵

Soleure was the residence of the French Ambassador to the Confederation. In both Fribourg and Soleure, there was little chance for opposition to express itself.

Nowhere else in the Confederation had there been the discussions concerning sovereignty and the implications of the ideas propagated by the *Bourgeois* as in Geneva. Nowhere else were the *Bourgeois* as organised and as overtly interested in politics. In Bern and Zürich especially, acquaintance with such attitudes was not unknown, since both had been involved in the Mediation of 1738. The severity of the treatment of Henzi manifested the determination of Bern to ensure that its discontented *Bourgeois* understood that attempts to follow the lead of the Genevans were far too dangerous.

Although without political force, the *Bourgeois* showed no signs of succumbing to the siren voice of natural law and the delights of oligarchical absolutism. In Geneva, for the *Bourgeois*, it was more than a moral matter,²⁶ it was the survival of the true Republic, it required constant action and vigilance, hence both the importance of and loyalty to the *cercles*. The persistence and seriousness with which they pursued their rights appears akin to the Protestant work ethic, of which they were equally an example.

The clergy had viewed the emergence of the *cercles* with considerable misgivings. Certainly what went on within the meetings of the *cercles* was outside the control of both the state and the church. In 1745, the Venerable Company of Pastors made a formal complaint to the *Petit Conseil* about the *cercles*. They claimed that there were at least 50 and that:

'wine, gambling, the table and loose conversation are the principal, if not the only attractions. Cards are played, even at the hour of the evening sermon.'²⁷

Bearing in mind the comments of Madame d'Epainay, was the concern of the pastors over 'loose conversation' not in fact concern over the near incessant political discussions which seemed to dominate at least some of the *cercles*? The *Petit Conseil* was unlikely to take much notice of such complaints, since the members of the council were themselves members of the various patriciate *cercles*. They may have been unhappy at the way that the *Bourgeois* had copied them in forming their own *cercles*, but it would have been difficult to move against the *Bourgeois* without also ending their own associations. Thus the complaints of the clergy fell on deaf ears and the many *cercles* continued unabated.

²⁵ Oechsli, *op. cit.*, p. 275.

²⁶ See Venturi, *op. cit.*, pp.70-71.

²⁷ D.W. Freshfield *The Life of Horace-Bénédict de Saussure*, London: Edward Arnold, 1920, p. 40.

Early difficulties

In Geneva, at the end of 1738 (November), a leaflet appeared urging the *Bourgeois* to be vigilant, warning that there were those who were only waiting to overthrow all the concessions to the *Bourgeois* that had been obtained and were contained within the Mediation. It concluded that there was much to fear, especially:

'si la bourgeoisie n'était pas attentive à cimenter son union actuelle et ne veillait pas avec soin à ce qu'il ne fût fait aucune brèche au règlement.'²⁸

The disagreement which had developed between De Luc senior and Micheli over acceptance of the *Médiation* was clearly causing some concern amongst the *Bourgeois*.²⁹

Some *Bourgeois* were aware of the difficulties which might arise if the government were constantly to refuse to allow matters submitted in a *Représentation* to be discussed by the *Conseil Général*. The French Resident, Champeaux, was visited by two *Bourgeois* in July 1739. Neither of the men are named, but one was 'attaché avec le plus d'emportement'³⁰ to the *Bourgeois*. They posed the question of what would happen if the *Petit Conseil* repeatedly rejected the representations using its right to the *droit négatif*. Champeaux was annoyed to learn that the *Bourgeois*, or some of them, were already focusing on what some of the Genevan government regarded as one of the important gains of the Mediation. Champeaux was convinced that it was the aim of the patriciate to use this *droit négatif* to establish itself firmly in power:

'que le magistrat était effectivement bien décidé à se servir de cet article 6 et à le faire observer exactement pour réussir dans "son dessein d'établir son aristocratie autant qu'il pourra".'³¹

The comment by Champeaux is important, it shows clearly the attitude of those in the *Petit Conseil* and the government. Most of these senior members of the *Petit Conseil* were friends of the French Resident, who would have been well aware of their attitude and plans to ensure that the *Bourgeois* and the *Conseil Général* remained powerless.

Assuring the visitors that they were worrying about a purely hypothetical situation, Champeaux promised that in a 'genuine' case he would be prepared to speak to the Magistrates off-the-record on their behalf. The events of the coming twenty-five years were to prove that the anxiety expressed to the Resident concerning repeated refusals of *Représentations* was not misplaced. Indeed, the comment relayed by the diplomat to his government concerning how the members of the *Petit Conseil* intended to use the *droit négatif* makes it clear that there was bound to be further trouble in the city.

It would not take long for the *Bourgeois* to realise that once again they had been misled in 1738. The frequent use of representations during the forties and fifties should have made it clear to the government that the *Bourgeois* were not prepared to give in and allow the *Conseil Général* to sink into the state it had been in during the seventeenth century.

In the Register of the Councils there appears the following:

'Les représentations toujours mal fondées dont le Conseil à été harcelé en 1742, 43, 47, 49, 50, 52, 56 et 57 prouvent déjà que depuis 1738 nous n'avions jamais

²⁸ BPU Genève, Ms. Cramer 78, XIX 59-60.

²⁹ See Chapter V, pp. 10-111.

³⁰ Sautier, *op. cit.*, p. 945. In effect, this is taken from the correspondence of the French Resident in Geneva to Amelot in Paris (21. 7. 1739) C.P.G. 54, 184 & 182.

³¹ Sautier *op. cit.*, pp. 944-46. The correspondence of the French Resident to Geneva to Amelot in Paris (21-7-1739) C.P.G. 54, 184 & 182.

été dans un calme parfait.³²

The number of representations was high. At the same time, the attitude of the members of the government and the two small councils is clearly betrayed by the use of the words '*mal fondées*', together with the word '*harcelé*'. Was it really harassing the government when the *Bourgeois* had a matter that they wanted to see discussed by the *Conseil Général*? Doubtless the government was aware of what had happened in Genoa in 1746, where because of war and poor leadership:

'An autonomous power ... formed outside the governmental palace. ... it became a general assembly, ... [which] undertook to report frequently to the people ... in the piazza.'³³

Unlike Genoa, in Geneva there was a clear referent and programme for the *Bourgeois* in the city and this was more than defending the independence of the state. The nightmare for the government was that the *Bourgeois* in the *Conseil Général* might drag Geneva into the maelstrom of anarchy like Genoa. While on the other hand, the patience of the *Bourgeois* and their determination to do nothing outside the law of the land was clearly manifested during this period of regularly rejected *Représentations*, as well as their continued trust in their Magistrates.

There remained one loop-hole in the 'constitution' which the *Médiation* had not blocked. The *Bourgeois* had the right to refuse to elect the 4 *Syndics* at the annual meeting of the *Conseil Général*, as well as the *Procureur-Général* and other officials at the tri-annual elections. This refusal to elect from the given list was used for the first time in January 1741, within nineteen months of the acceptance of the *Médiation*. The *Conseil Général* was able to elect only one of the necessary four new *Syndics*. Du Pan wrote:

'la ligne de nouvelle élection eut plus de suffrages que tous les autres. ... Nous sommes destinés à voir des événemens que nos Peres n'ont jamais vu. Le motif qui a déterminé le Bourgeois a été la vengeance et le dessein d'intimider le CC [Deux Cents].'³⁴

Du Pan was a member of the patriciate, and thus his letter gives a fair idea of the general attitude of the ruling oligarchy in the city. If nothing else, Du Pan's letter is indicative of the continuing difficulties which still separated the patriciate from the rest of the *Bourgeois*.

In January 1743, De Luc,³⁵ the father, led a *Représentation* to the *Syndics*, to demand a stay of proceedings on demanding aid from Bern and Zürich and that the question of the Treaty of Soleure should be discussed first and that:

's'il étoit nécessaire d'avoir un secours des Cantons, on en fit la réquisition à la France en même temps qu'aux Cantons en conformité du traité de Soleure;' ³⁶

The *Petit Conseil*, sitting all day, finally decided that they could not accept the demand of De Luc and his followers. The reasons given were several, one being that the number of citizens who had presented the petition was relatively small (around 200), another was that the petitioners:

'n'avai[en]t pas d'autre but que de gagner du temps pour entraîner dans leur sentiment une certain quantité d'esprits indécis qu'ils ne manqueraient pas de

³² AEG R.C. 266 31 mai-31 décembre 1766

³³ Venturi, *op. cit.*, p. 38.

³⁴ BPU Genève, Ms. 1537 Lettres de Du Pan à Freudenreich 1740-1748, 1, 4 janvier [1740].

³⁵ See Appendix IV.

³⁶ BPU Genève, Ms. 1537 Lettres de Du Pan à Freudenreich 1740-1748, 33, janvier 1743.

solliciter.³⁷

The government was clearly unhappy at the attempts being made by those of the *Bourgeois* who were opposed to its position to organise their own supporters.

The *Bourgeois* were clearly divided over the issue of whether troops should be demanded by the government. Both those in favour of calling in Swiss troops and those against spent most of the days before the meeting of the *Conseil Général* trying to find additional support for their respective viewpoints. This involved both sides, De Luc's and the government's, trying to speak to as many of the *Bourgeois* as possible, rushing from 'des boutiques des rues basses aux cabinets de St.-Gervais, et ... dans tous les petits cercles de la basse ville.'³⁸

All this fevered activity to drum up as many *Bourgeois* as possible to vote for 'their' side took place against the background of a possible attack from Spanish troops.³⁹ Unfortunately, there are no details as to the names of those involved. De Luc would not have been the only one on his side of the political divide, and the supporters of the government position amongst the *Bourgeois* remain anonymous.

The meeting of the *Conseil Général* (21st. January 1743) was held almost immediately after the *Représentation* made by De Luc. At the *Conseil Général*, as the two smaller councils processed through the gathered *Bourgeois* to their places in the cathedral, the following was clearly heard:

'point de Suisses! nous nous défendrons bien nous-mêmes. ... souvenez-vous de l'ère Fatio, et de ce qu'on sait faire chez-nous quand on a l'appuis des baionnettes de Leurs Excellences [i.e. Bern et Zürich].'⁴⁰

The *Bourgeois* had not forgotten what had happened the last time Bern and Zürich had furnished troops to the city in 1707. As a result of the feelings in the city, the meeting of the *Conseil Général* was noisy and unpleasant. Just as in the days of Fatio, so in 1743, those most opposed to the acceptance of foreign troops had congregated in a body at the back of the cathedral, arguing and nearly coming to blows with those who disagreed with them. Others made a point of voting in a loud voice, while those opposed to the government attempted to crowd around the secretaries taking the votes. The closeness of the vote reduced the cathedral to silence, followed by a demand for a recount. The *Syndics* were prepared to recount when common sense made it clear that there was a government victory of 59 votes; 658 accepted the government's recommendation, against 599 who rejected it.⁴¹

Although very surprised by the vote, those who were against the motion accepted it: 'il fallait tenir la main sur la bouche'.⁴² Once again the *Bourgeois* in the city, or that part of them which disapproved of the government and its behaviour, had shown that they were

³⁷ du Bois-Melly *La Seigneurie de Genève et ses relations extérieures, 1720-1749*, Genève/Bâle: H. Georg, 1880, p. 159.

³⁸ *Ibid.*, p. 158.

³⁹ 1740-48. Geneva found herself on the edge of the conflict, since Savoy was allied to Austria and Britain, while France was allied to Prussia and Spain. The attempt by Spain to obtain additional lands in Italy led for a short time to the Spanish occupation of the Savoy with Spanish troops camped in Carouge. It is possible that De Luc was hoping that the British might take some interest in Geneva, as they had an army on the mainland of Europe at the time.

⁴⁰ Du Bois Melly, *La seigneurie de Genève*, *op. cit.*, p. 127.

⁴¹ *Ibid.*, p. 160.

⁴² *Ibid.*, p. 164.

not revolutionaries, determined to overthrow the government or the state. Once the vote was taken in the *Conseil Général*, they were willing to accept that decision, however unhappy they were with it. For them the *Conseil Général* was the sovereign body and its decisions to be respected. The evidence from this episode shows clearly that the *Bourgeois* were working as a political, but loyal, opposition.

What is unclear from De Luc's actions is whether he still believed, as he had in his correspondence with Micheli over the Mediation, that France was a protector for the rights of the *Conseil Général* and the *Bourgeois* against the power of the oligarchy; or whether he was using a crisis and its consequences, with the parallels with what had happened at the time of Fatio, for his own party ends. Du Pan claims that De Luc was acting in what would be for the modern observer a perfectly normal political manner:

'le dessein de De Luc étoit de renvoyer l'Assemblée général par les entraves qu'il vouloit mettre dans cette affaire afin de mieux lier sa partie.'⁴³

The divisions which had emerged between those who supported Micheli's view of Article VI of the Mediation and De Luc's view that France could be relied upon to protect the interests of the *Bourgeois* are almost certainly what Du Pan is referring to. It is tempting to believe De Luc was one of those who went to see the Resident in 1739 over this matter, and that he came away perhaps confirmed in his original belief. If so, his continued belief in the efficacy of the French guarantee, together with those who disagreed, would have continued divisions within the *Bourgeois*. There was inevitably a questioning of the intentions of the government because of the Fatio affair, as is shown by the shouted comments before the beginning of the meeting of the *Conseil Général*.

Bern, particularly, was a canton with a powerful oligarchy, so it would be natural for it to support the aims of a similar group in Geneva. The French might possibly be seen as not necessarily favouring the patriciate over the *Bourgeois* quite as much as Bern. In fact, the anger of the Resident in 1739 indicates that the French were to be as little trusted as the Swiss. It was the French who had been the driving force behind the Mediation, which had granted the government the power of Article VI. It was also in France's interest, in support of the Geneva government and the ruling élite, to weaken and if possible divide the opposition to that government. In doing this, the French were also strengthening the bonds between a grateful government in Geneva and the government in Paris.

The arrival of French troops to garrison Geneva would be bound to cause deep anger and a possible serious reaction from many of the *Bourgeois*. De Luc cannot have been unaware of this aspect of the situation. If nothing else, by attempting to have the matter of allies and treaties openly discussed in the *Conseil Général*, he was highlighting the corner into which the government had backed itself. If it called upon the Swiss, a logical thing to do as it wished to be associated with the Swiss declaration of neutrality in the War of Austrian Succession, it risked being accused of nefarious intentions because of 1707. If it turned to the French, it risked being attacked by those who considered that the French already had too much influence in the city. There was also the embarrassment of asking France, Geneva's ally, to garrison the city to protect it from France's other ally Spain. In such circumstances, any politician or party leader would attempt to take advantage. The fact that the vote in the *Conseil Général* was so close demonstrates that the answer to the problem was far from clear-cut. What De Luc really thought is unclear, though the fact that he was unable to prevent the call for Swiss troops might suggest that his arguments were unconvincing to some. The *Bourgeois* in Geneva always buried their disagreements in the face of foreign threats, and the Spanish army was occupying the immediate vicinity.

There was another side to the question of invoking treaties for the defence of Geneva. As well as having difficulties with the *Bourgeois*, the government and the members of the

⁴³ BPU, Genève Ms. 1537 Lettres de Du Pan à Freudenreich 1740-1748 33, janvier 1743.

two smaller councils were in dispute with the French Resident and in danger of upsetting the king in Paris. The difficulty related to the claim by the Resident that upon the appointment of a new *Syndic*, the latter had to make a courtesy call upon the Resident. In addition, the French Resident claimed that he should also be visited, as a matter of course, by:

'un magistrat genevois revenant de négociation ou de députation auprès d'une puissance étrangère.'⁴⁴

This 'rule' was also to be applied, according to the Resident, to all those in Geneva who moved from the *Deux Cents* to the *Petit Conseil*.

To mollify him, the government agreed to notify the Resident upon the election each year of the four *Syndics*. It was a blatant attempt to interfere in the internal affairs of a sovereign country. Clearly, France wished to ensure control of Geneva as the key to both Switzerland and Italy. At the same time, given all the circumstances in 1743, it would have been unwise in the extreme to invite French troops to garrison Geneva. This storm in a teacup between the government and Geneva may also have played a part in the government's decision to seek Swiss help.

It was at this same meeting of the *Conseil Général* in January 1743, that it was noted that some of the younger members of the *Conseil Général* between the ages of 25 and 30: 's'étaient montrés les plus emportés et les plus impérieux ... [ils étaient] sans position acquise, sans mérite connu, simples artisans.'⁴⁵

The existence of such a group within the *Bourgeois* should have warned the government that all was not well and that they might be well advised to be careful in their treatment of the *Bourgeois*. These were the new generation of voters.

Bread, defences and the cautious Bourgeois

The difficulties of the government were not only political. The attempt to keep the price of bread too high in 1749 in order to allow the *Chambre des Blés* to recoup its losses due to the famine of the previous year, when there had been a bad harvest and they had ordered considerable amounts of grain from abroad, was unsuccessful. There was rioting, and bread had to be reduced to its original pre-1748 price. There were constant problems with the provision of flour for the making of bread in Geneva throughout the century. There was the problem of storage, especially in the years when the harvest was good and the price of wheat was low. Bakers in Geneva were compelled to buy their supplies from the town stores, but, in many years, the cost of the flour was higher than in Savoy or France. The high price of bread in Geneva was a consequence of this policy, although it also meant that in years of shortage, the city was able to provide sufficient bread for the people in the city. The poor were those who suffered most from this system. In normal years (the greater part of the eighteenth century), they were forced to pay a high price for one of the staples of their diet, while the better-off would buy their bread or flour in Carouge, outside Genevan territory, and pay less. A French visitor commented upon this system in 1780:

'la vente du pain est pour la République un objet de spéculation, dont le pauvre seul est la victime, étant obligé de l'acheter en détail chez les boulangers, qui le vendent en raison du profit qu'y fait la Chambre des bleds, tandis que les citoyens

⁴⁴ Du Bois Melly, *La seigneurie de Genève*, *op. cit.*, p. 146. Pierre Mussard (*Syndic* four times 1750-62) was the man concerned; he was a diplomat involved in the long negotiations with Turin, a matter of interest to France.

⁴⁵ *Ibid.*, p. 164.

aisés en font séparément leur provision.⁴⁶

In addition to the high cost to the state of ensuring that there was an adequate supply of flour and bread, there was also the old question of the defences of the city.

Although future new taxation had to be approved by the *Conseil Général*, the continuation until 1750 of the taxes for the fortifications, first introduced in 1715, rankled. These taxes and their continuation until 1750 had been included in the Mediation. At the first opportunity, in 1750, when the smaller councils asked the *Conseil Général* to continue the taxes for a further five years to complete the fortifications, in order to ensure the safety of the city, its liberty and religion, the *Bourgeois* rejected the demand:

'Ils avaient causé nos troubles et les approuver, c'était ... donner une sorte d'assentiment à la conduite des Conseils dès trente-six ans.'⁴⁷

The six suggested taxes were rejected by a majority of three-quarters of those present in the *Conseil Général*. The outstanding work which the government wished to finance was on the fortifications of St. Gervais. D'Ivernois claims that, in rejecting the suggested five year extension of the tax, the people:

'[ils] cherchaient sourdement à s'affranchir de l'Edit de 1738.'⁴⁸

As a result of the the troubles of 1734-38, the taxes had been imposed in the Mediation for a further twelve years. This rankled with the *Bourgeois*, who, not unnaturally, took the first legal opportunity to end the taxes. With the change in Geneva's circumstances and the recognition the state was about to receive from Savoy, there would be little need for further extensive defence works, apart from the fact that such defences were increasingly obsolete. What the rejection also showed was that the *Conseil Général* would not always follow the advice of the government and smaller councils. The only time when the *Bourgeois* were willing to accept government recommendations concerning higher taxation was when the city was clearly under military threat, as had been the case in 1742.

Much as the continuation of the taxes for the new defences had been resented by the *Bourgeois*, they had waited patiently until they were legally entitled to end them. Although in the matter of these taxes there was little doubt that any move to have them abrogated would have had considerable support, the *Bourgeois*, having accepted the Mediation, waited until the term set before stopping the taxes and the work. Once again, they had shown that they did not desire to overthrow the system or to radically change it.

The need for the government to secure the authority of the *Conseil Général* for any change in the taxes levied was a considerable advantage to the *Bourgeois* if annual supply had to be voted as in England. However, apart from the emergency in 1742 and the attempted renewal of the tax for defence work in 1750, the government had no need to change the existing taxes. This rendered the government independent of the *Conseil Général*. For d'Ivernois, it was the *Conseil Général*:

'qui aurait pu la [l'Administration] contenir sans peine si, comme en Angleterre elle eût été forcée de redemander à certaines époques une nouvelle continuation de subsides.'⁴⁹

If this had been the case then there would have been a state of interdependence between these two parts of the system of government which might have avoided future problems. As it was, in Geneva, the government was fortunate that there was no necessity to have an annual vote to receive funds.

⁴⁶ Piuz et Mottu-Weber, *op. cit.*, 4ème. partie: A-M Piuz, Ch. 9, pp. 271-272.

⁴⁷ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 446.

⁴⁸ D'Ivernois, *op. cit.*, Vol. I, seconde partie, p. 168.

⁴⁹ *Ibid.*, p. 135.

The next twelve years, 1750-62, saw the government moving to circumvent the need to call the *Conseil Général*. In part this was to avoid any refusal that it might encounter for its suggestions, but more from its desire to see the *Conseil Général* fade into total insignificance and thus cease to be a threat to it. The government and the two small councils began a policy which was in 1763 to lead to serious trouble in the city, using decrees issued by the *Petit Conseil* to change existing laws.

The removal of the right of an accused person to be represented at trial by a lawyer in minor crimes was the first change decreed by the *Petit Conseil*. At the same time, the right to a lawyer in matters of serious crime was also curtailed when the government let it be known that it would deal more leniently with those who did not insist on having a defence counsel. Lawyers for the defence of those accused of crime had been one of the gains of the unrest in the 1730s and had been enshrined in Article XXX of the document of Mediation. There appeared to be little in the way of reaction from the *Bourgeois* to what were arbitrary acts on the part of the government, despite the fact that the alteration of existing laws and the introduction of new laws had to be approved by the *Conseil Général*.

If the *Bourgeois* did not react, it was because they regarded the changes as mere technicalities. Yet this action is important when it is borne in mind that the first *Représentations* made in Geneva concerning Rousseau and Pictet were, in effect, over technical legal matters concerning the manner of the trials and the appointment of judges.

A second way the government found to avoid consulting the *Conseil Général* was for the *Petit Conseil* and the *Deux Cents* to jointly publish new sumptuary laws, issued simply as *Ordonnances*. Again there was no reaction from the *Bourgeois*. The government, together with the two smaller councils, was breaking the law as laid down in the Mediation. The contrast with the insistence of the *Bourgeois* on not breaking any of the laws of the state is interesting.

The complacency of the *Bourgeois* and their leaders and lack of action was noted by Du Pan in another context, when he wrote concerning the January 1747 election of the *Syndics*:

'Autrefois on voyoit une grande affluence de Bourgeois au Conseil Général quand il y avoit un nouveau Syndic à faire, et cette année il y en a 300 de moins qu'à l'ordinaire.'⁵⁰

There is a clue in Du Pan's letter that some at least of the *Bourgeois* were unhappy. Was there a connection, with those objecting to the actions of the government so far that they realised they had no power to force the issue, but were determined enough to make a point by not attending the *Conseil Général* for the election? There appears to be no evidence except the coincidence, but, given the situation in Geneva, one is tempted to believe that it was, in fact, no coincidence, but rather the action of a small, organised group. Throughout the history of the city, certainly as of 1562, the *Bourgeois*, when they felt that they had no other means of protest, had often refused to attend the annual meetings of the *Conseil Général*.

The same calmness is found in the following year, when Du Pan writes:

'Toutes nos élections se font aujourd'hui avec beaucoup de tranquillité et d'indifférence.'⁵¹

More surprising still was the report received by the government in London in May 1748:

'Comme il ne c'est rien passé depuis longtemps & qu'il ne se passe encore rien dans ce Païs icy qui meritait l'attention de Votre Excellence, je ne me suis pas

⁵⁰ BPU Genève, Ms. 1537 Lettres de Du Pan à Freudenreich 1740-1748, 1, janvier 1740.

⁵¹ *Ibid.*, 145, 15 janvier 1747.

donné l'honneur de lui écrire plutôt.⁵²

It was no wonder that the British government was reluctant to put much effort into diplomatic representation in Geneva or Switzerland.

D'Ivernois finds it difficult to explain the passivity of the *Bourgeois* at this point. He states:

'Le plus grand nombre des Citoyens, fatigués des troubles précédens, & déterminés à ne sentirent point d'abord le danger extrême de cette usurpation, ... n'en portèrent aucune plainte.'⁵³

The necessity to work, the absence of a man like De Luc on business abroad and the lack of any important issue around which the *Bourgeois* could unite must all play a rôle in this calm. Yet two years later, they were willing to make the effort to ensure that the government was unable to continue with the fortifications and the taxes for them.

Equally paradoxical, in educational matters, the government was forced to cede to the objections of the *Bourgeois*. This was to be one of the few occasions in this period when the *Bourgeois* were able to 'persuade' the government to change its mind. And even then, the change was instituted without recourse to the *Conseil Général*. In 1752, the *Deux Cents*, having decided to establish a School of Drawing, determined that in consequence it would suppress what was called 'la grande classe'.⁵⁴ Ten days later, the *Procureur-Général* received a *Représentation*, brought to him by a considerable number of citizens, demanding the return of 'la grande classe'. It needed to be discussed in ten different sittings of the *Deux Cents* before this demand was accepted.⁵⁵ The whole procedure after the presentation of the *Représentation* had been illegal. The matter should have been decided by the *Conseil Général* rather than the *Deux Cents*, yet it was allowed to pass unchecked by the *Bourgeois*. This was the only *Représentation* which was successful throughout this period. The success was limited however, in that the decision had been made without consulting the *Conseil Général*, the *Deux Cents* believing it had the right to act.

The technicality of the legal changes achieved by the government certainly played a rôle in the quiescence of the *Bourgeois*, as did the economic situation of the city. Leaders of the *Bourgeois* such as De Luc had to earn a living. As a result, there were occasions when he was away from the city for certain periods acting as the agent for J.J. Pallard, the largest watch and jewellery merchant of the city. In 1750, he travelled to Spain on Pallard's instructions, carrying jewellery and watches valued at 2,450,000 florins.⁵⁶

The years 1747 and 1748 were situated well into the period when the economy of Geneva was expanding rapidly. Between 1745 and 1780, there was an overall gain in population of 4,000. During the same period, the watch industry was extremely successful and prosperous. At the same time, it was the most important industry in the state, producing by 1785 100,000 watches per year, quite apart from movements and various watch-parts.⁵⁷ The master craftsmen in the watch industry were all *Bourgeois*. Many of them were simply too busy with business and production to worry over much about politics.

⁵² PRO London, SP 96/30 January - December 1748, 20 Mai.

⁵³ D'Ivernois, *op. cit.*, Vol. I, seconde partie, p. 171.

⁵⁴ BPU Genève, Ms. Rocca 12, p. 115, 'se crut en droit de supprimer'.

⁵⁵ *loc. cit.*

⁵⁶ O'Mara, *Geneva in the Eighteenth Century*, *op. cit.*, p. 42.

⁵⁷ Piuz et Mottu-Weber, *op. cit.*, 6ème. partie, L. Mottu-Weber, Ch. XX, p. 633.

The need to work hard was strengthened by the fact that salaries were static after 1730 for much of the remaining century:

'les salaires ne varient pratiquement pas, restant bloqués à l'indice 100 depuis 1720-1730, alors que les prix alimentaires atteignent l'indice 170 en 1780-1790.'⁵⁸

For the younger *Bourgeois*, who were still at the apprentice stage, as well as those of the *Bourgeois* who were employed by others rather than having their own business, there was a clear necessity to concentrate more on work than on politics. For them, unlike the patriciate, political activity could not be a full-time occupation, especially if they had a family.

By the mid-1750s also, it became clear that there was little likelihood of the government calling any meetings of the *Conseil Général* except those necessary for the formal election of the *Syndics* and government officials. There was a growing realisation that *Représentations* were becoming an exercise in futility. The government, although it had been acting illegally, had wisely limited itself to minor matters which did not greatly impinge upon the life of the ordinary *Bourgeois*. There were full order books and plentiful work to distract from politics, coupled with the absence from Geneva of one of the driving forces of the *Bourgeois*. All these, plus their desire, as P.E. Martin states to 'rest[er] dans la légalité',⁵⁹ contributed to the apparent passivity of the *Bourgeois*. But there clearly was still an active group who, aware that in many matters, they could not persuade the majority of the *Bourgeois* to follow them, made their existence known, if only negatively, by refusing to vote in the *Conseil Général*. And equally, if the government attempted to act high-handedly in a matter which the *Bourgeois* felt touched them closely, as in 1750 or 1752, then they would react.

Natifs and Habitants

The economic success being enjoyed in Geneva was not confined to the *Bourgeois* alone, a fact which began to cause some concern. The government was to become increasingly anxious about the growing prosperity of the *Natifs*. This was particularly the case as:

'la prospérité des Natifs, [les] rendait peu à peu indépendans des riches.'⁶⁰

The emergence of the *Natifs* since the 1680s as an independent economic group within the state had been accelerated by the rights they had been given in the Mediation. The introduction of restrictions concerning both *Natifs* and *Habitants* in the trades of watchmaking from 1690, had done little to prevent the *Natifs* from entering and qualifying, as diagram 8 shows. The *Natifs* were certain to take the maximum advantage of the opening given them in the Mediation, especially in watchmaking and its associated trades as these were successful and clearly expanding. This was due to the increasing demand for watches and the need for more hands to produce them, even the watchmakers guild admitting to the government in 1735:

'que leur profession allant fort bien à présent et n'ayant pas tous les apprentifs et compagnons qui seroient necessaires, ils croioient que l'on devoit être faciles sur ces sortes de dispenses.'⁶¹

⁵⁸ *Ibid.*, p. 636.

⁵⁹ P.E. Martin, *op. cit.*, p. 442.

⁶⁰ D'Ivernois, *op. cit.*, Vol.I, p. 164,+ ft. 1.

⁶¹ Babel, 'Histoire corporative', *op. cit.*, citing R.C. 235, p. 604, 2 décembre 1735, p. 195.

It was the same demand for watches that had seen the industry gradually develop with artisans working in small work shops producing finished watches for the 'maîtres-marchands' who provided them with the raw materials, watch pieces and tools and bought the watches from him. By the 1750s, the raw movements were often made outside Geneva, either in Neuchâtel or in Savoy.⁶² From 100 *maîtres* in 1685, there were 550 in the 1750s. This was a much larger number than found in a guild city like Augsburg.⁶³ In 1745, the *Natifs* were granted the right to retail the watches and watch parts they made but they could not own shops; this was a right that was reserved for the *Bourgeois* alone, and the *Natifs*, as the *Habitants*, also continued to suffer from the fiscal disadvantages of their status.⁶⁴

The patriciate, as a result the War of Austrian Succession (1740-48) and the Seven Years War (1756-63), found they were able to invest heavily in the countries involved in the wars. During the War of Austrian Succession and the Seven Years War, Geneva was both competent and wealthy enough to act as 'une réserve passive de capitaux'.⁶⁵ At the same time the élite saw their economic position strengthen, they were gradually becoming culturally less distinct from a proportion of the urban population.

A visitor to Geneva in 1688 states:

'Le langage vulgaire de cette ville est le Savoyard, mais tout ce qu'il y a de gens qui sont un peu distingués du bas peuple parlent français.'⁶⁶

The influx of French-speakers, many of whom would have begun life in Geneva living in the less prosperous areas of the city, may well have given an impetus to the elimination of the Savoyard patois. Only the exceptionally wealthy or skilled of the immigrants were admitted into the *Bourgeois* class in the first twelve years after their arrival. Most would be classified as *Habitants*, thus inserting into this group a large element of French speakers.⁶⁷ The gradual elimination of Savoyard meant that, apart from those coming into the city in recent years, by the 1730's, the vast majority of the people were French-speakers. Although, Cornuaud in 1780 speaks of a '[une] brochure ... en patois savoyard'.⁶⁸

In its turn, this meant that it was an easy matter for them to understand the political discussions which were, as mentioned previously, the mainstay of conversation in the work

⁶² Piuz, Mottu-Weber, *op. cit.*, 5^{ème} partie Mottu-Weber Ch. XVI, p.494; Piuz, Ch. XVII, p. 555, by 1750, it was no longer necessary for the merchant to be a member of the watchmakers' guild.

⁶³ Landes, *op. cit.*, p. 355.

⁶⁴ O'Mara, *Geneva in the Eighteenth Century*, *op. cit.*, p. 131. They paid double tax at the *Halles*, and one third more tax on estate transfers.

⁶⁵ Piuz, Mottu-Weber, *op. cit.*, 5^{ème} partie, Piuz, Ch.XVIII, p. 589.

⁶⁶ J.D. Candaux, *op. cit.*, p. 17. The visitor was France-Maximilien Misson 1650-1722, Huguenot, later a tutor in England. The comment comes from his book *Nouveau Voyage d'Italie, fait en l'année 1688*, La Haye: Henri van Bulderen, 1691.

⁶⁷ I have found no other reference to the language situation. Perrenoud estimates that on the basis of the 1,800 to 2,000 names found in the *Livre des Habitants* (men of majority age only) there must have been at the least 4,000 Frenchmen who settled in the town at this time. 'A elle seule [la France], elle fournit l'écrasante majorité des immigrants jusqu'en 1720 et plus de la moitié des nouveaux Habitants reçus entre 1684 et 1792.' Before this influx, many of the *Habitants* and some of the *Natifs* would have used Savoyard, which was spoken in much of the land surrounding the city. Piuz et Mottu-Weber, *op. cit.*, pp. 60-1.

⁶⁸ Emilie Cherbuliez *Mémoires de Isaac Cornuaud sur Genève et La Révolution de 1770-1795*, Genève: Librairie A. Jullien, 1912, p. 193.

place and around the fountains.⁶⁹ Both the *Natifs* and the *Habitants* had been involved with Montréal's attempt to create an armed force which could be used for the defence of the government in 1736.⁷⁰ With the minor concession won by the *Natifs* in the Mediation, together with their increasing political education, and their inherent, built-in inferiority within the state, it was merely a matter of time before they felt angry enough and confident enough to emulate the *Bourgeois*, who were busily - if unintentionally - educating them.

Culture and further divisions

Voltaire, already famous, especially as a playwright and philosopher, came to Geneva from Prussia already an old man ready, he said, to die. Instead he lived at Les Délices, a house bought for him by a member of the Tronchin family, where he began to entertain and provide theatrical entertainment, including comedies. Reminded that the theatre was illegal in the state of Geneva, even though his entertainments were much patronised by its leaders, he moved to Ferney, where he could build his own theatre if he wished, but which was still within easy carriage and horse reach of Geneva, though in France. He had already had an altercation with Rousseau concerning the latter's ideas expressed in his 'Discourse on Inequality'.

Those who had been invited to share Voltaire's theatrical evenings were all members of the patriciate of Geneva. Although in the 1760s Voltaire did invite some *Bourgeois* to Ferney, these invitations were concerned with either scientific or political matters. Amongst the patriciate, there were a considerable number of scientists and mathematicians,⁷¹ who because of family wealth were able to devote their attention to such matters as well as politics, unlike the *Bourgeois*, for whom both scientific enquiry and politics had to take a secondary place to earning a living.

In 1756, d'Alembert⁷² visited Geneva, staying with Necker⁷³ and frequently visiting Voltaire, where he met a number of Geneva's patriciate and scientists. It was this visit that led to the article in the *Encyclopédie* called simply *Genève*. In his article, d'Alembert makes comments about Geneva needing a theatre:

'ce n'est pas qu'on y désapprouve les spectacles en eux-mêmes; mais on craint, dit-on, le goût de parure, de dissipation et de libertinage que les troupes de comédiens répandent parmi la jeunesse. Cependant ne serait-il pas possible de remédier à cet inconvénient, par des lois sévères et bien exécutées sur la conduite des comédiens?'⁷⁴

He continues provocatively to suggest that, were Geneva to carry out such a plan, she would be able to benefit from the theatre as well as setting Europe an excellent example.

In response to d'Alembert's comments on the theatre in Geneva, Rousseau entered, indirectly, into the political fray in Geneva. In his *Lettre à M. d'Alembert sur les spectacles* of October 1758, he attempted to defend Geneva against the introduction of theatre and

⁶⁹ See Chapter IV, p. 66, 'Les horlogers de Genève discutent à perdre haleine sur les affaires de l'Etat..'

⁷⁰ See Chapter V, pp. 107ff.

⁷¹ See Appendix IV B VI/1.

⁷² See Appendix IV B VI/2.

⁷³ Jacques Trembley *Les Savants genevois dans l'Europe intellectuelle du XVIIe. au milieu du XIXe. siècle*, Genève: Journal de Genève, 1987, p. 98.

⁷⁴ D'Alembert *Genève*, *Encyclopédie ou dictionnaire raisonné des sciences, des arts et des métiers*, Paris: G.F. Flammarion, 1986, Vol. II (articles choisis), p. 138. Chronologie, introduction et bibliographie par Alain Pons.

especially comedy. In part, Rousseau's reaction was because he believed that d'Alembert's article had, in fact, been written by his arch-enemy, Voltaire.

For Rousseau, Horace had been right in principle. Art should inculcate virtue and discourage vice. Unfortunately, in modern civilisation, which was corrupt, art could no longer teach virtue. It was better for Geneva to be without a theatre because modern theatre was mainly French, which meant Parisian. This would be like introducing poison into the 'simple' society of Geneva,⁷⁵ especially with comedy. It was the belief of many, particularly in the Protestant churches, that theatre (and especially comedy) was a dangerous and pernicious influence on the morals of ordinary citizens, that wit could in a few short minutes throw truth out of the window and encourage disbelief in God's universe. What gave some originality to his article was his contention that the introduction of comedy in Geneva would act not as a means of teaching manners but as an instrument of factions, parties and even private vengeance and would cause the most terrible disorders. Proof of the idealised version of Geneva held by Rousseau.

It was the *Bourgeois* who were against the re-introduction of the theatre into the town.⁷⁶ In part, this was due to their religious inheritance, perhaps too because their *cercles* had filled a void in social life which was both serious and worthwhile. And also to the fact that the theatre in the city always occurred in the context of the French being present as in 1737-8, when the presence of the French negotiator, the Comte de Lautrec, led to the introduction of the theatre into the city of Calvin even though against the law. Lautrec had insisted on the building of a wooden theatre to while away the hours when he was not negotiating. Many of the members of the two small councils found that they too quite enjoyed the theatre, just as they enjoyed the other aspects of French culture. Such enjoyments, apparently unimportant in themselves, added to a further alienation between the patriciate on the one hand and the *Bourgeois* on the other.

In attending Voltaire's dinners and amateur dramatics at 'Les Délices', the patriciate were breaking one of the laws which forbade theatre in the city as well as breaking one of the religious tenets of Calvinism. If members of the government were happy to enjoy Voltaire's plays in defiance of what was legal in Geneva, what else were they ignoring, disregarding or defying within the state?

Less inclined to follow the French fashions and ideas of the day, many in the *Bourgeois* watched with dismay as, during this period, some of the patriciate began increasingly to ape French manners and attitudes. The basic beliefs of the Calvinist state of Geneva were theoretically embedded in simplicity, hard work, limited inequality and fear of God. Increasingly, the government and its supporters appeared to be breaking all of those ideals. This ideal Geneva had never existed, but was a concept in which many *Bourgeois* also believed, none more so than Rousseau, who had not lived in the Republic for many years. The dedicatory text in his 'Discourse on Equality' (which he dedicated to the citizens of Geneva) makes clear his own idealised version of Geneva.

The disagreement between Voltaire and Rousseau had grown out of this article and Voltaire's negative response to it⁷⁷. Rousseau's reaction to Voltaire's *Poème sur le Désastre de Lisbonne* added fuel to their disagreements. Although refusing to answer Rousseau's

⁷⁵ Rousseau uses the example of Molière's *Misanthrope*, where the audience is encouraged to despise Alceste and his upright behaviour. Peter Gay, *The Science of Freedom*, pp. 258-9.

⁷⁶ The Church had insisted on the ban on the theatre in 1620. By the eighteenth century, the *Bourgeois* were against its reintroduction.

⁷⁷ 'No one has employed so much intelligence to turn men into beasts. One starts wanting to walk on all fours after reading your book.' Voltaire to Rousseau 30 August, 1755, quoted by Maurice Cranston, *Philosophers and Pamphleteers Political Theorists of the Enlightenment*, Oxford: Oxford University Press (OPUS), 1986, p. 80.

letter about the poem, Voltaire provided his response in *Candide* (1759), which Rousseau took to be deliberately aimed at him. The question of a theatre in Geneva was part of this 'battle' between the two men. Rousseau, in denouncing the delights of theatre and comedy, became the man who was opposed to Voltaire and the patriciate.

In this way, both Voltaire and Rousseau were gradually enmeshed in the politics of Geneva. For Voltaire, this was due to his moving to Geneva, being friendly with the patriciate and inviting them to his entertainments. Rousseau, at this time, was beginning to break away from the *philosophes* grouped around Voltaire, d'Alembert and Diderot,⁷⁸ and by his riposte to d'Alembert, showing the *Bourgeois* that he had some ideals which were similar to their own.

In the same article, D'Alembert also commented on the religion of the state:

'le respect pour Jésus-Christ et pour les Ecritures [est] peut-être la seule chose qui distingue d'un pur déisme le christianisme de Genève.'⁷⁹

This was mild compared with what had been written, but not made public, by François Bruys in 1727 concerning his fellow theological students:

'Je n'en connus que cinq ou six qui fussent de véritables calvinistes. Les autres étaient, ou sociniens, ou arminiens, ou pélagiens, ...'⁸⁰

What upset the city, its fathers and the clergy was the claim that basically the faith as taught in Geneva at the very heart of Calvinism was a form of pure deism. Certainly the severities of the Synod of Dordrecht had long been put on one side. Under the influence and leadership of J.-A. Turretini at the beginning of the century, the oath sworn by new ministers had become very liberal, allowing considerable room for individual conscience with regard to belief. Such lightening of the severity of Calvin's teaching had been especially welcomed by many of the patriciate, but less so by the *Bourgeois*. To them, these comments were further evidence of the dangers that emanated from the irreligious and corrupt Catholic state of France, the enemy of all that Calvin's Geneva represented. It was evidence of the already pernicious influence that France had obtained in Geneva.

In this respect, Geneva was not in fact so different from many other countries. The first half of the eighteenth century saw Europe emerging from the certainties of previous centuries into a new, questioning era. From being God-centred, philosophy was moving to being man- and reason-centred. Such a change posed great problems. This was particularly the case in a state such as Geneva, where the Church and Calvinism were an integral part of the state. To question the truth of the Bible, as Voltaire had done,⁸¹ was to question the very basis on which the state had been in part constructed. To replace a world governed in the finest detail by God with a world in which man, with the use of his 'reason', was the important factor inevitably called into question the teachings of the churches, both Catholic and Protestant. The ability of the patriciate to adapt to the changes had already been demonstrated by the careful substitution of law and the theory of natural law as the basis of the government's position in 1736-7. Man-made law replacing God-made law had led in practice, from the *Bourgeois* point of view, to the strengthening of the oligarchy in government at the expense of themselves. The political differences between the rulers in Geneva and the *Bourgeois* were reinforced by their diverging attitudes to

⁷⁸ See Appendix IV B VI/3.

⁷⁹ D'Alembert, *op. cit.*, p. 142.

⁸⁰ J.D. Candaux, *op. cit.*, François Bruys, *Mémoire historiques, critiques et littéraires*, p. 38

⁸¹ In his *Sermon des Cinquante*, he drew attention to the fact that, although the church claimed that the Pentateuch had been written by Moses, it actually reports the death of Moses. Peter Gay *Voltaire's Politics. The Poet as Realist*, Princeton: Princeton University Press, 1959, p. 245.

religion and also the theatre. This difference was rarely openly manifested, coming to the surface primarily in the theatre question.

It was during this period of Geneva's history that the patriciate began to complain about the lack of respect of the people in the city:

'le relachement dans les moeurs: cet esprit de libertinage qui s'est introduit parmi nous, qui fait mépriser la Religion et qui porte principalement les jeunes gens à en secouer le joug et à regimber contre toute autorité légitime, soit civile, soit ecclésiastique, ce qui affoiblit et relache insensiblement tous les liens de la soumission aux loix et de l'obéissance qui est due à tous ses Supérieurs.'⁸²

For Cramer, the insistence of the *Bourgeois* in pursuing their belief in the rights of the *Conseil Général* had both social and political consequences. In Geneva, because of its strict Calvinism, questioning of the government was as much a social as political offence. It was perhaps difficult to feel much confidence in a government which had deliberately misled the *Conseil Général* in 1712 and had then proceeded to treat the promise to consult that body on any important matter to arise as only there to be ignored. In 1738, it had granted the long-demanded right of sovereignty for the *Conseil Général* with one hand, while rendering that sovereignty nothing but empty words with the other, by in effect making the lesser councils *de facto* sovereign. Neither could the actions of the government be sufficiently off-set by the undoubted honesty in the day-to-day administration of the state by the *Syndics* and the elected officers. The patriciate faced tremendous difficulties, brought up to believe that they were the rulers, the 'fathers' of their people, with the education, the knowledge and the wealth that made them uncorruptible, they were faced by a considerable proportion of the *Bourgeois* who rejected this estimation. The same men claimed a share of the knowledge and right to govern. It was impossible for the patriciate to see anything but an *esprit de libertinage* in such ideas, combined with an inability on the part of the *Bourgeois* to appreciate the profound reality of the dangers of 'democracy'. As Cramer lamented:

'La Magistrature n'a plus été vue comme une Science, tout le monde s'y est cru propre.'⁸³

What they saw and heard was new, the voice of an alien world, they could not like or accept what they saw. To avoid the danger of anarchy therefore the *Conseil Général* was avoided on all possible occasions, except those where clearly there would be little or no opposition to the government's recommendation, such as the ratification of the treaties with France and Sardinia. Escher had written clearly in 1736 to Turretini:

'Monsieur, les affaires ne peuvent jamais aller bien dans une République tandis que ceux qui gouvernent tâchent à se soutenir ou à s'introduire contre le gré de la bourgeoisie, et tandis que ceux de la ville haute et ceux des Rues basses se regardent comme deux peuples divers. Seroit-il impossible de regagner la confiance d'une belle bourgeoisie comme la vôtre?'⁸⁴

It was very difficult if not impossible for the patriciate to adjust.

The use of government decrees to change existing laws and to introduce new laws made it abundantly clear that the government and the patriciate had no intention, in reality, of allowing the *Conseil Général* any place in the state unless absolutely necessary. The unfortunate quiescence of the *Bourgeois* in allowing the government to act in this way gave it a false impression of its position and an erroneous feeling of the success of its

⁸² BPU, Genève Ms. Cramer 87, 126.

⁸³ BPU, Genève, Ms. Cramer 87, Vol. II, juin 1766, 160.

⁸⁴ Budé, *op. cit.*, Vol. II, p. 32.

policy. The sovereignty of the *Conseil Général*, which had for so long been demanded by the *Bourgeois*, having been formally enshrined in law in 1738, had proved to be an illusion. Unbeknown to the patriciate, the period of calm was about to end with the re-emergence of questions they believed settled by the Mediation of 1738, but which stretched back to the beginning of the century and earlier and which still remained to be settled.

Chapter VII

The 'Revolution of 1768'

Geneva in 1760 still appeared calm with little warning of the storm clouds just over the horizon. The inability of the *Représentants* to persuade their fellow *Bourgeois* to insist upon the sovereignty of the *Conseil Général* appeared set to continue. However, the illegal and unfair way in which Rousseau was treated in 1762, together with the blatant illegality of the Pictet case 1763, proved to be the catalyst missing since 1738. The repeated rejection of *Représentations* concerning these legal matters led to the refusal by the *Bourgeois*, in four meetings of the *Conseil Général*, to elect the *Syndics* for the year 1766, thus bringing the government to a halt.

As this chapter will show, the subsequent mediation by France, Bern and Zürich, dominated by the French, failed but led to an internal Genevan agreement - the Edicts of 1768. The concessions gained which allowed an element of oversight by the *Conseil Général* over the *Petit Conseil* in exchange for the ending of the right to refuse to elect *Syndics* was totally unacceptable to a part of the oligarchy. As a result of the stresses of these two years, and disagreements concerning the Edict of 1768, divisions began to open up in the oligarchy with two wings within the overall group of *Négatifs*¹ which were to have profound consequences later in the century.

Equally important was the emergence of the *Natifs* during the difficulties of 1766-68. Organising themselves into *cercles* copying the patriciate and the *Bourgeois*, they hoped by supporting the *Représentants* in 1766-68 to improve their status in Geneva. The minuscule concessions made to the *Natifs*, which in no meaningful manner eased the economic disadvantages under which they lived, caused anger and resentment among some *Natifs*, as well as a sense of betrayal. This was to prove fertile ground in the future for those in the smaller councils who were unhappy at the settlement of 1768.

Legal problems and deadlock

The first copies of both *Emile* and *Le contrat social* arrived in Geneva in June 1762. The government moved quickly and, on 12th. June, the *Petit Conseil* ordered the seizure of all copies in the bookshops, and asked the *Procureur-Général*, Jean-Robert Tronchin, to prepare a report. In assessing *Le contrat social*, Tronchin drew attention to the fact that it contained what he termed 'pernicious principles'. The *Lettres* of Antoine Léger had been condemned in 1718, the *Social Contract* contained the same dangerous ideas concerning sovereignty² as well as calling for periodic meetings of assemblies of the people. This was precisely what Pierre Fatio had argued for in 1707. Having previously considered such ideas seditious, especially Léger's *Lettres* in 1718, which had been declared seditious and banned, there was no way that the government could allow the repetition and elaboration of such ideas once more in the city. Though Geneva's condemnation might have pleased

¹ The *Négatifs* were those in the government and the two smaller councils who supported the right that the *Petit Conseil* had obtained in the Mediation of 1738 to refuse to accept any *Représentation* submitted by the *Bourgeois* to the *Syndics* and the *Petit Conseil*.

² Compare p. 178 qu'il n'y a pas deux Souverains dans cet Etat... la Souveraineté reside entiere dans le Conseil Général with Bk. II, Chs. 2&3; in *Lettres*: 'Il avoit le Droit Legislatif' and in Bk. III, Ch. 1.: 'We have seen that the Legislative power belongs, and can only belong, to the people.' Gür, 'Les lettres "séditieuses" anonyme', *op. cit.*, pp. 178 & 181, Rousseau, 'The Social Contract', *op. cit.*, pp. 70-72 & 101.

the French, as Palmer suggests,³ in reality there was no other action open to the government which might have hoped, from the relatively compliant behaviour of the *Bourgeois* over the last fifteen years, that such ideas were fading.

The *Consistoire* had been unhappy about *La Nouvelle Héloïse* by Rousseau and was on the point of asking the *Petit Conseil* to move against the work, when the council acted precipitately against *Emile* and *Le contrat social*.⁴ The law in this respect was clear: in religious questions, it was necessary for the *Consistoire* to consider the matter and then to ask the *Petit Conseil* to act. In the case of Rousseau, the situation was complicated by the attempts made by Genevan pastors, Jacob Vernet⁵ and Moultoy⁶, friends of Rousseau to persuade him to provide a written retraction of his attacks on religion.

Emile was condemned because of its attack on religion, denying as it did one of the basic principles of Christianity, that of original sin. Tronchin therefore recommended that both books should be condemned to be lacerated and burnt by the public executioner. The *Petit Conseil* went further and also issued a decree:

'Au cas qu'il [Rousseau] vienne dans la Ville ou dans les Terres de la Seigneurie, il devra être saisi et appréhendé pour être ensuite prononcé sur sa personne ce qu'il appartiendra.'⁷

There was no justification for this type of decree under the laws of the state. That Rousseau might be arrested if he came to Genevan territory would not of itself have been illegal. It was normal in such a case for a person to be held in prison while the matter was investigated. What was against the laws of Geneva was that Rousseau had been condemned by the *Petit Conseil* without being able to defend himself.

Rousseau was disappointed at the lack of support from the *Bourgeois*, and hoped that some form of reconciliation with the government might be possible through the actions of some of his Genevan correspondents. In fact, the *Représentants cercles* had tried to prevent the re-election of Tronchin for a further 3 years in November 1762:

'vendredi et samedi on disputa vivement dans les cercles de la Bourgeoisie...'⁸

When this proved impossible, Rousseau decided on the dramatic gesture of formally giving up his *Bourgeois* status and his Genevan citizenship. He justified his action in a letter (26th. May 1763) to Marc Chappuis⁹:

'Flétri publiquement dans ma patrie sans que personne ait réclamé contre cette flétrissure, après dix mois d'attente, j'ai dû prendre le seul parti propre à conserver mon honneur si cruellement offensé.'¹⁰

It was difficult for the *Bourgeois*. They were aware that the *Petit Conseil* saw *The Social Contract*, not as an attempt at a Utopia, but a veiled attempt to reopen a debate it believed

³ Palmer, *op. cit.*, p. 118.

⁴ E. de Budé *Vie de Jacob Vernet, théologien genevois*, Lausanne: Georges Bridel & Co., 1893, pp. 281-282.

⁵ See Appendix IV B VII/1.

⁶ See Appendix IV B VII/2.

⁷ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 447.

⁸ BPU Genève, Ms. suppl. 1540 Lettres de Du Pan à Freudenreich, 1759-64, 70 23 novembre 1762.

⁹ See Appendix IV B VII/3.

¹⁰ Jean-Jacques Rousseau *Lettres écrites de la montagne, Oeuvres Complètes III Du contrat social, écrits politiques*, Genève: Bibliothèque de la Pléiade, 1964, Texte établi et annoté Jean-Daniel Candaux, Introduction, p. CLXV.

settled by the Edict of 1738. It was out of the question that the ban on the book would be lifted. The shock for the government was all the greater since Rousseau in 1754 stated concerning Geneva:

'que l'équité, la modération, la plus respectueuse fermeté continuent de régler toutes vos démarches et de montrer ... l'exemple d'un peuple fier et modeste, aussi jaloux de sa gloire que sa liberté.'¹¹

A letter written by Jacques Pictet,¹² to Emmanuel Duillard, the son, claimed that there were three reasons for the action of the council in condemning Rousseau: their infatuation ('engouement') with Voltaire, the council's desire to please the court at Versailles and the desire to prove that Geneva was still a religious town, thus repairing the damage that had been done to its reputation by d'Alembert's article in the *Encyclopédie*.¹³ The contents of the letter became public, leading to both Pictet and Duillard appearing in their turn before the Tribunal.

The court could not be presided over by a *Syndic* because all four *Syndics* were close relatives of either the defendant Pictet, or the *Procureur-Général* Tronchin. In consequence, a former *Syndic* sitting in the *Deux Cents* was given the task of temporarily chairing the tribunal. To complicate the framing of a defence, the details of the accusation were not made public. The sentences handed down were mild, both men having to beg pardon of the government; Duillard was deprived of his *Bourgeois* status for six months, Pictet of his for a year, and also losing his seat on the *Deux Cents*. These actions of the court were a continuation of what had happened in the 1740s, with the *Petit Conseil* and the government adapting the laws of the state to fit their needs. They should have consulted the *Conseil Général* on the serious constitutional point raised by the inability of any *Syndic* being able to preside the court trying the Pictet case.

It was Rousseau's action, however, in returning his citizenship which began a chain of events which the patriciate were to find, to their horror, they were unable to control. A *Représentation* was made on 18th. June 1763, led by Jacques-Francois De Luc concerning both Rousseau's case, that of Pictet and Duillard and a third *Bourgeois* pair, the Bardin brothers.¹⁴ The *Représentation* was on entirely formal, legal grounds, concerning the condemnation of Rousseau without hearing his defence and treating him as a criminal rather than allowing the *Consistoire* to deal with him first, as should have been the case under Article 88 of the *Ordonnances Ecclésiastiques*. While the *Consistoire* had ceased to be the force it had once been in the state, it was still responsible for religious matters, and the law was quite clear. In the Pictet case, there had been the illegality of a tribunal sitting without a *Syndic*.¹⁵ Even Du Pan, a supporter of the patriciate, was moved to comment, concerning the Pictet case, that it was:

'chose à laquelle jamais personne n'avoit pensé depuis que la République existe.'¹⁶

¹¹ Venturi, *op. cit.*, citing from Rousseau's *Discours sur l'origine et les fondemens de l'inégalité parmi les hommes*, p. 78.

¹² See Appendix IV B VII/4.

¹³ See Chapter VI, pp. 131-133.

¹⁴ They had had 24 copies of *Emile* removed from their shop. The books had not been returned, but neither had the brothers received any compensation from the government, as was normally the case in such a situation. See Appendix IV B VII/5.

¹⁵ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 448.

¹⁶ BPU, Genève, Ms. 1541 Lettres de Du Pan à Freudenreich 1765, février, 23.

The lack of judicial independence in Geneva was clearly shown to be dangerous. The difficulty the government found itself in over the trial of Pictet and way it had dealt with the problem clearly caused unease even amongst those in the patriciate who supported it. It was further evidence that the government was prepared to write new laws when it deemed this necessary for its own benefit.

The action of the *Représentants* was not in defence of the contents of Rousseau's books; it was to draw to the attention of the *Syndics* that, in their action over Rousseau's works, they had acted illegally, and was the spur that had been missing during the late 40s and 50s, when the government had managed to skirt around the law without provoking a strong and united reaction from the *Bourgeois*.¹⁷ If the government arrogated to itself the right to decide what had previously been the domain of the *Consistoire*, it would be a clear breach of the existing Edicts, while increasing the power of the government to interfere further in the lives of the citizens. This riding rough-shod over the legal rights of the *Consistoire* added to the anger and determination of the *Représentants*.

It was the beginning of a period punctuated by a series of *Représentations* and refusals that mirrored what had happened in the period before 1760. The *Petit Conseil* maintained its right to reject *Représentations*. Each rejection, however, led to a widening of the demands made by the *Représentants*. The attempt by the *Petit Conseil* to limit the right of *Représentation* in the case of a citizen condemned by the courts to that individual and his family alone was seen as an infringement of the rights of *Représentation*, as well as an interpretation of the law which necessitated the agreement of the *Conseil Général*. By 20th. August 1763, a letter supported by 450 *Bourgeois* demanded that the whole matter should be put before a *Conseil Général*, as the only place where it could be judged and settled.¹⁸ As far as the government and its supporters in the town were concerned, this *Représentation* called into question the prerogatives of the *Petit Conseil*, and, in the final analysis, re-opened the whole question of sovereignty. Looking back in 1782, J-A. De Luc wrote:

'La Révolution de 1763 à 68 pris son origine dans l'obscurité des Loix sur les *Emprisonnemens*, sur l'effet des *Recusations des Juges* quant à la *Precedence* des tribunaux & sur quelques *Loix consistoriales*, tout cela est éclairée au gré des Citoyens. Mais au sujet de ces contestations particulières des grands Questions politiques s'eleveront.'¹⁹

The problem remained, as had been the case since 1738, that the government's creation of new law, such as the use of decrees and *Ordonnances*, was illegal without reference to the *Conseil Général*. The government had spent over twenty years avoiding calling the *Conseil Général* whenever possible. If they were allowed to continue the process of making new law as required without recourse, as specified in the Edict of 1738, to the *Conseil Général*, then that body had, except for the election of the *Syndics*, become obsolete and the *Bourgeois* were without any opportunity to influence the government. From such a position, it was but a short step to the question of the repeated rejections of *Représentations*, because most of them, in drawing the government's attention to a legal or constitutional issue, required a meeting of the *Conseil Général* to discuss and resolve the problems raised. These were matters of profound constitutional importance which this time it would be impossible for the government to ignore or sweep under the carpet.

The *Petit Conseil* asked Jean-Robert Tronchin, the *Procureur-Général*, to prepare a de-

¹⁷ See Chapter VI.

¹⁸ Rousseau, *Oeuvres Complètes*, III, *op. cit.*, p. CLXVI.

¹⁹ BPU Genève, Ms. 2466 Papiers adressés à J-A. De Luc, Lettre à M. Roustan le 24.4. 1789, 58.

tailed reply defending its right to refuse *Représentations*. It was a forthright defence of the position of the *Petit Conseil* and above all of its right to decide whether a *Représentation* was well-founded or not:

'Si le Conseil, les [les Représentations] ayant examinées, ne les approuve pas, que doit-il arriver? C'est qu'elles tombent.'²⁰

The rejection of this position by the *Bourgeois* was inevitable.²¹ If they accepted the definition as given by Tronchin to the *Petit Conseil*, it meant that they had lost what they still considered one of their rights. The almost continual rejection of *Représentations* by the *Petit Conseil* since the 40s, however, must have made it clear to the leaders of the *Représentants*, such as De Luc and Chappuis, that they had to make a stand over this matter. If the definition given by Tronchin stood, then people would cease to support any attempt to bring their problems to the attention of the government.²² If nothing else, the right to make a *Représentation* was a right to openly object, and it was not certain that the *Petit Conseil* would always be under the sway of those in the patriciate who were determined to reduce the *Bourgeois* and their remaining rights to nothing.

The current troubles demonstrated that the Mediation of 1737-8 had not been, as some of the *Bourgeois* had believed, a balanced solution to the political difficulties in Geneva. Increasingly, events since 1738 had proved that Micheli had been right in his objections to the use of the word '*approuvé*' in Article 6 of the Mediation and the question of the actual sovereignty of the *Conseil Général*. The knowledge that they had been misled in 1738, as they had been in 1712, may well have made the leaders of the *Représentants* more determined to see that in this case compromise must involve both parties to the disagreements.

A new *Représentation* which responded to the rejection of the *Bourgeois'* previous *Représentation* by the *Petit Conseil*, the formally repeated all their previous demands and rejected the interpretation of the *droit négatif* claimed by the *Petit Conseil*. Simultaneously, an anonymous brochure appeared in the city. Entitled *Lettres de la campagne*, it was a series of letters which purporting to be from a citizen living in the country. The writer claimed to be giving his impartial reflections on the arguments current in Geneva. In fact, the eight cogently-argued letters were written by Jean-Robert Tronchin, had considerable influence in Geneva, especially amongst those *Bourgeois* who were not, as yet, involved in the deadlock between the *Représentants* and the government. According to Du Pan the *Bourgeois* in Geneva were divided into three equal groups:

'celle des Conseils et leurs environs qui souhaitent la maintien du gouvernement, 400; celle des mécontents ... sous prétexte de garantir leur liberté voudroient n'avoir point de gouvernement, 400 et autant de ceux qui restent tranquilles spectateurs ... n'osant se joindre aux Conseil pour ne pas augmenter la faveur des autres et ne le voulant pas de peur de donner trop d'autorité au Conseil.'²³

It was this latter group which both sides needed to win over to their side.

The '*Lettres*' of Tronchin followed exactly the same line as he had already followed in the earlier reply to the *Représentations*. In the last two of the eight letters, he examines whether it is the *Conseil Général* or the *Petit Conseil* which has the right to interpret the laws of the state. Using the argument of the necessity of the balance of powers within the state, he 'proves' that the *droit négatif* is essential to the *Petit Conseil*. In refusing a *Représentation* as either *mal fondée* or *peu convenable*, the council was using a right

²⁰ Rousseau, *Oeuvres Complètes*, III, *op. cit.*, p. CLXVI.

²¹ See Chapter V, pp. 110-112, Chapter VI, pp. 121-122.

²² See Chapter V, pp. 112-113.

²³ BPU Genève, Ms. suppl. 1540 Lettres de Du Pan à Freudenreich, 149 2 janvier 1764.

given to it by the Edicts. He also states that the *Bourgeois* had the right to censure those Magistrates they believed guilty of acting wrongly, a right exercised by the *Bourgeois* in the annual election of the *Syndics*, as only those approved by the votes of the *Bourgeois* in the *Conseil Général* could assume the title and office.²⁴ There is some irony in the fact that, when the *Bourgeois* applied this right of refusal to elect any of the possible candidates for the positions of *Syndic* in 1766, the *Négatifs* became extremely angry and sought to have the right removed.

The success of Tronchin's book was measured by the increase in support for the position of the *Négatifs* that was soon apparent in the town. Among the *Négatifs* themselves, the *Lettres écrites de la campagne* became:

'si on peut parler ainsi, l'Evangile de son corps [i.e. le Petit Conseil et Deux Cents]'.²⁵

The Tronchin work was to some extent to become what the *Lettres anonymes* had already been for the *Bourgeois* since 1718.

Amongst the *Représentants*, there was not a single man with the skill of Tronchin to produce a reply or a well-written *exposé* of their position. Although they were in the process of attempting an answer to Tronchin, they felt the need of a writer who would be able to produce a work as lucid and clear as Tronchin's. Their task of writing a detailed reply was made deliberately difficult by the government, which had refused:

'de déposer en chancellerie les originaux des édits qui, sur plus d'un point, différaient des édits imprimés.'²⁶

Already in contact with Rousseau,²⁷ the *Représentants* tried to persuade him to take up the pen sending him relevant background documents. Rousseau was well-known to De Luc and F-H. d'Ivernois and would also be writing both in his own defence and that of the *Bourgeois*. Also, of course, Rousseau was a Genevan, even though he had nominally given up his Genevan citizenship.

The first copies of his work, *Lettres écrites de la montagne*,²⁸ appeared in Geneva on 18th. December 1764.²⁹, some time after the Tronchin letters. They caused great interest and forced the *Négatifs* onto the defensive once again. Rousseau's letters are a detailed exposition of the *Représentants* case as well as a refutation of Tronchin's letters. Like the *Social Contract*, they owe their roots to Léger's two letters of 1718. The position of the *Conseil Général*:

En Conseil général vous êtes Législateurs, Souverains, indépendants de toute puissance humaine. ... [mais] En Conseil général votre Souveraine puissance est

²⁴ Barbey, *op. cit.*, pp. 381-383.

²⁵ D'Ivernois, *op. cit.*, Vol. II, p. 192.

²⁶ Otto Karmin *Sir François d'Ivernois 1752-1842. Sa vie, son oeuvre et son temps*, Genève: Librairie Ancienne Bodmer et Montgenet, 1920, p. 15.

²⁷ Jean-François De Luc and his two sons, Jean-André and Guillaume-Antoine, were long-standing friends of Rousseau. They had accompanied him with Thérèse Levasseur in 1754 on a tour of Lake Geneva. Claire Engel 'Genève et l'Angleterre', *Revue d'Histoire Suisse*, 1946, p. 480. At the same time, François-Henri d'Ivernois had become friendly with Rousseau, in part because Rousseau stayed at a house in Môtiers in the Val de Travers which was jointly owned by the d'Ivernois families of Neuchâtel and Geneva. Karmin, *op. cit.*, p. 11.

²⁸ The first six of the letters are a justification of Rousseau and his works. The last three are concerned with the situation in Geneva. Rousseau clearly agrees with the position of the *Bourgeois* in their interpretation of the Edicts and the Mediation of 1738.

²⁹ Karmin, *op. cit.*, p. 16.

enchaînée: vous ne pouvez agir que quand il plaît à vos Magistrats...³⁰
The Edict of 1738 had made the *Conseil Général*:

'Un corps souverain qui ne peut ni se former ni former aucune opération de lui-même, et soumis absolument, quant à son activité et quant aux matières qu'il traite, à des tribunaux subalternes. ... et y a-t-il un seul Genevois qui puisse douter que si l'existence du Conseil général dépendoit tout-à-fait du petit Conseil, le Conseil général ne fut pour jamais supprimé?'³¹

In 1718, Léger had made a similar point:

'D'ailleurs, où en seroit-on, si admettoit le principe dont les Conseils se font un bouclier? Car si les Conseils avoient le droit de ne porter au peuple que ce qu'ils croient important, les Conseils seroient absolument les maîtres de toutes choses: Des là, plus de liberté, il faudroit necessairement que le peuple suivit en tout la volonté des Conseils, juste ou injuste.'³²

In the 47 years that had elapsed since 1718, the *Bourgeois* had not achieved any concrete progress in their desire to see the *Conseil Général* have a genuine share in the power of the state. The Edict of 1738 had basically confirmed the loss of power from the *Conseil Général* to the smaller councils. For Rousseau, the matter was worse, since the choice of officers of state and the *Syndics* also manifested the weakness of the Sovereign, there being no real alternatives.

In comparison with America, the arguments in Geneva were, in one sense, more developed. By 1765, the colonists were talking of a division of sovereignty but in the terms of the difference between internal and external taxation:

'In every instance, therefore, of our EXTERNAL government we are and must be subject to the authority of the British Parliament, but in no others; for if the Parliament should impose laws upon us merely relative to our INTERNAL government, it deprives us, as far as those laws extend, of the most valuable part of our birthright as Englishmen.'³³

It was not to be until 1773, in the prolonged exchanges between Governor Hutchinson and two Houses of Assembly in Massachusetts that the supreme authority or sovereignty of Parliament was finally confronted, the Houses claiming:

'a *subordinate* power in government, whilst it keeps within its limits, is not subject to the control of the *supreme* power.'

Rejecting this argument, Hutchinson said that if the two Houses believed:

'that two jurisdictions, each of them having a share in the supreme power in the same state, it can be to no purpose to reason or argue ... It's enough to observe that this disagreement in our principles will have its influence upon all deductions which are made from them.'³⁴

As Blackstone wrote:

'there is and must be in all of them a supreme, irresistible, absolute, uncontrolled authority, in which the *jura summi imperii*, or the rights of sovereignty reside ... By

³⁰ Jean-Jacques Rousseau 'Lettres écrites de la montagne', *Oeuvres complètes, Du Contrat Social, écrits politiques, lettres de la montagne*, Vol. III, Genève: Bibliothèque de la Pléiade, 1964, Septième lettre, pp. 813-14.

³¹ *Ibid.*, pp. 227 & 228.

³² Gür, 'Les lettres "séditieuses" anonymes', *op. cit.*, p. 196.

³³ Bailyn, 'Pamphlets', *op. cit.*, Richard Bland, 'The Colonial Dismounted', Williamsburg, 1764, p. 320.

³⁴ *Ibid.*, p. 133.

the sovereign power ... is meant the making of laws ...³⁵
This statement could have been used by the *Bourgeois* in Geneva for the greater part of the eighteenth century.

Typical of the anxiety felt by the patriciate was that of Lullin, Secretary of State, writing to Crommelin,³⁶ the Genevan Representative in Paris:

'Le livre de Rousseau est fort approuvé par ceux de nos citoyens qui ont fait les représentations de l'année dernière; il m'est revenu qu'il ébranlait même ceux qui n'en étaient pas et qui étaient dans le doute.'³⁷

There was little that the government could do about Rousseau's *Lettres*, since, if they moved to ban or condemn them, they would have also to move against Tronchin's *Lettres*. Unlike Bern, Geneva, though censoring some books was far less repressive, certainly not going as far as to insist upon a periodic oath from all those involved in the booktrade from sellers to printers and all their workmen.³⁸ The situation was similar in many respects to that which had provoked the *Lettres séditieuses* of 1718. In 1764, the difference was that the government and patriciate did not deny the sovereignty of the *Conseil Général*, but had managed by the Edict of 1738 to wrest real sovereignty from it to the smaller councils by negating *Bourgeois* pretensions to power from a different perspective, the introduction of the word '*approuvé*' in Article VI. The refusal of the *Petit Conseil* to approve *Représentations* deprived the *Bourgeois* of any say in the governance of the state. The *Petit Conseil* had become the legislative as well as the executive and judicial authority within the state.

There was only a short period between the appearance of Rousseau's *Lettres* in Geneva and the elections of the new *Syndics* in January 1765. As they had in January 1764 when the *Représentants* had attempted to exclude Saladin from becoming a *Syndic*³⁹, so an attempt was made by the *Représentants* to prevent the *Syndics* election failed: 'la pluralité des suffrages ne fut pas pour eux'.⁴⁰ The mildness of the government's initial reaction to Rousseau's work may have helped. There was also the old tradition that the *Bourgeois* wanted to find a solution which was legal, while some felt that there was still time to come to some kind of arrangement, without recourse to the final weapon of refusing to elect the *Syndics*.

The two councils felt so distanced from the people in January 1765 that there was talk amongst them of resigning *en masse*. The alienation felt by the patriciate is illustrated by extracts from one of the pamphlets published in 1765:

'mais les livres de Rousseau et de nos Messieurs [Représentants] nous ont appris que nous devons défier continuellement des Magistrats que nous élisons nous même. ... Que nos Messieurs sont les seuls qui entendent bien nos loix et notre constitution et qu'ils ne peuvent jamais se tromper, en sorte que quand ils sont en

³⁵ J.C.D. Clark *The Language of Liberty 1660-1832. Political discourse and social dynamics in the Anglo-American world*, Cambridge: Cambridge University Press, 1994, p. 85.

³⁶ See Appendix IV B VII/6.

³⁷ P.E. Martin *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 449.

³⁸ In Bern, all those in the book trade had sworn that they would never infringe the censorship law, trade in forbidden matter, especially that which 'criticise[d] the privileges of our official authorities or otherwise affect[ed] the government'. Oechsli, *op. cit.*, p. 269.

³⁹ 'ils travailleront Vendredi et Samedi, et même pendant la nuit du Samedi au Dimanche...' BPU Genève, Ms. suppl. 1540 *op. cit.*, 149 2. janvier 1764.

⁴⁰ Shelburne Papers, Volume 18, 140, microfilm, University of Michigan, William L. Clements Library. The letter quoted is one of a number which were sent to Shelburne either by Norton from Bern or from Hutton. This one is unsigned as are many of the others.

quelque différend avec le Magistrat, c'est toujours le Magistrat qui a tort.⁴¹

Ironically, it was at this juncture that De Luc arrived with several others to inform the first *Syndic* of a new *Représentation* about to be made, but which would also contain within it an expression of their regard for the councillors and the *Syndics*. How far this 'threat' by the councils affected the vote for the *Syndics* is uncertain, but the knowledge of such actions by the government and councils may have played a rôle in the election of the *Syndics* for the year.

The promised *Représentation* was made on 7th. February, under the leadership of Marc Chappuis, accompanied by a thousand of those with the right to vote. The petition did indeed contain sentences in which the members of the *Petit Conseil* were described as:

'...digne de toute leur estime, de tout leur respect et de toute leur confiance.'⁴²

It also contained all the previous representations already rejected by the *Petit Conseil*. As was traditional, after handing in the *Représentation*, the committee departed saying they had faith in the *Syndics*, that they were the fathers of the country, and finally begging them to bring peace. Such expressions certainly heartened the members of the councils and all thought of resigning faded rapidly. But they misunderstood what the people were actually saying. The *Bourgeois* were not prepared to back down or be in any way deflected from what they considered important and grave constitutional matter, even though the *Bourgeois* would continue to respect the government and *Syndics*.

Some concessions were needed from the government. The concessions that were actually offered were the bare minimum. A proclamation was made calling Rousseau's *Lettres* '[un] affreux tissu de calomnies' but adding that no action would be taken against them. The other concession was to take to the *Conseil Général* the question of a tax which had been imposed on foreign wines, the legality of which was contested. All the other matters mentioned in the representation were dismissed. Yet the arguments remained the same as they had in 1738:

'mais il n'est pas moins absurde de prétendre, qu'on peut former dans nôtre République, un Conseil légal purement Aristocratique. c'est en vain, qu'on peut justifier un abus, en tirant des conséquences forcées du langage, et du silence de la loi. ... [le Petit Conseil] traite ces [des Représentants] jaloux de leurs prérogatives de Turbulens, inquiets et mal intentionnés.'⁴³

Throughout 1765, there were a number of *Représentations*, all going over the same ground. All were carried out in silence and total calm in stark contrast to the rioting which was seen in Boston with the destruction of Andrew Oliver's house (August 14th. 1765) and the Boston home of Thomas Hutchinson (August 25th. 1765).⁴⁴ It was clear that the *Négatifs* had no wish to concede any part of what they claimed to be their legal powers and there was little room for compromise. The government and the patriciate had managed in 1738 to achieve a system which appeared to ensure their continuing oligarchical position within the state, buttressed by the *droit négatif*, while the *Bourgeois* had at last realised the mistake they made in 1738. The *Petit Conseil* and its members would always refuse the *Représentants* demands to refer matters considered 'constitutional' by the government to

⁴¹ AEG, MS. hist. 268 *Dialogues entre un citoyen de Genève et un étranger*, Genève en Mars 1765, Première dialogue, p. 6.

⁴² P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch.IX, p. 450.

⁴³ AEG, Ms. hist. 268 7 *Lettre d'un solitaire*, p. 14. It appeared Monday 8.4.65, by Wednesday most copies were seized and burnt.

⁴⁴ Bailyn, 'Pamphlets' *op. cit.*, p. 582, and Bailyn, *The Ordeal of Thomas Hutchinson*, Cambridge, MA: The Belknap Press of Harvard University Press, 1974, p. 35. [Hereafter 'Hutchinson']

the *Conseil Général*. There was an inherent contradiction in the *Médiation* of 1738, it allowed *Représentations* to be made, but also permitted the *Petit Conseil* to block them a right which, according to the *Bourgeois*, 'anéantit tous les droits et toutes les prérogatives du peuple Genevois'⁴⁵. The *Représentants* turned to this, as they saw it, legal contradiction, suggesting that the contradiction should be clarified in the *Conseil Général*:

'de donner lumière à une Loix, pour qu'elle ne soit plus en opposition avec elle-même; de développer et fixer les termes d'une autre qui contredit et choque la liberté des Citoyens; et enfin de faire rentrer le pouvoir dans les justes bornes où cette même Constitution la placée.'⁴⁶

The argument over the *droit négatif* was not secure ground for the patriciate, since it could be argued that the constant refusal since 1738 to accept *Représentations* led to the domination of the *Conseil Général* by the smaller councils. The situation in Geneva was unlike that in England in that there was no independent judiciary; and unlike that in America, since, in Geneva, the judges were the executive members of the government, the *Syndics*. The *Syndics* acted as judges, as did the Lieutenant in minor matters, and the *Procureur-Général*, supposedly concerned to guard the interests of the 'people' sat in the *Deux Cents* and was a member of the patriciate. In the case of the *Syndics*, in the *Petit Conseil* they created new laws as they had through declarations in the 1740s and 50s and also sat as judges upon any transgressions of the laws, quite apart from acting as judges in the interpretation of existing laws and constitution. This deprived Geneva of anyone 'to settle the contests between prerogative and liberty', the *Petit Conseil* was not 'perfectly free of the influence of either'.⁴⁷

The frustration of the *Bourgeois* was such that, in November 1765, they resorted to their one remaining legal and non-violent way to bring the government to see the error of its ways. At the autumn session of the *Conseil Général* called for the triennial election of various officers of state, including the *Auditeurs* and the *Procureur-Général*, the *Bourgeois* repeatedly voted for 'la ligne de nouvelle élection'.⁴⁸ The refusal to elect was repeated five times in subsequent meetings, with the citizens voting against all the candidates proposed by the two smaller councils. No officers were elected and the government was left facing a serious crisis. In desperation, the government decided that the outgoing officers would remain in their posts. An illegal decision since such a situation was not covered by the laws or Edicts and had never before arisen. Given that it was a serious constitutional matter, the question should have been taken to the *Conseil Général*. What the *Bourgeois* were trying to do was to persuade the government to enter into some form of negotiation in order to settle outstanding problems. The refusal of the government to respond in any way led to the whole process being repeated in January 1766, when the *Conseil Général* refused to elect any *Syndics*.

The *Conseil Général* met on 5th., 12th., 19th. and 26th. January, when large majorities on each occasion refused to name the four *Syndics* necessary. Geneva was exceedingly tense before the meeting of the *Conseil Général* of 26th. January, according to Cramer:

'Ce même nuit il y eut de très grands mouvement dans [les] rues de la Ville. Un

⁴⁵ AEG, Girod 5, 17 *Le Droit Négatif*, p. 8.

⁴⁶ AEG, Girod 5, 5 *Sentiment des Citoyens*, Genève le 10 décembre 1765, p. 15.

⁴⁷ Bailyn, 'Pamphlets', *op. cit.*, A Letter to the People of Pennsylvania, Philadelphia 1760, probably by Joseph Galloway, pp. 257-258.

⁴⁸ The right of the *Conseil Général* to refuse to elect from the list given to them. Instead they voted for a new list to be submitted with other names. Eventually, this meant that all the names of those eligible for the post were exhausted and nobody elected.

part de jeunes gens avoit (dit-on) formé le projet de s'emparer des portes de St. Pierre [the cathedral where the *Conseil Général* took place] pour empêcher leur venue au C.G. Les Chefs des Représentants réussirent à les en détourner.⁴⁹

The fourth session exhausted the sixteen members of the *Petit Conseil* who were constitutionally permitted to stand for election. As can be seen in diagram 6, the number of those voting for *nouvelle élection* was relatively static. The support accorded to both Pierre Mussard and Jean-Louis Grenus in both lists was because, in the normal turn of events, it was their turn to be *Syndics*. The two 'new' appointments also managed to maintain a voting lead over the others on the list, although, candidates such as Mussard, Grenus, François Tronchin and Jean-Jacques Mallet, dropped votes between the two rounds in which their names appeared. The gradual decline in the number voting for new elections can be accounted for by the necessity of having to attend the *Conseil Général* for four Sundays in a row. The faint hearts may also have become reluctant to attend, together with the fact that the party of the *Négatifs* had some effect in winning people to their side.

Geneva had reached a state of ungovernability. From the government viewpoint, the *Bourgeois* had used *la ligne de nouvelle élection* and in doing so had destroyed the balance within the Constitution. The right of the *Conseil Général* to vote in this manner came into conflict with a second fundamental law of the state, that of having to choose *Syndics* from the *Petit Conseil* and with the right of the *Petit Conseil* to block *Représentations*. The consequence of this conflict had been to:

'arrêter le mouvement de la machine politique, au lieu de l'entretenir.'⁵⁰

In December 1765, the *Petit Conseil* and the *Deux Cents* discussed the crisis and what action should be taken if the *Conseil Général* refused to elect the *Syndics* for 1766. They decided on an appeal to the Mediators, France, Bern and Zürich. The decision was made on 31st. December 1765, before the attempt to elect the *Syndics* for the year 1766. It is the duty of governments to be prepared for most contingencies, but the decision to turn to the Mediators rather than to attempt to have any serious discussions with the *Bourgeois* can only be confirmation of the determination of the government to continue on its path of treating the *Conseil Général* as a mere symbol and the right to *Représentation* as a dead letter. The appeal to be made to the Mediators was made in the knowledge that none of them, certainly not France, were likely to support the claims made by the *Bourgeois*. It was an admission on the part of the Genevan government of its need for foreign assistance to govern its own people. This was the third call to Bern and Zürich after 1707 and 1734-8) and the second to France after 1737-8.⁵¹

Legal protest or revolution

The situation in Geneva in 1766 has been misunderstood by the common wisdom concerning Geneva and the Atlantic Revoultion. Palmer claims that, in their refusal to elect the *Syndics*, the *Représentants* had changed their demands from having 'representations referred to the General Council'. The demand now, according to Palmer, was 'to elect only officials acceptable to the Burghers.'⁵² This is to miss the point entirely. The constitution of the state declared quite clearly:

⁴⁹ BPU Genève, Cramer 87, Vol. II 1766 28 février-31 décembre 105.

⁵⁰ *Ibid.*, 174.

⁵¹ Palmer does not count 1707 in his calculations, but Bern and Zürich were 'unofficial' guarantors of Geneva before the *Médiation* of 1738. Palmer, *op. cit.*, p. 367.

⁵² Palmer, *op. cit.*, p. 133.

Diagram 6

Results of the Elections for Syndics - January 1766

Du 5 janvier 1766

Pierre Mussard	442
Jean-Louis Grenus	420
Jean-Jacques Mallet	253/6[?]
Isaac Pictet	68
Pierre Jacquet	98
François Tronchin	289
Pierre Lullin	38
Jacob Buffe	93

Nouvelles élections	930
[<u>Bourgeois</u> present?]	1327

Du 19 janvier 1766

Pierre Mussard	334
Jean-Louis Grenus	370
H-B. de la Rive	45
Jean-Jacques Mallet	169
Pierre Jacquet	89
J-J. de Chapeaurouge	80
François Tronchin	208
Jacob Buffe	50

Nouvelles élections	824
[<u>Bourgeois</u> present?]	1193

Du 12 janvier 1766

Horace-Bénédict de la Rive	50
Jean-Jacques de Chapeaurouge	116
Bartolémi Rilliet	134
André Pasteur	69
Jean-Antoine Guainier	76
Jacob Tronchin	52
J-J. Bonnet	21
Gédéon Turretin[i]	74

Nouvelles élections	1008
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Du 26 janvier 1766

Isaac Pictet	32
Pierre Lullin	65
Bartolémi Rilliet	124
André Pasteur	68
Jean-Antoine Guainier	82
Jacob Tronchin	53
J-J. Bonnet	19
Gédéon Turretin[i]	70

Nouvelles élections	809
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[There is no explanation for the additional figures for the meetings of 5th. and 1 January - possibly the number of Bourgeois who attended.] Turretini was often referred to as Turretin during the eighteenth century in Geneva.

From BPU Genève, Ms. Cramer 91 De la Suspension des Elections en 1766

'que nul ne soit reçu qu'il n'ait esté approuvé du peuple.'⁵³

This provision of Geneva's constitution went back beyond the creation of the city as an independent state at the beginning of the sixteenth century, and it was the first time that it had been broken. The right of the people to approve the *Syndics* had been carefully incorporated into the Edicts of 1543 by Calvin and had always been adhered to. It was one of the most important foundations of the constitution. As a result of events over the last 25 years, the *Représentants* desired some negotiation with the government over the fact that it had violated the law, and the *Petit Conseil* had steadfastly refused either to recognise the fact or to submit the matter to the *Conseil Général*, as laid down by law. The refusal to elect any officers of state was the only method left to the *Représentants* in attempting to persuade the government to enter into some kind of dialogue. Palmer's argument fails to understand the situation in the city. The *Représentants* were not demanding the right to elect whomever they wished to be *Syndics*. As they were to show in 1768, they returned quite happily to the old system of choosing from a list of eight submitted to them by the *Petit Conseil*.

By deciding to renew the existing *Syndics* for a further years tenure, the government had been wrong-footed and forced to act illegally in clear contravention of the law. For the *Représentants*, their policy was clear: to protect the sovereign rights of the *Conseil Général*, which the government had worked consistently to reduce since 1738. The *Bourgeois* themselves did not wish to take over all the powers of the state, far less did they wish to take over the government and all governmental positions. From 1763, the *Représentants* had attempted to argue and persuade, all to no avail. Short of resorting to arms, which was totally against their constant desire for legality in all their actions, they could only force the government to concessions through their refusal to elect the officers of that government.

The idea that the election of the *Syndics*, as Palmer claims was 'a mere executive function which the constitution assigned to the General Council' is merely to repeat the government's arguments,⁵⁴ but, if that were true, then so were all the other functions allowed to the *Conseil Général*. It was the government which negotiated treaties, would revise laws and so on. In all these cases, it was a mere executive function to have them passed by the *Conseil Général* before they came into force. The argument of 'mere executive function' was yet another way of stating the belief of the patriciate that, ultimately, the *Conseil Général* and its members had no sovereign rights, and that these had been delegated to the two smaller councils, a position that the *Bourgeois* had never accepted. As a result of constant conflict, they also desired some access, however limited, to playing a part in the government. This was indeed to become the crux of the matter by 1768. In the privacy of his papers, Cramer himself, in a *Mémoire inédit*, is clear in his own mind when he states:

'On souffre avec impatience une autorité qu'on ne partage pas.'⁵⁵

There needed to be a solution to the clear conflict between the necessity to elect *Syndics* and the right of the *Bourgeois* in the *Conseil Général* to elect those they desired. Both these points were enshrined in the Edicts. For the *Bourgeois* the solution to this contradiction was to allow the sovereign body - the *Conseil Général* - to find a solution. If the government and smaller councils agreed to the *Conseil Général* being allowed to settle this dilemma, they would be accepting the *Bourgeois'* arguments concerning the seat of

⁵³ Amédée Roget, 'Les Syndics', *op.cit.*, p. 10.

⁵⁴ Palmer, *op. cit.*, p. 135.

⁵⁵ BPU, Genève, Ms. Cramer 87, Vol. II 28 février-31 décembre 1766, *Mémoire inédit de 1766*, 160.

sovereignty, since as Palmer says 'to define or change the law [is] the very essence of sovereign power'.⁵⁶ Neither did the *Représentants* claim 'that representations could not be vetoed'.⁵⁷ They desired that those concerned with matters pertaining to new law or the alteration of existing law had, by the terms of the *Médiation* of 1738, to be submitted to the *Conseil Général*.

For Godechot:

'The Revolutionary movement began in the republic of Geneva in 1768.'⁵⁸ Yet as already seen, the demands of the *Bourgeois* concerning the rights of the *Conseil Général* went back to before 1707. The near agreement of 1737 conceded more to the *Bourgeois* than they had agreed to in 1768. And if it were 'revolutionary', it was a strange revolution which left the government and the basic laws of the state intact, with one exception. Moreover, it was not to come into force for a further five years. Unfortunately, Godechot appears to think that the troubles in 1768 were because:

'Agitation arose among the poor "natives" (*Natifs*), persons born in Geneva of immigrant parents of foreign nationality. Following the advice of their celebrated compatriot Jean-Jacques Rousseau in his *Social Contract*, published six years before, they demanded equality of rights with the citizens.'⁵⁹

Leaving aside the confusion between what happened in Geneva between 1765-1768 and what was to happen in the city in 1770, what happened in 1770 was certainly *Natif*-led, but erupted from anger and was not a calculated attempt to overthrow the state.⁶⁰ It was not for the *Natifs* that Rousseau had written; as an *ex-Bourgeois* of the city, he was writing about matters which concerned and had been of constant interest to them since the beginning of the century. This applied to both the *Social Contract* and the *Lettres de la montaigne*. By 1768, many of the *Natifs* were second or third generation Genevans, not in fact born of 'immigrant' parents. They felt themselves to be as 'Genevan' as the *Bourgeois*. Their close association with the latter produced the inevitable 'domino' effect: they began to organise themselves, copying the *Bourgeois*. But in the period 1762-8, their main demands were economic, not political, and they were still unsure of themselves. The confusion of Godechot has done little to clarify the real position of Geneva and her so-called revolution.

The cercles and the Représentants

The *Représentants* had not been idle in attempting to protect their interests. Once it was clear that the Mediators would be called upon to settle the constitutional impasse that had occurred, they wished to ensure that their position would be heard. Since the 1720s, the *Bourgeois* had organised themselves in *cercles*, which, as a tool of organisation, had played an effective rôle in the 1740s and 1750s. In 1766-8 they tightened their organisation, the numerous circles were brought into twelve main clubs:

'il s'en forma douze principaux, sous le nom de Cercles Politiques, qui réunissant

⁵⁶ Palmer, *op. cit.*, p. 134.

⁵⁷ Palmer, *op. cit.*, p. 133.

⁵⁸ Godechot, *op. cit.*, p. 3.

⁵⁹ *loc. cit.*

⁶⁰ See Chapter VIII, pp. 171-174.

tous les autres, étoient uniquement destinés à traiter les Affaires Publiques.⁶¹
 This was to mirror exactly what the *Bourgeois* had done in 1734-8, using the *cercles* rather than the Militia. The twelve *cercles* were: *cercles Trois mores, Maison Chavanes, de l'Isle, à l'Imprévu* [?], *Corps de garde, en l'Isle Maison Richard, du Dauphin, à la Colombe, au bon ragout, eau de F[rance ?], Madelaine, Eau de Genève*.⁶² Most of them, as their names imply, were held in rooms hired at taverns. All of the taverns used were in the lower part of the old town or in St. Gervais. A tavern like the *Trois Mores* seemed to do well out of the *cercles*. The *Natifs* also met there at this time, although at a different time from the *Bourgeois*.

It was these *Bourgeois* circles who elected representatives to form their commission in 1765. They had chosen a group of 24 men to represent their views to the Mediators, two from each *cercle*. Amongst those elected as commissioners were J-F. and J-A. De Luc, M. Chappuis, Joseph Des Arts, F.H. d'Ivernois, J. Vieusseux, E. Clavière, J. Barde.⁶³ Each *cercle* gave clear instructions to their elected commissioners, and it was to their respective *cercles* that the representatives reported back. The representatives had to obtain the agreement of their respective *cercles* members for any matter negotiated. The representatives also refused to discuss any matter without direct instructions from their members. Thus, any documents and all positions to be taken in the course of negotiations with the Mediators were ones that had been agreed and accepted by all the *Bourgeois* who were members of the *Représentants* party. But the Mediators, unlike 1737-8, had little intention of seriously consulting with them.

What the *Représentants* had created was a system of election and representation which while it was nominally within the state actually ran parallel to it, a form of dual authority. It was to all intents and purposes a functioning opposition in the odd position of being outside everyday political life and unrecognised by the government in power. This was not what the *Bourgeois* had intended or desired. Unable to exercise their political skills in the *Conseil Général* and the government generally, the *Bourgeois* created their own system, and, when it was used in full, the organisation was effective. Moreover it was not used as a dual system whose intention was to take over the running of the state after the destruction of the state's political system; the *Représentants* had organised themselves to survive and attempt to persuade the government to come to some compromise that would allow the *Bourgeois* to take a greater part in normal political activity. It was unlike what was happening in America because it was not 'an organised conspiracy against the government'⁶⁴, it was an open political movement desiring to settle with the government the contradictions and difficulties which had emerged as a result of 1738. The system that had been established was to enable the *Bourgeois* to act together to bring pressure on the government, especially with regard to the question of *Représentations*. The difficult negotiations which finally ended the crisis in 1768 proved the maturity and success of this organisation which the party of the *Représentants* evolved.

Many in the government saw the *cercles* as places where the majority of the *Bourgeois* were being led astray by their leaders:

'nous avons 25 despotes qui sans autre regle que leur volonté et pourtant -----
 [illegible word] force coactive tiennent sous l'oppression douze ou quatorze cent

⁶¹ BPU, Genève, Archives Tronchin 343, *Mémoire sur les Cercles et sur les Commissaires Politiques remis aux Seigneurs Pléniopotentiaires*, 1981, 94.

⁶² BPU, Genève, Ms. Cramer 97, 26 octobre, 142.

⁶³ See Appendix IV B VII/7.

⁶⁴ Bailyn, 'Hutchinson', *op. cit.*, p.111.

[de] leur concitoyens et leur maîtres et violent toutes les lois que nous leur avons donné.⁶⁵

The use of language by Du Pan is interesting: illustrating again the difficulty faced by the ruling class in understanding they faced a new form of political representation and an alternative source of authority to their own. The *Bourgeois* though still respecting their elected leaders were determined nonetheless that they too should obey the constitution, therein lay the difficulty. For the patriciate, there was also a belief that the *Bourgeois'* attachment to the Magistrates was weakening. Cramer wished the *cercles* did not exist. He believed that:

'la plupart ne sont composés que de Démagogues ou de faux Docteurs qui croient que parce qu'ils on beaucoup de hardiesse et de babel, sont pour cela capables de faire les Jurès consultes et les législateurs en expliquant les Loix à leur manière et leur donnant souvent un sens tout différent de celui qu'elles présentent naturellement... ils s'échauffent insensiblement la cervelle et ils infatuent de leur mauvaise et pernicieuse doctrine des Citoyens foibles et crédules...'⁶⁶

Cramer was not one of the most extreme of the *Négatifs*, yet here he reveals the difficulty of an oligarchy facing a challenge to its authority which it did not understand.

The ultra-*Négatifs* such as François Tronchin were quite scandalised by the behaviour of the *Bourgeois* in their *cercles*:

'ils devienent donc, pour ainsi dire de véritables Conseils, où l'on tratoit à loisir, sans obstacles, et sans apparemment-même de fermentation, toutes les affaires de la République.'⁶⁷

These were thus not the wild babblings of the ignorant, but the calm, well-organised discussions which could be found in the political *cercles* of the patriciate. The compliment contained was perhaps unintentional but clear: the *Bourgeois* in their *cercles* were as capable as the patriciate of discussing political matters in a rational and calm way.

The government attempted to prevent access to the Mediators by the 'committee' of the *Représentants*. Even so, there were a certain number of 'unofficial' meetings between the French Resident, Hennin,⁶⁸ and some of the leaders, while the Bernese cannot have been unaware of the demands of the party, as several of the leaders had had considerable contact with friends in Bern. J-A. De Luc states however:

'Il en résulte que les Commissaires des Représentants, regardés par ses Seigneurs comme des instigateurs d'une Democratie outrée, ne furent jamais consultés un instant sur le projet de conciliation.'⁶⁹

De Luc's comment is a clear indication that the Mediators, or at least France, as the most powerful of the three, were not in Geneva to 'mediate', but to impose a settlement on the city. Such an imposition would inevitably be in favour of the government and the patriciate.

The Mediation, the Prononcé and the new Edict of 1768

The task facing the Mediators was a difficult one. The views of most of the government

⁶⁵ BPU, Genève Ms. 1541 Lettres de Du Pan à Freudenreich 1765, janvier, 5.

⁶⁶ BPU, Genève Ms. Cramer 87, Vol. II 28 février-31 décembre 1766, 128.

⁶⁷ BPU, Genève, Archives Tronchin 343, *Mémoire sur les Cercles*, *op. cit.*, 1781, 93.

⁶⁸ See Appendix IV B VII/8.

⁶⁹ BPU Genève, Ms. Tronchin 343, *Pièces et Lettres politiques 1780-1783* Lettre à Marc Pictet Turretini en sa qualité de Secrétaire du Comité au Partie Neutre, le 13 avril, 1789, 30.

and the patriciate were straightforward. They believed that the *Bourgeois* had marched into territory which belonged by rights only to those 'capable' of governing the country by virtue of their birth, wealth and 'enlightenment'. By procrastinating, at the least, in the task of publishing the fundamental laws of the state, together with the important Edicts, as had been promised and incorporated in the Mediation of 1738, the government and two smaller councils had done their best to make it difficult for the *Bourgeois* to inform themselves easily concerning the laws of the state.

The Mediators, before starting work issued a declaration (27th. July 1766) that the administration of the *Petit Conseil* had always been: 'légale, intègre et paternelle' and that the accusations levelled against it and its members concerning the illegality of their continuation in office:

'étaient injurieuses, dictées par la prévention & la passion, & que c'était à tort & sans raison, que les Citoyens avaient refusé de choisir dans le Corps du Conseil, les Chefs de la République.' ⁷⁰

Though the declaration gave comfort to members of the *Petit Conseil*, it made it obvious that the Mediation was not to be an attempt by neutral mediators to solve Geneva's problems.

The *Représentants* were equally aware of the implications in the declaration. To state, as the Mediators had done, that the *Petit Conseil* had acted perfectly legally in announcing the continuation in office of the *Syndics* of 1765 was to attack the very foundations of the state. The *cercles* met all day, for three consecutive days, in order to discuss the situation. After much anguish and hours of discussion, it was finally agreed to be both 'ferme & sage', to await the unfolding of events and to examine the pacification document when it emerged from the Mediators:

'de n'apporter à l'examen du projet de pacification, que le patriotisme le plus pur, dépouillé de tout esprit de parti, mais dégagé de tout sentiment de crainte.' ⁷¹

The Mediators finally emerged with a *Règlement de Médiation* in November 1766. The right repeatedly to reject the lists of candidates for official positions, including the *Syndics*, was to be forbidden. The right of the *Bourgeois* to make representations was to be maintained, but in a much restricted form: each representation could only contain one point and could not be repeated until a decision had been given. Representations would in future be allowed only when they were concerned with:

'le bien de l'Etat et la conservation des droits et des attributions des divers ordres qui le composent.'⁷²

In addition to which, only twelve citizens would have the right to go together to make the presentation. There were to be no more processions of a thousand citizens marching through the streets of Geneva to present their petitions. The *Bourgeois* had been prevented from signing petitions in 1738, now they were to be forbidden to accompany their leaders to show the strength of support there might be.

The *droit négatif* was to be modified, it was to be handed over to a new creation, a council of 79, the majority (two-thirds) of whose members were to be taken from the two smaller councils and the LX, but which would also contain twenty citizens, i.e. *Bourgeois*. The *Deux Cents* was similarly to be enlarged in the sense that, at each election for new members, seven would have to be chosen from each of the four quarters of the town. The LX would no longer be elected by the *Petit Conseil*, but by the *Deux Cents*, and finally, the

⁷⁰ D'Ivernois, *op. cit.*, Vol. I, seconde partie, p. 254.

⁷¹ *Ibid.*, p. 256.

⁷² Barbey, *op. cit.*, p. 153.

elected members of the *Représentants* were to go, and it was to become illegal to have assemblies and *cercles*, except for ordinary social purposes.

However the new council is considered, it would have been so heavily weighted in the government's favour as to be of no use in solving the problem of whether a *Représentation* was to be permitted or not. It would, in reality, ensure the continuation of the government's untrammelled right to refuse to accept any *Représentation*. For these reasons, there was no way that the *Bourgeois* would accept the solutions put forward by the Mediators.

The abolition of the one power that the *Bourgeois* possessed, that of refusing to elect the *Syndics*, together with the decision to ban the *cercles* from all political activity, was the height of folly. To most of the *Bourgeois*, the Mediation looked like nothing less than an attempt to impose upon the people of Geneva exactly what the most reactionary of the *Négatifs* desired, while attempting to suppress all political activity by the *Bourgeois*.

The Mediation must mark a low in French diplomatic ability. Both Bern and Zürich had been browbeaten into accepting the terms as dictated by France, even though Zürich, in particular, had taken a long time to accept the terms of the Mediation. Even if, as Gür claims, the calling on the Mediators was a ploy of the *Petit Conseil* to:

'se mettre définitivement à l'abri des entreprises des citoyens,'⁷³

in what way did the resulting document advance their position? Unwilling to come to any agreement with the *Bourgeois* at the end of 1765, unwilling even to contemplate any negotiation with them, how did the *Négatifs* imagine that there would be acceptance for a document which did nothing but reinforce their position *vis-à-vis* the *Bourgeois*?

So unrealistic were the terms of the Mediation that it was clear that the chances of having it accepted by the *Conseil Général*, by which it had to be approved were negligible. Indeed, the question was whether it would ever be accepted. The attitude of the *Bourgeois* can be best seen in the following:

'L'article II de 1738 n'a-t-il pas supposé, par la même que je ne prendrais des Syndics dans le Conseil des 25, qu'autant qu'ils s'en trouveroit quatre qui me seroient agréables? ... "Refuser", est-ce être obligé de prendre? ... Pourquoi la Garantie auroit-elle maintenu le Droit d'un Conseil inférieur, aux depens de celui d'un Conseil supérieur? ... Quoi! Ce n'est pas au Législateur à décider sur le sens des Loix? Qui mieux que lui peut savoir ce qu'il avoulu dire.'⁷⁴

Equally, the long document read in all the *cercles* before the meeting of the *Conseil Général* made it clear that there was no hope of the Mediation being accepted

'tous les pouvoirs ... sont augmentés, poussés et accumulés vers les Conseils, ils ont déjà la puissance militaire, celle de juger sans appel ... la régie des finances, le *réglement* vient encore leurs donner le Pouvoir Législatif, le Droit illimité de s'élire eux mêmes et de se perpétuer, que reste-t-il donc aux Citoyens? Rien, je le dis à haute voix. Rien de tout ...'⁷⁵

A lighter approach with the same message also circulated, as diagram 7 shows. The meeting of the *Conseil Général* was delayed until after the celebrations of the *escalade*⁷⁶, when the people could benefit from sermons urging them to obedience and

⁷³ Gür, 'La négociation de l'édit du 11 mars 1768', *op. cit.*, p. 176.

⁷⁴ AEG, Girod 7, 11 *Questions d'un Citoyen Représentant adressées à M. l'avocat, Genève le 18 novembre 1767* written by Delorme or Comparet.

⁷⁵ BPU Genève, Ms. fr. 892 9 *Réflexion sur le projet de conciliation du 15 Xbre. 1766*, Qui fut lut dans toutes cercles quelque jours avant l'assemblée du Conseil Général.

⁷⁶ Commemorating the defeat of Savoy in her attempt to take Geneva by stealth during the night of 12th. December 1602.

Courte Question

Qui vaut bien un gros livre

**Proposé à tous les Logiciens, Jurisconsultes & Publicistes de
l'Europe**

On se demande si c'est bien raisonner que de dire

Le Conseil Général de
Genève pourra rejeter
la totalité des Sujets
qui lui sont proposés
pour le Syndicat

Mais il ne pourra prendre
les Sindics que dans le
Conseil des Vingt-Cinq

Par conséquent le Conseil
Général ne pourra, sous
quelque prétexte que ce
soit, se dispenser d'élire
annuellement les Sindics
dans le nombre des
Membres du Conseil des
Vingt-Cinq

Les Genevois pourront refuser
de boire tout le vin qui leur
sera offert

Mais ils ne pourront boire
que du vin du País

Par conséquent les Genevois
ne pourront, sous quelque
prétexte que ce soit, se
dispenser de boire journalle-
ment du vin du País qu'ils
ayent soif ou non

(BPU Genève, Ms 892, p.221)

acceptance of the *Médiation* because it was recommended by the government, and obedience to the government was, as James Boucher was to preach seven years later in Maryland,

'particularly incumbent on Christians, because ... it is enjoined by the positive commands of God.'⁷⁷

There were various threats and pressures brought to bear upon the *Représentants'* leaders to weaken their determination.⁷⁸ It also gave time for Genevans living at some distance from the town to return and attend the *Conseil Général*. All the *Négatifs* living in Paris were brought together by the Genevan Ambassador and told to go to Geneva for the vote. Many *Bourgeois* from more than 200 different places abroad also made the journey home to vote.⁷⁹ All was in vain, since, at the meeting on 15th. December 1766, the project was rejected by 1095 to 515 votes. This was a very high turnout by those entitled to vote in the *Conseil Général* 'the greatest number of voters known'.⁸⁰

The government was appalled, and a certain number of the patrician party now left Geneva while the *Petit conseil* wrote to the Duc de Choiseul⁸¹:

'Nous avons vu avec la plus profonde douleur que livrés à de funestes préventions, ils [les citoyens] se sont refusés au bonheur qui leur était offert en même temps qu'ils ont éloigné d'eux nos mains paternelles que nous leurs avons tendues avec effusion de coeur.'⁸²

According to Ferrier in P.E. Martin, the rejection of the Mediation in the *Conseil Général* led to the emigration from Geneva of a considerable number of the patriciate, 'pris de panique'.⁸³ Some doubtless were disturbed by both the rejection and the possible implication of a French blockade. Men such as Jean-Robert Tronchin and Cramer also left the city at this time, but they continued to be involved in discussions with the *Représentants* and among themselves. It may be that they were wearied of the attitude of many of the ultra-*Négatifs* in the *Deux Cents*. They were in a minority in that council and were extremely unpopular with their fellow council members, who suspected them of negotiating with the 'enemy'. The later insistence of Cramer that he receive an invitation from the government to return before he would agree to do so, together with his despair:

'Les esprits moderés ne peuvent faire aucun fruit, ni sur les uns, ni sur les autres ... il en faudra venir à un arrangement dans lequel les gens moderés pourront être écoutés,'⁸⁴

tends to support the idea of a tactical withdrawal, at least in his case. It was also easier to have contact with the *Représentants* outside the very public confines of the city.

The Mediators now sought to draw up a *Prononcé* which they intended should be

⁷⁷ Bailyn, 'Ideological Origins', *op. cit.*, p. 315, citing Jonathan Boucher's sermon *On Civil Liberty, Passive Obedience, and Nonresistance*, delivered in Queen Anne's Parish Maryland, 1774.

⁷⁸ D'Ivernois, *op. cit.*, Vol. I, seconde partie, pp.278-282. The use of the pastors to try to browbeat the Commissioners into accepting the document indicates how far most of that body had lost its independence of the state. The effort by the Swiss mediators to see all the *Bourgeois*, 'dizaine par dizaine' indicates the level of effort expended.

⁷⁹ *Ibid.*, p. 283.

⁸⁰ Shelburne Papers, Volume 18, 150, microfilm University of Michigan William L. Clements Library.

⁸¹ Duc de Choiseul (1719-1785) Louis XV's Minister of Foreign Affairs 1758-1770.

⁸² P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p.453.

⁸³ *loc. cit.*

⁸⁴ BPU Genève, Ms. Cramer 97, avril 24 [1767], 118-119.

imposed upon the sovereign state of Geneva. The implications of such a conclusion to their invitation to the Mediators was not lost upon the patriciate. It would be a French solution imposed upon the city. It was during the period after the rejection of the Mediation in December 1766 and the attempt at the imposition of the *Prononcé* that the differences within the *Négatifs* became clearer.

Publicly, the *Représentants* maintained their pressure on the government. On 16th. October 1767, around 1020 *Bourgeois* presented a *Représentation* in the form of a *Remontrance*, in which they pressed strongly for compromise between the government and the *Bourgeois*.⁸⁵ According to Cramer, those taking part were checked off against the *cercle* lists. The existence of what must have been membership lists and the fact that they were used to check those taking part in the *Représentation* illustrates how well organised and efficient the *Représentants* were. It also showed how little they were worried about the lists falling into the wrong hands, although none of these lists seem to have survived. The checking of individuals against lists ensured that only those with the political right to take part were permitted to do so. For him it was: 'une folie de compter qu'ils se diviseraient.'⁸⁶ The knowledge that the long-delayed *Prononcé* would soon be available ensured that the *Petit Conseil* rejected the plea.

The *Prononcé* arrived in Geneva in November 1767, and to a great extent it fulfilled the worst fears of the people. The anger of the *Bourgeois* is exemplified by the man seen by pastor Alexandre Sarasin, who shouted in the street that:

'il iroit en Chancellerie crier qu'on lui voloit son bien et sa liberté.'⁸⁷

Amongst the many provisions contained within the *Prononcé* was the declaration that the *Conseil Général* had to elect annually the four *Syndics*, and that there were no circumstances under which this could not be done, hence the right to reject the names submitted time after time was abolished. At the same time, the *droit négatif* of the *Petit Conseil* was confirmed. It also suppressed the twenty-four representatives of the *cercles* and ordered the immediate publication of all the Edicts, from 1568 onward, upon which the government of the state was based. It further contained one glaring omission: having forbidden the use of the *ligne de nouvelle élection* with regard to the four *Syndics*, it omitted to forbid the same thing for the election of all the other officers of state, such as the *Procureur-Général*, the *Trésorier* and all the positions necessary for the running of the state.

The *Prononcé* accentuated the divisions within the patriciate. At the meeting of the *Deux Cents* to discuss the *Prononcé*, there were some who argued against any attempt to impose a settlement on the state. Amongst these were men such as Capitaine Jaquet, who stated that:

'le *Prononcé* seroit le tombeau de la République.'⁸⁸

Dr. Joly⁸⁹ went further in attacking not only the *Prononcé* but also the government which had put Geneva in its present position, by stating that everyone had been: 'livré au Despotisme par le Droit Négatif'.⁹⁰ Equally severe was Mercier,⁹¹ who stated:

⁸⁵ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 455.

⁸⁶ BPU, Genève, Ms. Cramer 97, 17 octobre 1767, 141.

⁸⁷ *Ibid.*, 31 octobre 1767, 144.

⁸⁸ *Ibid.*, lundi 2 novembre 1767, 144-145.

⁸⁹ See Appendix IV B Vii/9.

⁹⁰ BPU, Genève, Ms. Cramer 97, lundi 2 novembre 1767, 144-145.

'Vouloir conserver la Constitution, c'étoit perdre la République.'⁹²

Cramer had to rely on memory for his diary, as no records were allowed to be kept during speeches in the *Deux Cents*. He states that, at this meeting of the *Deux Cents*, there were '18 or 20' members who had made it clear that they wanted conciliation between the two parties rather than the imposition of the *Prononcé*. Included in the 12 names actually mentioned by Cramer are those of Jean-Pierre Trembley⁹³ and Jacob Vernet.

The contacts that had existed (in secret for the greater part) during the wait for the arrival of the *Prononcé* continued with greater seriousness after November 1767. No state, whatever the internal situation, could allow itself to have a constitution and the interpretation of it imposed by outsiders, who would then act, if necessary, as the enforcers of the law. The incentive to ensure the greatest possible freedom for the state prevented the breakdown in the talks that many feared. Eventually, a compromise was hammered out with great difficulty and submitted to the *Conseil Général* on 11th. March.⁹⁴ It was accepted by 1,204 to 23, with the ultra-*Négatifs* abstaining from the vote.⁹⁵ For them this was to be known as the 'Edict of the Pistols'.⁹⁶ A claim based on the belief that many of the *Bourgeois* went to the meeting armed and ready to rise if they lost the vote.

Nonetheless, there had been no violence in the city, unlike Boston, where the anger of some was vented in the deliberate destruction of the homes and contents of those they considered to be opposed to them and their rejection of the Stamp Act. For the governor, Hutchinson, and others the people were 'the mercurial playthings of leaders who could profit by exciting their fears'.⁹⁷ There was a conviction that:

'powerful pamphleteers had habituated the people, ... to question the grounds of authority and to encourage acts of violence and the nullification of the law.'⁹⁸

Geneva was very different from Boston. The *Bourgeois* had been seeking recognition of the *Conseil Général* as the sovereign body of the state since 1707, and had been aware of its weakness since Boutilier and Combe. The *cercles* together with the oral culture they engendered had been a successful, long-term basis for both the political education and development of the *Bourgeois*. The considerable increase in pamphlets in Geneva in the mid-1760s often meant that these were read aloud in the *cercles* and then discussed in a calm and structured atmosphere. The *Bourgeois* had always believed that they could only obtain their ends through peaceful and legal means. Equally, the *Bourgeois* were a small proportion of the total population in the city (20%), while none of the remainder had any political rights and were, on the whole, not concerned in such matters at all.

The parallel trouble in Neuchâtel and Bern's reaction to it must have heightened

⁹¹ See Appendix IV B VII/10.

⁹² BPU, Genève, Ms. Cramer 97, 2 novembre 1767, 144-145.

⁹³ See Appendix IV B VII/11.

⁹⁴ The contacts in January had been between De Luc (père), Vieuxseux, Flournois and Clavière on the part of the *Représentants* and Jean Robert-Tronchin, *Procureur-Général*. These negotiations faltered due to the obstinacy of the patriciate. They finally re-opened in March, when Tronchin and Gédéon Turrettini, a member of the *Petit Conseil*, met with De Luc and Flournois. See Appendix IV B VII/12.

⁹⁵ For details, see p. 160.

⁹⁶ P.E. Martin, *op.cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch.IX, p. 455.

⁹⁷ Bailyn, 'Hutchinson', *op. cit.*, p. 72.

⁹⁸ *Ibid.*, p. 73.

tensions in Geneva. Disagreements over the right of Prussia to farm taxes, the rejection of the Remonstrance drawn up by the Union of the Corporations and the Communes⁹⁹, the dismissal of three members of the aristocratic council which governed the state and general resistance led Prussia to invoke the arbitration of Bern under the *Burgrecht* of 1406. Bern's decision in Prussia's favour, in December 1767, led to Neuchâtel's refusal to accept, so Bern began to raise an army to enforce execution of the arbitration, forcing Neuchâtel to comply. It was not a happy precedent for Geneva: would Bern wish to 'enforce' the *Prononcé* on Geneva by the use of its army?

Parallel, secret negotiations

Some members of the *Deux Cents* even before the terms of the Mediation were known, had been seeking ways of coming to some arrangement with the *Représentants*. Jean-Robert Tronchin, the *Procureur-Général*, was one of those who were, from the outset, certain that the only way forward was by a settlement with the leaders of the *Représentants*:

'M. le Procureur Général croit fermement qu'ensuite il faut s'arranger..... parce qu'un Magistrat sans force ne peut gouverner un peuple mécontent et irrité ...'¹⁰⁰

There were other members of the patriciate, such as Turrettini, who unable to go as far as J-A. De Luc when the latter stated:

'Je me joignis aux Représentations de 1763 parce que je les trouvai fondées; j'y persistai avec les autres Représentations parce que le [Petit] Conseil prétendait au droit de *faire tomber* les Représentations par ses refus; je quittai tout pour me vouer à la défense du droit du Conseil Général, lorsque le Conseil [le Petit conseil] entreprit de borner la liberté d'élire.'¹⁰¹

nonetheless felt strongly that the solution to the problems of Geneva must be dealt with by Genevans and not put in the hands of the Mediators and the possible use of force. Yet others felt strongly that Geneva's sole salvation, as well as their own positions within the state, lay in France and French intervention:

'...les principaux Négatifs membres des Conseils sont d'une vivacité et d'une raideur excessive refusant tout projet d'arrangement, ayant la plus entière confiance dans la persistance de la France.'¹⁰²

The French had carefully built up a pro-French grouping in Geneva, who were to be found amongst the patriciate and the government of the country. This pro-French group in the patriciate had no inhibitions about inviting France to intervene in the political affairs of Geneva, but failed to understand that their own position in the state was hardly likely to be secure if it were shown to be based on the support of France, rather than upon the support, however grudging, of the *Bourgeois*.

Meanwhile, negotiations were begun by some of the patriciate directly with some of the *Représentants* in an attempt, somewhat belatedly, to come to some kind of compromise which would gain the acceptance of the majority at a *Conseil Général* and be ac-

⁹⁹ This was a union of the *Bourgeois* of Neuchâtel, Valangin, Boudry and Landeron, with the right to their own executive and judiciary, their own military force and the right to make 'Remonstrances' to the Prince against government measures and edicts. Oechsl, *op. cit.*, p. 283.

¹⁰⁰ BPU, Genève, Ms. Cramer 97, février 7 1767, 102.

¹⁰¹ BPU Genève, Ms. Tronchin 343 Pièces et Lettres politiques 1780-83, Lettre à M. Marc Pictet Turrettini de Genève en sa qualité de secrétaire du Comité au Parti Neutre, le 13 avril 1781, 29.

¹⁰² BPU, Genève, Ms. Cramer 97, 14 juin, 125.

ceptable to the *Négatifs*:

'Dès le mois de juillet 1766, M. Cramer et M. Turretin[i] furent en concert avec M. Tronchin pour tenter aux moyen d'accomodement. Ceux là ne vouloient pas deviser à toujours le Conseil d'avec les Citoyens [Bourgeois] ni perdre la République, ils ne voulaient pas de victimes.'¹⁰³

A great deal of the putative compromises were discussed and not written down. There is reference on 22nd. January in a letter sent by Jean-Robert Tronchin to Cramer concerning what Turretini and De Luc had agreed to.¹⁰⁴ This attempt came to nothing, as Turretini confirmed in a letter to Cramer, who wrote in his diary:

'il dit que ne voyant aucune possibilité de succès, chacun se retirant, il se retire aussi.'¹⁰⁵

But there is no indication as to what had been discussed, nor the reason for the break-down in the talks.

Yet another player entered the complex field of negotiation over the Genevan impasse. An Englishman, Philip, 2nd. Earl Stanhope ¹⁰⁶ was also involved in the attempts to secure an agreement between the two sides.¹⁰⁷ Because of the close ties between his family and the Tronchins, Jean-Robert Tronchin tried to involve Philip in the process of reconciliation, as well as seeking the views of his cousin, Lord Chatham,¹⁰⁸ but his efforts bore no real fruit except as a 'safe' conduit between the *Bourgeois* and the patriciate.¹⁰⁹

Throughout the papers of the year 1766 and 1767, there are a considerable number of references to the creation of some kind of additional council. It was looked upon by some of the patriciate and government as a means to bring into the ambit of the government a group of the *Bourgeois* at present outside all political positions. It was also a recognition by some that the existing constitution was not working and that Geneva faced a choice:

'Car comment vouloir donner des remèdes à un Cadavre? Des deux choses l'une; ou il faut réformer l'esprit général, ou il faut donner au gouvernement une force qui puisse résister à l'esprit général.'¹¹⁰

The *Bourgeois* were unlikely to give up their demand for the *Conseil Général* to be sovereign and have some element of control over the government, thus short of some military force the only option seemed to attempt to change the entrenched attitude of the majority of *Bourgeois* seeking what they called their rights.

¹⁰³ BPU Genève, Ms. 2461 Lettres et Mémoires concernant J-A. De Luc, 21.

¹⁰⁴ BPU, Genève, Ms. Cramer 97, 22 janvier, 96. Both J-R. Tronchin, councillors Du Pan, Des Commun and Mr. Turretini-Boissier, like Cramer himself, had all left Geneva.

¹⁰⁵ BPU, Genève, Ms. Cramer 97 100.

¹⁰⁶ See Appendix IV B VII/13.

¹⁰⁷ Angela C. Bennett *The Stanhopes in Geneva. A Study of an English Noble Family in Genevan Politics and Society 1764-1774*, M.A Thesis, University of Kent at Canterbury, 1992.

¹⁰⁸ For details, see KCA, Maidstone, Stanhope Manuscripts U1590 C18, Lord Stanhope's Letters to Lord Pitt, C34-7, Lady Stanhope's Letters to William Pitt, Earl of Chatham; also BPU Genève, Ms. Tronchin 300.

¹⁰⁹ 'Two of the 24 Commissionaries, having had it mentioned to them by the General [Prevost], agreed to it ... and their 22 colleagues ... were all in the same way of thinking.' KCA Maidstone, U1590, December 18th. 1766. And interestingly in Cramer after discussion of another plan: 'Le canal par le quel on voudroit faire passer ces projets, ne pourroit que déplaire à la Cour de F. Elle n'aurait pu nous donner la paix, et un Anglais [Stanhope] nous le donneroit.' BPU Genève, Ms. Cramer 97, 18 octobre 1767, 141.

¹¹⁰ BPU, Genève, Ms. Cramer 87, Vol. II, juin 1766, 161.

In his papers, Cramer has a *Mémoire inédit* of June 1766, which suggests splitting the *Bourgeois* into two groups: those considered to be little more than simple artisans, the poorest of the *Bourgeois* who in his text are called the 600 'Proletaires', who were to be in some way segregated from the *Bourgeois*, leaving 800, who all, or nearly all: 'croyent avoir des droits au Gouvernement'.¹¹¹ To accommodate these 800, it suggests the creation of an intermediate council of around 400, to which a great part of the rights of the *Conseil Général* should then be transferred. Half the new council was to be elected by the *Petit Conseil* and half by the *Conseil Général*. In this manner, the report believes that 100 of the *Bourgeois*, unable in 1766 to take part in the process of government, will in future be able to do so. The text then continues:

'Les deux tiers et plus de ce Grand Conseil [seraient] composés alors de citoyens parfaitement étrangers aux familles qui ont occupé jusqu'ici le Gouvernement....'¹¹²

This plan for a new council was clever. In the text, however, the writer gives himself away in a paragraph just before the introduction of his main idea for the new council:

'Le choix des remèdes devant dériver de la nature des maux, je cherche quel est le vice fondamental de la Constitution, et ce vice me paraît consister principalement en ce que les deux Conseils n'ont aucune influence dans le C.G. [Conseil Général], et qu'il y a trop peu de membres du C.G. qui entrent en partage de Gouvernement. ...la Souveraineté y est trop répandue, et le Gouvernement y est trop resserré. Il faudroit donc resserrer l'Aristocratie et étendre le Gouvernement, c à d [= c'est à dire] en ouvrir la porte à un plus grand nombre de Citoyens.'¹¹³

This is an interesting admission that there was a serious imbalance in the constitutional arrangements. It is proof that the moderate *Négatifs* were still attempting to both limit the sovereignty of the *Bourgeois* and divide them. At the same time, the LX was to be given the rôle of being the 'master' of the new system and maintaining a balance between the new '*Grand Conseil*' and the *Petit Conseil*. The members of the small council were to be chosen by the new council, as were all the officers of state and the four *Syndics*.

There were clearly attractions for the *Bourgeois* in this type of plan, as well as considerable dangers. Such a plan would greatly reduce the power of the *Bourgeois* and divert their energies into the election of their share of the new council. However, it would also come up against the stumbling block of the *Bourgeois'* concept of their sovereignty.

It was this difficulty that men such as De Luc had to face. Although they were able throughout to hold their party together, the negotiations of 1767 and early 1768 showed the emerging differences within the *Bourgeois*. There was a division between those who were willing to accept some compromise over the composition and election of the *Deux Cents* and those who believed that the *Conseil Général* should have the right to elect the *Deux Cents* in its entirety. There were others such as De Luc who were willing to move from the simple control function of the *Conseil Général* into a more sophisticated participation in government. The difficulty lay in the ideal, strong in the *Bourgeois*, that there should be little change in the existing system. Having a number of the *Représentants* elected and sitting in the *Deux Cents* would be a step towards the concept of delegation: they would promote the interests of their party in the organs of government. To give the *Conseil Général* the right to elect all the members of the *Deux Cents* would be a move to what was called popular democracy, which was anathema to the patriciate.

¹¹¹ *Ibid.*, 162.

¹¹² *Ibid.*, 164.

¹¹³ *Ibid.*, 164.

The difficulty of any negotiated settlement between the patriciate and the *Représentants* is clearly illustrated by those few documents from the latter's side that have survived. The disagreement is reduced by De Luc to stark simplicity:

'Il ne peut être fait, non seulement aucune loi, mais aucun changement aux lois sans l'approbation du Conseil Général; *c'est là la base de notre Constitution.*' (my emphasis) ¹¹⁴

In addition to the above, De Luc reinforced his message in a letter sent to the Duc de Choiseul:

'notre Constitution [...] a placé le lien de la confiance et la conservation des droits du souverain, dans ce que: *nul ne soit recu qu'il n'ait été approuvé du Peuple.*'¹¹⁵

The danger was all too clear to the *Représentants*: if the *Petit Conseil* and the *Deux Cents* were allowed the right to interpret the laws without reference to the sovereign body, the latter would be subordinated to the two smaller councils. In this way:

'le pouvoir législatif attribué au Conseil Général ne sera plus qu'une chimère: car dans la réalité le juge des contestations sur les lois sera législateur dans le moment où il prononcera dès qu'il pourra prononcer contre la Loi, sans que le vrai Législateur puisse mettre aucun obstacle à ses décisions.'¹¹⁶

Closely tied to the sovereignty of the *Conseil Général* was the right of that council to reject the names submitted to it for the election of the Syndics. If used systematically it virtually made the state ungovernable, as events in 1766 had shown. The patriciate wanted desperately to abolish or restrict this right, and it seemed that the two Swiss mediators agreed. In a document left by mistake upon their withdrawal to Solothurn, there are a series of references to the question. The tone of this 'document' is clearly pro-patriciate:

'...la ligne de nouvelle élection est une porte toujours ouverte aux factieux et à la cabale. Les seigneurs médiateurs auront également senti par leurs réflexions *l'impossibilité absolue de remédier à ces inconveniens en laissant subsister la ligne de nouvelle Election.*'¹¹⁷

The fact that such a scrap could come apparently into the hands of the *Représentants* is intriguing. It was not such a small piece (since the copy of it in De Luc's papers occupies several pages). It was found, at the back of a drawer, forgotten in the lodgings of the departed Bernese mediators and found its way into the hands of J-A. De Luc, the question arises as to whether someone wished it to be found. As De Luc himself comments on the contents:

'On demande si après un tel fragment les adversaires de la bourgeoisie peuvent dire qu'ils n'ont jamais entendue la ligne de nouvelle Election comme les Représentants l'entendent....'¹¹⁸

After the *Prononcé*, the *Représentants* made it quite clear in a number of private meetings with Tronchin and others that negotiations had to be on an official footing. They wished to see the government appoint their own commissioners, who would be able to meet with the commissioners of the *Représentants*.¹¹⁹ It was not until 4th. January

¹¹⁴ BPU, Genève, Ms. 2477 Papiers De Luc Médiation 1766-1768, 61.

¹¹⁵ BPU, Genève Ms. 2461 Lettres et Mémoire concernant J-A. De Luc, 16.10.1766, 161.

¹¹⁶ *loc. cit.*

¹¹⁷ *Ibid.* 81-5 (The emphasis is as it is in the text. De Luc copied the document; I think that he emphasised what he considered the main points, but without the original from which he was copying, one cannot be absolutely certain).

¹¹⁸ *Ibid.*

¹¹⁹ BPU Genève, Ms. Cramer 97, décembre 26 [1767], 159.

1768 ¹²⁰ that the *Deux Cents* appointed a commission to attempt to find some compromise with the *Représentants*, when it was clear that the *Conseil Général* would again refuse to elect the *Syndics*,¹²¹ as they had already, in November 1767, refused to elect the *Procureur-Général* and other officers of the state.

There was to be a very tense period during these negotiations. De Luc, Vieusseux, Flournois and Clavière represented the *Bourgeois* although, in conformity with the terms of the *Prononcé*, the *Bourgeois* had officially dissolved the Commission. There was much obstinacy in the *Deux Cents*, many of whom wanted to see the *Prononcé* imposed on the city. Eventually, after several delays and amid the increasing anger of elements of the *Bourgeois*, a compromise was reached. The final details, appropriately, were settled by Tronchin and Turrettini, with De Luc and Flourney. The compromise finally arrived at was accepted by the *Conseil Général* on 11th. March 1768.

It was agreed that when there were 50 empty seats on the *Deux Cents*, the *Conseil Général* would have the right to elect half of the new members. The greatest concession made by the *Bourgeois* was the abandonment of the *ligne de nouvelle élection*. Having used it once, they had to elect from the second list submitted to them. The *Bourgeois*, in return, obtained an element of control over the *Petit Conseil*: the *Conseil Général* acquired the right to elect four new members of the *Petit Conseil* chosen from the *Deux Cents*, and named the four members they would replace in the *Petit Conseil*. In effect, replacing four sitting members was a more sophisticated tool than the *ligne of nouvelle élection*. It gave the *Bourgeois* the possibility of expressing their disapproval of individual members of the *Petit Conseil*. Over a number of years, should the *Conseil Général* so decide, the entire *Petit Conseil* could be replaced by new members more congenial to the *Bourgeois*. It was the latter point which so angered the ultra-*Négatifs*. They were also very uneasy about the possibility of the *Conseil Général* having the right to elect 25 members of the *Deux Cents* when the time came. It was, on the other hand, a very important first step, for at least a small proportion of the *Bourgeois* previously excluded from any governmental position, to be able to move into the *Deux Cents* and thus into the orbit of government.

The considerable concessions which both sides made were in order to protect the state from further massive interference from France. The moderate *Négatifs* had no stomach for the kind of imposed regime that France desired and found it better to work on that common ground with the *Représentants*. The latter had as strong a desire to keep Geneva as independent of France as possible. The *Négatifs* were also very uneasy at the emergence of *Natifs' cercles* and the support that the latter seemed to have given to the *Représentants* since 1766. In reaching an agreement which gave little to the *Natifs* and much to the *Représentants*, as Gür correctly says, the government might hope to use the disappointment felt by the *Natifs* to separate them from their erstwhile allies.¹²²

The *Natifs* were to be permitted to take their place as fully active members of their trade bodies, being able to sit on the juries which controlled and, when necessary, disciplined them. They were also, for the first time, to be allowed to become doctors, chemists and apothecaries. As a further concession, it was proposed to allow twenty of the *Natifs* to become *Bourgeois*, with the promise of an additional five annual 'promotions' thereafter, at

¹²⁰ *Ibid.*, 162.

¹²¹ The Commission consisted of Jallabert, *Syndic*, Cramer, Jean-Pierre Sartoris, Ami Rilliet, J-R. Tronchin, Jean-Louis Micheli and Drs. Joly and Butini. It was finely balanced, the first four members of the Commission came from the *Petit Conseil*, the last four from the *Deux Cents*. Joly and Butini had shown themselves to be moderate *Représentants*, while Tronchin had spent the last three years in a series of behind the scene negotiations and would have been aware of what was the minimum that the *Représentatives* would accept.

¹²² Gür, 'La négociation de l'édit du 11 mars 1768', *op. cit.*, pp. 214-215.

a fee of 4,000 florins, but this was not particularly generous. The attempt that had been made by the *Natifs* to obtain greater concessions from the process of the Mediation had come to very little. There was considerable disappointment and some anger in the *Natifs' cercles* which boded ill for the future.

None of the changes concerning elections was to come into effect for a period of five years. It was hoped that by then the tempers and bitterness that had been so marked in the city during the previous five years would have had sufficient time to fade. The political astuteness of the *Représentants* can be seen in the fact that it was they who suggested this five year cooling-off period:

'c'est que ce fut dans la Commission des Représentants que prit naissance la clause qui recula [les élections] de cinq ans.'¹²³

It also shows how moderate they were: they had no desire to storm the government nor to replace the majority of either the *Petit Conseil* or the *Deux Cents*.

The stranglehold of the patriciate on the machine of government in Geneva was loosened. It was a small relaxation, but it did have long-term implications, in that it was possible now for a small number of the *Bourgeois* to join the *Deux Cents* and in time to become *Syndics*. The question, as always in the political life of Geneva, was whether the settlement of the immediate crisis, with the concessions that had been granted, would bring peace to the city. Would the usual feasts of peace and kindly words live up to expectation? Some of the *Négatifs* made it clear that they:

'ne vouloient plus avoir part au Gouvernement sous cet loi de force. Plusieurs en effet se retirent et ceux qui se résolvent enfin à rester ne le firent que pour éviter à la Patrie de plus grands malheurs.'¹²⁴

According to the same author, some of the *Représentants* were equally unhappy:

'Du côté de[s] Représentants les mêmes dispositions avoient occasionné l'Edit, c'est-à-dire le ressentiment du passé et la persuasion que la liberté avoit tout à craindre de la part du Gouvernement.'¹²⁵

Yet compared with Bern, where the 1744 petition had led to banishment and the subsequent attempt to overthrow the state in 1749 had led to executions,¹²⁶ the Genevan *Bourgeois* had been outstandingly successful. Neither had there been any rioting or unrest in the city, as there had in Neuchâtel in 1768.

All was not gloom and despondency, however, as is clear from the letters of Turretini:

'Il est vrai que nous cédon[s] au Conseil Général une espèce de grabeau sur la puissance exécutive; mais par la manière dont il est adouci je ne le crois infiniment dangereux ...'¹²⁷

The danger for the city lay in the anger of the ultra-*Négatifs* and their refusal to accept the Edict of March 1768. There was, according to Turretini, a sizeable number of them:

'[le Deux Cents de mercredi] ... ratifia unanimément le projet en l'absence à la vérité de 61 personnes...'¹²⁸

These were the men who would never accept what had happened as final. They still

¹²³ BPU Genève, Ms. Tronchin 343, Copie d'une Mémoire de M. De Luc de Londres à La Médiation, juin 1781, 32.

¹²⁴ *Ibid.*, Copie de M. De Luc de Londres à remettre à Jacob Tronchin à la Médiation, 13. 8. 1781, 59.

¹²⁵ *Ibid.*, 61.

¹²⁶ Oechsli, *op. cit.*, pp. 271-2.

¹²⁷ Gür, 'La négociation de l'édit du 11 mars 1768', *op. cit.*, 1967, p. 201.

¹²⁸ *Ibid.*, p. 202.

looked to France as their guardian and the source of their salvation and felt sure that eventually help would come from that quarter to return Geneva to the position it had been in after the Mediation of 1738. It was in their interests to ensure that the new system in Geneva worked with as little success as possible.

The changes introduced went to the heart of the *Bourgeois* argument:

'it held government officials to be only removable delegates, and countered the theory of the constituted bodies with the theory of the Sovereignty of the people.'¹²⁹

This was precisely what the *Bourgeois* had been positing and arguing for since 1718, the core of their party, the rallying point of all that had gone before, that the *Conseil Général* was the Sovereign body of the state, not the two smaller councils, since its sovereignty was indivisible.

This compromise was sufficient to hold the *Représentants* together in spite of their differences. As Gür states:

'l'union des Représentants était plus forte que leurs divergences, qu'ils parvinrent à surmonter grâce au fonctionnement véritablement démocratique de leurs cercles...'¹³⁰

The *Conseil Général* had acquired some right to oversee the government and have some influence on the *Petit Conseil*, so that the government and the two smaller councils could no longer ignore the demands and comments of the *Bourgeois*, but both adversaries, the *Négatifs* and the *Bourgeois* had to face the future with fissures within their ranks. For the *Négatifs*, this was to pose greater problems, since a considerable part of that group were unhappy with the settlement reached and came to regard its removal from the constitution as essential. The more extreme members came to see the only salvation in further French intervention, and some set out to provoke that hoped-for event. There was also the distrust which had been fostered between, on the one hand, those in the *Négatifs* who had worked for a compromise throughout the crisis and those who had supported them and, on the other, those who considered them as little short of traitors and had no desire to work with them in the government of the country.

The democratic organisation and nature of the *Représentants* had borne fruit with difficulty through negotiation, but the future was nonetheless full of uncertainty. Permitted to continue their *cercles* and democracy, how long would it be before they clashed with the far-from-democratic *Négatifs*, who still, in reality, controlled the majority of levers of power and who could rely on elements of a constitution that was increasingly out of touch with contemporary reality? A constitution, moreover, where the basic division concerning where the sovereignty of the state lay was still unresolved. Moreover, there could be no certainty that France would refrain from further interference in Geneva's affairs

French influence

The position of France was crucial in the second Mediation. French foreign policy in Europe for the greater part of the eighteenth century had remained unwavering:

'The object of the politics of this crown has been and always will be to play in Europe the superior role which suits its seniority, its dignity and its grandeur; to reduce every power which attempts to force itself above her, whether by trying to take away her possessions, or by arrogating to itself an unjust preeminence, or, finally by seeking to take away from her influence and credit in the general affairs

¹²⁹ Palmer, *op. cit.*, p. 139.

¹³⁰ Gür, 'La négociation de l'édit du 11 mars 1768', *op. cit.*, p. 212.

[of Europe].¹³¹

This summary of France's foreign policy was given by Bernis to Choiseul on his taking up the appointment as France's Ambassador to Vienna in 1759. For France, there had been nearly sixty years of indirect involvement in Geneva, followed by twenty-eight years of direct involvement as a Mediator of 1738. The governments since that date had done little to show much independence from France and its influence, and the French had no intention of allowing those within the city who were outside government and who were, furthermore, pro-English, to change the cosy diplomatic arrangement it had created in Geneva.

For France, the trouble in Geneva came at an awkward moment. The French Resident of forty years, La Closure, died in 1765 and had to be speedily replaced. The new envoy, Hennin, arrived at the very end of the year and took up his work immediately. His first action was to persuade the Genevan government that, if the *Conseil Général* were to fail to elect the *Syndics*, it should be suspended, with the government and its ministers continuing *in status quo*. He continued to press for this without success until the government, having exhausted all possible lists of names was forced to, in effect, do as France suggested, but from a much weaker position.

Hennin's parallel task had been to persuade the leaders of the *Représentants* to elect the *Syndics*:

'M. Hennin avoit fait tous ses efforts aupres des chefs des mécontents pour les engager à élire des Syndics mais il les trouve aussi affermis dans leurs sentimens que De Luc le Père avec le quel il fut enfermé pendant trois heures vendredi. Il dine encore samedi à Fernex avec Vieusseux et De Luc fils.'¹³²

Voltaire had been arranging meetings between various Genevans, believing that, if they sat around a table as reasonable men, they would surely find a compromise and an additional task for Hennin was to persuade Voltaire to desist from his efforts, since France had already taken the position that any settlement had to be one which satisfied the demands of the government and ended the pretensions of the *Bourgeois*. Hennin had no desire to see Voltaire encouraging the *Bourgeois* and creating further difficulties.

There were three French interventions in Genevan affairs at the request of the government of Geneva. Two were, from the French and the patriciate point of view, successful: the Mediation of 1738 and the military intervention jointly with Sardinia and Bern in 1782.¹³³ The other attempt in 1766, was not, France unable to obtain acceptance of the initial compromise nor to force the reluctant *Bourgeois* to accept *Prononcé*.

In 1765-66, France was recovering from the humiliation that she had suffered as a result of a series of defeats in the Seven Years War. It would have been difficult for her to use force to ensure the acceptance of the *Prononcé* and maintain the *Négatifs* in power, especially as the attitude of Britain was made clear to both Paris and the Swiss Confederation, two of whose members were associated with France as Mediators.

In Paris, Lord Lennox¹³⁴ was requested to sound out French intentions with regard to

¹³¹ Orville T. Murphy, 'The View From Versailles - Charles Gravier Comte de Vergennes's Perception of the American Revolution' in Ronald Hoffman & Peter J. Albert (Eds.) *Diplomacy and Revolution - The Franco-American Alliance of 1778*, Charlottesville: University Press of Virginia for The United States Historical Society, 1981, p. 110.

¹³² BPU, Genève, Ms. 1542 Lettres de Du Pan à Freudenreich, 6. 1. 66., 4.

¹³³ See Chapter VIII, p. 200.

¹³⁴ British Ambassador to the Court of Louis XV.

Geneva, especially the sending of troops to the city,¹³⁵ while in Bern William Norton¹³⁶ was given clear instructions that he was to concern himself only with the question of precedent in the introduction of any French troops into Geneva and any attempt by France to ignore the provisions of the Act of Mediation of 1738. The letter from King George III also contains a strict:

'You are in no case to interfere but where the Guarantees [i.e France, Bern, Zürich] deviate from the Act they derive their authority from.'¹³⁷

The French were aware that they would have to act with caution and within the terms of the Mediation of 1738 if they wished to avoid difficulties with Britain. Neither were the *Représentants* unaware of the advantages they would gain if they could persuade the British government to become involved in the troubles in Geneva on their behalf. Their natural admiration for the British system of government was strengthened by the knowledge that Britain was France's enemy and it was the French who clearly supported the *Négatifs*.

It was a forlorn hope, for there was no way that Britain would directly intervene in Geneva. Parliament was not prepared to countenance any military involvement on the Continent and the new King George III was as keen to maintain the *status quo* in Geneva as were the *Négatifs*.¹³⁸ Neither were many in Britain likely to forget that Wilkes had been in Geneva in 1765, where he had dined at Pictet's together with the two De Luc brothers, an event which caused Du Pan to comment:

'Il semble qu'un esprit de trouble et de tracasserie soit repandu sur la terre, et que les hommes ne veuillent plus être gouverner.'¹³⁹

Pictet and particularly the De Luc family were amongst the leaders of the *Représentants* in Geneva. Nonetheless, it is interesting that French plans for Geneva were not successful in 1766-67, the one occasion of the three when France was at her weakest and when the British were still very wary of any extension of French interest in Europe.

The punishment France inflicted on Geneva, and especially those in the *Bourgeois* who had been the elected Commissioners after the *Conseil Général* refused to accept the Mediation 1766, showed how little it understood the situation in the city. The anger of France was expressed immediately to the leaders of the *Représentants*. Called to see Beautville¹⁴⁰ the same evening, they were informed that the King had forbidden the entry of all *Représentants* into France and had suspended all their trade and commercial activities in France. Any attempt to ignore the ban would lead to their arrest and the seizure of their goods. A further act of disapproval was the withdrawal of the Mediators from Geneva to Soleure, where the French ambassador to the Swiss cantons was usually based. The financial hardship that some of the *Bourgeois* suffered as a result of the French blockade was unlikely to make them amenable to further inroads into what they considered to be their rights inherited from their forefathers. The additional threat by the French to build a road from Pontarlier to a new port they planned to construct on the lake

¹³⁵ P.R.O. SP 96 41 17. 6. 1766 Letter from Conway to Norton in Bern.

¹³⁶ William Norton d. 1822. Son of 1st. Baron Grantley.

¹³⁷ P.R.O. SP 41 1. 7. 1766.

¹³⁸ 'The King wishes to see established, without alteration, that happy form of Government which has so long continued them [the Genevans] the Free People they now are: and in this political context that Party is certainly to blame which aims at any Innovation.' P.R.O. SP 96 41, July 22 1766 King's Instructions to Norton.

¹³⁹ BPU Genève, Ms. 1541 Lettres de Du Pan à Freudenreich, 1765 12 août 1765, 56.

¹⁴⁰ See Appendix IV B VII/14.

at Versoix was an additional problem, not only for Geneva, but also for Bern. The road and the port would by-pass both Genevan and Vaud (i.e. Bern) customs duties:

'la marchandise venant de Sion à Versoy coutant de voiture et droits cinq ou dix sols de moins par quintal que si elle avoient passé à Genève. De sorte que nos Halles et notre commerce souffriront une très grande diminution.'¹⁴¹

Both the road and the port of Versoix had, however, still to be built.

The disagreement amongst the patriciate was problem enough without the further difficulty which had arisen on the insistence of France that the 24 leaders of the *Représentants* must be punished for their role in the whole affair. The absolute minimum that the French required was that they should be exiled for life from Geneva. The lack of realism in French diplomacy was stunning; not only did they imagine that they would be able to impose a government on the people of Geneva, but they also thought that government would then set about severely punishing the leaders of the *Bourgeois*. It was a task that made certain that some of the patriciate would seek to find another, less disastrous solution. Even Cramer, in his diary, was forced to concede the dangers of such a policy

'Mais il me semble que si on persiste à vouloir absolument la punition des Chefs, le peuple leur est tellement attaché que cette punition, plutôt de ramener la paix, jettera la plus funeste aigreur dans les coeurs et nous conduira à de nouveaux troubles.'¹⁴²

What were they to be punished for? They had not broken any law, they had not overthrown the government, but had merely insisted that the government itself should obey the laws as it exhorted its fellow citizens to do. But Cramer adds that the leaders of the *Représentants* must fear that they are to be punished until peace is established and then the whole matter can be allowed to drift or the punishment not be put into effect!

The Natifs

A new problem that emerged in 1766 was the behaviour of some of the *Natifs*. In the 60s, the *Natifs* began to copy the *Bourgeois* and patriciate by founding their own *cercles* and discussing politics. On 3rd. April 1766, the *Syndics* reported to the *Petit Conseil* that:

'ils avoient été informé qu'il se fait avant hier au Petit More assemblées nombreuses des Natifs, qui avoient conféré ensemble sur quelques demandes qu'ils se proposoient de faire au Sgr. Plen. [Seigneurs Plénipotentiers] tout relativement à la finance qu'ils sont obligé de payer en entrant en apprentissage; qu'à quelques autres objets.'¹⁴³

Further investigation showed that there were a number of meetings in various places, particularly at inns such as the Coq d'Inde, 'Logis du Singe' and the 'Petit More'. The meeting at the 'Petit More' was the largest, with more than 60 present. More worrying was the claim that it was not just *Natifs* who had met together, but there had been some *Habitants* there as well. The government had to face the fact that the *Natifs* were in the process of organising themselves in what were essentially primitive *cercles*. The possible future dangers of such associations for the state cannot have escaped the city fathers.

The *Natifs* desired to present a petition to the Mediators concerning their grievances. These were concerned with the difficulties they were encountering in obtaining what they had been promised in the *Médiation* of 1738. They particularly complained about the fact

¹⁴¹ BPU Genève, Ms. Cramer 97, septembre 5., 137.

¹⁴² *Ibid.*, février 9., 104.

¹⁴³ AEG Genève, Registres des Conseils 266, 31 mai-31 décembre 1766, 808.

that they had to pay:

'les droits de Maitrise avant d'être admis aux Apprentisages ...qu'on leur confirmat le droit de ... [mot illisible] pour leur compte des Montres et d'en faire la revente qui leur fut disputé en 1756 par les Citoyens et Bourgeois .. de demander être admis à toutes sortes de maîtrise conformément à l'article 26 de la Médiation...'¹⁴⁴

That the *Natifs* with no political rights in the city should wish to petition the Mediators shocked the government. The first *Syndic* warned the *Natifs* of the irregularity of their behaviour, pointing out to them that, if they had any complaints, they should go to the *Syndics*. To the surprise of the government, within four days, Auzière and two companions returned to the Town Hall, where they presented a request for their complaints to be dealt with.¹⁴⁵ As always, in such circumstances, the *Petit Conseil* promised that it 'leur rendroit toujours bonne justice'.¹⁴⁶

The leaders of the *Natifs*, Mottu, a casemaker, Pouzait, a rug-weaver, Auzière, a casemaker and Sylvestre, a bookkeeper,¹⁴⁷ would have to rely on the government to protect their interests. Neither, in the conditions within the city, were they likely to take much notice of the warnings they had received from *Syndic* Jalabert.¹⁴⁸ The government lacked authority if only because it had revealed its weakness by asking for the assistance of the Mediators in its conflict with the *Bourgeois*. That the *Natifs* ignored their warnings is shown by the fact that they had to be told that:

'les assemblées qu'ils tenoient hors de Territoire n'étaient pas moins irregulières que celles qui s'étaient faites dans la ville et [les autorités] leur deffendroient absolument de les continuer...'¹⁴⁹

The *Natifs* had assembled at Carouge (in Savoy, on the frontier) in order to hear and accept a Memorandum which their leaders had drawn up with the help of Voltaire. The turn of events showed the determination of the *Natifs* and a level of organisation which boded ill for the future. Auzière and others, aware of what they considered to be their ignorance and inexperience in such matters, had decided to approach Voltaire to see if he would give them any assistance. This he consented to do, on condition that his name was never mentioned by the *Natifs*. Naturally, in his encounters with the *Natifs*, Voltaire did little to calm the latter's ardour:

'vous faites la partie la plus nombreuse d'un peuple libre, industriel et vous êtes dans l'esclavage. Vous ne demandez que de pouvoir jouir de vos avantages naturels; il est juste que l'on vous accorde une demande si modérée.'¹⁵⁰

Voltaire's attempts to 'mediate' between the government and the *Représentants* had not met with the approval of the French government, as has been seen. However, the appeal for help from the 'oppressed' of Geneva soothed his *amour-propre* and enabled him to retaliate. The quality of the document which the *Natifs* presented to the Mediators was such that it was clear they were unlikely to have written it.

¹⁴⁴ R.C. 266, *loc. cit.*

¹⁴⁵ Gustave Desnoiresterres *Voltaire et la société au XVIIIe. siècle*, Vol. 7 *Voltaire et Genève*, Paris: Didier et Cie., 1896, p.33.

¹⁴⁶ AEG R.C. 266, *op. cit.*, 5.4.66, 813.

¹⁴⁷ O'Mara *op. cit.* p. 298.

¹⁴⁸ See Appendix IV B VII/15.

¹⁴⁹ AEG, R.C. 266, *op. cit.*, 26.4.66, 844.

¹⁵⁰ Desnoiresterres, *op. cit.*, p. 34.

Even the *Petit Conseil* in closed session ¹⁵¹ accepted that the insistence on the payment of full fees before a *Natif* began his apprenticeship was against the law. After an investigation by Grenus and Gainier,¹⁵² it was clear that:

'les droits du fisc se payeroient qu'en parvenant à la Maitrise.'¹⁵³

The *Bourgeois* only paid the fees when they had completed their apprenticeship and become master craftsmen. The attempt to force the payment of that sum of money at the outset of an apprenticeship was clearly an attempt to reduce the number of *Natifs* applying for one. The *Petit Conseil* had only to consult its own registers, it had agreed to a request of the watchmakers in 1742 that *Natif* apprentices should pay 200 florins on their entry and not at the end of the five year period in order 'qu'il ne se jette un trop grand nombre de personnes dans la profession'.¹⁵⁴ This breached Article XXXVI of the Edict of Mediation. Neither did the fee prevent the number of *Natifs* in the watchmaking trades from increasing - see diagram 8. The watchmaking, silversmiths and jewellery trades had because of their expansion in the eighteenth century helped the *Natifs* to begin to bridge the gap between themselves and the *Bourgeois*. Those who had served their apprenticeships during the previous forty years had worked alongside their 'masters' in small workshops, exposed to all the political discussions and disagreements which had dominated the life of the *Bourgeois* during this period. With their increasing wealth, their expanded knowledge and increased confidence, plus the fact that many *Natifs* were as 'Genevan' as the *Bourgeois*, it was only a matter of time before they began to copy their rôle models and push for greater rights, both economic and political. The expansion of the 'luxury' trades and the need for ever more hands made it unlikely that the *Natifs* would have to wait as long as the *Bourgeois* for some rectification of their position in the state. The tremendous expansion of *la Fabrique* in Geneva, and the subsequent need for ever increasing hands in what was very labour-intensive work was in marked contrast to what was happening in the United Provinces where, according to Schama, there was '[a] collapse ... of labour intensive enterprises' with the consequence that

'fewer citizens were able to share in that good fortune [prosperity] than in any other time in its history.'¹⁵⁵

Unlike the United Provinces, it was not lack of work or economic decline that troubled Geneva.

The *Natifs* certainly had grounds for complaint, especially on the taxation and qualifications fronts. By the 1760s, the *Bourgeois* were only 20% of the population,¹⁵⁶ yet they monopolised commerce and the professions, as can be seen in diagram 8. The *Natifs* had become a considerable proportion of the population of the city, with 190 *Natifs* to 100 *Bourgeois* in the marriage statistics 1770-74.¹⁵⁷ The level of literacy and education of the

¹⁵¹ All meetings of the two smaller councils were held in private. It was notorious in Geneva that many of the matters discussed were very soon public knowledge, or at least some garbled form of what had been discussed. Over the matter of the *Natifs'* apprenticeships and payment, it was made clear that the discussion was taking place under absolute secrecy - for obvious reasons.

¹⁵² See Appendix IV B VII/16.

¹⁵³ AEG, R.C. 266, 2.5.66, 854.

¹⁵⁴ Babel, 'Histoire corporative', *op. cit.*, citing [AEG] R.C. 242. p. 300, 26 juin 1742.

¹⁵⁵ Schama, *op. cit.*, p.38.

¹⁵⁶ Puz et Mottu-Weber, *op. cit.*, 2ème. partie, Alfred Perrenoud, Ch. III, pp. 69-70.

¹⁵⁷ *Ibid.*, p. 72.

Diagram 8

Répartition de la population dans les principaux groupes d'activité selon l'appartenance politique (en %)

	1625 1670	1675 1725	1745 1775
Citoyens et bourgeois			
Commerce et prof. libérales ...	35,4	34,7	39,4
Fabrique	14,4	31,5	46,8
Textile.....	12,3	8,9	1,0
Artisanat	18,6	8,3	2,8
Bois, bâtiment, agriculture	4,0	1,5	0,2
Divers	15,3	14,6	6,2
Natifs			
Commerce et prof. libérales ...	0,5	3,2	3,1
Fabrique	4,2	21,9	44,5
Textile.....	35,5	20,0	8,1
Artisanat	32,2	20,5	21,3
Bois, bâtiment, agriculture	11,7	14,6	10,4
Divers	15,9	19,8	12,8
Habitants			
Commerce et prof. libérales ...	4,8	11,1	8,4
Fabrique	3,2	7,1	12,0
Textile.....	25,9	11,7	7,4
Artisanat	21,6	25,5	25,8
Bois, bâtiment, agriculture	32,4	26,8	27,2
Divers	12,1	17,8	19,2

Source: A. PERRENOUD, *La population*, op. cit., p. 205

Fabrique = orfèvrerie, horlogerie, bijouterie et métiers annexes.

As can be seen from the above, it was in the watch-making trade that there was a considerable overlap between the Bourgeois (i.e. Citoyens and Bourgeois), although the Natifs as a whole would do the less skilled work, supplying parts to the more skilled Bourgeois to complete the work. With the increase in the number of Natifs becoming master craftsmen, this breakdown of work practices was becoming more blurred. The greatest difference between the Bourgeois and the Natifs and Habitants was in the liberal professions and the large merchants and bankers. Here the status of the Natifs clearly held them back in comparison with the Habitants. A wealthy immigrant to the city, or a highly-educated immigrant was able to move into areas closed to the Natifs.

Taken from Piuz et Mottu-Weber, op. cit., 2e. partie, Ch. 3, p. 73.

Natifs, together with the fact that they lived in a city where there was close and daily contact between them and many of the *Bourgeois*, was bound to have an influence. By the 1740s, 92% of the *Natifs* were able to read.¹⁵⁸

There were also a number of *Bourgeois* who were at the same artisanal level as the *Natifs*. They however had the right to become master craftsmen and head of their trade, and it was they who, fearful of the competition from some of the *Natifs*, had made it difficult for the latter to enjoy the rights that they had obtained in the Mediation of 1738. But there was also the possibility that, if the *Bourgeois* were to look favourably upon the *Natifs*, this would strengthen their hand against the government. For the government, there was the possible temptation that they could use the *Natifs* as a political force against the *Bourgeois* as had been the case in the troubles of the 1730s.¹⁵⁹

The situation was complicated by the somewhat incestuous relationship between many of the *Bourgeois* and the *Natifs* at the commercial level. In a memorandum Cramer starkly outlines this relationship with regard to the *Bourgeois* and the richer and poorer within that group opposed to the government:

'l'Ouvrier Citoyen dépendant pour ces subsistence du Marchand qui le fait travailler, est obligé de le suivre dans le parti politique qu'il a embrassé. Interet proprement dit interet d'amour propre, interets des relations et de Societé, tout lie les Citoyens [i.e. *Bourgeois*] entr'eux, et rien ne les attache au Gouvernement.¹⁶⁰

The qualified *Natifs* were in the same position as the small artisan *Bourgeois*,¹⁶¹ supplying the merchants to order for a salary. The demand for watches and watch-parts was great and so it was unlikely that any merchant would force those who finished watches for him to agree to his political ideas. As Cramer laments:

'Nous n'avons proprement que deux ou trois grandes Manufactures, l'Horlogerie, l'Orfèvrerie et la Bijouterie, dans les quelles la consommation intérieure est comptée pour rien.'¹⁶²

Within the Genevan political structure, there was no way that the *Natifs* could acquire equal status with the *Bourgeois*. The lighter taxation on the *Bourgeois* was a reflection of their political status within the state and society. Consequently, to lift the extra taxation from the shoulders of the *Natifs* would be to tacitly recognise a change in their status. From such economic recognition, it was but a short step to demanding the political rights which went hand-in-hand with economic rights. The patriciate were unwilling to share power with the existing *Bourgeois*, who were excluded from the government by both the oligarchical structure of the state and the natural limits that such a small state placed upon possible government positions. They were therefore less likely to allow the *Natifs* any position where they might demand a share of power. By August 1767, the *Natifs* were being carefully cultivated by the *Bourgeois*. Cramer notes in his diary that:

'Les Représentans se donnent des mouvemens pour gagner les *Natifs* et Habitans, et il viendront à bout.'¹⁶³

The difficulty in the 1760s was that there was a certain merging between the less

¹⁵⁸ Piuz et Mottu-Weber, *op. cit.*, 2ème partie, Alfred Perrenoud, Ch. III, p. 80.

¹⁵⁹ See Chapter V, pp. 107-108.

¹⁶⁰ BPU Genève, Ms. Cramer 87, Vol. II, juin 20., 143.

¹⁶¹ See diagram 8, p. 167a.

¹⁶² Ms. Cramer 87, Vol. II, *loc. cit.*

¹⁶³ BPU Genève, Ms. Cramer 97, aout 28. 1768, 136.

wealthy members of the *Bourgeois* and the successful *Natifs* and even some *Habitants*. As is clear from diagram 9, there were some members of these two groups who were wealthy indeed. The ability of one family, the Chavaliers, to pay 12,400 florins for four sons to acquire *Bourgeois* status indicates considerable wealth. The merging of the economic differences between some sections of the *Bourgeois* and the *Natifs* that had already commenced, together with the increasingly strong interest in politics and rights that the *Natifs* were manifesting, augured stormy times ahead. Yet *la Fabrique* had continued to expand and export. By 1766, there were 800 watchmakers relying upon 4,000 workers in the town alone, apart from out-workers in Neuchâtel and Savoy.¹⁶⁴

Geneva had managed to survive four years of political unrest and danger and had emerged with a hard-won compromise between the two main parties in the state. The party of the greater part of the *Bourgeois*, the *Représentants*, had, due to the success of its organisation and the skill and determination of its leaders, begun a process of moving into the sphere of government, being able to ensure that in the future some of its members would be elected to sit in the *Deux Cents*. It was the organisation of the party of the *Représentants* that was important. In particular, it was in this system of *cercles* that the *Bourgeois* were learning the ideas of a form of representation, where they delegated their power to a small group, who were to act in their name, and, while this group had to report back for final agreement, they did not do so for every matter in negotiation.

The main structure of government remained unchanged as a result of the compromise of 1768. There was some modification of the system, whereby a limited number of the executive (*Petit Conseil*) could be chosen by the *Conseil Général* and a small number of the *Deux Cent* (when renewal due to death arose) would also be chosen by the *Conseil Général*. Such concessions did not wrest control of the government from the hands of the patriciate, nor in reality establish the theory of 'Sovereignty of the People' over 'the theory of constituted bodies'.¹⁶⁵ Neither did the Edict of 1768 remove 'self-perpetuation in government'¹⁶⁶ since replacement of members of the *Petit Conseil* could only be sought in the *Deux Cents*, a self-perpetuating patriciate body. There were to be no further elections to that body until there were 50 vacant seats (not until 1781). Thus initially, there was no way that it could 'subvert the society based upon Orders'.¹⁶⁷ It gave the *Conseil Général* a slightly greater power concerning the members of the *Petit Conseil*, but the concession was discretionary, not mandatory. In the first instance, it would ensure that the *Petit Conseil* was more responsive to *Représentations*, for, if they were to continue to refuse them all, then they might face removal and replacement over a period of years, four by four. It was hardly a dramatic change, the *Conseil Général* had moved nearer to establishing in practice what it had claimed for a long time that it was the sovereign body of the state which must be consulted not ignored. Those that consistently ignored it in future ran the risk of being replaced *in extremis* by other members of the patriciate. De Luc together with the other *Représentants* leaders did not consider government officials to be principally 'only removable delegates',¹⁶⁸ as future events in 1773 were to show. They desired to be able to remove *in extremis* anyone completely at variance with the wishes of

¹⁶⁴ Landes. *op. cit.*, p. 355. Landes gives the date as 1760, but in Babel as 1766. Babel, 'Histoire corporative', *op. cit.*, citing [AEG] Rapports et requêtes aux Conseils Industrie III, 1769, Dossier Miroglio, 3; p. 397.

¹⁶⁵ *loc. cit.*

¹⁶⁶ Palmer, *op. cit.*, p. 139.

¹⁶⁷ *loc. cit.*

¹⁶⁸ *loc. cit.*

Ordre dans lequel ces Bourgeois ont été placés à raison de
l'ancienneté de leur titre, et auquel ils devront payer
à forme de l'Édit du 11 Mars 1768

Les titres remontent à		
1598	Chevalier Samuel	fr 2000
	Antoine	2000
	Jean-Baptiste	2400
	Joseph-	2000
1648	Guillaume-Benoît	2200
1650	Guillaume-Nicolas	3900
1655	Roger Jacob --	2000
1655	Biolley Alexandre	3250
1665	Letet Samuel --	2500
1648	Etienne-Pierre --	3000
1655	Guillaume-Germain	3300
1658	² Dyauville Daniel	4200
1634	¹ Fonaines Abraham	4200
1689	Sechehayes Jean-Marc	4550
1690	Dufour Jean-Baptiste	4200
1699	Benoît-Jacques	3500
1709	Chevalier François	4400
1720	Lynoud et André	4400
1732	voë Jean-Baptiste	4000
1745	Terrillon Jean-André	4000

fr 67200

C'est fr 1502. 10. par
personnes.

Taken from Cramer 97, 189. The list concerns those to be admitted to Bourgeois status as a result of the Edicts of 1768, together with the first date of their 'registration' with the Genevan authorities and the sum of money they must pay for their new status.

the *Bourgeois*. It was a power to be used sparingly. Finally, all the changes had been brought about by negotiation, not by violence or at the point of a gun, nor even as the result of riot. Neither the *Représentants* nor the *Négatifs* perceived the settlement of difficulties by the Edict of 1768 as the beginning of a process of future change. The desire of the *Représentants* to negotiate a settlement with the government demonstrated that though shaken they had not yet lost confidence in the justice or reasonableness of the government.¹⁶⁹ What remained to be seen, however, was whether the moderates would be able to make the changes work and whether those unhappy with the compromise of 1768 could be kept in check. Moreover, there was the problem of French unhappiness at the agreement reached and its continuing support for those within the city who were opposed to the Edict of 1768. Furthermore there was the problem of the emergence of the *Natifs* onto the Genevan stage. The *Natifs* were a much greater threat to the 'society of Orders' in so far as it existed Geneva.¹⁷⁰ In order to sit in any of the Genevan councils, a Genevan had to be a *Bourgeois*; the majority of this group had never accepted that those who sat on the smaller councils formed a separate and distinct order. Any attempt by the *Natifs* to force changes in the existing social structure should unite the *Bourgeois* to protect their status.

Geneva had managed her affairs better than either the Corsicans or the Poles. In the former, the inability of Genoa to deal with the attempts the Corsicans for independence, led to the sale of the island to France in 1768 and the subsequent crushing of Paoli's revolt.¹⁷¹ Civil war in Poland in 1768 over the ability of Russia to impose their candidate, Poniatowski, as King, illustrated clearly the dangers of what could occur in weak states with powerful neighbours. The Russo-Polish Treaty of 1768, which placed the Polish constitution under Russian protection was to be the prelude to the first Partition of Poland in 1772.¹⁷² In this context, the Genevans had been fortunate and astute in reaching a compromise, in part because of the perception by a proportion of the patriciate of the dangers of receiving a settlement imposed by France. The question nonetheless remained as to whether this last-minute agreement amongst the differing parties within the *Bourgeois* could be made to work and thus persuade those implacably opposed to the Edict of 1768 to end their hostility and continued reliance upon France.

¹⁶⁹ *Ibid.*, p. 21.

¹⁷⁰ See Chapter II, pp. 36-37, Chapter VIII, p. 192.

¹⁷¹ Cobham, *op.cit.*, p. 89.

¹⁷² Lionel Kochan & Richard Abraham *The Making of Modern Russia*, London: Penguin Books, (New Edition) 1983, p. 137.

Chapter VIII

Difficulties, Dangers and Divisions 1770-1782

A new, precarious political peace had been established by the Edict of 1768 in Geneva, but it had also created some implacable enemies, the ultra-*Négatifs*, who were determined to see it erased from the constitution at the earliest possible moment. An attempt by the *Natifs* to force concessions from the government in 1770, led to an alliance between the *Représentants* and the *Négatifs* to maintain the new *status quo* in the city. From 1770 till 1778, it was clear that a consensus between the moderate *Négatifs* and the majority of *Bourgeois* could be made to work, even though the ultra-*Négatifs* who took the name *Constitutionnaires*¹ in 1777, were a determined opposition to such a consensus.

By 1779, there was a multi-party struggle involving the *Constitutionnaires*, the *Négatifs*, the *Représentants*, and the two groups into which the *Natifs* had divided - those supporting the *Représentants* and those supporting the *Constitutionnaires*, a situation in which each group sought allies to the detriment of the others. Thus, the divisions within Geneva that emerged post-1779 were considerable and opened a new act in the drama of the city's history. The offer made by the *Représentants* of full economic rights together with limited political rights to a proportion of the *Natifs* led to the *Edit Bienfaisant* in 1781.

The refusal by the *Petit Conseil* to accept and to apply this Edict, already accepted and voted for in the *Conseil Général* led to rioting in the city in April 1782. The deliberate inaction of the government led the *Bourgeois* to end the rioting and take control of the state. The brief *Bourgeois* régime was ended by the joint armies of France, Sardinia and Bern in July 1782, and enabled the return to power of those who had been most opposed to the concessions made in 1768.

Natif Unrest

After 1768, the first sign of the dissatisfaction of some in Geneva came from a *Natif*, Jean Bacle, who insisted on signing his name followed simply by 'de Genève' on a legal document. Only a *Bourgeois* had the right to the appellation 'de Genève'. For this simple crime, he was sentenced to ten years' banishment. Another *Natif*, Ressegueirre, was arrested and tried for singing satiric verses in one of the cabarets. A large and boisterous crowd of *Natifs* waited outside the Town Hall while his case was being heard. Sentenced in his turn to six months' house arrest, he was greeted on his exit from the Town Hall by a crowd who carried him home in triumph wearing a sword.² The crowd insisted that he accompany them that evening on a round of cafés in clear breach of his sentence. His subsequent arrest and imprisonment led to an armed confrontation between some of the *Natifs* and the government which resulted in three *Natifs* being killed. Mass arrests followed, although many of those arrested were later released, only the leaders being held.

¹ According to Turrettini, they took the name *Constitutionnaires* in 1777: 'ce fut la qualification que prirent alors ceux qui avoient refusé la prolongation du terme [the extension of the Commission attempting to prepare the laws for publication]'. BPU Genève, Ms. Tronchin 343 Copie de M. De Luc de Londres à remettre Jacob Tronchin à la Médiation, Londres le 13. 8. 1781, 62. The name was clever, giving the impression of a wish to uphold the existing constitution.

² The wearing of a sword was restricted to the citizens, i.e. all those who had the right to vote in the *Conseil Général*. The custom survives today in the men who must wear or carry their swords to meetings of the *Landsge-meinde* in certain German-speaking cantons.

Six days after these events, a meeting of the *Conseil Général* voted an Edict which declared that anyone who claimed rights for the *Natifs* other than those already laid down in law was to be treated as a 'disturber of the public peace'. At the same time, the *cercles* which the *Natifs* had created in imitation of the *Bourgeois* were dissolved. The *Bourgeois*, having used their own circles as the basis of their organisation since 1738, were not unaware of how dangerous it would be to allow the *Natifs* to continue to organise in this way. Resseguirre in his trial had stated that there were 12 *Natifs cercles*, formed because since the *Bourgeois* had obtained the right of rejecting members of the *Petit Conseil*:

'on ne peut pas vivre avec eux, ils sont trop beaux pour nous - pour eviter des discussions nous aimons mieux nous separé, et vivre avec nos Egaux.'³

The known leaders of the *Natifs* were exiled without a normal trial,⁴ the punishments devised by the *Petit Conseil*, accepted by the *Deux Cents*, then taken to the *Conseil Général*. Normally justice was administered by the two smaller councils without reference to the *Conseil Général*. It was the illegality of the procedure that required the consent of that body. The punishments handed down were the arbitrary decisions of the government, which is why they were included in the Edict passed by the *Conseil Général*, and was the kind of illegality to which the *Bourgeois* had objected seven years earlier. The justification given to those in the meeting who were unhappy at the proceedings was to quote Montesquieu:

'...qu'il y a des cas où il faut mettre pour un moment un voile sur la liberté, comme on cache les statues des Dieux.'⁵

One of the few who objected openly and defended the condemned was Jean-Robert Tronchin. His attempts at insisting on the proper legal process being followed led Jean Cramer,⁶ First *Syndic*, to reply:

'il y aurait de quoi faire saigner la République pendant cinquante ans.'⁷

This was a surprising attitude for a man who had once been a professor of law at the Academy. The idea that the ends justified the means and that the law was infinitely flexible in the government's hands showed how deeply ingrained these ideas were in the patriote, even after the traumas of 1768.

Lady Stanhope, a witness to these events, put it more bluntly; talking of the *Egalité* preachers (*Représentants*) she says:

'now they have got the upperhand these same people have acted contrary to their pretended principles in every thing broke through the usual forms of law, to introduce an Inquisition... unknown for what, or by whom accused, & Unheard, [the leaders of the *Natifs*] are ordered to Retire out of the Country for Life, on pain of death if they return.'⁸

The remainder of the letter suggests that the *Natifs* were so severely punished because, although no evidence was presented, they were possibly guilty of more serious crimes

³ KCA Maidstone, U1590 C377 1764-1774, 'Extrait des Procédures de Mon. Guillaume Risgairre [sic] Samedi 6 Janv. 1770, p.3.

⁴ Auzière, Bérenger, Mottu dit la Jonquille, Luya, Pouzet, Rival et Valentin. Martin, *op.cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 458.

⁵ D'Ivernois, Vol. II, (Tome I), *op. cit.*, pp.44-45, f. 15.

⁶ See Appendix IV B VIII/1.

⁷ Desnoiresterres, *op. cit.*, p. 359.

⁸ KCA Maidstone, U1590 S5/C11 1 1764-1774, Letters of Grisél, Countess of Stanhope to Countess Chatham, 26 Feb 1770 [sic].

than singing seditious songs and publicly gathering, armed, in the streets.

The speed with which the whole matter was dealt with showed that, in this instance, the *Négatifs* and the *Représentants* had closed ranks and were working together. The grouping armed of some of the *Natifs* on the streets of Geneva doubtless caused the politically privileged to fear a potential revolution from those who were:

'trop confiant en leur nombre, ils [les Natifs] avaient pensé qu'on n'oserait point entrer en lutte avec eux.'⁹

Lady Stanhope claimed the government's action was due to the fear among the members of the *Petit Conseil* that they might be removed from the council in 1773:

'& this is the real truth, so whatever that part of the Bourgeois, called representant [sic], are for they [the government] will do;'¹⁰

There may have been some truth in this, but men such as Jean Cramer were more likely to have wanted to prevent in Geneva the riotous behaviour that had disfigured Boston or London when mobs destroyed property, the Wilkes riots in particular. The aim was to punish the *Natifs* as severely as possible in the hope of ending their pretensions. They also had far less rights than the *Bourgeois* in the state, which made it easier to treat them thus. And clearly, at this moment in time, there was more common interest between the government and the *Bourgeois*, since it was the latter's position in the state which could be threatened by the *Natifs*. The government and patriciate, after all, were all *Bourgeois*, all part of the same order in the state. Of the 1359 electors in 1770, 600 belonged to the various arms of *la Fabrique*,¹¹ thus forming nearly half the electorate, and some of whom especially the watchmakers, had been unhappy with the continued admittance to their trades of the *Natifs*. The most telling reason for the severity was doubtless the claim by the *Natifs* that they had in the fifteenth century had the right to take part in the *Conseil Général* and had subsequently been deprived of their rights.

Nonetheless, the Edict of 1770 was a miscalculation. It was repressive and cruel and did little but increase the hostility felt by considerable numbers of *Natifs*. Fazy makes the point that:

'aigris, mécontents, les Natifs deviendront chaque jour plus redoutables; au nombre de deux ou trois mille, ils figureront au premier rang dans tous les troubles ultérieurs.'¹²

A little exaggerated, but, if nothing else, one of the consequences of 1770 was to bring the *Natifs* fully on stage as important players in Geneva. The discontent was clear: 'nous vîmes combien il nous restoit d'espace à franchir pour être libre'.¹³ In future, when it was clear that the differences between the *Négatifs* and the *Représentants* were still too great to be bridged, both were to try to find ways to attract the *Natifs* to their side.

After 1770, civil peace was achieved in Geneva, although as Lady Stanhope states:

'there is a calm animosity which, tho' not so bad for individuals so I believe the most dangerous for the whole, its [sic.] that I fear will break out at last in something very bad for this place.'¹⁴

⁹ Desnoiresterres, *op. cit.*, p. 357.

¹⁰ *Ibid.*

¹¹ Babel, 'Histoire corporative', *op.cit.*, p. 400.

¹² Fazy, *Les constitutions*, *op. cit.*, p. 145.

¹³ AEG, Girod 12, 21 *Lettre circulaire des Natives de Genève*, MDCC LXX, p. 6.

¹⁴ KCA Maidstone, U1590 S5/C11 1 1764-1774, 2nd. April 1770.

Such an atmosphere must have been unpleasant in what was still a confined and cramped town and where many people lived and worked closely together, thus being forced to intermingle. In the legacy of the bitterness of 1768 was added the frustration and anger of 1770.

Those *Natifs* who had remained loyal to the state and had not been involved in any of the unrest and agitation were rewarded for their loyalty. In future, they would no longer have to pay extra taxes when they married, they were to be allowed to have the prizes awarded in the archery competitions if they were the winners and they would no longer have to pay the higher taxes in the market, as well as being able to head the juries dealing with trade regulation when such juries contained more than one head.

Several hundred *Natifs*, unhappy with their lot in Geneva, decided to leave the city and attempted to establish themselves at Versoix,¹⁵ a new port on the lake just outside Geneva, which Choiseul had been eager to create as a competitor to Geneva. Unfortunately, there was insufficient accommodation for those who arrived and the dream of establishing a rival watch-making centre at Versoix quickly died. Voltaire had more success at Ferney, where he established model workshops and accommodation for those he could persuade to settle there. Most of those who went to Versoix transferred to Ferney. None of these attempts to weaken the strength of the Genevan watch industry were successful, and they posed no threat to Geneva, although that was not appreciated at the time. It was between 1770 and 1786 that *la fabrique* was at its height and the period during which the workers were best paid.¹⁶ In 1788, there were 'près de quatre [hommes] sur dix' employed in it,¹⁷ giving 3,000 working in watchmaking and 5,000 overall in *la Fabrique*.¹⁸ Sismondi gives a total of 85,000 watches produced per year by the 1780s.¹⁹

Moderation and its consequences

In 1773, the new arrangements concerning the right of the *Conseil Général* to replace four of the members of the *Petit Conseil* if it desired, agreed in 1768, came into effect. There were some members of the *Représentants* who wanted to exercise this right. Others wanted merely to elect the necessary *Syndics* and not to go on to any decision about whether to continue the existing *Petit Conseil* or whether to replace some of them. Bearing in mind the previous history of Geneva, it was eventually decided that the new right would not be used on this occasion. The leaders of the *Représentants* were clear in their belief that, in the interests of the state and its harmony, it would be best to leave the *Petit Conseil* unchanged. In the many discussions in the *cercles*, in which he was deeply involved, Charles Stanhope, Lord Mahon, is reported as having said that they (i.e. the *Bourgeois*):

'had shown the rod, that was enough & reelecting them [the existing members of the *Petit Conseil*] must please all, & show their [the Representatives'] moderation

¹⁵ The creation of Versoix had been part of a plan by Choiseul to take some of the trade away from Geneva. It was connected with the creation of a new road via Pontarlier, which would, it was hoped, enable merchants to completely by-pass Geneva.

¹⁶ Babal, 'Histoire corporative', *op. cit.*, p. 398.

¹⁷ Puz et Mottu-Weber, *op. cit.*, 5ème. partie, Mottu-Weber, Ch. XVI, p. 487.

¹⁸ *Ibid.*, p. 488, citing Babel.

¹⁹ Landes, *op. cit.*, p. 356.

and desire of peace.²⁰

The time and effort that were needed to obtain the agreement of the various *Représentants* in their *cercles* can be judged by Lady Stanhope's comment concerning Charles:

'two days ago he went out by 8 in the morning, & did not get home till 6 at night, eat his dinner in a hurry, out again, & at night he had people with him.'²¹

That De Luc and Vieusseux and their supporters had to work so hard to keep their party together and persuade them to behave reasonably is further evidence of the unpleasant atmosphere in Geneva mentioned by Lady Stanhope. There were those who still wanted to see the leaders of the oligarchy in the government 'punished'. Yet it was important for the chances of the long-term acceptance of the rights accorded in the Edict of 1768 that the *Représentants* could act in a disinterested manner and for the good of the state, not from motives of personal pique and hatred for old, unsettled scores. The reasonableness of the action of the *Représentants* was due in part to the realisation of their leaders such as J-A. De Luc that:

'Toute loi de contrainte ... dans une Republique comme la nôtre, est la victoire d'un parti ... les vainqueurs, et irrite les vaincus; les uns abusent bientôt la victoire, les autres cherchent par tous les moyens possibles à réparer leurs pertes.'²²

The question was whether the moderation of the *Représentants* would have any influence on those members of the two smaller councils who were firmly opposed to the Edict of 1768. The moderation of the *Bourgeois* in Geneva contrasted with the reaction to the Repeal of the Stamp Act in America (1766). In Boston, within a fortnight, the House had purged all the members of the colonies ruling council, including the Governor himself.²³ Neither, in Geneva, were there the 'economic stringencies [which] pressed harder' to cause the artisan *Bourgeois* to become 'more ambivalent' toward the government as was the case in the United Provinces²⁴ There was the clear necessity to work with the government if the city were to continue to expand and prosper.

The tactics of the *Représentants* seemed to bear fruit. The *Petit Conseil* was encouraged by this apparent moderation to undertake, in 1773, what had been ordered by the Mediation of 1738, and repeated in the Edict of 1768, namely the printing of a general code of the laws of the state. It began an examination of the task under the title *Projet de révision de l'Edit politique*. The problems that this project encountered were indicative of the divisions which remained in the city after 1768. Or perhaps it was merely the manifestation of a general discontent with governments which Hutchinson had stated in 1775:

'was not confined to America nor the English dominions, but [was] rather the general temper of the age ...in Europe as well as in America.'²⁵

If true, Geneva had been in the forefront of such a temper as well as being its longest serving member and with little hope of escaping. Some in Geneva had been seeking change within the state since 1707, well before the 'forty-year movement post 1760' claimed by Palmer.²⁶

²⁰ KCA Maidstone, U1590 S5/C11 1 1764-1774, Janry 25 1773 [sic].

²¹ *Ibid.*

²² BPU Genève, Ms. Tronchin 343 Copie de M De Luc de Londres à Jacob Tronchin à la Médiation, 30.

²³ Bailyn, 'Hutchinson', *op. cit.*, p. 112.

²⁴ Schama, *op. cit.*, p. 47.

²⁵ *Ibid.*, p.378 citing Hutchinson's *Diaries and Letters*, I, 447.

²⁶ Palmer, *op. cit.*, p. 4.

In attempting to make the printed laws logical and understandable where they were contradictory, the *Petit Conseil* found itself having, in effect, to write new laws. This was particularly the case where practice was in conflict with written law. The old Edicts were often vague, so that, over time, practice had come, in some cases, to contradict the early Edicts. As in England, in some cases usage went back a long way, but Geneva, as previously mentioned in Chapter III²⁷ had not entirely escaped the influence of the Roman law countries which surrounded her. To attempt to codify this mixture was to enter an uncharted minefield.

It was the customs and usage in law in Geneva that were the cause of so much difficulty:

'vu que nos loix écrites sont peu de choses en comparaison de tous nos usages, et qu'il règne d'ailleurs le plus grand désordre.'²⁸

In attempting to make sense of this confusion of laws, which P. E. Martin correctly calls 'contradictoires, caduques, discordantes'²⁹ by creating new law, it was argued by some that the *Petit Conseil* was not obeying the Edicts which had ordered only the bringing-together of the laws and their publication. A *Représentation* was made in May 1776 in which it was stated:

'On demande une *Collection d'Edits*, comme lui étant imposée seule, & on vient requier Messieurs les Syndics de pourvoir à ce que cette Loi soit exécutée sans aucun nouveau délai.'³⁰

This demand raised the question of whether the old edicts which had been in effect before the creation of the city state of Geneva by the constitution of 1543 should be included in a publication of a collection of the Edicts. As pointed out by Cornuau³¹, the inclusion of some of the old Edicts had some dangers for the *Bourgeois*. Such Edicts from the time of the Bishop in Geneva tended:

'enfin, contre le gré même des Représentants, à favoriser les réclamations des Natifs et des Habitants sur les droits politiques.'³²

If such old Edicts were to be included, then it raised the question why the *Natifs* and *Habitants* had lost the right to take part in the *Conseil Général* since, if they had been heads of households in the period before Calvin, they had usually been entitled to take part and vote.

The refusal to accept the May *Représentation* led to a second in September, which in its turn was rejected by the *Petit Conseil* in November. It was this refusal which contained the phrase:

'S'il y a dans l'Etat, des Corps ou des Individus, qui paroissent intéressés à un changement dans la Constitution; il semble que ce devrait être le Conseil...'³³

The *Petit Conseil* was showing signs of slipping into its old habits, rejecting *Représenta-*

²⁷ See Chapter I, p. 4, Chapter III, p. 57, ft. 83.

²⁸ BPU Genève, Ms. fr. Reybaz 923, Lettre à M. Landolt à Zürich, 19 octobre 1779, 8.

²⁹ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 460.

³⁰ BPU Genève, Ms. Tronchin 343, Lettre à M. Marc Pictet Turrettini de Genève en sa qualité de secrétaire du comité au Partie Neutre, Londres le 13 avril 1781, 41.

³¹ See Appendix IV B VIII/2.

³² Cherbuliez, *op. cit.*, p. 139.

³³ BPU Genève Tronchin 343, Lettre à M. Marc Pictet Turrettini de Genève en sa qualité de secrétaire du comité au Partie Neutre, Londres le 13 avril 1781, 41.

tions, and claiming that, if anyone had an interest or right to write new law, it was they. There was also the fact that regardless of whether what they were attempting to do was legal or otherwise, they had certainly fallen back on another of their old ploys, like that used in 1734:

'il procéda avec une si sage lenteur qu'on calcula qu'il faudrait quarante ans pour mener à bien l'oeuvre entière.³⁴

Having appeared to agree that the Edicts needed printing, they had moved on to the not unreasonable step that these needed a complete revision. This provided the perfect excuse to keep the *Représentants* away from such dangerous work, which was to be carried out by the *Petit Conseil* in its own time, thoroughly and slowly in the hope that eventually the whole matter would fade into insignificance and be forgotten. Perhaps the reasonableness of the *Représentants* had been misplaced after all.

Throughout the period 1774-77, a number of people were working on their own versions of a code for Geneva. In October 1774, Du Roveray³⁵ in a letter to Charles, Lord Mahon, wrote:

'J'ai commencé de concert avec un homme que vous connoissez bien *un projet de revision de nos Edits*, dans le quel nous faisons à peu près la même marche que dans celui du Conseil, ... et à y faire entrer un nombre infiniment plus considerable d'objets afin de fermer, autant qu'il sera en nous instancés [la porte ? - illegible] à l'arbitraire sur cette partie essentielle de notre legislation.'³⁶

The *Représentants* were continuing their old policy of doing things in parallel with the government, as they had done before 1768. In the same letter, he also talks of forming a *cercle* to include Flournois, Vieusseux, Clavière, Denton [Dentand?], Vernes, Moulto, Chauvet, Gourgas, Reybaz and De Luc the younger.³⁷

What the *Représentants* wanted was a revision of the laws which would be made by a mixed group, not a committee which consisted of members of the *Petit Conseil* alone. If done by the latter it could well have damaged the position of the *Conseil Général* and the *Bourgeois*. The *Représentants* realised that bringing the Edicts together could only be the beginning of a thorough revision. Vieusseux wrote:

'Je sentoie qu'une Revision étoit indispensable.'³⁸

The same letter contains a series of comments on the two *Représentations* made in 1776. The most interesting is perhaps where he claims that he, himself, did not consider:

'la question de la collection assez importante pour en faire l'objet d'une controverse sérieuse.'³⁹

He adds for good measure that:

'Je comparois l'état de la République à celui d'un malade à peine convalescent, et à qui toute espèce de secours est dangereuse.'⁴⁰

Given that the letter was written in 1785 and could be taken as a justification of, or an attempt to change the reality of, his position in 1776, it nonetheless raises certain ques-

³⁴ Fazy, *Les constitutions*, *op. cit.*, p. 146.

³⁵ See Appendix IV B VIII/3.

³⁶ KCA Maidstone, Stanhope Archives, U1590 C65 1-11, Letters to Charles, 1, Du Roveray 15 8bre 1774.

³⁷ See Appendix IV B VIII/4.

³⁸ BPU Genève, Ms. 2467 Lettres adressées à J-A. De Luc Va-Wi, de Jacques Vieusseux Oneille 14.3. 1785, 15.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

tions, *inter alia* the extent to which the two *Représentations* of 1776 were the result of the leaders of the party persuading their members to act and how far the leaders were responding to the demands of others within their party. The *Représentations* were complaints that the *Petit Conseil* was 'revising' the laws, whereas the Edict of 1738 ordered their bringing-together and printing. Yet clearly, men such as Du Roveray and Vieusseux, wanted a thorough revision, so long as they or some *Représentants* were actively involved. The speed with which a solution to the difficulties encountered in 1776 was found in 1777 is perhaps evidence that Vieusseux was not being disingenuous in 1785. The leaders of the *Représentants* had shown themselves to be responsive to the views of their members as expressed in the *cercles*. The idea behind the *Représentations* of May and November was a demand that the government would:

'consulter le Législateur [Conseil Général] sur les convenances d'une révision, & ... lui proposer des arrangements pour y travailler de concert.'⁴¹

Du Roveray and his associates had a very clear idea of what suggestions they would make to any such commission. And a revised legal and political code would have to ensure the supremacy, or sovereignty, of the *Conseil Général*. A revised code would have firmly entrenched the power of this council and attempt to end the pretensions of those in the *Petit Conseil* and the *Deux Cents* that what was not allocated to the *Conseil Général* in the Edict of 1738 belonged to them. Thus it became inevitable that the ultra-*Négatifs* would do all in their power to prevent a revision from ever succeeding.

The Représentants and the Négatifs show their hands

In 1777, given the rejection of their two *Représentations*, it was clear that the *Conseil Général* would, for the first time, use its power to eject the most intransigent members of the *Petit Conseil*. This was the group of men led by Cramer which, according to d'Ivernois in an ironical, rhetorical question:

'pendant treize séances,... avait persisté, à une pluralité de deux ou trois suffrages, dans l'opinion de faire aux réclamans une réponse conciliatoire.'⁴²

Cramer, Sarasin, Buffe and Rilliet (Robert-Guillaume)⁴³ were voted off the *Petit Conseil*. They were replaced by four from the *Deux Cents* who were considered to be moderates, Mallet, De Candolle, Jolivet and Des Arts.⁴⁴ All four rejectees were *Constitutionnaires* who had made clear their rejection of both the *Représentations*. They had also publicly objected to a suggested project to overcome the difficulty:

'Le Conseil [Deux Cents] n'en a pas voulu entendre parler et en particulier nous sommes quelques-uns qui avons déclaré tant en Conseil qu'en public que nous n'y donnerions jamais la main.'⁴⁵

It was hardly surprising that they were removed from the *Petit Conseil*, the vote for their removal being 950 for, with 550 against.⁴⁶ In the same letter to his son, Rilliet makes clear he sees nothing good in the *Représentant* party, when he writes:

⁴¹ D'Ivernois, *op. cit.*, Vol. II (Tome I), p. 80.

⁴² *Ibid.*, p. 83.

⁴³ See Appendix IV B VIII/5.

⁴⁴ See Appendix IV B VIII/6.

⁴⁵ Jean Rilliet, *Six siècles d'existence genevoise - Les Rilliet 1377-1977*, Genève: Editions de la Thésaïde, 1977, p.77

⁴⁶ D'Ivernois, *op. cit.*, Vol. II (Tome I), p. 82.

'M. le Pasteur Vernes sous prétextes de conciliation et de concert avec les autres Démagogues a présenté à M. le syndic Guainier un projet d'accommodement destructif de la Constitution et qui pouvait avoir les suites les plus fâcheuses pour la République.'⁴⁷

Whatever the views of Rilliet, the attitude of the *Représentants* was clear:

'Je croyois absolument qu'il nous falloit un arrangement legal.'⁴⁸

The removal of the four members of the *Petit Conseil*⁴⁹ led to a swift compromise between it and the *Deux Cents*. It was agreed that, rather than a collection of Edicts, as laid down by the Edict of 1738, there was to be a revision of the laws. The revision was to be carried out by a specially-appointed Commission consisting of members from both the *Deux Cents* and the *Petit conseil* to be:

'mi-partie, c'est-à-dire, composée en égal nombre, de personnes attachées aux princips des Négatifs & des Représentants, & ... serait spécialement chargée de rendre la Législation "claire, précise, & plus complète",'⁵⁰

and to thoroughly revise and, where necessary, to rewrite the constitution, though, whether the Commission could work together would remain to be seen. The Commission was created by an Edict and approved by the *Conseil Général* on 22nd. May 1777, by 847 votes to 267. There were many who had high hopes of this Commission:

'qu'on pouvoit attendre d'elle par conséquent une législation sage et bien balancée.'⁵¹

On completing its task, the commission was to submit its revision to the two smaller councils and then to the *Conseil Général*. Copies of the newly-revised codes were to be printed and distributed to every *Bourgeois* before the meeting of the *Conseil Général* in order for there to be informed discussion.

The commission contained Gédéon Turretini, leader of the *Négatifs*, and the lawyer Du Roveray, one of the leaders of the *Représentants*. There were a number of serious clashes during the meetings, which provoked the resignation of de Chapeaurouge⁵², Jala-bert, Boissier and the *Procureur-Général* Dunant,⁵³ all of whom were ultra-*Négatif*. The difficulty lay in the completely different approach which each group had to dealing with the myriad of problems. The *Représentants* wanted the sovereignty of the *Conseil Général* to be inscribed clearly and unambiguously in the new code. This was anathema to the ultra-*Négatifs* and was difficult for the *Négatifs*. The arguments led to the exchange of clearly undiplomatic language, with Vieusseux claiming at one meeting:

'qu'il était loisible aux citoyens de "casser le tête à Messieurs les Syndics" en cas de la violation de la constitution.'⁵⁴

⁴⁷ Rilliet, *op. cit.*, p. 77.

⁴⁸ BPU Genève, Ms. 2461 Lettres et Mémoire concernant J-A. De Luc, J-A. De Luc à Vieusseux, 4. 3. 1777, 33.

⁴⁹ The four continued to sit in the *Deux Cents*, where they continued their fight against any revision of the laws. The removal of their influence in the *Petit Conseil* made it much easier for those interested in seeking a solution to the problem of the revision of the Edicts. The four expelled members were to cause more trouble in the *Deux Cents* in the future.

⁵⁰ D'Ivernois, *op. cit.*, Vol. II (Tome I), p. 84.

⁵¹ BPU Genève, Ms. fr. Reybaz 923 Lettre à M Landolt à Zürich, 19 octobre 1779, 8.

⁵² See Appendix IV B VIII/7.

⁵³ See Appendix IV B VIII/8.

⁵⁴ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 460.

The arguments raged over the question of sovereignty and where it lay. This article was almost certainly very similar to that which Du Roveray incorporated in his constitution of 1791:

'la souveraineté de la République appartient au Conseil Général, composé des citoyens et bourgeois qui ont l'âge et les qualités requises...'⁵⁵

Unable to influence the work in the manner which they desired and subjected to language that shocked them, as previously mentioned, four resigned (de Chapeaurouge, Jalabert, Boissier and Dunant, the *Procureur-Général*) and were replaced by more moderate *Négatifs*, so that the committee could continue its work.

After considerable work and more than six hundred sittings, the Commission had completed the first part of its project and sent its work to be printed. This was distributed to all *Bourgeois* via the *dizeniers*. This chance for all those with the right to vote in the state to examine and comment upon the proposed project was admirable.

The new code had to overcome the hurdle of the two smaller councils before reaching the *Conseil Général*. That there would be strong resistance in the *Deux Cents* was inevitable. In the first article of the new political code, there was bound to be a severe hurdle, as Cornuaud warned Du Roveray:

'le premier article du code, c'est-à-dire votre nouvelle définition du Souverain de la République enfantera seul.'⁵⁶

The code, or that part of it which had been completed, was never to be put to the test in the *Deux Cents*. The initial two-year period of appointment of the Commission was at an end, so the *Petit Conseil* recommended to the *Deux Cents* that it should be renewed and continue its work, since only a third of the task had been completed. The *Constitutionnaires* in the *Deux Cents*:

'contre toute bienséance et contre la foi publique anéantit ce premier projet du Code qui n'était pas encore soumis à son jugement, elle [la cabale de Constitutionnaires] déclara dissoute la Commission qui y travailloit et l'ouvrage fut par-là arrêté.'⁵⁷

De Chapeaurouge in the *Deux Cents* was the proposer of the motion which was accepted on 3rd. September by 105 to 45 votes.⁵⁸ The action on the part of the *Deux Cents* was against the constitution and:

'par consequent a changé totalement la marche et subverti l'ordre ... que nos loix fondamentales ont posé pour éviter la confusion et l'anarchie, savoir que le conseil des 200 ne peut faire aucun arrêté sur les matières qui ne les [sic] auroient été portées par le P[etit] C[onseil].'⁵⁹

The *Petit Conseil* had merely wanted to renew the mandate of the commission, the *Deux Cents* had gone beyond that and discussed and voted to halt all work on the revision as well as refusing to allow the work already completed to be put before the *Conseil Général*. The *Deux Cents* was not permitted to discuss matters which had not previously been discussed in the *Petit Conseil*. The level of anger and bitterness between the two sides

⁵⁵ Lucien Fulpius *L'organisation des pouvoirs politiques dans les Constitutions genevoises du XIXe. siècle*, Genève: Journal de Genève, 1942, Thèse présentée à la Faculté de Droit de l'Université de Genève pour obtenir le grade de Docteur en droit, p. 32.

⁵⁶ Cherbuliez *op. cit.*, p. 166.

⁵⁷ BPU Genève, Ms. 896 Journal de Jean Janot, 9.

⁵⁸ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 462.

⁵⁹ BPU Genève, Ms. fr. Reybaz 923, Lettre à M. Landolt, 19 octobre 1779, 8.

was similar to that which had existed at the time of Fatio.⁶⁰ The *Constitutionnaires* hoped that a new Commission would be appointed which would contain only their own supporters and some *Négatifs* as members. Well aware of the danger of such a revising committee, which would seek to establish a new legal code on the basis of the Edict of 1738 and the *Prononcé* of 1767 and thus circumscribe the Edict of 1768, if not have it declared null and void, the *Petit Conseil* refused to begin the process of appointing a new one. (The *Constitutionnaires* continued to argue that the Edict of 1768 had been extracted by an element of force, i.e. the refusal of the *Représentants* to accept the *Prononcé* and their refusal to elect the *Syndics*.) The refusal of the *Syndics* and the *Petit Conseil* to appoint a purely *Négatif* and *Constitutionnaire* Commission was interesting since they were coming under pressure from the French government unhappy with regard to the proposed code, copies of which had reached Paris.

Thus the removal of the four *Constitutionnaires* from the *Petit Conseil* in 1777 was a failure. The revision of the Edicts, which had been the aim of the *Représentants*, was blocked not, as before 1777, in the *Petit Conseil* but in the *Deux Cents* by the ultra-*Négatifs* who agreed with Cramer, Sarasin, Buffe and Rilliet. The latter had shown themselves to be as persuasive and obstructive in the *Deux Cents* as they had previously been in the *Petit Conseil*.

Vergennes wrote the first *Syndic* a letter which was severely critical of the projected laws. He did not wish to attack the independence of the state but:

'... Elle [Sa Majesté] a des droits à veiller sur sa tranquillité.'⁶¹

The French Ambassador to the Helvetic States began to apply pressure also, criticising the projected code and asking the two co-Mediator cantons of Bern and Zürich to join France in deciding what measures should be taken. This letter contained sentences which made it quite clear what the French had in mind:

'Elle [Sa Majesté] est résolue d'y mettre fin pour toujours de façon ou d'autre, en ne laissant plus aucun essor à l'esprit de domination et de chicane dont il semble que les moindres individus de cet Etat soient possédés pour leur malheur et l'importunité de leurs voisins.'⁶²

Bern and Zürich were not to be persuaded. They refused to join the French in any discussions, insisting that the differences in Geneva had not gone beyond a flurry of written representations which had greeted the action of the *Deux Cents*, none of which had seriously threatened the peace of the Republic. In fact, in November 1779, Bern had been the scene of a meeting between some of the *Constitutionnaires* from the *Deux Cents*, namely Jacob De Chapeaurouge, Jean Cramer, Jean-Louis Micheli⁶³ and Etienne Clavière and T.J. Du Roveray. It was during these meetings that they made it clear that there could be no agreement while the *Conseil Général's* right to replace members of the *Petit Conseil* continued. They were asked to suggest a constitutional replacement which would still give some right of sanction to the *Représentants*, and negotiations seemed to be under way. Janot, in his Journal, claims that these discussions were:

⁶⁰ D'Ivernois quotes one of the commissioners - a *Négatif* - as saying: 'Quand nous nous trouvons en opposition avec nos co-opérateurs Représentans, je crois toujours voir les peuples du Nord combattre les peuples du Midi.' D'Ivernois, *op. cit.*, Vol.II (Tome I), p. 98.

⁶¹ P.E. Martin, *op.cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p.462-3.

⁶² *Ibid.*

⁶³ See Appendix IV B VIII/9.

'bientôt rendues inutiles par la venue inopinée de M. Ami Lullin⁶⁴ ...⁶⁵
According to Janot and d'Ivernois,⁶⁶ Lullin was sent deliberately in order to prevent any compromise being reached. Lullin and most of the *Constitutionnaires* did not want a negotiated settlement that left any kind of control in the hands of the *Bourgeois* and their party the *Représentants*. They desired to return the situation in Geneva to that which had pertained after 1738, with the addition of the *Prononcé*⁶⁷ and its restrictions on the use of *Représentations* as the only safe way to control the *Bourgeois* and ensure the proper governance of the state. To obtain their ends, they were moving to a position where they would refuse any compromise whatsoever, in the hope of provoking a reaction from the *Bourgeois* and thus create the need for further French interference on the ultra-*Négatifs*' behalf in Geneva. Since Lullin sat in the *Deux Cents*, a body which had had a large group of *Constitutionnaires*, often on constitutional issues able to persuade enough *Négatifs* to vote with them to create a majority, it was clear that any negotiated solution which might have been arrived at in Bern would never have been passed.

In Geneva, the *Petit Conseil* attempted to solve the difficulty by suggesting a compromise Commission, whose task it would be to explore the points of difference between the two parties and settle them. The way would then be clear for a further attempt at the Code of Laws. This was rejected in the *Deux Cents* by 112 votes.⁶⁸ Some members of that body even accused the *Petit Conseil* of having 'disobeyed' the resolutions of the *Deux Cents* and of being in open rebellion against that council. The *Petit Conseil*, together with the *Syndics*, had the unenviable task of trying to run the country, in doing which they knew that they could not afford to upset too deeply either of the two powerful groups in the political state, the *Représentants* and the *Négatifs*. They tended therefore to be more moderate than the *Négatifs* and the *Constitutionnaires* who sat in the *Deux Cents*.

As a result of its actions, in 1779 for the first time since the Sarasin affair, the *Deux Cents* found itself at odds with the *Petit Conseil*. The *Constitutionnaires* were the men who wished to go back but to 1738, with the additional guarantee of the *Prononcé* of 1767, and France as the overall guardian angel - a political programme that was anathema to the majority of the *Bourgeois*. Many of *Constitutionnaires* had withdrawn from an active part in the government after 1768, and some also abstained from voting in the *Conseil Général*, but they managed to maintain a majority in the *Deux Cents*. The majority of the *Constitutionnaires* were from the patriciate, they were simply the most conservative members of that group and often had brothers or cousins who were *Négatifs*.

The *Constitutionnaires* also had their own circle, the *Cercle de la rue des Granges* or *Cercle Constitutionnaire*, and one of their members was the Genevan Minister to Paris, Perrinet-Des Franches.⁶⁹ Des Franches himself, finding his advice from Paris was ignored, informed the government that he would report to the *Deux Cents* directly, an unconstitutional act. The leader of the group was Des Arts, and other leading members

⁶⁴ See Appendix IV B VIII/10.

⁶⁵ BPU, Genève, Ms. fr. 896 Journal de Jean Janot, Vol. I, pp.7-8.

⁶⁶ D'Ivernois, *op. cit.*, Vol. II (Tome I), p. 171. 'lorsqu'un des jeunes Chefs Négatifs [Constitutionnaires] arrive à Bern & fait rompre brusquement les conférences...'

⁶⁷ Chapter V, p. 110,111, Chapter VII, pp. 154-155.

⁶⁸ *Ibid.*, p. 175.

⁶⁹ See Appendix IV B VIII/11.

were A. Lullin and P. Cramer.⁷⁰ All the *Constitutionnaires* believed that France, as a guarantor of the Edict of 1738 was certain eventually to come to their assistance, and looked for means to hasten the intervention of the Mediators, especially France, to 'save' the Republic and hasten their return to power.

The *Négatifs* were the party of those in the patriciate who believed that accommodation with the *Représentants* was possible, although they still remained implacably opposed to what they saw as 'direct democracy'. In effect, they had not changed their position since 1766-68, in that, unlike their former colleagues, they believed that any appeal to the Mediators should be as a last resort and that it was far better for the Genevans to solve their own problems. Their main inspiration was Gédéon Turretini. They controlled the *Petit Conseil* and were therefore in charge of the government.

It is important to appreciate that the divisions in the patriciate were based on purely political grounds. This was so even though certain families tended to support one of the two parties, since there were divisions within families, such as the Tronchins, where Jean-Robert remained a *Négatif*, while his brother, Jacob, was a *Constitutionnaire*. These political differences in no way interfered with the normal family intercourse, or with their contacts with other members of the patriciate and *Représentants* with whom they were friendly.

By 1780, the fragmentation within the patriciate increased further. A small group of moderate *Négatifs*, including Turretini, formed a group who were referred to as the *Neutres*. They had established a *cercle* called the *Société des Neutres* in November 1780, and summarized their position thus:

'Nos cœurs repousseront toujours l'idée de tout arrangement qui devrait son acceptation à un moyen coactif quelconque...'⁷¹

They maintained that it was in Geneva's interest to solve her problems internally, rather than risk any erosion of what remained of her independence. They also wished to obtain sufficient influence to prevent either the *Représentants* or the *Constitutionnaires* from becoming the triumphant winner of the political battle.

The *Représentants'* position had remained basically unchanged. They upheld the indivisibility of the sovereign power of the *Conseil Général* and the necessity for the government to submit all matters of state importance to that council. They believed in the rights of the *Bourgeois* both to appoint the *Syndics* and government officials and in their power to approve or reject changes in the laws and practices of the state. As a result of the Edict of 1768, they were also moving into some minor positions in the state, such as the *Deux Cents*. It was clearly understood by all groups within the state that the use of 'democracy' meant the right of the *Bourgeois* only to political power, as Rousseau had once written to De Luc concerning the Social Contract:

'Vous avez pu voir dans nos liaisons que je suis pas visionnaire et, dans le *Contrat social*, que j'ai jamais approuvé le gouvernement démocratique.'⁷²

The Natifs re-emerge after 1770

While the patriciate was dividing a new political force made itself felt in Geneva. For the first time in Geneva's history, the *Natifs* began to feature in the political plans of some of

⁷⁰ See Appendix IV B VIII/12.

⁷¹ D'Ivernois, *op. cit.*, Vol. III (Tome II), pp. 2-4, f. 2.

⁷² Karmin, *op. cit.*, p. 22 f.87.

the parties. As an increasing section of the population,⁷³ they were looking for some share in political power. The *Représentants* had not proved very satisfactory allies and, after 1770, the *Natifs* turned more to the *Constitutionnaires* as a means of obtaining benefits and concessions. The *Représentants* represented the complete gamut of the *Bourgeois* with the exception of the patriciate. There was for some *Bourgeois* considerable social and economic overlap with the *Natifs* and *Habitants*. Their one distinguishing mark was their political status as *Bourgeois*. Any move to support the *Natifs'* desires to obtain economic or political advance would inevitably come up against the resistance of the small *Bourgeois* because it would threaten their political distinctiveness. In 1774, in correspondence between J-A. De Luc and Turretini, there was agreement concerning the dangers of provoking any action amongst the *Natifs*:

'ce seroit d'exposer à reveiller un feu qui trouveroit bien vite de l'aliment, ... je croirois dangereux de les mettre en mouvemens, qui sait si en leur accordant cecy [on] ne leur feroit pas naitre l'idée de démander cela aussi ...'⁷⁴

This showed considerable foresight. Some of the *Natifs* wanted more than equal civil rights, they desired political rights too, though they were divided on the issue. The worries expressed by Turretini prove that the *Bourgeois* were only too well aware of the potential dangers of the *Natifs*.⁷⁵ The *Constitutionnaires*, as members of the patriciate, were wealthy, mostly large merchants, merchant bankers and *rentiers*, who had little to fear from giving economic equality to the *Natifs*.

After the loss of their leaders in 1770, the *Natifs* gradually found new ones. The most prominent of these was Isaac Cornuau, whose aim was to attach the *Natifs* to the *Constitutionnaires*. Almost certainly in the pay of France, his main aim was to prevent the *Natifs* as a group from supporting the *Représentants*. Diagram 10 is one of his earliest works which was written in 1772, although not made public until later, it is a fair example of his style. The *Natifs*, not permitted to have their own *cercles*, still managed to organise themselves discretely, Cornuau talks of 'notre commune société' in Plainpalais in 1774,⁷⁶ and their exiled leaders were not far away. Auzière was with other *Natifs* at Ferney, under the watchful and helpful eye of Voltaire and within easy reach of his friends and followers in Geneva. Cornuau journeyed regularly to see Auzière at Ferney, and on other occasions there were meetings in various places just outside Genevan territory.

Cornuau had, during the period 1779-80, written a series of pamphlets exhorting the *Natifs* to accept civil equality with the *Bourgeois*, which was promised to them by the *Constitutionnaires*. In return, Cornuau was to ensure the loyalty of the *Natifs* to their cause and especially that of the need for a French intervention in the city to return it to stable government, in other words to distract them from thoughts of political rights. The French government promised the *Natifs* that, once peace was established, they would not be forgotten and their reward would be civil equality with the *Bourgeois*.

The easiest way in which to organise the *Natifs* was via *cercles*. Though forbidden under the Edict of 1770, it is clear that, by late 1778, the *Natifs* had some *cercles*. By January 1780, Cornuau wrote:

'je visitais leurs cercles, je me fis recevoir membre de celui de l'*Ecu de Genève*.

⁷³ In 1770-1774, marriage statistics give 190 *Natifs* for 100 citizens. Piuz et Mottu-Weber (Eds.), *op. cit.*, pp. 71-71. See also Chapter II, p. 17.

⁷⁴ BPU Genève, Ms. 2468 Papiers de Luc, Correspondance entre Turretini et J-A. De Luc, 20 juillet 1774, 10.

⁷⁵ Palmer, *op. cit.*, p. 137

⁷⁶ Cherbuliez, *op. cit.*, p. 135.

ADRESSE AUX NATIFS

« Mes chers compatriotes,

« Je ne croyais pas devoir jamais grossir le nombre des brochures qui ont inondé le public; mais si tant de plumes se sont dévouées à nous entretenir de nos droits, à exagérer nos malheurs, à nous flatter de ressources que nous n'avions point, me fera-t-on un crime d'employer la mienne à vous désabuser, en vous présentant le tableau de notre position actuelle, dénué des ombres qui jusqu'ici nous ont fait illusion?

« Le système que nous avons soutenu m'a toujours paru conforme au bien de l'Etat; nos réclamations m'ont paru fondées par la nature, et s'il était vrai que nous ne fussons pas Citoyens par le droit, nous mériterions de l'être. Je n'ai point changé d'idées à cet égard, et je crois que je n'en changerai jamais.

« Il est cependant des circonstances, dans le cours de la vie, auxquelles il y aurait de la folie de ne vouloir pas céder, ou du moins s'accommoder; telle est la nécessité où nous nous trouvons aujourd'hui et je crois que l'examen de nos ressources et de notre situation actuelle nous en donnera la preuve certaine.

« Nous ne pouvons nous dissimuler que la durée de notre condition actuelle est attachée à celle de la Constitution actuelle de l'Etat, que nous ne pouvons changer. Une expérience certaine nous a convaincus que notre position physique nous attache malgré nous à notre patrie. Toute voie de discussion nous est interdite et nous ne pouvons en chercher d'autres. Irouns-nous, le fer et la flamme à la main, vaine ou périr pour recouvrer des droits peut-être imaginaires, et, réduisant notre patrie en cendres, mériter en effet les qualifications odieuses que quelques démarches tumultueuses nous attirèrent? A Dieu ne plaise!...

« Que ferons-nous donc? Ramperons-nous dans la bassesse ou continuerons-nous à vivre dans les tribulations? Non, mes chers compatriotes, nous attendrons avec tranquillité le bénéfice du temps, et que des circonstances plus heureuses nous mettent à portée de réclamer nos droits perdus ou méconnus; nous saisissons avec confiance le moment favorable, et en attendant d'être des Citoyens, nous tâcherons d'être des hommes vertueux.

« Aucun des ordres politiques de l'Etat n'est intéressé à nous écraser. Sans jouir de l'autorité souveraine, nous en serons toujours le contre-poids, et notre condition civile ne différera jamais essentiellement de celle du citoyen.

« Loin donc de passer notre vie à convoiter des droits dont nous ne pouvons nous procurer la jouissance par des moyens licites, que plutôt l'adversité nous instruisse, afin que, si jamais nous sommes appelés à en jouir en commun, nous sachions les faire servir à notre bonheur et en user avec modération pour les conserver.

« Voulons-nous nous rendre plus respectables, plus indépendants? Restreignons la sphère de nos besoins et surtout de nos plaisirs... Sortons de notre ignorance, instruisons-nous, en un mot soyons éclairés et vertueux, et nous serons libres... L'homme honnête et prudent porte partout sa liberté avec lui.

« Cherchons le bonheur dans nous-même; cherchons le dans l'intérieur de nos maisons, de nos familles, et si la sollicitude paternelle, qui grossit toujours les dangers, nous fait craindre pour nos enfants un sort pire que le nôtre, tâchons de le prévenir en les rendant plus sages et plus éclairés que nous...

« Ne m'accusez point, mes chers compatriotes, d'abandonner la cause de nos amis exilés, ces victimes de nos fautes...

« J'espère que vous ne m'accuserez pas non plus d'avoir changé de parti; vous me jugerez mieux, si vous me tenez de n'en avoir plus. Cependant, mes chers compatriotes, quoique je ne sois plus enthousiaste, je suis toujours Natif. »

Genève, le 10 septembre 1772. »

Dès lors il devint le point central des assemblées de cet hiver-là.⁷⁷
In some cases, they had been established close to the existing *cercles* of the *Constitutionnaires*:

'J'établis des cercles dans le haut de la ville qui les rapprochèrent matériellement de Constitutionnaires qui y avaient les leurs. Nous en ouvrîmes un au Bourg-de-Four et un autre au haut de la Tour de Boël.'⁷⁸

Just as the *Bourgeois* in their *cercles* would often read aloud a text and then discuss it, so it was in the *Natifs' cercles*:

'J'avais rassemblé mes partisans en divers lieux pour leur en lire le manuscrit... et mes discours ... encore les tenaient toujours en haleine et ne leur laissaient pas le temps de la réflexion.'⁷⁹

The arguments used by Cornuauud were to a great extent specious and pro-*Constitutionnaire*, and he claimed they had to be 'saillants' and 'ne fatiguassent pas l'attention'. His claim to neutrality began to wear thin:

'L'essence du gouvernement de Genève est plus aristocratique que démocratique, et je ne vois pas pourquoi le premier de ces mots offenserait plus les oreilles d'un Genevois, que le dernier... Il faut chercher le bonheur et ne pas s'arrêter à des mots.'⁸⁰

By August 1780, Cornuauud was assuring the *Natifs* that:

'l'influence des Natifs sur la chose publique, parfaitement nulle dans le temps de tranquillité, devient la balance réelle de l'Etat dans les temps orageux.'⁸¹

He worked closely with the French Resident in Geneva to keep the *Natifs* from looking to the *Représentants* as their natural allies, and was well rewarded financially for his efforts.⁸² After the events of 1770, it was natural for the *Natifs* to turn away from the *Représentants*, but there was little reality in their belief that they would obtain greater concessions from the *Constitutionnaires*. On the other hand, if the *Constitutionnaires* were to have any chance of overthrowing the settlement of 1768, they would need the support of the *Natifs*. The offer by the *Constitutionnaires* to the *Natifs* of full civic rights was not unattractive so long as they were not offered more by any other group. The desperation of the *Constitutionnaires* was shown by this offer since, once the *Natifs* had secured equal treatment in matters of tax and trade, it would not be long before they desired to have political rights as well.

Vergennes and French interference

While the *Natifs* were finding new leaders, there were also changes in France which would not leave Geneva untouched. The emergence of Vergennes, in 1776, as leader of a group of ministers determined upon seizing any opportunity to defeat Britain coincides with

⁷⁷ *Ibid.*, p. 187. See also pp. 183-4.

⁷⁸ *Ibid.*, pp. 246-247.

⁷⁹ *Ibid.*, pp. 193-194.

⁸⁰ *loc. cit.*, extract from the pamphlet *Le Natif interrogé*, 5. avril 1780.

⁸¹ *Ibid.*, p. 214, taken from the pamphlet *Suite du Natif patriote*, 4 août 1780.

⁸² 'les constitutionnaires lui garantirent ... une rente de quinze cents livres argent de France.' Edouard Chapuisat *La prise d'Armes à Genève*, Genève: A. Julien, éditeur, 1932, pp.167-8. He also received the rights and income from 'Les coches et Messageries de France' in Geneva. Clearly, Cornuauud was an agent in the pay of the French. See also Karmin, *op. cit.*, pp.53-55 & d'Ivernois, *op. cit.*, Vol. II (Tome I), pp.237-238.

increasing French interest and interference in Geneva. Vergennes' success led to the defeat and resignation of Turgot. By October 1776, Necker had been appointed Director of the Royal Treasury, which was followed, in June 1777 by his appointment as Director General of Finance. His passionate belief in loans and the ability of the *rentier* class to finance them enabled Vergennes and France to support the Americans in their bid for independence without having to raise extra taxation. The importance of Geneva in supplying the money for French government stock was such that, by 1782, Necker had been able to borrow 530 million livres⁸³, of which the Genevan *rentier* class had contributed 100 millions.⁸⁴ The greater part of the money invested by the Genevans in French loans came from the wealthy members of the patriciate and the more successful *Bourgeois*. Thus, it was imperative that Geneva should remain stable and calm so that they could continue to provide an important part of French Treasury needs. The simplest way to ensure this was to form a close relationship with those who tended to look to France and who wished to see the government of the country escape from the 'dangers' of the Edict of 1768.

Vergennes was doubtless not averse to attempting to end the power of the party which had been responsible for France's loss of face in 1766-68. It was not in the interests of France or any country to have on its borders small states which were in turmoil and were also havens for dangerous ideas. Thus political needs meshed with financial realities. France had to ensure control either directly herself or through willing agents for what Necker himself called, when referring to Geneva, 'ce Pérou'.⁸⁵

It was Necker who, in 1780, persuaded Vergennes to hear the views of the two sides in Paris. Clavière and Du Roveray for the *Représentants* and Jacob de Chapeaurouge and Paul-Henri Mallet for the *Constitutionnaires* therefore went to Paris, and there were several meetings.⁸⁶ Vergennes, according to d'Ivernois, was completely closed to the views of Clavière and Du Roveray, but found their documents setting out their position useful in his future interference in Geneva.⁸⁷ The only positive result of this 'false negotiation' was the clear expression of the *Constitutionnaires'* position:

'la conservation de l'Edit de 1738, textuellement inséré dans le Code avec le Prononcé [de 1767] qui l'avait éclairci.'⁸⁸

This meant a return to the pre-1768 position, with the additional restrictions on *Représentations* which had been introduced in the *Prononcé*. This programme was totally unrealistic in Geneva, given that those who wished to impose it had no serious military force with which to do so, a situation which provided yet another reason for their reliance on the French.

At the beginning of 1780, Geneva stood once again on the brink of disaster. The *Bourgeois* had managed to ensure that some of their active leaders had been able to enter the *Deux Cents* by election into minor positions such as *Auditeurs*, thus beginning to move into some of the processes of government. The position of the *Conseil Général* was also stronger than it had been before 1768, and its main opponents were divided. The lessons

⁸³ Alfred Cobban *A Modern History of France*, London: Penguin Books, 1957, Vol. I, p. 121.

⁸⁴ Vincent Cronin *Louis and Antoinette, A Biography*, London: William Collins Sons & Co. Ltd. for Purnell Book Services Ltd., 1974, p. 147.

⁸⁵ Piuz et Mottu-Weber, *op. cit.*, 5ème. partie, Béatrice Veyrassat, Ch. XIX, 611.

⁸⁶ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 463.

⁸⁷ D'Ivernois, *op. cit.*, Vol. II (Tome I), pp.190-200.

⁸⁸ *Ibid.*, p. 195.

of the first half of the century had been built upon and used effectively by the *Bourgeois*. The organisation of the *cercles* and the acceptance by the members of party discipline and leadership of their elected representatives had held firm. Some of the leaders of the *Bourgeois*, such as the De Luc family, were men who had as many years of service behind them as the older members of the patriciate sitting in the two smaller councils,⁸⁹ just as certain families such as the Tronchins were to be found generation after generation in more elevated positions of power and leadership.⁹⁰ The *Bourgeois* had shown that the new powers that they had acquired with regard to replacing members of the *Petit Conseil* had been used only *in extremis*, in exactly the same manner as the old *ligne de nouvelle élection* had been used before 1766.

The trouble over the attempts to codify and then publish the laws of the state of Geneva and the reaction of the *Constitutionnaires* had caused a great outpouring of pamphlets in Geneva, and there was a noticeable increase of tension in the city, with *Représentation* and counter-*Représentation* being made to the government. Many pamphlets were more like booklets, although some were relatively short. The majority are serious and sober reflecting the seriousness of character of those in the city. They also go over the same ground again and again, though a few are lighter and make the point perhaps better:

'Oh vous vous trompez grandement
Toute la Bourgeois ensemble
Fait du Peuple un quart seulement

Cependant tout le peuple enfin
De cet état est souverain,
Je l'ai lû dans un Dictionnaire

On le lit aussi dans nos Loix,
Malgré qu'un usage contraire,
Aux trois quarts en ôte les droits.⁹¹

There is some satire as in the delightful *Lettre écrite de purgatoire par M. Le Col. J.J.G.* :
'j'ai encore cent-quatre frères [dans le Deux Cents] qui pensé comme moi, ou pour mieux dire ont pensé pour moi...'⁹²

It takes all sides to task for their arguments and incorporates many of the catch-phrases, especially of the *Constitutionnaires*, such as 'ébranler la Constitution, se laisser conduire par des Démagogues séditieux, introduire des définitions dangereuses & inconnues jusqu'à nos jours'.⁹³ It gives a clear idea of what the *Constitutionnaires* thought of the *Représentants* and their political ideas.

The *Constitutionnaires* and their allies in Paris, Hennin, and the Genevan Ambassador, Des Franches, were determined to take advantage of the unease. The French Ambassador to the Helvetic Corps suggested again to Bern and Zürich (1780) that they should join him in examining what measures should be taken to ensure continuing peace in Geneva

⁸⁸ See Appendix IV.

⁹⁰ See Appendix IV B VIII/13.

⁹¹ AEG, A67/1 bis, Collection Girod, Vol. 12, 86 Remarques extraites des Registres publics de la République de Genève, suivis de chansons en forme de dialogue entre un Anglais et un citoyen de Genève, sur des Airs connus dédiées aux Grimaud. Imprimé à Londres aux dépens de Wilkes', pp.20-21.

⁹² *Ibid.*, Vol. 4, 102, p.4.

⁹³ *Ibid.*, p.5.

and to end the incessant quarrels in the city before great trouble broke out:

'Mais je vous prévient, Messieurs, que si par un événement qui ne paraît malheureusement que trop prochain les esprits de cette République et par trop avides changements forçaient Sa Majesté à s'occuper de ses querelles toujours renaissantes, Elle est résolue d'y mettre fin pour toujours de façon ou d'autre.'⁹⁴

The Minister, although in the midst of war with Britain over the independence of the American colonies, put forward a plan for the conciliation of the troubles in Geneva, which was submitted to Zürich and Bern, but which was not officially communicated to the *Petit Conseil* in Geneva. When the council managed to obtain the details of Vergennes' plan, it was clear why they had been kept in ignorance of it.

The powers of the *Petit Conseil* were to be weakened. Legal jurisdiction was to be transferred to the LX. The right to decide whether or not to accept a *Représentation* would be transferred to a new creation, a council in which half the members would be chosen by the *Deux Cents* and half by the *Bourgeois*. *Représentations* would be strictly limited and only a small number of *Bourgeois* could present them. The *Conseil Général* would lose its right to replace four members of the *Petit Conseil* and the right to elect half the vacant seats in the *Deux Cents*, once these reached 50, as had been agreed in the settlement of 1768.⁹⁵ The economic rights of the *Natifs* would be the same as those of the *Bourgeois*, they would be permitted to become officers in the militia, and the *Natifs* exiled in 1770 would be permitted to return. This was an attempt both to increase the power of the council where the *Constitutionnaires* were in a majority and to emasculate the effectiveness of the *Bourgeois' Représentations*.

The weakening of the *Petit Conseil* in favour of the *Deux Cents* was a dramatic departure from all previous accepted practice, while the suggestion of a new council, created to deal with *Représentations*, was a return to some of the ideas aired between 1766 and 1768. However Vergennes' suggestions are viewed, they would have considerably altered the provisions of both the original Edict of 1543 and that of 1568.

This 'compromise' was similar to the position of the *Constitutionnaires* with regard to the Edict of 1768, but introduced a new element with the weakening of the *Petit Conseil*. A situation had been reached where the *Constitutionnaires*, who had, in the previous decade, been those who wanted to maintain the constitutional *status quo* and had objected strongly to the changes which had occurred as a result of the compromise of 1768, were now prepared to consider introducing changes in order to regain political control. Yet the *Constitutionnaires* were arch-conservatives, whose whole being was grounded not on constitutional change but on eliminating the changes introduced in 1768.

These were ideas which emerged from Vergennes, not from the *Constitutionnaires per se*, who, when they finally regained political power in the state, did nothing to change the position of the *Petit Conseil*. Equally, there was no way short of force that such a scheme would have passed the *Petit Conseil*, which it would have had to do before it could go to the *Deux Cents* and, certainly, it was never going to pass in the *Conseil Général*. It was merely yet another tactic of destabilisation in an already tense situation.

The concessions granted to the *Natifs* were confirmed by the French Resident to Cornuau and other *Natifs* (17th. May 1780) when he called them to his residence to read them a letter from Louis XVI promising them that, unlike previous Mediations, in this one, the *Natifs* would not be forgotten. He also promised them that the concessions listed

⁹⁴ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 463.

⁹⁵ D'Ivernois, *op. cit.*, Vol. II (Tome I), pp. 209-210, ft. 13. The 50 vacancies had little effect upon the balance within the *Deux Cents*, it continued to be dominated by *Négatifs* and *Constitutionnaires*.

above would be included in any solution reached by the Mediators.⁹⁶

Figures bandied around by the *Constitutionnaires* claimed that:

'près de 1500, ou 2000, soit Natifs, soit habitans leur étaient dévoués;'⁹⁷

It was clear to the leaders of the *Représentants* that they needed to win the *Natifs* to their side in order to remain politically relevant and avoid being crushed by their opponents. It required considerable effort and took two months:

'ils eurent à combattre chez un grand nombre, l'interet personnel d'un commerce exclusif auquel il était coûteux & pénible de renoncer; chez quelques-uns, l'orgueil des distinctions, & surtout chez la plupart, une vive indisposition qu'excitait contre les Natifs la conduite de Cornuaud.'⁹⁸

Cornuaud was perceived as a French agent and the lackey of the *Constitutionnaires*, the *Représentants* resenting the way he was treated as an honoured guest and friend by many of the patriciate. The *Bourgeois* were extremely distrustful of France and French influence, and Cornuaud, in his political and his personal life, was the personification of all their fears. His affair with a patriciate wife aggravated matters, since many of the *Bourgeois* followed Calvin's strict moral code. He was also known to be a frequent guest of the French Resident, was clearly a good speaker and was popular in the *Natif cercles*; and, initially, his arguments were successful.

By October, after considerable argument and discussion in the *cercles* in which the *Représentants* met, the logic of the situation was accepted by them, and they prepared a *Représentation* concerning the rights of the *Natifs*.

This was presented to the government on 20th. October 1780. Apart from saying that the *Natifs* should be granted civic equality, it went on to state that:

'il ne serait ni bienséant, ni utile, que les Natifs restassent aussi étrangers qu'ils le sont au Corps législatif, & il conviendrait qu'on fixât pour eux un moyen de parvenir à la Bourgeoisie...'⁹⁹

The exact manner in which the *Natifs* were to be granted full rights within the state was left open for the government to decide, though it was clear that the *Représentants* did not envisage a sudden change for all the *Natifs*, but some kind of gradual transformation over a period of time.

France reacted sharply to the action of the *Représentants*. The Resident invited Cornuaud and other *Natif* leaders to his residence, a second time, where he read them an extract from a letter from Vergennes in which they were assured that:

'Sa Majesté ne perdra pas de vue leurs intérêts quand Elle sera dans le cas d'influer sur la pacification de la République.'¹⁰⁰

The attempt by de-Vaux¹⁰¹ to interfere directly in the internal affairs of the state to which he was accredited aroused the anger of the *Représentants*. It was not normal diplomatic behaviour to give overt backing to one particular group within the state. It was, of course, a desperate move by France to help Cornuaud maintain his influence over the *Natifs* in the face of the tempting offer of the *Représentants*. It was also the fulfilment of the claim that

⁹⁶ *Ibid.*, p. 238.

⁹⁷ *Ibid.*, p. 240.

⁹⁸ *Ibid.*, p. 243.

⁹⁹ *Ibid.*, pp. 143-4, ft. 2.

¹⁰⁰ Cherbuliez, *op. cit.*, p. 249.

¹⁰¹ See Appendix IV B VIII/14.

had often been made by many *Bourgeois* about the dangers of French interference in the affairs of Geneva.

The Swiss co-Mediators refused to accept Vergennes' plan for 'pacification'. The *Petit Conseil* and government tried to find some grounds for conciliation between the various parties within the state to make French intervention unnecessary, a similar situation to that which had occurred in late 1767 and early 1768, and which had led to the Edict of 1768. In their appeal to the other two parties, they noted that they were:

'persuadés que dans les divisions d'une République comme la nôtre le triomphe de l'un des partis ne peut qu'aboutir au malheur public.'¹⁰²

This appeal to the parties by the *Petit Conseil* to follow the path of compromise failed, in part because the *Constitutionnaires* felt little need to be conciliatory, certain that any attempt to allow the *Natifs* extensive entry to the *Bourgeois* would provoke a strong French reaction. This certainty was in part due to the reports they were receiving directly to their own *cercle* the 'Club des Constitutionnaires' from both Des Franches and one of their own members in Paris, Jacob Tronchin.

The Du Roveray affair and its consequences

The representation that the *Représentants* made concerning de-Vaux's actions was presented to the *Procureur-Général* on 11th. December. He then, as was usual, prepared his report for the *Petit Conseil*. The *Procureur-Général* was Jacques-Antoine Du Roveray, who had been elected to the post in 1779, and his *Remonstrance* owed more to his loyalty to his party, the *Représentants*, than the necessary neutrality expected of his position as the legal officer of the government:

'Jamais les Magistrats d'un Etat libre ne sont plus dignes de respect de leurs concitoyens, ... que quand ils plaident pour l'indépendance & la paix de leur patrie. Il est temps ... de faire cesser ces moyens obscurs par lesquels on surprend la bonne foi de nos compatriotes... Et faut-il que ce soit par des étrangers que les enfans de la patrie apprennent à respecter son indépendance?'¹⁰³

It was courageous, but unwise, to make an official complaint regarding the connection between the French Resident and the *Natifs*. It was equally unwise to denounce the French Residence as a centre which broadcast its desires as to what should happen in the city, issued threats and openly favoured a particular party within the state, all without reference to the government to which the Resident was officially credited. Neither was it tactful to draw to the government's attention its utter supineness to French interference, but Du Roveray's speech expressed the very essence of the anger and disgust felt by many of the *Bourgeois* at the inability of the government to govern.

The *Petit Conseil* had changed from being a relatively mild *Négatif* council into one which was far more hard-line and pseudo-*Constitutionnaire*. Many *Négatifs* were unwilling to accept the entry of appreciable numbers of *Natifs* into the *Bourgeois*. This negative attitude also included the members of the *Petit Conseil*. For such *Négatifs*, the acceptance of a proportion of *Natifs* to the status of *Bourgeois* was to dramatically alter the constitution of the state. Realising that they might need the assistance of France to prevent this from happening, the *Petit Conseil*, terrified lest the content should come to the ears of the French, ordered Du Roveray not to let the text of his speech out of his hands and not to allow its publication.

Unfortunately, Du Roveray's text was both printed and distributed although exactly by

¹⁰² P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 464.

¹⁰³ D'Ivernois, *op. cit.*, Vol. II (Tome I), p. 248.

whom is unclear. The Resident made haste to send it to Paris and, by 3rd. January 1781, was demanding the immediate punishment of Du Roveray, who was arrested and suspended from his functions. The King subsequently demanded that Du Roveray be expelled from the *Deux Cents* and removed from his post, a demand that the *Petit Conseil* hastily acceded to. France was attempting to rule Geneva. This led to rioting, with street skirmishes between the *Représentants* and the *Constitutionnaires*, in which a number of *Natifs* supported the latter. On 5th. February, in renewed unrest, the *Représentants* rushed to take control of the city gates and the Town Hall and rapidly became masters of Geneva without firing a shot.¹⁰⁴ The *Petit Conseil* bowed to the inevitable and officially handed responsibility for the gates of the city to those who controlled them, the *Représentants*. The government, as tradition dictated at times of unrest in Geneva, sent for mediation to both Zürich and Bern. The Resident also made an appearance to inform the council of instructions from Louis XVI that the *Constitutionnaires* had been taken under his 'special' protection.

The council, unable to leave the Town Hall, decided to turn to Vergennes for a *médiation conciliatrice* as well as repeating its pleas to Bern and Zürich to send delegations to Geneva. Meanwhile, the *Petit Conseil* refused to accept the proposals put to it by the *Représentants*, arguing that they could not meet and discuss under the threat of force. They soon accepted that, in fact, the *Représentants* were in control of the state and that there was little else they could do. The normal military force in the city was the citizen militia, consisting of both *Bourgeois* and *Natifs*, the latter serving in the ranks. The *Représentants* were in control and were prepared to offer limited political rights to the *Natifs*, many of whom had been won over to the *Représentants* by the latter's seizure of the city gates, which left the government without any military support.

The *Petit Conseil* therefore voted to accept the Edict proposed by the *Représentants* and sent it to the *Deux Cents*, which held two votes. In the first, the *Constitutionnaires* rejected the Edict; in the second they abstained, with the result that it was passed by 55 votes to 3.¹⁰⁵ The same day as the *Deux Cents* accepted the Edict, a meeting of the *Conseil Général* was called. This meeting voted the new Edict, now named the *l'Edit bienfaisant*, by a clear majority of 1,117 to 29.

Under this new Edict, the *Natifs* were given considerable benefits. The most important was the right to citizenship for all those of the third generation of *Natifs* who were in a 'useful profession or trade'. In addition, as a special measure 100 *Natifs*, 20 *Habitants*, and 2 *sujets* would receive *Bourgeois* status at once without payment of any fees. Thereafter, the status of *Bourgeois* was to be allowed to eight *Natifs*, and one each for *Habitants* and *sujets* per year. The *Natifs* also received full civil rights. Their previously exiled leaders were to be allowed to return to Geneva. The *Natifs* were also to nominate 56 officers in the militia. Since the concessions offered to the *Natifs* were greater than those which had been offered to them by the *Constitutionnaires*, the former rallied to the support of the *Représentants*. There was some questioning of the situation by some *Natifs*:

'Le Natif dit: L'on parle beaucoup à Genève de Liberté et des Droits, et il semble ... enfin que nous y participions; mais le Négatif ne nous offre les Droits utiles, que parce qu'ils lui sont inutiles n'en usant plus et le Représentant ne nous offre les droits honorifiques que nous l'aidions à les défendre... Au lieu de ces promesses nous voudrions qu'ils fassent d'accord sur quelque arrangement, par lequel il fût

¹⁰⁴ F.F. Roget, *Lettres de Jean Roget 1753-1783, Ministre de l'Eglise de Genève. Les Affaires de Genève 1780-1783, Genève et Bâle: Georg & Co., 1911, p. 45* [Hereafter *Lettres*].

¹⁰⁵ D'Ivernois, *op. cit.*, Vol. II. (Tome I), p. 278.

sur que nos Enfants ou nos petits-Enfants seront Citoyens.¹⁰⁶

The Edict was a fascinating Genevan compromise in that it maintained the outline structure of the state as it had been since 1543, but allowed for the upward movement of the *Natifs* in a controlled manner after the initial influx from those of the third generation. It allowed for 'change by agreed upon and legal methods', since the Edict had been accepted by a large majority of those with political rights by the voting in the *Conseil Général*. Neither was it likely that the vote would have been different if the *Bourgeois* had not been in control of the city gates. The knowledge that the *Représentants* were a majority of the *Bourgeois* in the state was the reason why the smaller councils had blocked the presentation of the Edict to the *Conseil Général*.¹⁰⁷ Unlike the unrest of 1734-7, there had been no deaths or serious street fighting, but, unlike 1768, the *Représentants* had had to take up arms to protect themselves and had then found themselves masters of the town. Even under these circumstances of men under arms, the Edict was a very important step towards progress in the city. It underlined the fact that Geneva was not a true *société d'ordres* since the Edict both maintained the existing structure of the state while allowing considerable numbers of people to move upward into the *Bourgeois*. This movement being on the basis alone of being 'Genevans' of long standing. There was to be no payment of fees for the 'privilege' as previously.

It was the first time that *Bourgeois* status had been offered to such a large number of people, and was thus completely new for Geneva. The structure and the base of the system of government in the city would remain in all essentials unaltered by allowing the entry into the *Bourgeois* of third-generation *Natifs*. In the early years of the Republic, there had been considerable numbers annually who had become *Bourgeois*, especially in years like 1555, when a substantial number of French Huguenots were admitted to the *Bourgeois*. The influx of a possible 460 new members under the Edict increased the numbers of *Bourgeois* to a maximum of 1,700. There were always a certain number of those entitled to sit and vote who were not in Geneva because they were abroad on business or lived in foreign cities, a situation which led to the scramble by many *Bourgeois* in 1766 to return to the city in order to vote on the Mediation.

It was not an over generous offer, since, any *Natif* seeking to become a member of the political class would need to have had a family connection with Geneva for at least eighty years, first as an *Habitant*, then three successive generations of *Natifs*. It certainly did not introduce 'democracy' into the state, the number of *Bourgeois* still being under 2,000 in a population of 24,000. It did not violate the existing Edicts since they had always allowed for the movement of successful *Natifs* into the *Bourgeois* and *pro rata* large numbers had been admitted in Calvin's time¹⁰⁸ It also meant that the majority held by the *Représentants* in the *Conseil Général* would be even greater. It enabled many of those who had come at the time of the religious persecution in France in the second half of the seventeenth century were eligible for *Bourgeois* status. Equally, it meant a further tilting of the political balance against the patriciate and towards that part of the *Bourgeois* represented by the *Représentants*, especially in the *Conseil Général*. The small widening of political rights in Geneva was in contrast to the continued restrictions found in the Swiss cantons such as Lucerne, Bern, Zürich and Basle. In comparison with the changes that had occurred in the state constitutions of Pennsylvania in 1776, with a unicameral system and

¹⁰⁶ AEG, Girod 22 *Manière de servir son parti, sans nuire à la patrie - Par un vieux Natif*, 8 janvier 1781, p.8.

¹⁰⁷ Palmer, *op. cit.*, p. 126.

¹⁰⁸ See Chapter I, p. 18.

a very wide franchise, Geneva was conservative and unchanging.¹⁰⁹

The position of the *Syndics* and the councils was in no way changed by what had happened. The government continued to function and there was no attempt at, or even thought of, effecting any changes. The *Conseil Général* had voted for the Edict, and it was left to the government to implement what had been voted, while the *Représentants* kept control of the city gates.

Geneva was offered an avenue of reform, which while altering the balance between the constituent parts of the people within the state, still retained the basic instruments and organisation of the state. It was a genuine attempt to reform an ancient republic by the majority of those with political power, the *Bourgeois*. The admission of an additional block of ex-*Natifs* into the *Conseil Général*, together with the right of replacement obtained by that council in 1768 could have led to 'a way of formalising ... conflicts in institutions'.¹¹⁰ To be successful the cooperation of the patriciate was required but the *Constitutionnaires* led the way in refusing to accept the Edict. They had refused to accept the Edict of 1768, the Edict of 1781 was even more indigestible. The situation had been reached in Geneva where the *Bourgeois* were looking forward, accepting conservative, 'controlled' change, while the *Constitutionnaires* became increasingly determined to turn the clock back to 1767 and the *Prononcé* with its strengthening of 1738. Thus, Geneva, together with the other ancient republics, 'could not be reformed',¹¹¹ because all attempts at peaceful reform required the working together of the smaller councils and the *Conseil Général*. The refusal of the *Constitutionnaires*, together with some of the *Négatifs*, to countenance any political reform, joined with their majority in the *Deux Cents*, blocked all avenues of negotiated, lawful change.

It also placed Geneva at variance with what was happening in many of the Swiss cantons.¹¹² In Lucerne the decline in *Bourgeois* had led to the admittance of a few to that status on the basis that they replaced their wooden houses with stone and that they had no right to government positions until the third generation after admission - a very restrictive change. In Bern, although by 1787 only 243 families theoretically had the right to participate, three-quarters of them were excluded from power, leaving 68 families with that right. For Bern particularly, the increase in those allowed to take part in the *Conseil Général* posed a threat, even if it only encouraged those theoretically with rights to attempt to follow the lead of Geneva and demand change.

The advice from France, Bern and Zürich was not to implement the new Edict, while the *Constitutionnaires* themselves made a *Représentation* to the government:

'Ce projet de Code par lequel nos Loix les plus sacrées auroient été altérées, mutilées ou détruites, n'etoit-il pas l'ouvrage de leurs chefs? [les Représentants].'¹¹³

They ended their submission by demanding the intervention of the Mediators. The interference of the French in Geneva thus became enmeshed in the question of rights for the *Natifs*, with dangerous consequences for the city. The *Constitutionnaires* meanwhile attempted to re-attach the *Natifs* to their cause, arguing that the *Constitutionnaires* should:

¹⁰⁹ Bernard Bailyn, *op. cit.*, pp. 294-295.

¹¹⁰ Venturi, *op. cit.*, p. 84.

¹¹¹ *loc. cit.*

¹¹² See diagram 1 for comparison of *Bourgeois* numbers in Geneva, Zürich, Bern and Lucerne.

¹¹³ AEG, Girod 22, 10 *Très-Humble et Très-Respectueuse Requisition des Membres Constitutionnaires du Magnifique Conseil des CC*, 30. janvier 1781, p.7.

'se familiariser avec eux comme des camarades, les admettre dans leurs cercles, dans leur société, à leurs tables qu'ils tenaient ouvertes, les attirer, les caresser d'une manière aussi indécente que publique: tout cela pour les amener contre les Représentants.'¹¹⁴

With what were the *Constitutionnaires* supposed to turn the *Natifs* away from the *Représentants*? The only successful strategy would have been to promise all male *Natifs* immediate entry into the *Bourgeois*, an unlikely proposition. That left the negative approach of attempting to persuade the *Natifs* that the offer contained in the Edict was nothing but a ruse to obtain their support. This was the difficulty for the *Représentants*, since the *Constitutionnaires* were aware of the fact that the Mediators had ordered the government not to apply the Edict, apparently giving credence to their claims to the *Natifs* that the offer from the *Représentants* was not genuine.

The government found itself in a no-win situation: unwilling to put the Edict into effect, but unwilling to say so publicly, for fear of a violent reaction from both the *Natifs* and the *Représentants*, it reverted to the old Genevan policy of procrastination. The *Représentants* attempted to pressure the government to apply the Edict, and the government, under pressure from both sides, had to make a decision as to where it stood. This came on 18th. May:

'Un pareil édit ne peut subsister plus longtemps que les jours d'anarchie qui lui donnèrent naissance et le Conseil, devenu libre, ne saurait l'exécuter sans trahir ses devoirs envers la patrie.'¹¹⁵

The *Petit Conseil* argued that the acceptance of the Edict in both the smaller councils was obtained under threat and, on those grounds, the Edict could never have the force of law.

The argument put forward by the *Petit Conseil* skirted around the real difficulty. What it was denying was the sovereignty of the *Conseil Général*. The Edict had been accepted by a large majority of the people in a free vote, but the *Petit Conseil* and the *Deux Cents* would certainly never have forwarded any *Représentations* granting *Bourgeois* status to the *Natifs*. The rioting of February 1781, during which the government had remained passive, had temporarily solved the *impasse* that had been present in Geneva since the Edict of 1738. In February 1781, the *Petit Conseil* was unable to block the *Représentation*, thus giving the *Bourgeois* an opportunity to make an important decision. In effect, all the years of the eighteenth century spent in finding compromises to avoid exactly this difficulty had ended in nought, and the Genevans were brought to face the question clearly: was the government willing to accept the clearly-expressed will of the *Bourgeois* when this was against its own ideas and beliefs? There had not been a seizure of power, as the *Syndics* remained in place, as did all the members of the *Petit Conseil* and *Deux Cents*. There was no interference whatsoever in the daily running of the government, and, when the government was seen to be reluctant to enforce the new Edict, the *Représentants* did not march, armed, to the Town Hall to demand the immediate application of the new law; they organised, as usual, a *Représentation*. None of this was the action of a group who had seized power.

It should also be noted that the *Représentants* did not use their dominance to impose upon the government any settling of scores. After all the trouble over the revision of the laws, the *Représentants* were content to delay for two years any further work on the contentious issue of revising the constitution, which had been halted in 1779. This was included in the Edict. There was to be an amnesty concerning all that had happened before February 1781. Thus the three matters on which the *Représentants* insisted were

¹¹⁴ Roget, *Lettres*, *op. cit.*, de Lausanne, 4 avril 1781, p. 50.

¹¹⁵ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 468.

an amnesty, a delay in the contentious issue of the revision of the laws of the state and the move to enfranchise a proportion of the *Natifs*. Such moderation was, as ever, politic as well as prudent, and they would be:

'trop heureux si cet acte unique de modération nous redonnait la paix.'¹¹⁶

The division within the patriciate lessened as a result of the position taken by the government. The majority of the *Négatifs* joined the *Constitutionnaires* in believing that the threat to Geneva from within was greater than that from without. For them the application of the Edict was to radically alter the constitution as it had existed since 1543. The admission of third generation *Natifs* to *Bourgeois* status was from the patriciate view an attack on the social order upon which the state rested as Fazy comments, 'le premier coup de hache dans l'édifice des privilèges et des abus',¹¹⁷ and marked an erosion of the security of the state, the initial concession inevitably leading to others and the ultimate destruction of the state. And, as in 1770, a stand had to be taken.

As in 1766, the French wished the negotiations for the conciliation to take place outside Geneva at Soleure, where, as in 1738, the French wanted to impose a solution which severely limited the powers of the *Conseil Général*, while the Swiss sought to find a compromise solution between the parties. The meetings between the three mediators ended in deadlock due to the French insistence that the *Conseil Général* due to be held in Geneva to elect 25 members of the *Deux Cents* should not be held.

The death of a member of the *Deux Cents* meant that there were now 50 vacancies and under the terms of the Edict of 1768 50 new members had to be elected.¹¹⁸ This meant beginning the process of election, whereby 25 seats were to be chosen by the two smaller councils and 25 by the *Bourgeois* voting in the *Conseil Général*. The result of these elections would mean more *Représentants* in the *Deux Cents*. The *Constitutionnaires*, together with some *Négatifs*, argued that, given the dangerous political state in Geneva, it would unwise to hold elections. They also found themselves in a rather unfortunate position: they rejected the validity of the Edict of 1768 and wished to see it removed from law, and felt that they should not act under its provisions and become involved in the election process but they were only too aware of the danger of not ensuring that as many of their candidates as possible were elected.

Vergennes, to avoid all these difficulties, attempted to persuade Bern and Zürich to support a suspension of the application of the Edict of 1768. Geneva should remain as she was at present, while the conciliation by the Mediators went on, an idea which was to become the question of the '*in status quo*'. Bern and Zürich could not accept this:

'La constitution d'un Etat libre ne saurait être arrêtée et rendue inactive par des Puissances étrangères sans que sa souveraineté soit blessée.'¹¹⁹

France, seeing that she would not be able to persuade the Swiss otherwise, then declared that she would withdraw from this attempt to find a solution to Geneva's problems, leaving the conciliation to the two Swiss cantons. However, she warned the governments that:

'Si qui que ce soit attentait à la vie ou à la liberté d'aucun des individus de la République sans que le gouvernement eût et employât la force nécessaire pour l'en punir, Sa Majesté se charge de ce soin ainsi que de rétablir sur le champ le bon

¹¹⁶ F.F. Roget, *Lettres*, *op. cit.*, De Lausanne, reçue à Londres le 2 mars 1781, p. 48.

¹¹⁷ Fazy, *Les constitutions*, *op. cit.*, p. 151.

¹¹⁸ See Chapter VII, p. 156.

¹¹⁹ D'Ivernois, *op. cit.*, Vol III (Tome II), p.10.

ordre parmi vous par tous les moyens que sa puissance lui met dans la main.¹²⁰

The Genevan government, however, knew that to achieve what the French desired, namely *in status quo*, the consent of the *Conseil Général* was necessary. There had already been a *Représentation* concerning *in status quo* on 2nd. April 1781, and clearly another was in preparation:

'de nouveaux peletons l'ont été appuyé [sic]... ce matin. C'est le résultat d'une assemblée des Cercles politiques tenue hier à 4hs. par le Comité des Chefs.'¹²¹

For the *Représentants*, the attempt by France to introduce the *in status quo* was an attack on the independence of the state. In submitting the '*in status quo*' idea to the *Conseil Général*, the two smaller councils must have known it was likely to be rejected. Having left the matter until almost the end of the year, the government had to act and attempt to obtain the consent of the *Conseil Général* to the *in status quo*. The result was as expected:

'Le Conseil Général a refusé hier à la pluralité de 1194 suffrages contre 393 la proposition de l'in status quo .. de sorte que après midi le Petit Conseil a fait passer la Trompette pour achever les Inscriptions qui doivent être fermées jeudi, et que les Elections s'ensuivront.'¹²²

The speed with which it thus moved to begin the process of the elections is surprising. Whether the government was intent on demonstrating to the French the intractability of the *Bourgeois* and so hastening French intervention or whether it wished to distract the *Représentants* from the question of the rights of *Natifs* is unclear. In any case, the government's defiance of French wishes was surprising. On the other hand, a *Deux Cents*, which had more *Représentant* members might make it easier for a revision of the Codes to go ahead. There might also be grounds for a compromise between the less extreme members of the *Petit Conseil* and the *Représentants*, which might bring a measure of political peace to the state and avoid French intervention.

The continued refusal of the government to put the Edict concerning the *Natifs* into effect was a threat to the support that the latter had given to the *Représentants*, seeming to give substance to the claims of Cornuau that the offer was merely a trick. By March 1782, nothing had been done and the situation was becoming increasingly difficult, so a further *Représentation* was made with the support of nine hundred *Bourgeois*. The text of the March 1782 *Représentation* was very much to the point:

'Nous sommes députés auprès de vous de la part des Natifs, Habitants et Sujets, pour vous solliciter à faire en leur non, une Représentation dont la force et l'énergie mette le Petit Conseil dans le cas de répondre très promptement et très Catégoriquement sur le sort que nous fixe dans l'Etat l'Edit du février 1781. Afin qu'en cas de refus nous puissions agir de concert avec les Citoyens et Bourgeois sur les moyens les plus efficaces et les plus patriotiques pour soutenir la dignité du Souverain.'¹²³

Tactfully worded, it was a coded warning that the patience of the *Représentants* was running out. The matter of giving certain rights to the *Natifs* had become, because of its acceptance by the *Conseil Général*, a matter of the sovereign rights of that body within the state. The *Petit Conseil* would have done well to reflect on the emotive power of the

¹²⁰ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, pp. 468-9.

¹²¹ BPU Genève, Ms. 2469 Lettres G-A. De Luc à J-A. De Luc, vendredi au soir 3 avril 1781, 185.

¹²² BPU, Genève Ms. 32 Intelligence from Geneva 1779-1783. Recueil de lettres adressées au Viscomte Mountstuart, Ministre de S.M. Britannique à Turin, Isaac Pictet, à Pregny, le 25 décembre 1781, 179.

¹²³ BPU, Genève, Ms. 32 Intelligence From Geneva, 193 15. février 1782.

sovereignty of the *Conseil Général* in the previous eighty years of the century.

Meanwhile, Cornuauud was busily stirring up distrust and anger amongst the *Natifs*. In a series of 9 *Adresses aux membres du Comité des représentants*, he argued that they were not serious in offering the right to *Bourgeois* status to the *Natifs* as promised in the Edict of 1781. In the uncertain situation in which political life found itself, it was essential that the Edict be put into effect. There was a danger that the *Natifs'* patience was running out. It was in response to a plea from the *Natifs*, as well as to counter the propaganda of Cornuauud, that the March *Représentation* was made.

The response of the *Petit Conseil*, after considerable discussion, was a refusal, made public on Monday 8th. April. The council based its response on the Regulations of the Mediation of 1738,¹²⁴ which had clearly set out the different powers of the various arms of the government. It went on to declare:

'que le Conseil Général n'était point le souverain de la République ¹²⁵ et ... "qu'il [le Petit Conseil] persévérerait invariablement dans le refus d'exécuter un édit (celui du 10 février 1781) qu'il avait constamment envisagé comme nul".¹²⁶

Once again at a time of crisis, the *Petit Conseil's* members showed themselves to be totally unaware of the consequences of their actions and words. It was as if all the struggles and all the arguments which had taken place in the eighteenth century in the city had never existed. The statement concerning the sovereignty of the *Conseil Général* could have been made by Chapeaurouge in 1718 or 1734. This was the final push by the patriciate to provoke the *Représentants* and the *Natifs* into actions that would necessitate the military intervention of France. Angry though the *Représentants* were, their anger was not as great as that of the *Natifs*.

Rioting and the application of the new Edict

Initially expressed within the *Natifs' cercles*, the anger and frustration quickly spilled out onto the streets and squares of the town as night fell. Their leaders lost all control and rioting followed, while the government, the *Négatifs* and the *Constitutionnaires* refused to do anything to contain the *Natifs'* rioting, remaining firmly aloof and refusing to react to the situation. Gradually, the *Représentants*, who had waited for the government to act, took up their arms and were able to put themselves at the head of groups of armed *Natifs* bringing them under some control and thus preventing too much bloodshed. Eleven of the most prominent *Constitutionnaires* were arrested and taken under guard to be held at the Hôtel des Balances.¹²⁷

In 1782, when the intransigence of the *Constitutionnaires* and the *Petit Conseil* led to their refusal to apply the *Edict Bienfaisant*. It was not as Godechot claims that the:

'Genevan democrats, including du Roveray, Clavière ... and the lawyer Grenus called the natives to arms'¹²⁸

¹²⁴ See Chapter V, pp. 110ff.

¹²⁵ This was to reopen the arguments of 1707, 1734-8, 1763-68 and the question of sovereignty. See Chapters IV, V, VII.

¹²⁶ Karmin, *op. cit.*, p. 86.

¹²⁷ See Appendix IV B VIII/15.

¹²⁸ Godechot, *op. cit.*, p. 53.

Du Roveray was at the Town Hall 'au désespoir',¹²⁸ begging the *Syndic de la garde* to calm the rioters. A request which was refused. Du Roveray was joined by several other *Représentants*, who seeing the refusal of the government to act then armed themselves and put themselves at the heads of the rioting groups of *Natifs*. For many of the *Représentants*, it was at this moment, with the government refusing to act against rioting in the town, together with the refusal of the *Petit Conseil* to carry out the *Edit Bienfaisant* that Palmer's criteria of 'confidence in the justice and reasonableness of existing authority'¹³⁰ was destroyed. No responsible government sat idle while a considerable proportion of its people rioted in the city.

It was the angered *Natifs* who began the rioting. Genevan historians agree that the action of the *Représentants* prevented much bloodshed, as they also agree on the inaction of the *Syndics* and government.¹³¹ The arrival at the Town Hall of several of the leading *Bourgeois*, including Du Roveray, in an attempt to help the *Syndics* to re-establish order affirms their century-long desire to do nothing outside the law. Neither would they have been unaware that the refusal of some of the government to act was deliberate. Rioting and danger to the patriciate would, some of the *Négatifs* and all of the *Constitutionnaires* hoped, lead France to intervene with troops. The *Bourgeois'* taking control of the *Natifs* and thus bringing the rioting to an end without the cooperation of most of the members of the government led them to take the reins of the government into their own hands. And shocked though the French were with the holding of many members of the government in the Hotel des Balances, no harm came to the latter, a further demonstration of the degree of control over their followers that the *Représentants* were able to exercise. The events of April 1782 are interpreted by Godechot as:

"The "natives" unable to gain victory in 1768, seized power with the aid of the "burghers" (*Bourgeois*) in April 1782 and attempted to give the old republic a new and more democratic constitution."¹³²

Unfortunately, no-one had tried to seize power in 1768, certainly not the 'natives'. Some of the 'natives' had attempted to seriously riot in 1770. The *Natifs* having been encouraged by both sides in the political conflict in Geneva to develop and hone their political interests were angry and frustrated at the refusal of the *Petit Conseil* to allow the considerable breach in the barrier between the *Bourgeois* and themselves which the Edict of 1780 promised. Their acceptance of the leadership of the *Représentants* showed that they, in fact, had no clear notion of what they would do, except perhaps take their vengeance on those they considered responsible for the situation, being the typical mob protest of the eighteenth century world.¹³³ The *Représentants* desired the government to apply a new Edict approved by the *Conseil Général* in 1781. While this Edict would have introduced some changes, added to the constitution as it existed, it hardly amounted to a 'new' constitution. It was marginally more 'democratic', because over a period of time the numbers of *Natifs* becoming *Bourgeois* would increase. In preventing the *Natifs* from rioting, the *Représentants* found themselves in the position of illegally holding power, the very position they had ardently striven to avoid.

¹²⁸ P. E. Martin, *op. cit.*, 3ème. Partie, Jean-Pierre Ferrier, Ch. IX, p. 470.

¹³⁰ Palmer, *op. cit.*, p. 21.

¹³¹ *loc. cit.*, and Fazy, *Les constitutions*, *op. cit.*, pp. 154-155.

¹³² Godechot, *op. cit.*, p. 4.

¹³³ Bailyn, 'Pamphlets', *op. cit.*, p. 581 citing Schlesinger 'Political Mobs and the American Revolution, 1765-1776', *Proceedings of The American Philosophical Society*, 99 (1955), p. 244.

There was no attempt to remove the four *Syndics*; they had been elected by the *Conseil Général*, and nothing could therefore legally remove them from office during the year of their election. They worked with the *Représentants*, in part because they would not have been allowed to resign and leave, but also because they must have felt that the new régime would probably not be of long duration, since almost certainly the French would now intervene.

A committee to 'purify and renew' the smaller councils was appointed by the *Conseil Général*,¹³⁴ removing 11 from the *Petit Conseil* and 32¹³⁵ from the *Deux Cents*. The creation of the new smaller councils by an act submitted to the *Conseil Général* for approval was an attempt to give a legal gloss to acts which were outside the existing Edicts and to avoid the charge of acting illegally. An edict of 12th. April created the new *Petit Conseil* and *Deux Cents*. The composition of the two new councils is documented thus:

'le petit conseil se trouvait composé de onze Négatifs contre treize Représentants et le Deux Cent de 98 Représentants contre 152 Constitutionnaires.'¹³⁶

There were no *Constitutionnaires* sitting in the *Petit Conseil*, those who normally sat there were under armed guard in a Genevan hotel, but the figures for the *Deux Cents* are surprising. They almost certainly include those who had previously been either neutral or *Négatif* and who may have retained more moderate views. Jean Roget in Lausanne was a supporter of the *Représentants* and in the rather fevered atmosphere of the moment doubtless saw little difference between the *Constitutionnaires* and the *Négatifs*. The large number of *Constitutionnaires* was irrelevant, as they refused to attend. At the first meetings of the reconstituted smaller councils, the *Négatifs* who remained on the councils also refused to take any part in the deliberations. The *Neutres*, however, such as Jean-Louis de Budé-de Boissy, Sellon fils¹³⁷ and Dr. Butini, did attend and participate.¹³⁸

The creation of a *Commission de la sûreté pour le rétablissement de la tranquillité et du bon ordre* on 16th. April was one of the first acts of the *Conseil Général*.¹³⁹ The creation of a new council which was to take to itself most of the powers of the two smaller councils was to step away from the existing constitution. Jean Roget saw this new creation as:

'une espèce de dictature... sa charge et son inspection embrassent tout ce qui concerne le militaire et la police.'¹⁴⁰

This new body had 11 members and was all powerful during the short period that the *Représentants* controlled Geneva. This was confirmation that there was dramatic change in the existing constitution. The refusal of the government to act upon the wishes of the sovereign by applying the Edict of 1781, made it clear, finally, to the *Bourgeois* that they

¹³⁴ Apart from the 6 *Auditeurs*, the committee contained François Mercier, pastor and professor, two other professors, de Roches & Ennemond Dominicé, François Du Roveray, Jean-Antoine Vautier, Joseph Diedey, Louis-Etienne Rey, Jean-Louis Robillard, Jean-François Sautter, François Bourdillon, Isaac Bardin, Jean Archinard. Chapisat *La prise d'armes de 1782 à Genève*, Genève: A. Jullien éditeur, 1932, p. 36.

¹³⁵ Eleven out of the 24 councillors who sat in the *Petit Conseil*, and 32 out of the 250 who sat in the *Deux Cents*.

¹³⁶ F.F. Roget, *Lettres*, *op. cit.*, de Lausanne, 17 avril 1782, p. 184.

¹³⁷ See Appendix IV B VIII/16.

¹³⁸ Chapisat, *op. cit.*, p. 37.

¹³⁹ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p.472.

¹⁴⁰ F.F. Roget, *Lettres*, *op. cit.*, de Lausanne 17 avril 1782, p. 185.

could have no confidence in it to abide by the terms of the constitution. In Palmer's terms¹⁴¹ the revolution had arrived in Geneva, not in 1768 but in 1782. Ironically, once in power, the *Représentants* themselves by-passed the *Conseil Général* by using the new Commission and the *cercles*, in effect confirming the revolutionary nature of what had happened, and was a move towards the delegation of power from the sovereign body, which Palmer argues was missing in 1766-68.¹⁴² Until the capitulation of the city, the *Commission* acted as the government of Geneva, with power given to it by the sovereign body, the *Conseil Général*. Furthermore, it did not consult the *Conseil Général*, consultation being organised through the Commissioners of the *cercles*. There was no time in the few months during which this structure functioned to test whether a new system would emerge in Geneva, which might have developed in conjunction with a thorough revision of the Codes. What happened in these few months was that the members of the *Commission* were in constant contact with the *cercles*.

The *Constitutionnaires* and many of the *Négatifs* were waiting for the French to intervene, as is shown by their appeal to the Plenipotentiary powers:

'Mais la majeure partie des Membres de Deux Cents, et un certain nombre de Citoyens, qui de concert avoient résolu de tout tenter pour le salu de la République, recoururent à la protection et aux bons offices de ses augustes Alliés.'¹⁴³

There was an awareness throughout Geneva that the powers, led by France, were unwilling to accept what had happened and were preparing for an attack on the city. In a letter written from Paris to Vernes, this is made very clear.¹⁴⁴ Being able to argue in 1782 that the government running the state after the riots was illegal and unconstitutional made it inevitable that the French would intervene on behalf of the *Constitutionnaires*.

In Geneva, the Edict of 1781 was put into effect. In the Council Register, an entry for 4th. May lists thirty *Natifs* granted *Bourgeois* status, the first of a series of names of those granted this under the Edict of 1781. The interest of the Register for this period is that, once power was restored to the *Négatifs*, in July 1782, the Register was separated from the others and a *Syndic* carefully annulled the majority of the grants of *Bourgeois* status that had been made under the Edict of 1781.¹⁴⁵ In all, 460 *Natifs* were granted *Bourgeois* status in the brief months that the Edict was in force, only 60 retained their status as *Bourgeois* after the return to power of the *Négatifs* and *Constitutionnaires*.¹⁴⁶ Palmer's figure of 150 *Natifs* retaining their *Bourgeois* status may well include the 5 or more annual admissions since the Edict of 1768.¹⁴⁷

The French Resident left Geneva, Louis' government refusing to communicate with the 'faction' which had taken control of the state while by May, it was clear that Sardinia as well as France and Bern were sending troops to Geneva. Neither state could allow France to have a free hand in Geneva. Sardinia, whose frontier with Geneva touched the edge of the city, was aware of the economic benefit Geneva bestowed on a vast stretch of Sardinian territory and thus had no desire to see the city swallowed by the French. Bern

¹⁴¹ Palmer, *op. cit.*, p. 21.

¹⁴² *Ibid.*, p. 215.

¹⁴³ BPU, Genève, Archives Tronchin Ms. 343 94-5.

¹⁴⁴ See p. 201.

¹⁴⁵ Archives d'Etat, Genève, R.C 283 bis.

¹⁴⁶ Karmin, *op. cit.*, p. 103.

¹⁴⁷ Palmer, *op. cit.*, p. 368.

preferred that Geneva, still the key to Switzerland, where Bern was, by territory, the largest Canton, should remain in non-French hands; neither state had any desire to allow Geneva to be a beacon and example to those of their own citizens who might be tempted to emulate the Genevans, Bern with regard to those in the state with theoretical political rights, but in reality without any political power, and France where the *Parlements* needed little encouragement to question the authority of the King's government.

In the city, extensive work was carried out to strengthen the fortifications, and plans were made for the evacuation of Saint-Gervais, which was the most exposed to the French artillery, which had dug in on the hill above the town. There was also some attempt to find a compromise between the parties, as had so often happened before. The *Représentants*, in a declaration to the *Syndics* at the end of May, said they were willing to attempt a reconciliation with the *Constitutionnaires*, but, should the latter refuse such attempts:

'ils feront tous leurs efforts pour repousser le sort dont ils sont menacés et que si la Providence veut qu'ils périssent, ce sera en hommes libres et en citoyens vertueux.'¹⁴⁸

However, the *Constitutionnaires* were, according to Pictet, unwilling to negotiate on their own:

'Ils ne veulent plus faire d'arrangement qui ne soit consenti par les Puissances, c'est le seul moyen d'empêcher les Prises d'Armes ...'¹⁴⁹

All kinds of preparations went ahead, including the storage of gunpowder in the cathedral, which in its turn led to a rapid departure of many living in the old town. Work on the crumbling fortifications of the city went on at a feverish pace, including the cutting down of the chestnuts which were planted along the top of some of the old fortifications:

'...ces Bastions dépouillés de leurs beaux ombrages...'¹⁵⁰

Arms were handed out to defend the town against attack. The involvement of so many in the city, many of whom volunteered was like a popular mobilisation. It demonstrated without any doubt that the majority of those who remained in the city clearly supported the new régime.

However, defence of the town was nearly impossible:

'notre Ville n'a de munitions que ce qui est nécessaire pour se défendre d'une attaque subite, ...elle est même entièrement dépourvue de plusieurs articles indispensables pour soutenir vigoureusement un siège;... pour défendre le côté de St. Gervais, il faudrait nécessairement prendre une partie de l'artillerie placée de l'autre côté de la ville, qui n'en est déjà pas suffisamment pourvu.'¹⁵¹

This report was by the engineer Charles Châtel and his assistant/advisor the pastor Essaïe Gasc.¹⁵²

Attempts were also made by those outside the city to persuade the defenders of the hopelessness of their desire to defend the city:

'Et au lieu de préparer des canons, dites leur de laisser tout le monde libre et les portes ouvertes, ... et je peux vous assurer que lorsqu'on parle ici des dispositions

¹⁴⁸ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch.IX, p. 473.

¹⁴⁹ BPU, Genève, Ms. 32, le 21 May [sic] 1782, 236.

¹⁵⁰ BPU, Genève, Ms. 2463 Lettres adressées à Jean-André De Luc (Au-De), François Calandrini, Conseiller, Général de l'Artillerie, Frontonex 1 août 1782, 35.

¹⁵¹ BPU, Genève, Ms. fr. 896, 19 Mémoire Communiqué par la Commission de Sûreté à l'Assemblée des Députés des Cercles Politiques nommés le premier juillet 1782.

¹⁵² Karmin, *op. cit.*, pp. 98-99. Essaïe Gasc (1748-1813), *Bourgeois* 1774, banished October 1782, recalled 1789. He was a committed *Représentant*.

que l'on fait pour se défendre on hausse les épaules.¹⁵³

The first ultimatum of the armies surrounding Geneva was delivered to the *Syndics* on 29th. June. It included the handing over of the town to the troops, together with the expulsion of 21 leaders of the *Représentants*. The offer was a shrewd move, as it allowed the leaders of the *Représentants* to escape with their lives, while saving the city from destruction. The Allies may have hoped that such an offer would be sufficient to divide the defenders. It was extended on several occasions as various people in the town tried to persuade the Genevans of the likely consequences of not surrendering. This was no easy task, as the people seemed very determined to defend their city and new régime, more committed than the Americans had been to fight for their independence, since there were few left in the city who did not support the changes since April. The Genevans, unlike the Dutch newly raised Militias, had always had an active and trained Militia, including units concerned with the cities artillery, the *Bourgeois* and *Natifs* both serving, while the officers were always from the *Bourgeois*. There were also some younger sons who had joined foreign armies for periods of service. Thus they were not 'lack[ing] of experience ... in military service and military command'.¹⁵⁴ What Geneva suffered was an insufficiency of cannon and the fact that contemporary warfare made it difficult for towns to withstand seige, and Geneva was certainly 'small and [an] easy object for intervention'.¹⁵⁵

The one group that might be successful in persuading the people to surrender was the *Compagnie des Pasteurs*. The eighteenth century had seen the decline of this body as a politically neutral force because they no longer remained a clearly neutral body. The *Compagnie* had attempted to act as a mediating body between the factions after the events of February 1781, but it had been a thankless task, in which they progressed little. They were themselves divided, with some pastors such as M. Picot, pastor at Satigny, supporting the *Constitutionnaires*, while others such as Jacob Vernes and Essaïe Gasc supported the *Représentants*.¹⁵⁶ They were able, however, to obtain extensions of the allies' ultimatum to the city.

The *cercles* were called to meet on 1st. July to make the final decision. They created a commission of 120, ten elected members from each of the twelve political *cercles* of the *Représentants*, under the presidency of the Commission of Security. The use of delegates from the *cercles* had been extensive throughout the régime's rule. Given the apparent divisions, the calling of a *Conseil Général* would have solved nothing, and time was of the essence. There were three main strands of opinion, the first arguing for determined resistance to the death, the second talking of mass emigration and a third, led mainly by the pastors, calling for capitulation in the belief that, at some point in the future, Geneva would rise again. While the delegates had instructions from their electors, they also had to have a certain leeway in order for a final decision to be taken. It was an easier task to persuade a majority of 120 to accept what was capitulation, than nearly 2,000 who would have sat in the *Conseil Général*.

The first vote was in favour of resistance, but a second vote, after hearing graphic details of the consequences of resistance as told by a pastor - Mouchon - who had been in contact with Marmora, the Sardinian commander, gave a small majority for surrender. Martin talks of: 'un second tour de scrutin, *probablement falsifié*,' (my emphasis) but gives

¹⁵³ BPU, Genève, Ms. fr. 297 Lettres adressées à J. Vernes De Tronchin-Labat à Paris (cousin of Vernes).

¹⁵⁴ Palmer, *op. cit.*, pp. 368-369.

¹⁵⁵ *loc. cit.*

¹⁵⁶ Alex Guillot *Du rôle politique de la compagnie des pasteurs de Genève dans les événements de 1781 et 1782*, Genève: Imprimerie W. Kündig & Fils, 1893, p. 32.

no indication as to why he makes this statement or what the source for it is.¹⁵⁷ One of those present, Prévost-Cabanis, merely states his surprise after the first vote, in which all but '10 ou 12 membres' had voted for resistance:

'Qui auroit cru qu'on en entreprit un second[?] Je fus confondu, je vous l'avoue de voir Ms. revenir à la charge à ce second tour.'¹⁵⁸

The second vote was relatively close, with 57 voting for capitulation and 40 against.¹⁵⁹

The Commission of Security dissolved itself, handing its powers to the *Syndics*, and issued a *Dernière Déclaration Des Genevois* at 2 a.m. on Tuesday, 2nd. July 1782. It was an apologia for all that had happened, together with an attempt to rally support:

'ayant fait les plus sérieuses réflexions sur l'inutilité de leur résistance ... non à soumettre, mais à céder aux conditions qui leur sont imposées par la contrainte, quelque dures qu'elles soient ...et dont le Gouvernement sera désormais entre les mains d'hommes pour lesquels ils ne pourront jamais avoir ni estime ni confiance, ils iront chercher sous un autre ciel une terre où ils puissent respirer en paix l'air pur de la liberté.'¹⁶⁰

This was an admission of defeat. The hope of establishing a new Geneva elsewhere was to cast a straw of hope in a sea of despair for those who remained in the city. The Genevan colony at Ferney established after 1770 had survived only because of the help of Voltaire and his continued care for the colony. As d'Ivernois was to find, it was exceedingly difficult to begin a new city elsewhere.

The capitulation of the régime was due to the fact that the city was militarily weak and had always been so. It had a citizens' Militia and relied for its defence on the Swiss, as it always had. This must have been known to the leaders of the régime from the moment they found themselves in power. The reaction of France cannot have been doubted either. In such circumstances, they must have put their hope in managing to persuade those held prisoner to negotiate an internal settlement, as in 1768. When this was refused, it was clear to Flournois, Vieusseux, Du Roveray and the Commission for Security that there was only one possible end.

With the departure of the Commission, the *Syndics* immediately requested that troops should be sent into the town to help keep the peace in the face of the anger of those who wished to resist to the bitter end. The leaders of the *Représentants* left the town,¹⁶¹ and a proclamation of 4th. July annulled all the decisions that had been taken since 7th. April and recalled to their positions all those councillors who had been replaced. In other words, the councils reverted to what they had been before 7th. April, with the exception of those *Représentants* who had left. A commission of eight councillors was appointed to collaborate with the three powers to work out a plan of pacification, which was to be imposed on the state.

France had achieved the task she had set herself. Whether there would have been a resort to arms in Geneva without French interference is impossible to say. Left to their own devices, it was probable that the *Constitutionnaires* would have ultimately been forced into

¹⁵⁷ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 474.

¹⁵⁸ BPU Genève, Ms. Reybaz 926 Lettres diverses tenues pendant sa mission à Paris 1792-3. Précédées de quelques pièces de Prévost-Cabanis, juillet 1782, 2.

¹⁵⁹ Karmin, *op. cit.*, p. 100.

¹⁶⁰ BPU Genève Ms. 897 Journal de Jean Janot - Vol. II, 26.

¹⁶¹ Dentand, Flournois, Vieusseux, Clavière, Du Roveray, d'Ivernois, Rochette were later exiled for life, Grenus, Chauvet, Ringler, Janot, Lamotte, Thuillier, Schraidt and the pastor Gasc exiled for ten years. The pastor Vernes and the regent Anspach were relieved of their posts.



Pl. III. — Entrée des troupes suisses et françaises dans Genève, le 2^{me} Juillet 1782.

(Dessiné d'après nature)
 (voir Table les illustrations)

1. Retour du Trompette pour la ville de se rendre. — 2 et 3. Messieurs les Généraux Suisse et Français. — 4. Un Représentant sans bras, etc. — 5. Un Négatif bien aff. Angulé
 6 et 7. Entrée des deux Armées. — 8. Les Tranchée françaises. — 9. Les Héros Genevois gardant leurs remparts.

some compromise with the *Représentants*. France's oft-repeated refrain to the *Constitutionnaires* promising support nurtured their discontent and encouraged their intransigence. An example of this was seen in a letter of Robert-Guillaume Rilliet to his son in December 1781:

'Quoique l'on suive à l'élection du 200 par le Conseil Général, il n'en faut pas conclure que le Roi nous abandonne, nous avons des assurances Très fortes du contraire.'¹⁶²

All attempt at compromise foundered on the rock of their obduracy. That neither they, nor the French sought compromise is shown by their refusal to attempt to split the *Représentants* or to enter into any negotiations whatsoever. Among the *Représentants*, there were clearly a number who had not been happy with the offer made to the *Natifs*. It had, after all, taken two long months for their leaders to persuade them to support the enfranchisement of third-generation *Natifs*.

France came increasingly, in the 1770s, to attempt to extend the scope of 'mediation' to include interference at the behest of one party within the state. In the final analysis, Geneva existed for the benefit of France and therefore had to bend to her will. As Vergennes commented:

'The insurgents whom I am driving from Geneva are agents of England, while the American insurgents are our friends for years to come. I have dealt with both of them, not by reason of their political systems, but by reason of their attitudes towards France. Such are my reasons of State.'¹⁶³

Although for d'Ivernois:

'le Comte de Vergennes avait resolu de faire une révolution à Genève, bien avant la destitution qui eut lieu en 1777; & plus de trente mois avant que l'apparition du projet de Code lui en eut fourni le prétexte.'¹⁶⁴

Vergennes had no more desire than the *Représentants* to make revolutions. The French desire for a revision of the Treaty of Paris (1763) had been satisfied. At the same time the French had worked hard in the United Provinces to extend their influence and take advantage of the republican anti-Orangist feelings of the urban areas. The long minority of William V and his lack of ability as a ruler, together with his perceived pro-British leanings proved fertile ground in which France could sow seeds of discontent. The *Représentants*, true to their political creed had sought to maintain the rights of the *Conseil Général*, which, they perceived, went back to the pre-Calvin days of the state. By 1780 this had come to include a widening of the rights of *Bourgeois* status to others within the state.

Geneva was in the unusual position of possessing a constitution which had always allowed for the small enlargement of the political class, though the numbers were much reduced in comparison with new *Bourgeois* admitted in the sixteenth or late seventeenth centuries. Nevertheless, the creation of new *Bourgeois* had continued there being entries every year. Thus in Geneva, it cannot be argued that the constitution and the patriciate 'provided no means of lawful adjustment'.¹⁶⁵ To allow the *Natifs* over a period of time to be absorbed into the *Bourgeois* class would have created the 'evolutionary change' rather than the revolution involved in the complete overthrow of the constitution as occurred in

¹⁶² Rilliet, *op. cit.*, p. 78 [my emphasis].

¹⁶³ J. Soulavie *Mémoires historiques et politiques du règne de Louis XVI*, V, cited by Orville T. Murphy *Charles Gravier Comte de Vergennes, French Diplomacy in the Age of Revolution 1719-1787*, Albany: State University of New York Press, 1982, p. 400, p. 275.

¹⁶⁴ D'Ivernois, *op. cit.*, Vol. II, (Tome I), pp. 131-132, also f. 9.

¹⁶⁵ Palmer, *op. cit.*, p. 369.

1792. Neither the *Représentants* party in the *Bourgeois*, nor the *Négatifs* and *Constitutionnaires*, both latter groups as well as the *Représentants* being *Bourgeois*, wanted revolution in Geneva. It was the refusal to accept the need for any evolution by some of the *Négatifs* and all the *Constitutionnaires* that caused the breakdown. In Geneva, at least, 'inflexible conservatism' appeared not 'after, and as a reaction to the French Revolution',¹⁶⁶ nor as a result of the 'revolution' in the city in April 1782, it had been a dominant factor in the city's political life throughout the century, as manifested in 1707, 1734-8, 1763-68 and in the trouble over the *Edit Bienfaisant*.

Nonetheless, in 1782, it was the *Représentants* who introduced changes in way the state was governed, and this created a precedent soon followed by the *Constitutionnaires* in the post-July 1782 period. It was the forced abandonment by the *Représentants* of the way of legality that, to paraphrase Palmer, was 'to fundamentally alter the old constitution of Geneva,'¹⁶⁷ not the Edict to grant *Bourgeois* status to the *Natifs*. It remained to be seen whether the restored *Constitutionnaires* would, in their turn, honour the old system of governing Geneva, or whether they would need to introduce changes to remain in power.

¹⁶⁶ *loc.cit.*

¹⁶⁷ Palmer, *op. cit.*, p. 359.

Chapter IX

Final Failure 1782-1792

The capitulation of Geneva to the combined armies of France, Sardinia and Bern meant, in effect, that the *Constitutionnaires*, and the *Négatifs* who supported them, could take control of the state, backed by three armies. The introduction of the Black Code, as the new Edicts of 1782 came to be known, was an attempt to make it impossible for any party within the state to threaten the governing élite. The maintenance of a properly-formed garrison of mercenaries from outside Geneva and officered by foreigners would, it was hoped, ensure the safety of the government and the obedience of the people. The hurdle of obtaining the necessary consent for the new code from the *Conseil Général* was overcome by the temporary suspension of many *Bourgeois'* right to vote in the *Conseil Général*.

This chapter shows the increasing political unrest in France, together with the Europe-wide difficulties caused by the harsh winter of 1788-89 led to a reconciliation in Geneva between the government and the *Bourgeois* in February 1789. The adaptations of the Black Code which resulted, though initially warmly welcomed, soon came under increasing pressure, in part as a reflection of events in France. A further and more radical change in 1791 proved equally unavailing. The old Calvinist constitution was finally abrogated in early December 1792, but this proved inadequate and an additional change was forced by the mob at the very end of the month. Geneva thus had two 'new' constitutions in three weeks.

The abortive purging of the Bourgeois

By 2nd. July 1782, Geneva was taking on the air of an occupied city, with soldiers from the three armies encamped within and without its walls. A series of proclamations by the generals annulled all the decisions taken since 7th. April and returned to their positions all those who had been dismissed from their posts and seats in the councils. The *Syndics* established a commission to work with the three Plenipotentiaries on a plan of pacification for Geneva, which contained eight members, two of whom were *Représentants*, Barthélemy Pierre Noël¹ and Jean Barde.² The anger of the *Représentants* against Barde and Noël for agreeing to serve on the commission was such that, by 10th. July, they wished to resign. So important was their token rôle on the commission for the government, however, that they were not 'permitted' to do so. It was arranged that they would meet separately from the other members of the commission and send their report independently to Vergennes.³ The difficulty faced by the government over the commission and its composition was to be only the beginning of their troubles.

It was soon clear to the government and their supporters that there was to be no reconciliation between the different parties in the state even though some *Représentant* members of the *Deux Cents* attended the first meeting of that council on 5th. July, such as

¹ Pierre Noël, 1746-1814. Jean Barde, 1732-1819, one of the 24 Commissioners in 1766, a member of the 'illegal' *Petit Conseil* April-July 1782. Both were moderate *Représentants*.

² Cherbuliez, *op. cit.*, p. 400, f. 1. The other members of the commission were: Barthélemy Rilliet, Barthélemy Galiffe, Ami Lullin, Jean Antoine Saladin, Joseph Des Arts (Secretary), Horace-Bénédict de Saussure. Rilliet was replaced upon his death by Louis Lefort.

³ *Ibid.*, p. 401, ft.1.

Jacques-Antoine Odier,⁴ Jacob Meynadier, Jean-Jacques Choisy, Sautter, Jean Johannot, besides Jean Barde.⁵ There was a state of cold war within Geneva, and there were no social contacts between those who were considered to be supporters of the *Constitutionnaires* and the majority of the *Bourgeois*, which was to endure for some years, to the discomfort of the government and the patriciate who supported it and which underlined the complete breakdown in confidence and trust between the two sides.

The Edict of Pacification was presented to the two smaller councils in November 1782 at the same time as *Un Acte de garantie et Traité de neutralité*. The Edict of Pacification became known as the 'Black Code', because it was imposed upon the city by the *Constitutionnaires*, backed by the military might of France, Bern and Sardinia. The main changes that it made were to remove the benefits that the *Bourgeois* had obtained in the Edict of 1768. There was to be no election by the *Conseil Général* of one half of the replacements in the *Deux Cents*. The right of the *Conseil Général* to replace 4 members of the *Petit Conseil* was abolished. The right to make *Représentations* was retained but made so complicated and restricted as to abolish, in effect, that right too. There was to be an 'additional council' attached to the *Deux Cents*, through which *Représentations* were to be made, with a number of *Bourgeois* elected by the *Conseil Général* to sit on the council but they would be outnumbered by appointments made from the two smaller councils. The post of *Syndic* was to be filled automatically in rotation unless candidates were rejected by three-quarters of the members of the *Conseil Général*. The Allies and the government had done their homework well. It was most unlikely that such a majority would ever be achieved, thus reducing even the ancient right of the people to have only those *Syndics* for whom they had voted to a nonsense.

In addition, the *cercles* were suppressed and were to be replaced by public cafés: 'il n'y aurait point de chambres', and entry to all cafés was to be open 'à tous les particuliers'.⁶ Until 1782, the taverns or public houses had hired out rooms which were used as the meeting places for the *cercles*, but the hiring of rooms for private meetings was no longer permitted, and there were to be no political discussions allowed in the cafés. This prohibition was applied to all *cercles* and societies, even those which had existed for purely scientific purposes:

'ou coteries d'hommes qui s'assembloient chaque jour périodiquement dans le même lieu, soit dans la ville, soit à la campagne.'⁷

The prohibition concerning the *cercles* was to attack the root of the organisation, not only of the *Représentants* but of all groups which desired to organise themselves within Geneva, including the *Natifs* and *Habitants*, and made opposition very difficult. Strictly enforced, it applied as much to the *Constitutionnaires* and the *Négatifs* as to others, and also saw the destruction of the many non-political *cercles* which had existed for many years within the city.

Taking a leaf out of the *Représentants'* book, there was to be a new council called the *Conseil Militaire*, which had the task of overseeing all military matters as well being responsible for all cases which appeared to be 'émeutes, attroupemens [de gens], mouvemens tumultueux, etc.'⁸ To make any further upheavals impossible, the possession

⁴ See Appendix IV B IX/1.

⁵ Chapuisat, *op. cit.*, p. 121.

⁶ D'Ivernois, *op. cit.*, Vol. III (Tome II), pp. 170-171, ft. 16.

⁷ *loc. cit.*

⁸ *Ibid.*, p. 173.

of guns was forbidden, the militia dissolved and the garrison was to be increased to 1,200 men from the previous 800. The two senior officers in the garrison were to be non-Genevans. The newly-appointed Lieutenant-Colonel of the garrison was in fact a Genevan, Descombes, appointed because he had spent ten years in the service of the Holy Roman Empire,⁹ and had not been involved in any political activity in the city. The necessity to have an enlarged garrison not commanded by Genevans was a further indication of the basis of the power of the new government. Imposed by force of arms, it was to survive by the threat of the garrison against its own people. The visibility of the troops of the garrison was to be a daily reminder to the Genevans of the reality of their situation and did little to increase the chances of conciliation within the city.

Included within the Code were new taxes as well as increases in existing taxes. True to the earlier promises given by the *Constitutionnaires* and the French government, the *Natifs* were granted equal civic rights with the *Bourgeois*. The new Edict or code was concluded with a guarantee given jointly by France, Sardinia and Bern that there would be no modification of the Code without their joint agreement. Finally, all the *Bourgeois* had to take an oath to the new Code if they wished to retain their rights as citizens. The difficulty was to have the code accepted by the *Conseil Général*.

This problem was overcome by depriving a considerable number of the *Bourgeois* of the right to vote. All those who had taken up arms earlier in the year were to be 'legally' deprived of the right to vote, based on a clause in the Edict of 1738, which, according to Vergennes:

'nous offre un moyen légal et sans réplique. Cet édit prononce la peine de mort contre tous ceux qui crieraient aux armes, ou qui les prendraient sans ordres du gouvernement. Or, tous les représentants, ou peu s'en faut, ont noirement transgressé cette loi le 8 avril dernier et depuis, donc tous les représentants sont dignes de mort. Commuer cette peine capitale en celle de les déclarer déchus de leur droit de cité, et leur interdire en conséquence d'approcher du Conseil général où sera porté le nouvel Edit, ce sera de leur faire grâce, et remplir en même temps le but proposé et nécessaire de faire néanmoins accepter par le Conseil souverain, composé des citoyens non coupables, l'édit de pacification.'¹⁰

All those who had voted in April 1782, to dismiss the members of the *Petit Conseil* and the *Deux Cents*, were 'temporarily' refused the right to vote as well, as their act had also been, according to Vergennes, against the Edicts. Thus, a considerable number of the *Bourgeois* were disenfranchised, ensuring that the Black Code was accepted. It was not, as Palmer claimed that 'only half the authorised voters appeared'¹¹, they had deliberately been disenfranchised to ensure the passage of the Black Code. The anger of the *Bourgeois* was great. They had taken up arms in 1782 not to overthrow the government, but to protect the state from the continued rioting of the *Natifs* in the face of governmental inaction. Inevitably, given the circumstances, the reduced *Conseil Général* accepted the Edict, on 21st. November, with 411 votes for to 113 against. The vote on the Edict was also not secret, so it required some courage to vote against. Amongst those who did so were the majority of the pastors, members of the Trembley family and an ex-Syndic, Guainier,¹² who was a

⁹ Chapuisat, *op. cit.*, p. 159.

¹⁰ Karmin, *op. cit.*, p. 107. Vergennes' suggestion was a neat solution to the necessary ratification by the *Conseil Général*, but it did nothing for internal relations in Geneva itself.

¹¹ Palmer, *op. cit.*, p. 360.

¹² See Appendix IV B IX/2.

relative of Necker.¹³

Geneva was certainly pacified, there was little threat to the government from a disarmed, leaderless and disheartened population. By making all the *cercles* illegal, the patriciate had struck at the roots of the organisation of the *Représentants*. If they had been allowed to continue after the exiling of their leaders, then certainly there would have been continued and organised open opposition. Meeting in public places such as cafés made any serious extensive organisation more difficult, as it was easy for the authorities to be aware of what was happening.

The actual punishment of the *Représentants'* leaders had still not been carried out by the end of November, for a variety of reasons, the most potent of which was probably the government's desire not to make itself more unpopular. In consequence, the Mediators decided to determine the punishments themselves, and after much searching decided to charge the leaders of the 'tyranny' with virtual high treason:

'[qu'ils] voulussent défendre leur tyrannie au péril de l'Etat entier, qu'ils voulussent envelopper dans leur catastrophe les victimes de cette tyrannie, que dans ce but ils eussent préparé la destruction de la ville entière, en amoncelant les poudres dans l'église cathédrale et dans les souterrains de quelques maisons...'¹⁴

The storing of gunpowder in one of the safest places in the city, namely the cathedral, was portrayed as a plot to blow up the town in case of attack, and so it was that Dentand, Vieusseux, Jean Flournay, Etienne Clavière, J-A. Du Roveray, François d'Ivernois, and M-F. Rochette were exiled for life by order of the Allies. The Genevan government had to undertake never to recall them, just as the Mediators would not allow them to live in their own territories within forty leagues of the Genevan frontiers. The Allies had no intention of allowing easy access from Geneva to these dangerous subversives, learning perhaps from the experience with Auzière and other *Natifs* who had remained at Ferney. Jacques Grenus, who was to play a disruptive rôle later, David Chauvet,¹⁵ Jean Janot, Guillaume Ringler, J-J. Breuse la Motte, all former members of the *Deux Cents*, together with J-A. Thuillier and Esaïe Gasc, both *Bourgeois*, and Jean-Louis Schraidl, a *Natif*, were all exiled for ten years. The return of the second group was to be conditional upon a two-thirds majority of the *Deux Cents*, but they could never again become members of the councils.

Many of the *Bourgeois* simply withdrew from 'public' life. The election for the *Syndics* of 1783 gave ample evidence of this, there being no more than 300 electors in the cathedral.¹⁶ Others left Geneva, together with some *Natifs*, and went to live elsewhere; indeed, before Geneva was handed over to the foreign troops in July, there had already been calls for emigration:

'...[comme] le Gouvernement sera désormais entre les mains d'hommes pour lesquels ils ne pourront jamais avoir ni estime ni confiance, ils iront chercher sous un autre ciel une terre où ils puissent respirer en paix l'air pur de la liberté.'¹⁷

D'Ivernois was busy in Ireland, attempting to create a New Geneva with the backing of

¹³ D'Ivernois, *op. cit.*, Vol. III (Tome II), pp. 178-180.

¹⁴ BPU, Genève, Ms. fr. 896, Lettre de Très Illustres & Très Excellens Seigneurs Les Ministres Plénipotentiaires de Leurs Majestés Très Chrétien & Sarde & de la République de Berne aux Magnifiques Seigneurs les Syndics & Conseil de la République de Genève, 21. 11. 82, 66.

¹⁵ See Appendix IV B IX/3.

¹⁶ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 476.

¹⁷ BPU, Genève, Ms. 896, Dernière Déclaration Des Genevois - Remise aux Seigneurs Syndics le mardi 2 juillet à deux heures du matin. 26.

the Viceroy, Lord Temple. The venture was to fail, but for a while the possibility of Geneva losing a proportion of its skilled workforce and the creation of a possible commercial rival to the city caused concern to the government. The Edict of Pacification had, however, granted all rights to the *Natifs* save political rights. It had also granted many rights to *Habitants*. A good number of these were not so concerned with political rights that they were prepared to take the obvious risks and financial hazards of emigration. Neither did they have anyone to organise them from within Geneva, and, as Roget said in one of his letters:

'Il est certain que neuf dixièmes de la ville désirent ardemment en sortir, mais faire et désirer sont choses si différentes!'¹⁸

Of those that did emigrate, many went not to Ireland, but to Brussels and only after they had:

'preté sermon de fidélité à l'Etat, et non pour se rendre en Irlande mais à Bruxelles où ils établissent une Maison des plus considerables puisqu'elle ote sur notre Place quatre millions en Negotiations.'¹⁹

It was men like this, with capital behind them, that were badly needed in Ireland. The mixture of principle with financial security, as demonstrated by the example above, was a typical Genevan 'compromise'. The same letter goes on to report that, of those who had left for Ireland, 'il y a trois natifs pour un Bourgeois'. They had taken only their tools with them and little, if any, money.

These were the 'ouvriers horlogers', the men who made the different parts of the watches, from the mechanisms or parts of the mechanisms, to the hands, and so on, from which the complete watches would then be assembled. It was the *Bourgeois* and some of the artisan *Natifs* who assembled and sold the watches. The former would be needed in considerable numbers in order to provide the capital to ensure that the workers had the necessary materials, food and accommodation until the first sales of completed watches were made. Hence Pictet's certainty that the settlement in Ireland was doomed to failure. The arrest and condemnation of Melly,²⁰ when he returned to Geneva to persuade and organise more recruits for the enterprise, showed how seriously the government took the threat. Melly was able to organise his escape from prison in Geneva with the help of friends and by bribing his gaolers. He was forced to rely on this method of escape due to the inability of Britain to protect him, even though he had become a British citizen.

Although the government was neither corrupt nor lazy this had no influence on the people, who continued to harbour resentments concerning past events. The Genevans found various ways to make their protest at the way the state was being run. One of the earliest was the brother-in-law of Reybaz²¹ who, on 15th. July 1782, went to the *Syndic* responsible for financial matters offering to return his certificate of *Bourgeois* status, which he had received as a result of the terms of the Edict of 1768. He also, however, demanded:

'les cent écus [?] que lui avoit couté sa bourgeoisie. On lui a fait beaucoup de compliments on seroit bien faché de perdre un tel citoyen, et lui on refusé sa demande.'²²

¹⁸ F.F. Roget, *Lettres, op. cit.*, de Lausanne, 19 octobre 1782, p. 278.

¹⁹ Ms. 32, *op. cit.*, 21 9bre. 1783, 300.

²⁰ See Appendix IV B IX/4.

²¹ See Appendix IV B IX/5.

²² BPU Genève, Ms. Reybaz 926 *Lettres diverses tenues pendant sa mission à Paris 1792-3*, 15 juillet 1782, 5.

The writer continues:

'Ce seroit à mon avis un excellent procès à soutenir contre la Seigneurie.'²³

Sadly, it does not seem to have been an idea which was followed. It would have caused the government considerable embarrassment, both financial and civil. It also required some courage to march into the Town Hall, confront one of the *Syndics* and demand the return of a fee paid for a 'returned honour' in the atmosphere of the time.

The government, basing the Pacification of November 1782, as it did on the Edict of 1738, decided that they should prepare all the Edicts for publication, which, though promised in 1738, had still not been done. The *Constitutionnaires* were therefore at last able to create the body that they had hoped to have in 1779 after the ending of the bi-partisan committee by the vote of the *Deux Cents*. This *Code des Edits politiques* was prepared and submitted to the *Conseil Général* for approval or rejection on 20th March. 1783:

'301 personnes l'approuverent, 388 le rejeterent. Il avoit 731 citoyens Bourgeois on donnait son suffrage, selon le nouvel Edict, [la Pacification] non à l'oreille de secrétaires d'artume mais dans les loges. On a conclu de là qu'il y a 388 Représentants plus animes, et que tous les autres étoient indifferens [à l'égard de] ce que le Gouvernement faisoit.'²⁴

D'Ivernois goes further and claims that two-thirds of the *Bourgeois* had decided not to attend this *Conseil Général* :

'afin de protester ainsi par leur retraite, contre la spoliation de ses droits.'²⁵

The old Genevan habit was in full play once again, non-attendance being a passive form of disapproval. Most of the *Bourgeois* who had remained in the town, that is the vast majority, had had their right to vote in the *Conseil Général* returned. Yet the numbers remained low. For important matters throughout the century, the numbers hover around 1,200. Those who felt strongly, nearly 400, attended and voted, but that leaves at least another 400 unaccounted for. The numbers voting for the government during this period remain fairly static around the 300 mark. What is impossible to know is whether those who refused to attend the meetings would have gone if the *Représentants* had been able to organise their followers, as they had previously been able to because, within a mere nine months of a government being formed, it was in a minority in the *Conseil Général*. This highlights how important the three-quarters vote to reject a *Syndic* was for the continuation of the government. It was also an indication of the inherent weakness of the government's position with regard to the part of the population which had political rights, counterbalanced by the weakness of the *Bourgeois* with no-one to organise them and their party organisation destroyed.

The number of *Bourgeois* who had decided to swear the oath of loyalty to the state after the Pacification made it inevitable that the government would quickly lose control of the *Conseil Général* if all the *Bourgeois* attended. By 13th. December, Pictet²⁶ in a letter to Mountstuart²⁷ stated:

'dans quatre Conseils ... plus de 700 Bourgeois ou Habitants ... se sont acquittés

²³ *loc.cit.*

²⁴ BPU Genève, Ms. 901 Journal d'Ami Dunant, Vol. I, le 12 mars 1783, 36.

²⁵ D'Ivernois, *op. cit.*, Vol. III (Tome II), p. 253.

²⁶ See Appendix IV B IX/6.

²⁷ See Appendix IV B IX/7.

de ce devoir.²⁸

Even Pictet himself, together with his brother, had decided to take the oath, confiding to Mountstuart that:

'il n'est pas aisé de se refuser à ce qu'on exige ... Au surplus ce sermen n'engage qu'autant que nous resterons attachés au sol, et quand on ne sera jamais mêlé du Gouvernement, il est plus indifferent de suivre telle loy de préférence à d'autres.'²⁹

Doubtless such sentiments were common amongst many in the *Bourgeois* desiring to remain in Geneva. At least, in taking the oath, they protected their *Bourgeois* status and would, in the future, when there had been another political change, be able to take part in the *Conseil Général* and to vote. By the end of January 1783, Pictet was able to report.

'il n'y a pas sept membres du 200 [qui] ne se soit acquite de ce devoir.'³⁰

As March 1783 showed, although shorn of many of its rights, the *Conseil Général* could still reject new laws recommended by the government. By the end of 1783, the government, though, must have been content:

'[malgré] le mécontentement, de 17 à 18 cent bourgeois que nous comptons, quatorze cent ont prêté le serment, et le Reste est ou absent ou n'ayant pas l'age.'³¹

By the end of the period permitted to the *Bourgeois* to take the oath, only 136 had refused to do so.³² Those who remained in the city lost all their rights as *Bourgeois* and were reduced in status to the equivalent of *Domiciliés*. This was a new category of resident introduced by the Edict of Pacification. It differed from *Habitants* in that children born in the city were unable to become *Natifs*, they remained *Domiciliés*. Reduced to stark simplicity, there was very little choice for the majority of the *Bourgeois* but to comply and swear the oath, they were victims of political and economic blackmail.

The majority of the population was able to work unaffected by the government and therefore opted to stay. The atmosphere was not pleasant in the city:

'où l'on n'est plus environné que des mouches, où un seul mot est souvent puni comme un crime, où le jour se passe à emprisonner, à donner la bastonnade, à infliger des supplices de tout genre.'³³

Deprived of their leaders, unable to openly express their views, without their arms, the people of Geneva in the first few years after the Pacification appeared very subdued and unlike themselves, with many continuing to refuse to attend the meetings of the *Conseil Général*. At the same time, because of this 'strike' of the *Bourgeois* voters, the government found it impossible to find candidates from the *Bourgeois* willing to sit on the council attached to the *Deux Cents*. The result was the reappointment of the same people. To the majority of the *Bourgeois*, the council was considered to be little more than window-dressing, as is seen by the fact that there were few if any *Représentations*.

²⁸ BPU Genève, Ms. 32 Intelligence from Geneva 1779-1783, 286.

²⁹ *loc. cit.*

³⁰ *Ibid.*, Genève, le 22 février 1783, 290-1.

³¹ *Ibid.*, 21 9bre. 1783, 300.

³² Karmin, *op. cit.*, p. 109, f.33.

³³ F.F. Roget, *Lettres, op. cit.*, de Lausanne, 19 octobre 1782, pp. 277-8.

Punishment, reports and taxation

In Geneva since 1718, the *Bourgeois* had been an organised political force, albeit outside the main political bodies. They had become dependent on the *cercles* as the outlet for their political energies. The double-headed attack on the *cercles*, with the exiling of the leaders and the prohibition of the *cercles*, together with the severity with which any attempt to skirt around the new restrictions against any political meetings and discussions was met, had succeeded in halting united political action by the *Bourgeois* within the state. Just how carefully the government watched for any attempt at party organisation was shown when a lawyer, Bousquet,³⁴ was sent to prison for:

'avoir voulu éluder la loi qui supprimait les Cercles, en invitant plusieurs fois les mêmes amis dans sa maison.'³⁵

Knowing the *Bourgeois* well, the government relied on spies and rumour to attempt to prevent them from trying to get round the law. The patriciate would remember that it was various dinner parties and evening meetings of friends in private homes that had sustained the *Bourgeois* between 1707 and the 1730s, and they had no intention of permitting similar actions in 1783. It must have been a busy time, trying to keep a track of who ate where, with whom and how often. The need to prosecute in such a case was also further proof of how insecure and weak the government was.

The supervision of the population which the Bousquet case shows makes it seem unlikely that, as claimed by Godechot:

'In Geneva, the "natives", after their defeat in 1782, reorganised and prepared to resume the struggle.'³⁶

Perhaps in the alleyways and taverns of St. Gervais it was easier to escape government spies, but there seems little evidence of such organisation existing underground.

What the government had not been able to do was to divorce the *Représentants* and the *Natifs* from their ideas and beliefs. The *Représentants* had played an increasingly important rôle in the state from 1768 to 1782. The withdrawal and the smouldering resentment of what was the greater part of the 'political' body of the state should have made it clear to the government that there was a need for some attempt at genuine 'pacification'.

The *Natifs* were less of an immediate danger. The events of 1780-1782 had seen them make considerable strides forward to equal civil rights with the *Bourgeois*. Their admission in 1782, in limited form, to political rights had been only for a relatively short period. Thus the Edict of Pacification, though it had deprived some of the *Natifs* of their newly-acquired political rights, did not deprive them of their civic equality with the *Bourgeois*. By this means, the *Natifs* retained the financial gains they had obtained before 1782. Any attempt by the *Natifs* to cause trouble within the state could well have brought their civic rights into question. Also they were well aware that the *Bourgeois*, a more powerful group within Geneva, had been reduced to a weak position *vis-à-vis* the government.

Both the *Bourgeois* and the *Natifs* were also aware that the current government in the city was there because of the military backing that it had received from the French, Sardinians and Bernese. France and the other powers had already demonstrated their willingness to use considerable military might to impose on Geneva a minority party as the government of the state. It was the fear of further armed support by the Guarantors that was the main threat which kept the *Natifs* and *Bourgeois* from overt opposition.

³⁴ See Appendix IV B IX/8.

³⁵ D'Ivernois, *op.cit.*, Vol. III (Tome II), p. 210.

³⁶ Godechot, *op. cit.*, p. 130.

The reality of the situation in Geneva was faced squarely in a report made to the *Conseil militaire* in July 1783, concerning the question of the city's fortifications and artillery. It acknowledged the unpopularity of the government:

'qu'il n'y a que peu ou point de changement dans les dispositions des Représentants.'³⁷

The suppression of the *cercles* and the establishment of the garrison, 'une force physique', together with the loss of arms and the military societies, all these had served to increase the number of those opposed to the government:

'il faut encore observer que dans la classe des indifférens, des neutres & des Constitutionnaires eux-mêmes ... [il y a beaucoup qui] ne s'y sont soumis qu'avec répugnance.'³⁸

This was the crux of the matter: even for some of their own supporters, the government had paid far too high a price for power. In the history of the previous eighty years, compromise and negotiations had played integral parts in settling differences. This had been abandoned in April and July 1782. The government had introduced a code which put into practice all it desired, treating the *Bourgeois* as little better than a conquered people, rather than fellow citizens with the same political rights. In its actions, the government had succeeded in alienating considerable numbers of the population, including some in what should have been their natural constituency.

The supporters of the government who drew up the report did not hesitate to state clearly to the government that their power and position within the state was based on the fear within the city of the guarantee given by France, Sardinia and Bern to the Edict of Pacification, calling it 'la clef de la voûte'. The report wanted to rid Geneva of its existing defences. The argument was based on various points, one of which was the cost of uprating these defences. Another was that, in any future trouble in the city, the Mediators would be more inclined to come to the help of Geneva if they did not have to mount a siege, but could, because of the city's lack of defences, march straight in.

The government faced other difficulties, apart from unpalatable reports. The decline in its finances led it to look for new sources of income. The change in the status of the *Natifs* meant that there were fewer people in the city paying the higher taxes that those without civic rights had to pay. The government had been forced to raise all kinds of new taxation when it came to power in July 1782, and, for a party that took its inspiration from France, it was surprising that, in fact:

'Lord North à été le Modèle et on l'a assez imité.'³⁹

The cost of the American War had forced North's government to raise taxes on houses, carriages, coaches, servants and a considerable number of luxury goods. Clearly, the government in Geneva hoped by using such indirect taxes to avoid increasing personal taxation, which would, of course, fall heavily upon its own followers. Under the circumstances, such new taxes were unlikely to add to the government's popularity. There was an additional problem, namely a slow but clear haemorrhage of the population of the city, which continued throughout this period. In 1785:

'Le résumé des rôles des Dizaines donnat environ 25, 500 habitans dans la ville, dont 4,600 dans St. Gervais et dans l'Isle... Celui de 1786 donnat 25,297 habitans dans la ville...'⁴⁰

³⁷ D'Ivernois, *op. cit.*, Vol. III (Tome II), p. 229-237, ft. 13.

³⁸ *loc. cit.*

³⁹ Ms. 32, *op. cit.*, Pregny 20 novembre 1782, 280.

⁴⁰ BPU Genève, Ms. 901, Vol. II, novembre 1785-fin 1789, 48.

Although this was apparently a small drop, there was constant worry about the city losing some of its more skilled workers, taking their abilities elsewhere and creating a new centre to rival Geneva. The atmosphere in the city was a possible contributing factor to the decline in the population, but fewer people also meant less taxes for the government.

Geneva was not alone in facing internal unrest and foreign interference. While the city was trying to come to terms with the 'Black Code', trouble erupted in the United Provinces. The Amsterdam Regents, the oligarchy which ruled the city and had extensive influence in Holland and thus in the Estates-General, were traditionally interested in limiting the power of the stadtholder. Their encouragement of such sentiments led to the lesser Bourgeois to form the Patriot Movement and the Bourgeois Free Corps to help in the removal of Orangist municipal and provincial governments. William V's rights were abolished in many of the urban areas, although he retained the support of the country and the unskilled workers. He was even forced to leave his capital in 1786.⁴¹ Unfortunately, the Free Corps, influenced by the new United States wanted to create a federal republic, not the unitary state desired by the oligarchy. A meeting of the national federation of the Free Corps at Utrecht in 1786 even talked about the extension of political rights and a national representative assembly of the 'Netherlands people'. The success of the Patriots and Free corps in Utrecht in their goal of an elective government in Utrecht was not dissimilar to the way that the *Bourgeois* in Geneva had used the Militia to organise until 1738; the Patriots ability to bring 2,000-5,000 men together at a time reflected the action of 1734 in Geneva. As Geyl, cited by Schama contends, such ability implies 'both an ideology and an organisation',⁴² and as in Geneva in 1782, so in Utrecht there was no bloodshed. But in Geneva, the struggle was between the oligarchy and the *Bourgeois* and *Natifs*, while in Holland, the struggle was complicated by the third fact of the Stadtholder and the Orangists. The attempt to adapt the constitution in Geneva was of long standing, while in Holland attempts by the burghers was of very recent birth, encouraged by the new America and the action of John Adams in addressing the various Regents and Pensionaries around the country on behalf of the American cause and Dutch recognition of himself as Ambassador. The petitioning campaign with its associated meetings to persuade the States to accept Adams gave the Dutch impetus:

'America had held up a mirror to their own Republic in which they had glimpsed an idealised image of heroic patriotism ... [the Dutch] passed to further action more directly reminiscent of events on the other side of the Atlantic, public meetings, petition campaigns and agitation for a citizens' militia.'⁴³

Geneva had had a Militia until 1782, its first public meetings were in 1707, petitions (i.e. *Représentations*) there had been aplenty throughout the century, most to no avail, the influence of American actions upon Genevan politics was negligible, (it was not to America to settle that those who left Geneva went post-July 1782 but to Belgium, to England and Ireland and to France).

The result for the Dutch was the same as that of Geneva. The action of Prussia with naval support from England in 1787 restored the Stadtholder to power and purged the state of all those who had shown any sympathy to the Patriots and the Free Corps, exiling or silencing all overt opposition, again a situation that was familiar in Geneva.

⁴¹ Black, *op. cit.*, p. 419.

⁴² Simon Schama *Patriots and Liberators. Revolution in the Netherlands 1780-1813*, New York, Alfred A. Knopf, 1977, p. 99.

⁴³ *Ibid.*, p. 63.

Hesitant opposition and new perils

The withdrawal of the *Bourgeois* from active political life in the city, together with the repressiveness of the government meant that it was not until 1786 that the first overt, public resistance was shown. A public disagreement and fight between a young *Bourgeois* and an officer of the garrison led to the former's imprisonment. He believed himself to be owed redress, instead of which:

'il fut condamné à trente jours de chambre close, dont huit au pain & à l'eau.'⁴⁴
An anonymous pamphlet appeared, despite the strict censorship, which attacked the sentence and the *Petit Conseil*. Believing that it had been printed in Neuchâtel, the government in Geneva sought the assistance of that government in an attempt to trace both the publisher and the author. When this was to no avail, the Genevan government opened letters passing through the post, but the author was never traced. The appearance of the pamphlet was a straw in the wind, a sign that the *Représentants* and others were becoming less cowed than they had been in 1783.

So clear was the cleavage between the government and the majority of the body politic that even Vergennes began to see the dangers of the situation. In a letter to the French Resident in Geneva, Castelnau, he suggested:

'On ne peut pas forcer les représentants à entrer dans le gouvernement; cependant comme il serait à désirer que leur scission cessât d'être aussi marquée, il conviendrait qu'on s'occupât d'avance, sans affectation des moyens, d'en engager un certain nombre à se présenter pour la première élection.'⁴⁵

The desire of Vergennes to create a legal opposition in the city was too late. It also demonstrated the inability of Vergennes to understand what had happened in Geneva since 1707. The belief that a few *Bourgeois* could be bribed to go through the motions of being elected to a council that none of them accepted and which was the ever-present proof of the victory of the *Constitutionnaires* in imposing the Black Code was absurd. For the *Bourgeois* in Geneva, it was a matter of principle that no money or bribe could subjugate. Unfortunately for Vergennes, Geneva was unlike many of the other Swiss cantons, where French money was used to buy support. The *Représentants* had, until April 1782, always maintained a legal opposition to the government. The imposition of the Black Code on Geneva by force made it impossible for them to respond. The desire of the French to have some candidates for the seats on the committee concerned with *Représentations* showed how much they still failed to understand the situation in the city. Continuing to consider the leaders of both the *Représentants* and the *Natifs* as leaders of faction, they found it impossible to comprehend that they were supported by the majority of those groups in the city.

Those amongst the *Négatifs* who had supported the introduction of the Edict of Pacification, but who had been alienated from the government by the near police-state which had resulted, only began to make their unhappiness more publicly known in 1786, but, as always, the Genevans were falling into their old habits:

'on dit toujours que presque tout le monde est mécontent à ce Genève, & que les Négatifs ne s'en cachent plus; ce que sembleroit devoir réunir les deux partis, & ne le fait pas. Ils s'amuseent seulement reciproquement à se faire des reproches; chacun veut que ce soit l'autre qui soit cause de tout.'⁴⁶

⁴⁴ D'Ivernois, *op. cit.*, Vol. III (Tome II), p. 212, f. 2.

⁴⁵ Karmin, *op. cit.*, p. 169, ft. 59, 2 juin 1784.

⁴⁶ BPU Genève, Ms. suppl. 1010 François d'Ivernois Correspondance, de Floumay, Neuchâtel 28 9bre. 1786, 81.

If the *Représentants* and the discontented *Négatifs* could have acted in concert, then they might well have been able to block the election of the *Syndics*, but they seemed unable to unite, even to try to force the government to make some concessions.

Only after the death of Vergennes in 1787, did the government begin to take his advice to heart. It had been Vergennes who had been the champion of the *Constitutionnaires*, now they could no longer rely on such strong support from that quarter. Moreover, the French government was also becoming increasingly involved in complex internal matters, which did little to help the Genevan government.

A visit to Geneva by Dumont⁴⁷ in January 1788, when he preached several sermons, led the *Syndics* to approach him to take the oath to the state, as he was now of an age to do so. He refused, leaving to return to his tutorship to Lord Lansdowne's son.⁴⁸ Attempts were also made to discuss politics with d'Ivernois on two occasions when he was on the frontiers of Geneva. He twice met with the *Procureur-Général*, Prévost-Cabanis,⁴⁹ but on both occasions refused to talk politics. Any opposition would be little more than a cosmetic measure, to organise any group as an opposition required meetings and discussions of a political nature, forbidden under the existing law. The only way in which the Genevan government would be able to escape from the situation in which it had placed itself was by making concessions to induce some level of response from the *Bourgeois* and their own followers. Unfortunately, nothing in the Black Code could be altered without the agreement of all three Mediators, and, in 1787 and 1788, they were most unlikely to sanction any changes whatever. Without changes, there was no hope of any compromise with their political opponents, and changes which would possibly encourage political dialogue and agreement would never be accepted by the Mediators.

New perils and dangers

The loss of a number of artisans in *la fabrique* together with some of their workers to places such as Constance, where they attempted to create a watchmaking industry under the protection of Joseph II, does not appear to have had a profound effect upon the industry in Geneva, although the Austrian attempt to protect its products made it difficult to sell Genevan watches in the Empire. More important was the fact that for a number of months in 1782, it had been difficult to obtain watches from Geneva and foreign traders had discovered replacements, especially the growing watch industry of la Chaux-de-Fonds in Neuchâtel, where they found:

'd'ouvrages prêts ... qui leur ont paru beaux, bons, élégants, au pair de ceux de Genève, et à meilleur marché; ils les ont acheté, ...quelques uns de ces nouveaux chalants reviendront...'⁵⁰

It was this loss of foreign trade which appears to have been the cause of the decline in Geneva's watch industry. There was the additional problem of the high tariffs of up to one tenth of value charged by France on Genevan watches and jewellery entering the country. An attempt in 1787 to persuade the French government of the disadvantages of this tariff (Geneva was one of the main sources taking up French loans, etc) failed. French need for

⁴⁷ See Appendix IV B IX/9.

⁴⁸ BPU Genève, Ms. 901, Vol. II, le 25 janvier 1788.

⁴⁹ Karmin, *op. cit.*, p. 169.

⁵⁰ Piuz et Mottu-Weber, *op. cit.*, 5ème. partie, Mottu-Weber, Ch. XVI, p. 497.

money was too great.⁵¹

As it was the French who had been the prime movers in placing the *Constitutionnaires* in government in Geneva, it was poetic justice that it should be from France that came the first signs that their régime was unlikely to survive for long. Vergennes' successors, as the *Constitutionnaires* had feared, were far less interested in Geneva than they were in the political unrest and financial insolvency of France. The decision to call a meeting of the States General⁵² in France pushed the concerns of the tiny city state of Geneva well into the background.

However, this meeting was used by a group of the Genevan exiles to attempt to gain some advantage, especially with regard to what was considered to have been the severity of France towards the *Représentants*. A meeting in Paris between Clavière, Dumont, Béranger (who was now a Bourgeois), and d'Ivernois possibly worked on a document to present to the Estates General when they were all in Paris, though no trace of it has been found.⁵³ It was Clavière who was to have by far the greatest influence, and he remained in Paris, closely associated with Mirabeau and Brissot.⁵⁴

One symbol of the close association between Vergennes, France and the *Constitutionnaires* still remained very active in Geneva after his death. This was the theatre which had been needed for the entertainment of the officers. In 1782, a theatre was built in stone, a permanent memorial to French influence and interference in the city. The cost was to be borne by subscription, but 'le nombre des souscrivans n'étoit pas si grand' and the constructors were forced:

'de laisser une partie de la somme qu'on leur devoit hypothéqué sur le bâtiment, en leur [maçons et charpentiers] donnant le cinq per cent.'⁵⁵

Thus the theatre became a regular part of life for some Genevans, not least because it was only in the theatre that they were able, legally, to gather in large groups without causing the authorities to check what they were doing. The theatre brought in its train, together with the garrison, all manner of problems that the city had escaped until that time. It was not much patronised by the supporters of the *Représentants*, but was much enjoyed by the patriciate. It was perhaps fitting that the weakness of the government and its garrison was first shown because of an order to expel an actress, because she was being courted by the son of a junior official. He persuaded the government to send her away.⁵⁶

The Authorities' decision that she should leave the city led to a minor riot which was finally broken up by armed soldiers from the garrison.⁵⁷ Many in Geneva might well have forgotten that the garrison was there, not to protect them from outside forces, but to ensure

⁵¹ Babel, 'Histoire corporative', *op. cit.*, pp.280-281. The political differences referred to by Landis must be those of 1780-82, the consequences of which are mentioned above; there were no open or visible conflicts in the city in the middle 80s. Landes, *op. cit.*, p. 356.

⁵² Cobban, *op. cit.*, p. 263. The States-General was convened in August, to meet the following year.

⁵³ Karmin, *op. cit.*, p. 169.

⁵⁴ See Appendix IV B IX/10.

⁵⁵ BPU Genève, Ms. 901, Vol. I, le 3 mars 1783, 33.

⁵⁶ She was popular and people murmured that Audéoud should simply keep his son in during the evenings.

⁵⁷ The leaders of this trouble were three young sons of patrician families, Richard Calandrini, his brother Marc and Jean Sarasin an officer in the Prussian army. The father of Marc and Jean was François Sarasin, 1723-1803, was one of the most senior government ministers. He had been a *Syndic* three times, 78, 82, 86, and was to be First *Syndic* in 1790. The fact that François Sarasin had been a *Syndic* in 1786, but was also chosen in the freer situation of 1790 indicates that he was a moderate *Négatif*.

the continuation in power of a certain group within the state. December 1788 and the events at the theatre made that message very clear, and any doubt was dispelled by the satisfaction of the *Deux Cents* at the behaviour of the troops. As Fazy points out, the whole matter had been ill-managed and made it clear that there still was:

'une certaine tension, un certain mécontentement, qui se manifestaient dans la population...'⁵⁸

It had also shown a reluctance on the part of the government to fire on the crowd, even when it was throwing stones and menacing, a fact that was duly noted by some in the town:

Shortly after this unrest in December 1788, within three weeks, there was a further manifestation of discontent at the election of the *Syndics* in January 1789. 879 turned up for the meeting of the *Conseil Général* for the election of four *Syndics*. They were all duly elected but with three fifths of the votes against them.⁵⁹ This followed what had happened in 1788 when there were 909 electors at the meeting for the confirmation of 3 *Syndics*, MM. Bonnet, Micheli and Ami Rilliet. Bonnet had 470 for with 425 against; Micheli was 409 for and 491 against; Rilliet 503 with 396 against. As Ami Dunant says:

'Il y eut a peu près 400 représentants contre les 3 ... [qui voulurent] montrer qu'ils désapprouveroient toujours la loi de 82 n'ayant pas d'autre moyen de faire voir.'⁶⁰

Just as in 1788, so in 1789 in none of the cases was there a three-quarters majority against the three, but it was a demonstration, after seven years of the current régime, that the *Représentants* were unbowed and beginning to organise themselves, regardless of the difficulties of doing so. The result was exactly the same as that which had occurred in 1786, when an attempt had been made to exclude Claude-Philippe Claparède⁶¹ from his position as *Syndic*. That too had failed to achieve the three quarters of votes required to prevent his taking his place.⁶² All these attempts demonstrated how difficult it would be to prevent the automatic rotation of the members of the *Petit Conseil* as *Syndics* unless the *Représentants* could organise their followers and persuade all of them to attend meetings of the *Conseil Général*. In the case of Micheli in particular, the announcement that he returned to his post as a *Syndic* with 'la supériorité des suffrages' was, to an outsider, beyond comprehension. Where was the authority of a *Syndic* when he was elected by a minority?

The rioting at the theatre and the meeting of the *Conseil Général* in January 1789 took place against a backdrop of a particularly cold and hard winter. The fountains in the city were unable to function because the Rhône was frozen and the water wheels were unable to work. There had been a poor harvest in 1788 and in the autumn, due to the unusual dryness, the mills for the grinding of corn had been unable to work at full capacity, leading to a shortage of flour. All the normal measures had been introduced: forbidding cakes, allowing the entry of flour into the town and restricting the departure of bread from the town as well as the distribution of ration tickets.⁶³ An initial attempt to raise the price of bread by the *Chambre des Blés* was rejected by the *Deux Cents*, because of the severe

⁵⁸ Fazy, *Genève de 1788 à 1792*, *op. cit.*, p. 7.

⁵⁹ *Ibid.*, p. 17. The four elected were Augustine de Candolle, Jean-Jacques Dunant, J-Baptiste-François Fatio and Jean-François Thellusson.

⁶⁰ BPU Genève, Ms 901, Vol. II, janvier 1788, p. 48.

⁶¹ See Appendix IV B IX/11.

⁶² BPU Genève, Ms. Reybaz 926, 8 janvier 1786, p. 25.

⁶³ Piuz et Mottu-Wäber, *op. cit.*, 4ème. partie, Piuz Ch. XIV, p. 383.

conditions. But eventually, they agreed to raise the price of the 'pain ordinaire' from 4½ sols to 5, white bread was to be sold at 7 sols, and restrictions on taking bread out of the city were lifted.⁶⁴ The price was raised in an attempt to stop the illegal traffic in bread from Geneva to the areas outside the city. The price being cheaper in the city than outside it, there were fears that the amount of bread being bought in the town and taken out would lead to the complete emptying of stores in the city.

During the next two days, there was rioting by the *Natifs* and *Habitants* which the garrison was unable to end, notably in St. Gervais. There the rioters had organised themselves sufficiently to use two fire pumps which they primed with boiling water, vinegar and soap. Their other weapons were stones ripped from the roads and tiles from the roofs. Even the cannons which were finally bought up were unable to operate because of the effects of the water spray.⁶⁵ The troops were halted in front of the bridges and could advance no further. The inability of the military to enter St. Gervais and re-establish calm made retreat by the government inevitable.

It was only when the government reduced the price of bread and released those who had been arrested that the rioting halted and there was calm throughout the town by nightfall. Further rioting was occasioned by the stupidity of the Military Council in putting the garrison under full arms at the time of the funeral of two of those killed in the earlier riots. This led to a reaction by those attending and the temporary seizure of some of the city's gates. Reassured by the withdrawal of the troops to barracks, they handed the gates back and all was calm by five in the afternoon.

The government had to face the fact that the garrison was not able to deal with rioting in the confines of Geneva. The desertion of part of the garrison with their arms added to their problems, yet all was not black. The rioting had calmed immediately the price of bread was dropped, making it clear that there was little, if any, political calculation behind the trouble, and the return of the city's gates once the cannon and troops had been returned to barracks proved the point. For the government, however, the lesson was clear: they could not rely on the garrison.

Throughout the rioting, the *Représentants*, the greater part of the *Bourgeois*, had remained neutral. Once it was clear that the *Conseil militaire* had lost control of the situation, the government was left with no choice but to turn to the *Bourgeois* for help. The *Bourgeois* had little sympathy for the majority of the rioters, and it was clear that they would be able to extract some concessions from the government if they agreed to assist it. There could be no doubt that the concessions would be amendments to the Edict of Pacification. The few *Représentants* who remained in the *Deux Cents* asked for a revision and were supported by the *Procureur-Général*, Prévost.⁶⁶ For Tronchin, the situation was different:

'on saisit ce moment même où tout le monde est dans la consternation et l'effroi pour produire inopinément [ce changement] qu'on vient de susciter mais qui tendra à altérer en plusieurs points essentiels la constitution de l'état.'⁶⁷

This was clearly the 'official' viewpoint of the *Constitutionnaires*. If the riots had been to extract concessions from the government, why had the rioters not followed up their initial successes and forced concessions for themselves? They had instead gone home, once the price of bread returned to its previous level, and the second time (when their advan-

⁶⁴ *loc. cit.*

⁶⁵ D'Ivernois, *op. cit.*, Vol. III (Tome II), pp. 270-72.

⁶⁶ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 479.

⁶⁷ BPU Genève, Ms. Tronchin 216, Lettres politiques de 1768-1789, J-R. Tronchin à Jacques Necker 1789, 15.

tage was even greater), when assured that the soldiers and cannon had retired, they had returned home. As Fazy says:

'ce qui prouvait que le pris de pain avait été la cause réelle et non le prétexte de la prise d'armes.'⁶⁸

Without the garrison, which had proved useless in the urban environment, it was inevitable that the government would look to the only other source of protection in the state. This was the state Militia, abolished by the Black Code. The *Représentants*, delighted though they may have been at the government's discomforture were not prepared to stand aside while the *Natifs* discovered this fact and learned to play on it for their own ends, as they surely would. It was a return to the norm, since

'... militia armies whose members were the beneficiaries of the constitution [were] unlikely to wish to destroy it.'⁶⁹

What the bread riots had done, quite unconsciously, was to re-establish in Geneva a more normal political situation, with both sides having something to offer the other as the price of their respective future cooperation.

With calm returned to the city and joint patrols of *Bourgeois*, *Négatifs* and *Constitutionnaires* operating in the streets and holding the gates, the *Petit Conseil* named a group of councillors to begin negotiations concerning a reform of the constitution (30th. January 1789). The small commission consisted of Des Arts, Lullin, Dunant and Rigaud⁷⁰, and the *Procureur-Général* negotiated with them on behalf of the *Bourgeois*. The revisions were drawn up quickly and boiled down to revisions of the Edict of Pacification or Black Code. This was unfortunate, for the Black Code was not removed in its entirety but remained in force with changes; it was still the law that had been introduced in November 1782 by force of foreign arms. As a result, the compromise reached had the feel of 'Konkordanz politik'. There was an advantage in coming to terms with the majority political group in the state, who had shown in previous years considerable organisation. A united *Bourgeois* in Geneva would be better enabled to withstand the uncertain future. It was not that the government had converted wholesale to the views of the old *Représentants*. It was better to have the *Représentants* on the government's side than against it or even neutral.

The commission suggested the suppression of the *Conseil militaire* and the replacing of the garrison by the militia, in which the *Bourgeois* and the *Natifs* played a part. The *cercles* were to be allowed to re-open, but 'de n'y plus parler politique'.⁷¹ There was, however, no system that was to ensure that this latter wish would be obeyed. In the Genevan context, if *cercles* were permitted, there would be political discussion, but the 'prohibition' was a way to disguise the enormity of the point conceded. The *Natifs* of the fourth generation were to be admitted to the ranks of the *Bourgeois*. Elections in the *Conseil Général* were to be by majority vote, including, as before, for the *Syndics*. The *Conseil Général* was to have the right to elect all the members of the *Petit Conseil*, and, for every vacancy that occurred, the *Deux Cents* would submit three names from which the choice would be made. The last right was not, however, to come into effect for ten years. The strict censorship introduced in July 1782 was also to continue. The most difficult question was the recall of those exiled

⁶⁸ Fazy, *Genève de 1788 à 1792*, *op. cit.*, p. 39.

⁶⁹ Bailyn, *Ideological Origins*, *op. cit.*, p. 84, citing Trenchard 'An Argument', pp. 21-22 in *the Pamphleteer*, X, 132-133).

⁷⁰ Karmin, *op. cit.*, p. 175. All four were members of the *Petit Conseil*, and Des Arts and Lullin had been to the fore of the *Constitutionnaires* since 1779. Dunant was a *Syndic* who had done much to calm the rioters of St. Gervais and was in favour of reconciliation within the city.

⁷¹ P.E. Martin, *op. cit.*, 3ème. partie, Jean-Pierre Ferrier, Ch. IX, p. 480.

in 1782. Normally in Geneva, except for those involved in the spiking of the guns in 1734, exiles, when recalled, were able to return to their positions in the smaller councils. All that could be agreed was that the exiles of 1782 would be recalled to the city, though they would be unable to re-take their seats in the councils. Tronchin made the valid point:

'Comment esperer que ces hommes qui s'étoient érigés en Législateurs ne reviennent dans leur Patrie que pour s'y perdre dans la foule et se soumettre paisiblement à un régime dont ils ont déjà hautement témoigné une vive indignation? Cela n'est point dans la nature et moins encore dans leur nature.'⁷²

For him, the best solution would be for France to:

'déclarer que [dans] l'intérêt de notre tranquillité ... l'engagement de ne les [les exilés] jamais rappeler, ce seroit nous rendre un important service.'⁷³

It was inevitable, if the exiled leaders returned, that they would immediately become the leaders of their movement. It was unrealistic, however, to believe that France was in any position seriously to concern herself with such matters. There would be no settlement in Geneva if France were to interfere in any way whatsoever, regardless of the terms of the Mediation document of November 1782. Clearly there were still some *Constitutionnaires* who believed that France would once again come to their aid, if less dramatically than in 1782. The question of the exiles was settled by the *Conseil Général* which allowed all the exiles to return to their places in the councils that they had held before 1st. April 1782 by 984 votes to 123.⁷⁴

The question of the return of the exiles was closely tied to the tortured question of the position of the Guarantors of the Edict of Pacification. All changes to that document had to have the consent of the three Guarantors. There was considerable argument on the part of the *Représentants* as to the need for the Guarantors, as they saw them as a threat to the independence of the state. There were still those amongst the *Constitutionnaires* who wished to maintain the Guarantors, as an insurance policy. Even Charles Stanhope, now 3rd. Earl, was asked for his opinion on the question of Guarantors. His reply was swift and clear:

'que dans un Etat libre et indépendant aucun parti ne devrait rechercher l'appui d'aucune puissance Etrangère pour faire prevaloir leur parti politique ... les Magistrats (quoi qu'ils soyent) devraient rechercher la bonne opinion et la confiance de leur Concitoyens.'⁷⁵

In the last seven years, that is precisely what the government of Geneva had done: relied on the threat of France, rather than the trust of their own people. In order to obtain a compromise solution as quickly as possible, this aspect of the question was left vague and unsettled, to await the response from the Guarantors to the speed of events in the city.

The *Conseil Général* accepted the revisions on 10th. February, by 1321 votes to 52,⁷⁶ the *Bourgeois* who had steadfastly refused to take any part in the meetings of the *Conseil Général* clearly turning out to vote, as is shown by the numbers. For the first time since before the imposition of the Edict of Pacification, the figures for voting are above the thousand mark. Even compared with the election of the *Syndics* in January, a month earlier,

⁷² Ms. Tronchin 216, *op. cit.*, J-R. Tronchin à Necker de Germagny, 17 avril 1789, 9.

⁷³ *loc. cit.*

⁷⁴ Karmin, *op. cit.*, p. 201.

⁷⁵ KCA Maidstone, U1590 C66 Lord Stanhope's letters and papers concerning Geneva, 30th. November 1789 en réponse à la lettre de M. A. Turrettini du 12 novembre sur les affaires de Genève.

⁷⁶ Karmin, *op. cit.*, p. 174.



L'entrée du Petit Conseil en 1789.

This depicts the return of the Petit Conseil to the Town Hall after the meeting of the Conseil Général and reconciliation of February 1789. It was to be the last time that this traditional event took place before the overthrow, on 28th. December 1792, of the government and constitution of Geneva.

Illustration 3

the figures are up by four hundred. The vote was followed by considerable joy and conciliation between the majority of the *Bourgeois* and the *Constitutionnaires* and *Négatifs*. It was the last time that the traditional *fêted cortège* after a happy meeting of the *Conseil Général* returned to the Town Hall and was recorded (see Illustration 3).

The feelings of euphoria quickly began to evaporate. It became clear to many that the compromise reached was to place Geneva in a situation where:

'La majeure partie des Citoyens ... a établi "une Constitution qui tient à peu-près le milieu entre les deux derniers [1738 et 1768]" ...'⁷⁷

Some of the ground lost by the *Représentants* in 1782 had not been regained. Tronchin, on the other hand, complained:

'des commissaires sont nommé sur le champ ... il les [changements à la Constitution] redigent en 24 articles; on les porte tout de suite à la delibération de Petit et Grand [Deux Cents] Conseils mais *in globo* sans qu'il puissent les discuter en détail; ils y passent et delà ils vont sans intervalle à la sanction du Conseil Général.'⁷⁸

On the side of the *Représentants* however, there was equal unhappiness. A witness wrote:

'La bourgeoisie est fort éloignée d'être contente; plusieurs murmurent tout bas de ne pas avoir mieux profité des circonstances, [et] les natifs réclament les droits que leur donnait leur *Edit bienfaisant* (du 10 février 1781).'⁷⁹

This was in great part due to the fact that many of the *Représentants* and the *Natifs* had never bothered to read in full the contents of the *Edict of Pacification*, to the revision of which the former had so recently given their consent. It had been a hated thing, a weapon of repression; in 1783, Jean Roget had written to his brother-in-law with reference to the *Edict of Pacification*:

'Je n'ai jamais eu le courage de lire en entier le dernier édit de Genève.'⁸⁰

Tronchin was certainly right in his complaint about the speed of the revision. If the *Conseil Général* had taken the revisions article by article, many would then have realised that what they were getting was a hybrid, not the return of the rights they had lost in 1782. The whole revision process had been completed in less than a fortnight, under less than ideal conditions, while all the leaders of the *Représentants* were still exiles. Here, too, the *Représentants* were unfortunate, and the absence of Du Roveray, much experienced in Genevan constitutional matters, was possibly fatal. However difficult, he would have insisted on the removal of the *Edict of Pacification* and its replacement with a new and more radical document, restoring the rights given to the *Bourgeois* in the *Edict of 1768*.

Those Genevan communities which existed abroad were all deeply disturbed by what had been agreed. The Genevans worshipping in the church where Roustan⁸¹ was pastor in London tried hard to persuade J-A. De Luc to join them in a letter of protest which they intended sending to the *Syndics*. In the long letters which passed between Roustan and De Luc there is much argument concerning the February 1789 *Edict*, with De Luc supporting the agreements made in Geneva in February. In response, Roustan writes:

'...nos codes, où l'on defend aux membres d'un peuple Souverain *sous la peine les*

⁷⁷ BPU Genève, Ms. 2466 Lettres adressées à J-A. De Luc, De Luc à Roustan le 13 mai 1789, 54.

⁷⁸ BPU Genève, Ms. Tronchin 216, J.R. Tronchin à son frère Jacob 1789, 53.

⁷⁹ Karmin, *op. cit.*, p. 179.

⁸⁰ F.F. Roget, *Lettres, op. cit.*, de Lausanne, 1er février 1783, p. 296.

⁸¹ See Appendix IV B IX/12.

*plus graves de délibérer dans leurs Cercles les affaires d'Etat; l'Inquisition de Venise n'aurait pas mieux fait.*⁸²

There is an even more interesting comment, though partly lost due to a damaged sheet: 'Il [le peuple] n'a senti que le ----- de briser le joug d'une législation imposée et s'est dit tout bas que tant qu'il auroit des pierres, des ----- et de l'eau chaude, il sauroit corriger les défauts de la nouvelle [législation].'⁸³

Considering what was to happen in the coming three years, Roustan was certainly right concerning the attitude of those who had been left outside the agreement, the *Natifs* of less than the fourth generation, the *Habitants* and the *Domiciliés*.⁸⁴ They had learnt how to hold soldiers at bay without arms, they already knew how to organise themselves through *cercles*, they had been granted more generous terms in the Edict of 1781, and they were a considerable proportion of the population. With the notions of equality which were soon to swamp Europe, to ignore them was to court disaster. On the other hand, Roustan, knowing his fellow citizens, cannot seriously have believed that they would not use their *cercles* to discuss politics.

It was ten months before it was certain that France, Sardinia and Bern would accept the changes, thus causing some anxiety in Geneva. There were even some in the city who still hoped that the Mediators would prevent any serious changes to the Black Code, while some *Constitutionnaires* claimed that it was only the fear of the Guarantors and their reaction that:

'puisse contenir l'ambition inquiète de la Demagogie et la seule force de résistance qui puisse opposer le Gouvernement à de nouvelles attaques.'⁸⁵

The continued use of terms such as 'Demagogie' to refer to the *Représentants* demonstrates how little some of the *Constitutionnaires* had learnt. The gathering storm in France would seem to have had little influence upon the *Constitutionnaires*, except to reinforce their determination to maintain within strict limits the privilege-based constitution of Geneva. They were still unable to grasp that their fellow *Bourgeois* were not concerned to introduce a 'pure democracy' into Geneva. Such a development would be as repugnant to the majority of the *Bourgeois* as it was to the *Constitutionnaires* and the *Négatifs*. The compromise which had been reached also demonstrated that there were clearly some in the *Négatif* party who were happy to end the cold war between the government and patriciate on the one hand and the *Bourgeois* on the other. How far this was a reflection of the ideas already being discussed in some circles in France is unclear. In February 1789, the States General still had to meet and the French Revolution was unknown.

Others, especially Clavière, Du Roveray and Etienne Dumont in Paris, wanted the French to refuse the Guarantee since they judged that the 'new' Genevan constitution was too reactionary. They questioned whether there was any need for a Guarantee at all:

'les Exilés ont ... fait et présenté des mémoires pour demander qu'on effaçât comme inutiles et dangereuses les précédentes Garanties.'⁸⁶

It was not to be until December 1789 that the three Guarantors finally signed the new Act of Guarantee, the government of France having at last overcome Louis' dislike of guaran-

⁸² BPU Genève, Ms. 2466, Roustan à De Luc 22.4.89, 50.

⁸³ *loc. cit.*

⁸⁴ *Domiciliés* a status introduced by the 'Black Code'. They were granted the right to work and live in the town, but any children born did not become *Natifs*, neither could the *domiciliés* acquire the right to remain in the town.

⁸⁵ *loc. cit.*

⁸⁶ *loc. cit.*

teeing a constitution which he believed had been brought into being as the result of rioting. With some pressing him not to abandon Geneva, it was likely that, out of concern for France's long-term interests, Louis would eventually sign. France would not easily abandon its influence in the city, nor wish to encourage those such as Clavière to obtain freedom to do what they wished in the city. As Montmorin,⁸⁷ the French Foreign Minister, wrote:

'Au pis aller, si par le malheur de Genève de nouveaux troubles venaient à y éclater, nous aurions un titre de plus pour nous occuper de la pacifier.'⁸⁸

There was the possible advantage that some in Paris, such as Hennin, might see the return to Geneva of the exiles such as Clavière as a distinct benefit to France:

'on serait charmé que les exilés quittassent la France.'⁸⁹

The return of the *cercles* was welcomed by all in Geneva, and it proved impossible to prevent political discussions within them. New *cercles* were formed and were to be found even amongst the *Habitants*. There was also more mixing within the *cercles* than there had previously been, and *Natifs* and *Habitants* would sometimes be members of the same *cercles*, as they had been before April 1782. A *cercle de la Coalition* was created, which brought together moderate *Négatifs* and *Représentants*, and many of the members of the government and the *Petit Conseil*. It believed that the giving of political rights to all in Geneva was neither possible nor desirable.⁹⁰ The events in France and the necessity for the withdrawal of the Swiss soldiers from Geneva in December 1792, together with the murmurs of some of the *Natifs* who had hastened to the defence of Geneva in September and who now desired some acknowledgement of their loyalty, eventually led to divisions within the *Cercle de la Coalition*.

In the final analysis, the Edict of 1789:

'était une transaction; il était le fruit de concessions mutuelles... [le gouvernement] se résignait, comme un homme qui a le pistolet sur son gorge; il accepta, parce qu'il avait perdu toute autorité morale et qu'il n'avait plus en main la force matérielle.'⁹¹

It was a reconciliation within that group which held political power, like the ending of a severe and vicious family quarrel, but it was too late to save the state as they understood it. Moreover, it contained the fatal error of treating with some contempt the claims of the *Natifs*, which had previously been recognised. Deeply flawed, the compromise of 1789 was to break down almost immediately.

Reform and revolution

The crowding of events in France, with the creation of a National Assembly in June, the abolition of privileges and the Declaration of the Rights of Man in August⁹² and the general unrest in the countryside, was bound to have an influence on Geneva. The constitution of the city was based on privilege, where the status of being a *Bourgeois* gave political rights. The government in power since July 1782 had ridden rough-shod over a

⁸⁷ Armand Marc, Count de Montmorin-Saint-Herém (1745-1792).

⁸⁸ Karmin, *op. cit.*, p. 198, Letter to Castelnau, French Resident in Geneva.

⁸⁹ *Ibid*, p. 185.

⁹⁰ Cherbuliez, *op. cit.*, pp. 520-521.

⁹¹ Fazy, *Genève de 1788 à 1792*, *op. cit.*, p. 57.

⁹² William Doyle *The Oxford History of the French Revolution*, Oxford: O.U.P., 1989, p. 435.

number of rights which the *Représentants* had held dear. There was some danger in 1789 that:

'on pouvoit facilement faire envisager la Bourgeoisie de Genève comme le Tiers-Etat opprimé.'⁸³

If that were the case, the government would face the anger of at least some of the *Représentants* as well as those in the city who were without political rights. The government would need all the support it could get if it were going to survive and keep the state of Geneva independent, but by its own behaviour during the previous seven years, it had alienated a proportion of those who should have been its greatest supporters.

The unhappiness of some of the *Bourgeois* at the settlement which had been reached, together with the events in France, led to a proposal in the *Deux Cents* by Horace-Bénédict de Saussure,⁸⁴ previously a staunch supporter of the government, and certainly a *Négatif*, for a revision of the compromise Edict of February 1789. The signs of discontent in the town had shown themselves in the first elections for the *Syndics* after the new Edict when 300 had who voted for *la ligne de nouvelle élection*, although the *Syndics* had been voted into office without difficulty. His suggestions of a constitution which would be 'plus agréable à la majorité' seemed dangerous to some of his fellow patricians. Their unhappiness was compounded when another spoke of the need for there to be an 'Assemblée nationale' to discuss a new constitution.⁸⁵ The suggestion foundered in the *Petit Conseil* and was not acted on until August 1790, when it was decided to create a Commission to write a new constitution for Geneva. The Commission was created by the *Deux Cents* in December 1790.⁸⁶ The slowness with which the whole matter progressed (the old Genevan habit, seen before in 1734 and 1774) is indicative that there were some who were unhappy with the idea of a new constitution.

The Commission of 1790, as in 1777, contained men from different parties, Lullin and Rigaud, both *Syndics*, the ex-*Syndics* Dunant and Micheli, Du Roveray, the *Procureur-Général* Prévost and six members of the *Deux Cents*: Jean Flourney-Balaxert, Jean-François Butini, Horace-Bénédict de Saussure, Jacob Girod, Pierre Boin and Charles Achard.⁸⁷ The Commission which showed the increasing strength of the *Représentants* in the state, reported back in March with a new political Edict accepted in the *Conseil Général* by 1124 to 313. At the same time, the Edict ordered a revision of all the political laws and their union in a Genevan code which was to be submitted to the *Conseil Général* during the first half of October 1791. The Commission was reduced to eight members and set about the task of consulting the *Bourgeois dizaine* by *dizaine*. The whole was finished by November 1791, added to the already-accepted political Edict and submitted to the *Conseil Général* on 14th. November 1791. The result of the voting showed how rapidly the ground was shifting under the government. The new Genevan Code was accepted by 960 to 761. Compared to March, this was a weak majority.

The difficulty was in the relative conservatism of the Code, which to a great extent was

⁸³ BPU Genève, Ms. 2470 *Lettres de G-A. De Luc à J-A. De Luc 1783-93*, mardi 10 février 1789, 138.

⁸⁴ See Appendix IV B IX/13.

⁸⁵ Chapuisat, *op. cit.*, p. 196.

⁸⁶ Karmin, *op. cit.*, p. 206.

⁸⁷ There were 6 *Représentants*: Du Roveray, Flourney, Butini, Boin, Achard and Girod. Prévost was not unsympathetic, but Des Arts, Lullin and Dunant were *Constitutionnaires*, even if relatively moderate, willing to make concessions; Rigaud had only entered the *Deux Cents* in 1787. Micheli, on the other hand had served as an officer in the French army before becoming a member of the *Petit Conseil* and a *Syndic*. He would certainly support the *Constitutionnaire* position. Prévost-Cabanis had already shown his skill in the negotiations of February 1789.

the work of Du Roveray. It was an advance in that it recognised that sovereignty lay in the *Conseil Général*. The powers of that body were clearly listed and included the election of all new members of the *Petit Conseil* and the *Deux Cents*, but, once elected, they retained their seats for life. *Représentations* were to be permitted, including those by the *cercles*. Liberty of the press was to be granted. There was to be civil equality between the *Bourgeois*, *Natifs* and *sujets*, the latter defined as 'anciens Genevois de la campagne'.⁹⁸ This equality was to extend also to church appointments and positions in the militia. There was no change in the status of the *Domiciliés*. The *Natifs* were to be admitted to the ranks of the *Bourgeois* if they had no debts, while the country Genevans would be permitted to become *Bourgeois* by selection and promotion. There were also extensive changes in the taxes in the countryside with the removal of the old feudal rights and taxes.

As a compromise, the Genevan Code was too much for the old *Constitutionnaires* to accept, just as it was considered to be too restrictive by the *Natifs*. While drawing up the new Edict, the commission had received two *Mémoires*, one from the *Natifs* demanding political equality, while the second claimed political equality for all the *sujets* in the Genevan countryside. The rejection of the demands in these *Mémoires* meant that there were many *Natifs* and *sujets* who were also discontented. What it did was to clarify many of the contentious points concerning the interpretation of the vague Edicts which had plagued the body politic throughout the greater part of the century. If it had emerged from the work of the Commission in 1779, it would have greatly benefited Geneva, but its emergence at the end of 1791 was to ensure that, like its predecessor, it would die a rapid death. In reality, it was totally inadequate for a city that was about to be surrounded by French Revolutionary armies, carrying, as they did, the germ of 'equality', since it was, for all its moderation, still based on inequality within the state.

In Geneva, it was the familiar story of too little too late. The revision had come about because of the pressures from what was happening in France and the increasing tensions in Geneva as a result of the new ideas. Jacques Grenus was from a patriciate family and had been exiled in 1782. Although Grenus had been a *Représentant* in the period 1762-1782, he had been less than moderate and, after his return to Geneva in 1789, he became increasingly influenced by the revolutionary ideas coming from Paris. By late 1790, he was advocating the equal political rights of all the *Habitants* and *Natifs* in the city. By 1791, he advocated the granting of full rights to the *sujets* in the Genevan countryside, so that his expulsion from Geneva was inevitable. He led a group of *Habitants* and *Natifs* who took the name *égaliseurs*, composed of the people in the city who had no political rights. After being sent into exile, he bombarded the republic with his *Appel à la Nation* and his newspaper *Les Sifflets de Saint Claude*. As Guichonnet wrote

'[il] va désormais conspirer pour "révolutionner" Genève en s'inspirant des méthodes des Jacobins et des extrémistes français.'⁹⁹

By 1792, the members of the group were extremely francophile, even to accepting the possibility of the annexation of Geneva by France. George Auzière, a *Natif*, who had been exiled in 1770 and had lived and worked at Ferney, was another *égaliseur*.

Foreign affairs and war

The French declaration of war against Austria on 20th. April 1792, followed by Prussia's

⁹⁸ P.E. Martin, *op. cit.*, 3ème. partie, Edouard Chapuisat, Ch. XI, p. 498.

⁹⁹ Guichonnet, *op.cit.*, p. 258.

declaration of war against France on 13th. June¹⁰⁰, made it necessary for Geneva to establish its neutral status, preferably with the Swiss cantons. The Swiss had ordered a meeting of the Federal Diet to discuss the position the Swiss states were to take with regard to the warring countries in Europe. Geneva wanted to be included in any decision by the Swiss to declare their strict neutrality. Once again, Geneva had to overcome the hostility of the catholic cantons, but with the support of both Bern and Zürich, it was finally included in Swiss neutrality on 7th. June 1792.¹⁰¹

The massacre of the Swiss Guard in the Tuileries (10th. August) made it difficult to maintain Swiss neutrality, as some cantons were extremely unhappy with what had happened. The approach of French Revolutionary armies toward the frontiers of Switzerland, together with the increasing pressure that the confederation was coming under from Austria, added to the difficulties. At a second Diet at Aarau in September, it was decided to maintain strict neutrality, but to sever diplomatic ties with France. As a result, Geneva dragged her feet over the recognition of a new Resident, François de Châteauneuf, leaving relations between France and Geneva in a state of suspension, at least in Geneva,¹⁰² and annoying Paris.

The attack by France on Sardinia, which was allied to Austria, led to Geneva being surrounded by a French Revolutionary army. The situation was particularly dangerous because, in Paris, the exiled Genevan Clavière was a member of the government and was pushing hard for a French occupation of Geneva and her incorporation into France as the only way that the city would be able to obtain 'democracy'.

In this, Clavière may have been aided by the increasing hostility in France to the Genevans. The consequences of Necker's loans had led the French by 1790 to see the Genevans:

'not just as speculators but as conspirators, deliberately undermining France's government and society for their own profit and for the sinister ends of the foreign governments who paid them.'¹⁰³

The erroneousness of this attitude was clear, for, by 1792, many Genevan families were on the edge of bankruptcy as a result of the events in France. However, such attitudes among the French gave encouragement to, or could be used by, those who desired to take Geneva under French control.

The second danger for Geneva was that Grenus, just outside the city, was willing to use the French armies to help activate a revolution in the city. By 23rd. September, Geneva was under arms, and on the 24th., the government asked the *Conseil Général* for agreement to bring in troops from both Bern and Zürich. This was agreed by a relatively small majority, 983 for and 734 against. Those against included:

'quelques-uns pour leur goût d'être français ou pour leur système d'égalité de municipalité, et d'autres en plus grand nombre, parce qu'ils croyaient par là provoquer cette partie de la nation française qui domine, lui montrer la défiance, qu'ils ne croyaient pas à des plans d'attaque.'¹⁰⁴

The French immediately treated this demand for troops as a breach of the Treaty of

¹⁰⁰ Doyle, *op. cit.*, p. 436.

¹⁰¹ P.E. Martin, *op. cit.*, 3ème. partie, Edouard Chapuisat, Ch. XI, pp. 501-2.

¹⁰² Guichonnet, *op. cit.*, p. 258.

¹⁰³ Derek Jarrett *The begotters of Revolution England's involvement with France, 1759-1789*, London: Longman, 1973, p. 211.

¹⁰⁴ Cherbuliez, *op. cit.*, p. 499, ft. 1, from the Journal d'Ami Dunant.

Neutrality signed in November 1782. It was an interesting demonstration of the continuing French capacity to interfere in Genevan affairs, and was also an indication that the change in the rulers of France had done little to calm the nation's desire to expand. But, by 5th. October, it was clear to the French that the Swiss were willing to defend both the neutrality of Geneva and Switzerland.

As always when Geneva's independence was threatened, Genevans of all parties rallied to the cause of its independence. The withdrawal of the French Resident to Carouge and his attempts to persuade the people of Geneva that their magistrates were betraying them only increased the patriotic fervour. A meeting of the militia on 13th. October saw 3,000 men declare their loyalty to the government and submit to it a declaration which included:

'Oui, l'instant est arrivé, où mettant tout intérêt sous les pieds, nous ne voyons plus que le danger de la République.'¹⁰⁵

The arrival of troops from Bern and Zürich in November gave Geneva the protection she needed and sent a clear message to France that the Swiss were willing to defend their neutrality, beginning with Geneva. The French General, de Montesquiou, had no intention of attacking Swiss neutrality and therefore refused to move against Geneva. Negotiations between de Montesquiou and Ami Lullin, Jean-François Prévost and François d'Ivernois led to the Treaty of Carouge, accepted by the *Conseil Général* by 1578 to 17,¹⁰⁶ but rejected in Paris, partly due to the influence of Clavière, who had wanted the French army under Montesquiou to attack and take Geneva. In an irony lost on him, Clavière wanted to do exactly what the *Constitutionnaires* had done in 1782: he wished to use a French army to impose his political solution on Geneva, in the name of freedom, of course. It was an attitude which shocked and appalled his ex-colleagues, who tried hard to turn him from such action. In a letter, Chauvet claimed that:

'la nouvelle République française se prépareroit à nous écraser, sans motif, sans intérêt, sans raison, et seulement pour s'exercer ce Despotisme odieux...Du Roveray a envoyé un mémoire signé au Ministre des affaires étrangères ... Reybaz a écrit deux puissantes lettres à Clavière dans lesquelles il a résumé tous les efforts pour l'engager à faire son devoir.'¹⁰⁷

Reybaz was in Paris standing-in for Tronchin, Geneva's Ambassador in Paris, who was in London. What both Chauvet and Reybaz and other Genevans were trying to do was to ensure the continued existence of Geneva as an independent state. Clavière seemed to be willing to sacrifice the city in the interests of ensuring real equality for its citizens. A second negotiation led to the Treaty of Lancey on 2nd. November. This treaty was also rejected in Paris, but eventually the same terms were contained in a Decree issued by the French government.

The withdrawal of the Swiss troops from Geneva, as required by the agreement with France, was completed before Christmas, leaving the government with little military support in the town except the militia and the small, limited garrison, unless it could persuade the people to accept once again the presence of a full garrison of mercenaries in the town. This they managed to achieve, when the *Conseil Général* accepted by 950 to 534 a plan to augment the garrison to 1,180 men from the current 700 (which was considered insufficient). The loss of the Swiss troops seemed less of a problem if the city could have a reasonably-sized garrison. What the government did not expect was:

'quelques soins que nous nous soyons donnés pour accélérer le recrutement de

¹⁰⁵ *Ibid.*, pp. 507-508.

¹⁰⁶ Karmin, *op. cit.*, p. 229.

¹⁰⁷ Ms. suppl. 1010, *op. cit.*, de Chauvet, 21 octobre 1792, 16.

notre Garnison nous n'avons, jusque ici à cet egard que très peu de Succes, elle ne s'élève pas encore à la moitié du nombre au quel elle devoit être portée...¹⁰⁸

This left Geneva exposed externally to foreign attack. The Militia could cope with minor internal problems in the city, but, in the event of trouble from the *sujets* in the small Genevan territories, it would have been inadequate.

Although the people had rallied to the government in the moment of crisis, there was still considerable discontent both within the city and outside it. The idea of equality was strong and had been further encouraged by the declaration in Paris by the Convention that France:

'accordera fraternité et secours à tous les peuples qui voudront leur liberté, et le pouvoir exécutif donnera aux généraux les ordres nécessaires pour porter secours à ces peuples et défendre les citoyens qui auraient été vexés ou pourraient l'être pour la cause de la liberté.'¹⁰⁹

Furthermore, Brissot's speech in the Convention, in which he claimed:

'C'est pour enchaîner ces *égaliseurs natifs, patriotes ou sans-culottes* qu'on avait appelé les Suisses dans Genève.'¹¹⁰

added fuel to the smouldering resentment of those without political rights in the city. In 1792, Geneva had needed Swiss troops to ensure her declared neutrality. The Swiss had responded because it was necessary to reinforce their declared neutrality at the first opportunity. Events proved them correct, as they gained six years of freedom before the arrival of Napoleon.

Winter was approaching, and the winter months had always been those of civil unrest in the city, as Cornuauud pointed out to anyone who would listen. There were many warnings of trouble to come and appeals to those in and connected to the government to act. There was an inherent reluctance by the government and most of the members of the two smaller councils to make any further changes in the Codes. To some, it must have seemed that they were on a non-ending roundabout of change and further change followed by yet more suggested change. Nonetheless, there was an attempt by Lullin to grant concessions, and a project was presented to the *Deux Cents* at the end of November. How extensive these reforms were to be is clear:

'un nouvel Edit sur l'état des personnes qui fasse à jamais disparaître les nuances qui différencient aujourd'hui les diverses classes de Genevois.'¹¹¹

It was an attempt, very late in the day, to face reality and try to cut the ground from under the *égaliseurs* by conceding their demands, but keeping control in the hands of the government. The backdrop to these discussions was intermittent rioting in the city. A meeting of the *Conseil Général* planned for 4th. December to discuss these reforms was never held; the *cercles* of the *égaliseurs* were too impatient and called for violent action. Serious rioting erupted on the night of 3rd. December, provoked by the *égaliseurs*, and there was bloodshed on the 4th., when the city was very close to civil war. Finally, the government withdrew its few soldiers to the garrison and handed over the keys of the city to the *cercles égaliseurs*. Their leaders worked in conjunction with the *Syndic de la garde* to return the town to calm:

'Les membres du Cercle de la Grille ont la garde de l'hôtel de Ville, mais ils ont pour la plupart le bonnet rouge [:] l'on vient de dresser sur la Treille en face des

¹⁰⁸ BPU Genève, Ms. Reybaz 924, 26.

¹⁰⁹ Karmin, *op. cit.*, p. 239.

¹¹⁰ *Ibid.*, p. 240.

¹¹¹ BPU Genève, Ms. Reybaz 924, 12.

fenêtres du Conseil l'arbre de la liberté avec le bonnet ce qui n'annonce pas chez eux l'intention de modérer la douleur profonde dans la quelle sont plongés la majeure partie de nos concitoyens.¹¹²

The members of the two councils had at last been brought face-to-face with reality. It was, in effect, the end of old Geneva.

On the morning of 5th. December, the *Deux Cents* voted for the suspension of the *Conseil Général*. A Commission of Forty elected from the *cercles égaliseurs* was given charge of the administration while a new constitution was prepared. This document was to be a radical departure from normal Genevan practice:

'on voudroit abroger les anciennes formes pour leur en substituer d'absolument nouvelles. Les partisans de ce dernier système ne constituent point ni tant s'en faut, le plus grand nombre mais il est à craindre qu'ils n'agissent par toutes sortes de moyens pour le faire triompher et que le décret du 18 [sic, it was the 19th.] n'encourage leur audace en leur donnant l'espoir de vaincre par la terreur ou par la force la résistance qui leur se voit opposée.'¹¹³

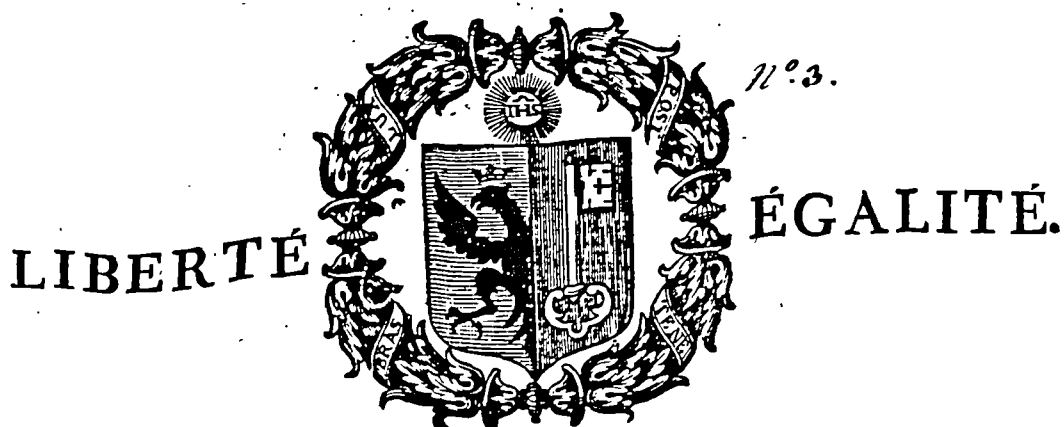
This time there was no tinkering with the constitution within the old base of 1543. There was to be a completely new document reflecting the latest ideas and founded on the equality of citizens of the city. It was to cut the Gordian knot of sovereignty which had bound Geneva since 1543. This new constitution was ready to be submitted to the *Conseil Général* on 12th. December. The first part gave Genevan citizenship to all *Bourgeois*, *Natifs* and *Habitants*. This was accepted by 802 to 161. The second chapter set out the creation of a Constituent Assembly and was accepted by 590 to 355. The third part revoked all political judgements and sentences given during the eighteenth century, proclaimed the rehabilitation of those condemned and specifically mentioned as nul the decrees against Rousseau. This was voted by 777 to 179. Yet even this radical departure left the *Syndics* and the government still in place, old habits clearly dying hard.

Not surprisingly therefore, the unrest in the city continued, aimed at certain members of the government. Even though a new constitution had been accepted, the previous government continued in existence. There was a project to pass an Edict which would force some of the members of the councils to retire. On the morning of 28th. December, the revolutionaries occupied the city, and the *cercles* decided upon the demise of the government, replacing it by two committees, the *Comité provisoire de sureté* and the *Comité provisoire d'administration*, the members of which were elected by the *cercles'* delegates. Geneva was clearly set on a new course These two committees both contained 13 members, and their constitutions were accepted by the *Conseil Général* by 1884 to 318 on 30th. December 1792. Thus in Geneva in December 1792 the city received two new constitutions, that of 12th December which remained in force, the second on 30th. December 1792 swept away the old government structure and was added to what had been achieved earlier in the month. The two committees worked in the midst of considerable difficulty and unrest in Geneva. As can be seen from a copy of the poster, diagram 11, everything in Geneva had changed overnight: there was no longer any talk of 'la patrie', it was 'La Nation', and the town crest was accompanied by the words 'liberté' and 'égalité'.

The committees worked closely with the Constituent Assembly authorised by the Edict of 5th. December and elected in February 1793. There were 3553 electors with the right to vote in this selection process, since, as a result of the Edict of December 1792, some 1,500 *Natifs* and 700 *Habitants* registered for *Bourgeois* status. There were 373 sittings of

¹¹² BPU Genève, Ms. Reybaz 924, 26.

¹¹³ *Ibid.*, 22.



DE LA PART DE LA NATION.

LES Députés de la Nation, réunis ce jour, ont résolu que les Syndics & Conseil sont provisoirement suspendus de leurs fonctions, & ont créé un COMITÉ PROVISoire DE SURETÉ composé de treize Citoyens; en prenant l'engagement unanime & solennel de concourir de toutes leurs forces à l'exécution de ses ordres pour le maintien de la sûreté & de la tranquillité publique & individuelle, & de l'indépendance de l'Etat.

Genève le 28 Décembre 1792.

Ce Comité est composé des Citoyens

GUILLAUME RINGLER, <i>Président</i> , nommé par acclamation.	
PIERRE-ANDRE DUPIN.	JEAN-JAQUES AZEMAR.
JEAN-GABRIEL BERNIER.	GEDEON FLOURNOY.
LOUIS-ANDRE CONSTANTIN.	JEAN JANOT.
FRANÇOIS ROMILLY.	GASPARD RIVARD.
JEAN-HENRI NEFF.	ANDRE DELISLE.
JAQUES ODIER.	BENEDICT DUFOUR.

BERNIER, Président de l'Assemblée des Députés des Cercles.

the Constituent or National Assembly before the presentation of a completely new constitution to the *Conseil Général* in April 1794, which was accepted by 4,200 votes to 200. During this period, decisions taken by the Assembly were referred back to the *Conseil Général*, which, in effect, was reduced to a form of national referendum on the work of the Assembly. The new constitution confirmed this position of the *Conseil Général*, with the creation of a Legislative Council of 42. All new law and any projects of the Legislative Council would be submitted for approval to the *Conseil Général*, a system which came to be called *le référendum obligatoire*. This maintained the *Conseil Général* as place of final resort, with the people given the simple right to accept or reject new laws, although whether the people would constantly reject suggestions put to them was never put to the test.

The end of the road

December 1792 marks the end of the system of government under which Geneva had been ruled certainly since 1543 and, in some respects, earlier. It marked the end of a century of periodic conflict because of division within the *Bourgeois*, where 'no way was found of formalising these conflicts in institutions.'¹¹⁴ The creation of an elected temporary Assembly to carry out the function of a legislature in preparing a completely new constitution was to introduce into the system the delegation of sovereign power which had been missing in Geneva up to that point. It became necessary because it was clear that a body which numbered 5,000 or more voters was no longer in any position to discuss and take decisions. The ending of the divisions within the state as to political rights was a clear and dramatic break with all that had gone before making it possible to begin anew. The desire of the *Représentants* to slowly absorb part of the *Natifs* into the body politic was of a completely different order from the across-the-board granting of full rights of citizenship to all Protestant males born in the city. The attempt by the *Bourgeois* and their leaders, as late as 1791, to try to adapt the existing structures of the Edicts of Calvin to the new demands of equality released by the revolution in France was a final demonstration of the consistency of the *Bourgeois* and their belief in the importance of the *Conseil Général* as the sovereign in the state. It was certain to fail since in the old commune, in the Geneva of Calvin's Edicts and the various changes wrought in the eighteenth century, equality, especially political equality and its corollary, political rights, was not possible. It was the Revolution in France which changed the ground rules.

¹¹⁴ Venturi, *op. cit.*, p. 84.

Conclusion

The history of Geneva in the eighteenth century raises serious questions as to whether it can easily be accommodated in the concept of an Atlantic Revolution. Even the wide definition given by Palmer, where a revolutionary situation means an undermining or loss in confidence in an existing authority, is difficult to accommodate with the Genevan situation until 1781.¹ The belief of the *Bourgeois* and their leaders that the Magistrates and the government could be persuaded to compromise, even as late as 1777, demonstrates a continued, if misplaced, confidence in their rulers. It is only in the last years of the 1770s that there are clear signs of a decline in respect for and trust in the reasonableness and justice of their rulers. That trust finally ended, apparently, in the refusal of the government to apply the *Edit Bienfaisant* of 1781. Whether the admission of the third generation of *Natifs* to political status in Geneva posited by the *Edit Bienfaisant* was a 'new kind or basis of community'² is debatable. It left a considerable number of *Natifs* and all the *Habitants* still outside the political sunshine. All other aspects of the constitution remained in place, including the continuation of divisions in Genevan society, where political rights were based on privilege.

The troubles in Geneva go back to the constitution introduced by Calvin and his followers. This constitution, by attempting to marry the old commune and its rights as manifested in the *Conseil Général* with the government-dominated ideas of Calvin, created from the beginning a dichotomy which by the eighteenth century had become difficult, if not impossible, to resolve. The inherent contradiction was aggravated by the ease with which the oligarchy developed in the city and its strenuous efforts to asphyxiate over time the *Conseil Général*. The *Bourgeois* in the city wanted the rights of the *Conseil Général* to be respected, and the government to consult and obtain approval for changes in the constitution, as laid down in the Edicts. The *Bourgeois* in the *Conseil Général* did not desire to 'change the basis of authority and representation nor reconstitute the constituted bodies'.³ Neither, until 1781, did they desire to open membership of their body to others.

It could be said of Geneva, as of Poland, that the interference of a powerful neighbour, in this case France, on behalf of the patriciate and government had made it impossible to 'reform an ancient republic, to find a way out of the constitutional deadlock which had finally immobilised them all.'⁴

France had, by insisting on mediating in 1737, prevented a reasonable compromise from being attempted; compromise was reached in 1768, when France was weaker, but its encouragement of some of the oligarchy in the city to believe that it would come to their rescue in further trouble led at first to their refusal to try to work the compromise and then to deliberate obstruction, precipitating the crisis of 1782. America, unlike Geneva or Holland, did not have to contend with interference once she had obtained her independence, thus enabling the Constitution to emerge by 1789.

The success of Fatio in forcing concessions from the government in 1707 showed the authorities that the *Bourgeois* had some kind of organisation outside the reach of authority with clear ideas of the need 'to fight off the apparent growth of prerogative power'.⁵ In

¹ Palmer, *op. cit.*, p. 21.

² *loc. cit.*

³ *Ibid.*, p. 23.

⁴ Venturi, *op. cit.*, p. 92.

⁵ Venturi, *op. cit.*, p. 94, citing Bailyn, *The American Revolution*, p. 283.

Geneva, the *Petit Conseil* had acted as the prerogative power. However, the *Conseil Général's* rejection of this position and its own claims to sovereignty went back to Combe and Boutilier, both aware of the growth of the *Petit Conseil's* power. The severity of the repression in 1707-8 did not destroy this belief or the organisation of the *Bourgeois*, neither did it intimidate the *Bourgeois* into abandoning their beliefs. Indeed, the loss, in 1712, by a clever Government manoeuvre, of the concessions gained in 1707 merely led to some *Bourgeois* codifying and setting out their ideas. The *Lettres* of Léger influenced all that was to happen in the future, including the works of Rousseau, who, growing up during this period in Geneva, in the midst of those involved with Léger's letters, cannot have been ignorant of their contents. These letters produced no apparent effect, no marching in the street, no demands presented to the government, yet their influence was profound and insidious.

The sovereignty and rights of the *Conseil Général* were discussed and debated at length until such beliefs became second nature to many of the *Bourgeois*. Indivisible sovereignty belonged to the people assembled in the *Conseil Général*:

'sans remettre le Gouvernement à des Chefs ou officiers qui lui sont comptables et dont il a le droit d'examiner l'administration,'⁶

the government in the city was not sovereign nor had it ever been. For the political class in Geneva in the 1720s and 30s this question was of paramount importance, strengthened by the fact that the *Conseil Général* was their referent and that their loyalties were not involved in and divided by guilds or corporations, but united in their rights as *Bourgeois*, marking them off distinctly from others in the state. The concern over sovereignty and its implications was discussed in Geneva thirty years before such discussions were to sweep over Europe and America. The interest in the rights of a sovereign *Conseil Général* was almost as old as the state. The *Bourgeois* in Geneva had in fact been asserting 'ideas much like those of the *Social Contract*'⁷, before such a work was even a gleam in Rousseau's eye.

The agreement negotiated between the *Bourgeois* and government in 1737, which would have needed the approval of the *Conseil Général* for the election of members of the *Petit Conseil*, was a radical departure from existing practice. The insistence of the French on becoming involved in the process of pacification ensured that such changes were torpedoed. However, the acceptance of the Mediation emphasises the continuing confidence of the *Bourgeois* in their government leaders.

The persistence of the *Bourgeois* in trying to persuade the government of their grievances until 1766, regardless of the illegality of some government acts, is surprising. In part this was due to the ingrained habits and training of respect for elders and social superiors, common at the time, and reinforced by their strict Calvinist upbringing. There was also the dilemma of what the *Bourgeois* could legitimately and legally do to make the government listen and respond. The development and elaboration of the arguments in Léger's letters, which Rousseau produced in the *Social Contract* and *Lettres de la montaigne*, were part of the continuing debate which in Geneva had been in progress since the beginning of the century. It was not the arrival of the *Social Contract* in the city which 'produced its first explosion'⁸, but the accumulated anger and frustration at the deafness of the government and the accumulation of a series of unconstitutional, illegal acts over more than twenty years, of which Rousseau's condemnation, with regard to the *Social Contact*, was but one.

⁶ BPU Genève, Ms.Fr. 840, 76 Entretien d'un Citoyen avec un Nouveau Bourgeois en forme de Catéchisme, 1734, 78-83.

⁷ Palmer, *op. cit.*, p. 133.

⁸ *Ibid.*, p. 112.

Unfortunately, Delorme was exaggerating when he claimed that the refusal to elect the *Syndics* in 1766 was 'by the Will of the Sovereign' and not by the laws of the constitution; it was the people in the *Conseil Général* exercising their prerogative:

'que nul ne soit reçu qu'il n'ait esté approuvé du peuple.'⁹

The refusal of the *Conseil Général* to elect any *Syndics* was the sovereign carrying out its lawful task as laid down in the Edicts, which Tronchin in his *Lettres écrites de la campagne* had accepted, restating the right of the *Conseil Général* to reject the *Syndics* if they so desired. The *Bourgeois* had been restrained in their earlier refusals, usually refusing to elect from the first list, but electing from the second list submitted to them.¹⁰ It was the refusal to elect any *Syndics* that was different, but was perfectly legal. Two laws within the state came into conflict, that which required an annual election of *Syndics* and that which permitted the *Bourgeois* to elect only those acceptable to them. It was not a case of Law and Constitution opposed by the sovereignty of the people. After three years of trying to persuade the government that 'ruin begin[s] when constitutional laws are broken',¹¹ the *Représentants*, the majority of the *Bourgeois*, were beginning to question their confidence in members of the government. They sought desperately to reach a compromise with the government and patriciate, to avoid the chasm they saw opening ahead of them. They desired the government to continue to govern with the proviso that, in important matters, they were consulted, and that the government obeyed the law. It was clear that some revision of the various laws of the state was required to avoid the conflict of law with law in the future.

The compromise reached between the Genevans in 1768 returned to the ideas expressed in 1737 and led to the right of the *Bourgeois* to replace four of the *Petit Conseil* from the *Deux Cents*, rather than the need to approve all the members of the *Petit Conseil*, as initially agreed in 1737. The subsequent attempts to revise and codify the constitution ran into the sand of the patriciate, who were extremely unhappy with the compromise of 1768. The final straw for the *Bourgeois* was the refusal of the government to effect a new law discussed and approved by the *Conseil Général* giving political rights to a proportion of the *Natifs*. This further denial by the government of the sovereign rights of the sovereign body was the act which destroyed the trust between the people and the government. It was a denial of belief and trust shared as strongly by the *Natifs* as by the *Bourgeois* and taught the *Natifs* whom they could trust in Geneva. The rejection of the Edict was the act that paradoxically brought together the greater part of the politically privileged people with a considerable part of the politically non-privileged population. The rioting of the latter, together with the supineness of the government, forced the *Représentants* to remove the government and replace it. It could be argued that this was the revolution in act, rather than thought which had plagued the country since 1707.

The inability of the new régime to defend itself against the combined forces of Bern, Sardinia and France led to the return of the old system, which reinforced the power of the government at the expense of the *Conseil Général*. The reliance upon a garrison to reinforce its position, together with the cold war which became the norm within the state, showed the gaping gulf between the rulers and the ruled. Palmer's so-called 'aristocratic resurgence'¹² in Geneva was a weak plant indeed, as was shown by the inability of the garrison to prevent rioting over the price of bread in 1789. The attempt to reach a compro-

⁹ Amédée Roget, 'Les Syndics', *op. cit.*, p. 10.

¹⁰ As in 1741, see Chapter VI, p. 115.

¹¹ Venturi, *op. cit.*, p. 45 quoting from Montesquieu Book VIII, Ch. V.

¹² Palmer, *op. cit.*, p. 366.

mise with the *Bourgeois* was too late, and even the new constitution, of which Du Roveray was the main architect, was outdated before the ink was dry. The emergence of 'égalité' was a concept which struck at the roots of Geneva's existence, while France's conquest of Savoy surrounded the city with an army carrying these ideas.

Can Geneva, confronting the problem connected with sovereignty and its interpretation at periods much earlier than the last forty years of the eighteenth century, really fit into the 'Atlantic Revolution'? By extending the time span to the entire eighteenth century possible, but this would be to ignore the demands made by Boutilier in the sixteenth century and Combe's demand in the seventeenth century. The *Lettres anonymes* of Léger expressed in written form what had been said amongst the *Bourgeois* in Geneva for many years, as witnessed by Gallatin's attempt to provoke unrest in 1698, quite apart from having predated Rousseau and the *Social Contract*.

Added to which, the influence of the American War of Independence or the ideas expressed during this time make no appearance in the pamphlets of the period. With the Genevans deeply engrossed in their own disagreements, the arguments of the British and Americans may well have had an air of *déjà vu*. What little comment there is on America is not positive, with d'Ivernois pointing out in language not dissimilar to that contained in Léger's *Lettres* :

'que le Conseil Général de Genève, qui en formait tout à la fois La Nation et le Souverain, avait de plus que les Américains, dans les annales de sa propre Constitution & dans les actes précis & déclarations de son droit, non-seulement inaliénable mais inaliéné, de retirer à lui les pouvoirs dont ceux-ci auroient abusé.'¹³

There is this constant time-shift when trying to place Geneva in the context of Palmer's generous definition.

The contradictions within Geneva during this time span are profound: on the one hand, there is the:

'progressive breakdown in the consensus ... necessary if any régime is to maintain itself,'¹⁴

yet, on the other hand, there is attempt after attempt to negotiate compromise, to retain the existing structures of the state, each failure sapping the body politic. Even after the Black Code of 1782, the *Bourgeois* were happy in 1789 to return to the old constitution with all its inherent contradictions intact, in the belief that a revision could be achieved. Geneva was never 'democratic' in the eighteenth century. It was a corrupt republic in Montesquieu's terms, with a declining political group divided within itself and relatively reluctant to allow access. But, within that 'elite', the Republican tradition was strong, together with the old communal ideas of equality and a right to a say in the governance of the state through the meeting of the commune members. The overlay of Calvinist teaching concerning the governance of states introduced different ideas and incorporated old and new together in such a way as to make conflict inevitable, as well as adding the Calvinist teaching that any change was unnecessary and dangerous. It was only in the eighteenth century, when education and improved prosperity produced easier living conditions, that these problems came to be tackled.

How should we categorize a state which had faced the questions that were of importance post-1760 in the first half of the century and been unable to solve them? How should we classify a state which, even in 1791, introduced a new constitution allowing for election for life to the two smaller councils, ignoring the dangers of such a system in the contempo-

¹³ D'Ivernois, Vol III (Tome II), op. cit., pp. 77-78.

¹⁴ Behrens, op. cit., p. 163.

rary world of limited elected chambers and governments, at least in France? Ultimately, it is perhaps more valid to ask why ideas being argued over in Geneva were ignored by most of the world. France, seeing the danger, tried to suppress both the ideas and the arguments, to no avail. If Geneva was revolutionary in the Palmer sense, as measured by the decline in the trust between the *Bourgeois* and the government, a decline which was to be seen only during the events of 1781-2, it was so because the usual Genevan habit of reaching a last minute consensus was blocked by the support given by France to the party within the state totally opposed to any compromise. Geneva, in part because of its historical inheritance was probably the only state apart from Britain in a position to evolve and absorb peaceful, non-revolutionary gradual change. The immediate future of Geneva after 1792 reflected the unfortunate, further influence of France, when the 'terror' led to the execution of those considered most reactionary on account of their actions prior to 1794, even though they were found not guilty by the people. The wheel had rapidly come full circle, the city finding itself once again under the governance of those who ignored the people's wishes.

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Ms. suppl. 1543 Lettres de Du Pan à Freudenreich 1767.
Ms. suppl. 1544 Lettres de Du Pan à Freudenreich 1768-1769.
Ms. suppl. 1545 Lettres de Du Pan à Freudenreich 1770-1774.
Ms. suppl. 1546 Lettres de Du Pan à Freudenreich Undated, January - May.
Ms. suppl. 1547 Lettres de Du Pan à Freudenreich Undated, June - December.

Ms. 2461 Lettres et Mémoire concernant J-A. De Luc.
Ms. 2462 Lettres de J-A. De Luc à sa Famille.
Ms. 2463 Lettres adressées à J-A. De Luc Au-De.
Ms. 2464 Lettres adressées à J-A. De Luc En-Lu.
Ms. 2465 Lettres adressées à J-A. De Luc Ma-Pr.
Ms. 2466 Lettres adressées à J-A. De Luc Pr-Va.
Ms. 2467 Lettres adressées à J-A. De Luc Va-Wi.
Ms. 2468 Papiers de De Luc - Correspondance entre Turrettini et J-A. De Luc.

Ms. 2469 Lettres de G-A. De Luc à J-A. De Luc.
Ms. 2470 Lettres de G-A. De Luc à J-A. De Luc.
Ms. 2471 Lettres de J-A. De Luc, 1793-1804.
Ms. 2476 Papiers de De Luc - Affaires de Genève 1770-1782.
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Appendix I.

The Edicts of 1543

Taken from Henri Fazy Les Constitutions de la République de Genève, Genève et Bâle: H. Georg, Librairie-Editeur, 1890, pp. 289-335.

Edits de 1543.

(D'APRÈS LE TEXTE CONSERVÉ AUX ARCHIVES DE GENÈVE)

DE L'ELLECTION DES SEYGNEURS SINDIQUES

Que chascun an, le mardi devant le dimanche prochain suyvant la Purification, le Conseyll se tienne expressément pour les eslire; devant que commencer, que le premier Syndicque pour lors face une bonne remonstrance et exhortation à ce qu'on eslise gens de bonne conscience, qui ayent l'honneur de Dieu en recommandation, aymans équité et droicture et le profit commun de la ville, de bonne vie et bonne renommée. Sur cella, qu'on face prière à Dieu; puy que chascun conseyller face serment d'eslire ceulx qu'il pensera estre les plus propres et suffisans en la forme qui s'ensuyt: Nous promettons et jurons devant Dieu, entre les mains de la Seygneurie, d'eslire et nommer en l'office de Syndicqual ceulx que nous pensons estre propres et ydoines, tant pour maintenir l'honneur de Dieu, et la religion crestienne en ceste ville comme pour conduyre et gouverner le peuple en bonne pollice et conserver la liberté de la ville et qu'en eslisant nous aurons esgard au bien publique et non pas à quelque affection particulière, ne de haine ne de faveur; que Dieu nous soyt tesmoin de ceste promesse, affin d'en estre juge si nous faysons du contrayre.

Après cella que chascun par ordre en nomme quatre, tous cytoyens, devant les Syndicques et que les secrétayres soyent là pour recevoir ceulx qu'on nommera.

Le vendredi suyvant on tienne le Conseyll des Deux Cens et après l'exhortation et la prière, que la forme du serment soyt récitée et que tous la prennent en levant la main. Puy qu'on en prononce huyt de ceulx qui auront esté nommés en l'élection du Petit Conseyll: assavoir pour la plus grant voyx et sur cella qu'on face aussy l'élection de huyt ou du nombre qui aura esté proposé, ou d'autres s'il semble bon, moyennant que ce soyent citoyens, tellement que l'élection du Petit Conseyll soyt comme un advertissement, sans préjudicier aux Deux Cens en la liberté d'élire.

Le dimanche prochain que le Conseyl général soyt assemblé et que l'on prononce au peuple l'élection faicte par les Deux Cens, afin que de luyt qui seront présentés le peuple en eslise quatre, moyennant qu'il les ayt agréables, mais aussy quant bon luy sembleroyt, qu'il ayt la liberté de refuser tant le nombre total qu'une partie.

S'il advient que du nombre présenté il ne s'en trouvent quatre au gré du peuple, c'est à dire de la plus grant voyx, qu'on procède à nouvelle élection pour le nombre qui aura esté récusé, premièrement au Conseyl Estroyt, puy des Deux Cents, tellement que nul ne soyt receu qu'il n'ayt esté approuvé du peuple.

Que cest ordre soyt observé d'en prendre deux du bas de la ville et deux d'en haut.

Que l'élection faicte et confirmée par le peuple, les quatre eslous viennent en la mayson de la ville faire le serment entre les mains des quatre anciens pour estre mis en possession de l'office.

LA FORME DU SERMENT

Nous promettons et jurons de nous acquitter fidellement du debvoir de notre office, premièrement de maintenir et défendre, en tant qu'en nous sera, la liberté et les droyts de la ville, de bien administrer ce que nous aurons entre nos mains, d'exercer bonne et droicte justice, rendant à un chascun ce que luy appartient, soustenans les bons et punissant les maulvais. sans hayne ne faveur.

Item plus nous promettons de faire et observer ce qui est contenu en l'office des conseyllers et que Dieu nous soyt tesmoin de tout cella pour nous pugnir si nous allons au contrayre.

Touchant du lieu pour savoir lequel sera premier ou second, si ceulx qu'on eslit ont désja aultrefois estés en l'office, qu'on regarde lequel il aura esté le premier, et qu'il précède les aultres et ainsy un chascun conséquemment et sellon son ordre; si on en prend que jamais n'y ayent estés, qu'on regarde lequel aura esté du Conseyl devant les aultres et que, sellon ceste ancienneté, le lieu soyt appliqué. Or estre du Conseyl nous entendons, tant en l'office de Tressaurier et secrétaire comme du Conseiller, que celuy qui aura faict son an ne soyt esleu, sinon qu'il se soyt reposé troys ans.

S'il advenoyt qu'un Sindicque allast de vie à trespas pendant qu'il est en office et qu'il y restât encore quatre moys de son temps, qu'on en eslise un aultre le plus tost que possible sera: aultrement, c'est à dire quand le terme sera plus brief, on layssera passer l'année sans en substituer d'aultre.

Que le lundy prochain les quatre Sindicques nouvellement esleus avec ceulx de l'an passé et le thrésorier assembleront les Deux Cens et après avoir faict l'exhortation et la prière et le serment, qu'on récite le rouble de l'an passé, et après que chascun dise ceulx qu'il voudra laisser en office et ceulx qu'il voudra ouster. Toutesfois que les quatre Sindicques anciens demeurent sans controversie, si ce n'est qu'ils ayent commis faulte digne de répréhension, de laquelle on veuille enquérir.

S'il s'en trouve qui soyent ostés par la plus grant voyx, qu'on ne mette point d'autres en leur lieu sur le champ, mais que le lendemain le Petit Conseil, qui aura esté esleu, en nomme d'autres en nombre double, c'est à dire deux pour un par devant les Deux Cens pour prendre lesquels bon luy semblera : ou bien pour en eslire à leur jugement, comme il a été dist des Sindicques. S'il advient que quelque conseyller mourust, qu'on ne sustitue point de successeur en sa place jusqu'à l'autre année, n'estoyt que, pour peste ou aultre inconvenient, le nombre fust sy fort diminué que le Conseyl demorast despourveu.

Que l'élection faite, tous viennent fayre le serment devant que s'asseoir ou bien le renouveler, quant tous l'auront faict auparavant.

LA FORME (du serment).

Nous promettons et jurons de nous employer fidellement à fayre ce que nostre office porte : et premièrement de mettre peynne et dilligence à conserver et entretenir le bien, honneur et utilité de la ville et de venir toutes foys et quantes que mestier sera pour donner bon et fidelle conseyl sur ce que nous seront requis.

Item d'avertir ceulx qu'il appartiendra de tout ce que nous penserons estre au proffit de la ville : Item de tenir secret tout ce qui aura esté dist et déterminé au Conseyl, s'il ce n'estoyt matière publicque et laquelle deust estre publiée. Item, de ne préjudicier nullement à l'honneur ou proffit de la ville pour faveur ou amitié d'aucun ou aultre considération charnelle quelconque. Item, de ne solliciter par brigue et autres pratiques quelconques de la justice pour fayre contre son devoir, mais au contrayre de rompre et empêcher de nostre pouvoir telles entreprises. Item, de ne prendre présent ne corruption, point favoriser à aucun en ce qu'il concernera nostre office, ne en général tout ce qu'on voudroyt nous présenter au regard de nostre estat, pour nous fayre décliner de la fidelité que nous devons à la ville et du droyt que nous sommes tenu de rendre à un chacun. Item, en toutes

causes dont nous serons requis, de prononcer en droyt et équité ce qu'il nous semblera, sans faveur ne hayne des parties, surtout de procurer que la religion chrestienne soyt observée purement et que Dieu soyt servi et honoré en la ville et au territoire. Que Dieu nous soyt tesmoyn de toutes les promesses pour en estre juge si nous contrevénons.

Touchant d'assigner le lieu à un chascun ; que les quatre Sindicques anciens soyent les premiers, puis les aultres, sellon le temps qu'ils auront esté conseyllers ou en office plus haut.

DE L'ELECTION DU TRÉSAURIER

Que de troys ans en troys ans il soyt esleu avec les Sindicques en semblable ordre et façon ; puy, quant il aura esté esleu, qu'il face semblable serment qu'un des consoyllers, adjoustant la promesse d'administrer fidellement et au profit de la ville l'argent commung qu'il lui sera mis entre mains et en général de procurer le bien public, comme le sien propre, tant à recouvrer comme à le garder et dispenser.

DE L'ÉLECTION DES SECRÉTAYRES

Qu'il y ayt deux secrétayres, l'ung supérieur et l'autre moindre, dont l'office ne sera point à certain terme précisément, mais quant l'élection des Sindicques se fera, chascun an, le Conseyl regardera s'il sera bon de continuer ceulx qu'ils seront en l'office et sy, pour bonne considération, il sembloit estre utile de les démettre, qu'il procéde à en substituer d'aultres, portant toutesfoys son jugement au Conseyl des Deux Cens, lequel en pourra fayre sellon que bon luy semblera et ainsy qu'il ayt revision tous les ans sur cest office, pour fayre election quant la nécessité le requerra.

LA FORME DE LEURS SERMENTS

Nous promettons de rédiger par escrit, fidellement et diligemment, tout ce que mestier sera, comme nostre office le porte : et mettre peynne que, par nostre faulte et négligence, il n'advienne aulcung dommage ne à la ville ne aux particuliers.

Item, de ne rien communiquer des secrets du Conseyl, ne révéler à aulcung, sinon par commandement et ordonnance dudict Conseyl.

Item, d'expédier ce qu'il nous sera donné en charge, tant pour la ville que pour les particuliers, et en général d'observer en bonne conscience ce qu'il concerne le devoir de nostre office.

Que le Consey l Estroyt ayt plein pouvoir et auctorité de les eslire et les continuer, tant qu'ils feront bien leur debvoir ou aultrement les déposer.

Tous feront serment entre les mains des Syndicques en telle forme et le renouvelleront en temps de nécessité :

Je promets et jure de m'employer fidèlement à la défense de la ville et ne l'abandonner nullement en sa nécessité.

Item, d'estre toujours prest à porter armes contre les ennemis d'icelle, quant il me sera ordonné par mes supérieurs.

Item, d'entretenir bonne paix et union entre bourgeois et les habitans et d'empêcher sellon mon pouvoir toute sédition, esmeute et baterie.

Item, ne faire maulvayse conspiration ou entreprise, mais au contrayre résister à celles qui se feront et les révéler à mes supérieurs.

Item, d'empêcher toutes dissolutions et insolences ou en général tout ce qui sera contrayre à l'ordre et pollice de la ville.

DU GEOLIER OU SOULDAN

Que cest office ne soyt à certain temps, toutefois qu'il y ayt revision de troys en troys ans pour scavoir sy celluy qui y est fait bien son debvoir. L'eslection sera au Consey l, la confirmation aux Deux Cens. comme il a esté dict des aultres.

LA FORME DU SERMENT DONT ON USERA SERA TELLE :

Je promets et jure de faire fidelle garde de ceux qui me seront commis, pour en rendre bon compte sans traulde; item, de tenir chacun prisonnier ou serré ou plus au large, sellon qui me sera commandé.

Item, au cas qui me sera deffendu, ne permettre que aulcung parle à ung prisonnier, de me donner si songneuse garde qu'il ne se face point.

Item, de ne permettre aux prisonniers de faire aucunes insolences, jeux dissolus, banquetts ne autre chose.

Item de n'exiger oultre ce qui me sera deu sellon la taxe.

DU SAULTIER

Que ce soit office perpetuel, sy celluy qui est esleu une foys s'en acquitte deuement; toutesloys que tous les troys ans, il s'en face revision, affin que, s'il n'estoyt convenable, qu'il fust desposé. Que l'eslection soyt faicte du Petit Conseil, confirmée par les Deux-Cens.

DES HÉRAULTS

Qu'il en soyt aultant fait des hérauts, assavoir l'ung chevaucheur et l'autre de pied et que l'eslection se face en telle forme.

Que ce soyt office annuel, combien qu'il sera licite de continuer celluy qui aura servi, s'il semble bon, et mesme sera le plus expédient sy c'est ung homme propre et qu'il s'acquite dilligemment de son debvoir; au reste, que la forme de l'eslire soyt semblable aux précédentes.

Estant esleu, qu'il jure entre les mains de la Seygnorie comme il s'ensuyt :

Je promets et jure de maintenir de mon povoyr l'honneur et le proffit du commung et veyller à conserver les droys de la ville, comme sy c'estoyt le mien propre et poursuyvre ceulx qui appartiendra pour les recouvrer sans pource l'ung ne grever l'autre.

Item, avoir l'oyl que nul particulier entreprenne sur le commung et s'il aynsy, le revelle ou le poursuyvre, sellon que mon office le portera.

Item, de ne faire paction ou transaction ou compat aulcung pour diminuer le proffit de la ville et ne recepvoir présent ne corruption pour dissimuler ou me tayre, quand mon debvoir sera de parler.

DU CAPITAINE-GÉNÉRAL.

Que ce soyt office perpétuel, tellement néantmoins qu'il y ait revision de troys en troys ans, affin de pourveoir la ville d'ung nouveau, sy celluy qui y sera lors estoyt ou caducq de vieillesse ou détenu en longue maladie, ou tellement empêché ailleurs qu'il ne peut vacquer à son estat et que l'élection se face par le Conseyl, soyt approuvée par les Deux Cents, comme dist a esté.

DES PARTICULIERS.

Que se soyt aussy bien office à vie et que chascun quartier esclise le sien, présant le capitaine-général et deux du Conseyl, députés à cela. Puy que l'élection soyt rapportée au Conseyl qui aura l'autorité de la ratifier.

DES BANDERETS.

Que le banderet général soyt esleu comme le capitaine et en telle sorte. Touchant des aultres, qu'on les esclise comme les capitaines particuliers, sinon que au lieu des deux conseillers il suffira que le capitaine du cartier il soyt avec ses dizemiers.

DE LEURS LIEUTENANTS.

Chascun pourra eslire son lieutenant, moyennant que ce soyt par le consentement de leurs bendes ou bien de toutes les bendes pour le général, excepté aussy que en temps dangereux cela ne se face point sans le secu et permission expresse du Conseyl.

Que le Conseyll estroyt, le lendemain qu'il aura esté esleu, advise sur le rolle de l'an passé, affin d'eslire le Conseyll des Soixante et conséquemment des Deux Cens, continuant ceulx qu'il pensera estre propres, ostant ceulx qu'il verra estre expédient d'oster et en suppléant d'autres au lieu pour accomplir le nombre. Puy après, qu'on les mande pour les fayre jurer ou renouveler le serment, dont la forme sera commencée avec celle du Petit Conseyll.

DES AUDITEURS DES COMPTES

Que tous les ans le Petit Conseyll en eslise quatre, dont l'ung soyt ung des Sindicques, soyt pour continuer, si bon luy semble, ceulx qu'il auront esté l'an précédant ou en créer d'autres; après, que cella soyt raporté aux Deux Cens, lesquels auront telle liberté de la ratifier ou casser, comme dict a esté.

LA FORME DU SERMENT

Nous jurons de fayre en nostre office ce qui appartient à bons et fidelles procureurs du bien public et d'en avoir tel soing comme du nostre mesme et premièrement, en oyant les comptes qu'on nous rendra, de ne passer, ne allouer rien qu'il ne nous semble juste et raysonable.

Item, de conserver toutes lettres, documons, et droyts de la ville bien et sourement, réduysant le tout en bon ordre, affin qu'on puisse s'en ayder.

Item, s'il y avoyt rien d'esgaré, fayre bonne et dilligente inquisition de le retirer et recouvrer. Item, de tout ce que sera deu à la ville, soyt cens, rente, prest, amende, confiscation, ou autre chose quelconque, de fayre bonne et diligente inquisition et poursuyte, sans nuls épargner, finalement de mettre peinne que rien ne périsse ou ne s'aliène en quelque sorte que ce soyt, par nostre faulte, négligence ou dissimulation.

DU CONTEROLLEUR, DU MAISTRE DE LA MONNOYE, DE LA GARDE, DE L'ESSAYEUR ET DU MAYSTRE DE L'ARTYLLERIE.

Que de troys en troys ans après le Conseyll esleu, on les eslise au Petit Conseyll, à telle condition néanmoins que l'élection se rapporte aux Deux Cens pour estre ratifiée; que si elle n'estoyt là approuvée, que le Petit Conseyll eslise de nouveau; toutesfoys qu'on puisse continuer ceulx qui sembleront propres.

Touchant de la forme de leurs serments, il suffira qu'elle soyt générale, de procurer le bien et honneur de la ville sellon leur pouvoyr et mettre peynne et diligence d'exercer leur office sans commettre fraude aucune, tant envers leur public comme envers les particuliers.

Ce sera office à vie, sinon qu'il intervint quelque faulte; au reste, que le Conseyl Estroyt ayt pleine puissance de les fayre et créer et desposer, cy mestier estoyt.

Le nombre est de quatorze officiers de ville, quatre du Lieutenant.

Touchant du serment, il suffit que, oultre la forme commune des bourgeois ils promettent d'estre dilligens, d'assister à toute heure deue à Messieurs les Sindicques et Conseyl, pour servir en leur office.

Item, de venir incontinent qu'on les mandera et d'exécuter tout ce qui leur sera donné en charge.

Item, de se trouver en tout ce que leur office porte sans fayre faulte. Oultre cella, le Sauttier jurera de tenir secret ce que sera faict au Conseyl et d'estre dilligent à fayre bonne garde de la mayson de la ville et ce qui est en icelle.

Item de fayre fidelle rapport de toutes les visitations où il sera commis.

DES GARDES DES TOURS ET PORTIERS

Que l'office soyt aussy perpétuel pendant que ceux qu'on il aura mis feront bien leur devoir; toutesfoys que la cognoyssance en soyt au Conseyl, comme la puissance de les fayre et créer. Il n'est mestier de mettre forme spéciale de serment, pour ce qu'il n'est question que de fidellité et dilligence à garder le lieu où on les constitue, ce qui se peut brièvement fayre par parolles.

DES NOTAYRES

La puyssance de les fayre et créer sera aussi au Consoil Estroyt; toutesfoys que nul ne soyt créé sans avoir le raport et tesmoignage des notayres de la ville touchant sa suffisance, tant en preudhomie comme en l'art.

LA FORME DE LEUR SERMENT

Je promets et jure de ne recepvoyr nul acte ne instrument qui soyt en deshonneur ou domage de la ville ou contre la pollice d'icelle.

Item, de coucher fidellement par escript les instruments et actes dont je seray requis, sans rien adjouster à la pure vérité.

Item, délivrer à ung chascun les droys que luy appertiendront que j'auray entre mes mains.

Item, de ne supprimer nul instrument au préjudice d'aulcung en faveur de l'autre, ne pareillement de mettre entre les mains de la partie adverse les documens pour frauder celluy qui s'en debvroyt ayder, mais de conserver fidellement tout actes qui seront commis en ma charge.

servir sellon équité et rayson.

DES MESSEILLERS, DES GARDES SUR LES POIX ET
MESURES, DES MASSONS ET CHAPPUIS JURÉS,
DE LA GARDE SUR LES POYSSONS.

Que le Conseyl ayt plein pouvoir d'ordonner de toutes ces offices et d'y mettre et constituer ceulx qui vouldra. Or il est à noter que, pour exercer les offices susdicts, quant au Conseyl Estroyt, d'empuis les Sindicques jusqu'au Saultier, il sera requis d'estre citoyen.

Item, pour estre Lieutenant ou ung des assesseurs.

Item, de tous les capitaines et banderets général.

Item, conterolleur, auditeur des comptes, garde de la monnoye, procureur général, maystre d'arteyllerie et geolier, il sera requis d'estre cytoyen; au reste il suffira d'estre bourgoys.

Quant à ce qui a esté dit du terme et espace de temps, il le faut entendre en telle sorte que s'il advenoyt cependant faulte digne d'estre punie par desposition, qu'il soyent tousjours licite de déposer le délinqueur qui l'aura mérité.

D'autre part le bourgoys ou cytoyen qui refusera d'accepter la dignité, office ou estat auquel il aura esté ordonné par la Soygnorie et ne vouldra nullement condescendre à l'accepter en estant requis et sommé, qu'il soyt cinc d'escuts d'amende pour sa contumace et contreinct de s'absenter de la ville pour ung an, sinon qu'il eust excuse légitime, laquelle debvra estre cogneue par le Conseyl.

DE L'OFFICE, CHARGE ET PUISSANCE DES
SEIGNEURS SINDIQUES

Que tous les quatre soyent tousjours résidens en la ville durant l'année de leur syndicat, tellement que nul ne sorte pour coucher dehors et ne fust que pour une nuyt, sans le faire scavoyr aux autres et que nul n'entreprene long voyage pour estre six ou huyt jours absent sans demander congé au Conseyl.

Que tous les jours ils ayent à se trouver ensemble et après diner, assavoir une heure pour consulter de ce qui sera à faire et mettre ordre à tout et aussy pour adviser de mettre en exécution ce qui aura esté arresté et conclud par le Conseyl.

Aux jours ordinayres que le Conseyl se tient, qu'ils soyent tousjours les premiers en la mayson de la ville, tant pour monstrier bon exemple aux autres que pour délibérer ensemble de ce qu'il faudra mettre en avant.

S'il suryient chose qui requièro d'assembler le Conseyl, qu'ils se treuvent ensemble pour ce faire à l'heure qui sera mestier.

Que es-choses qui requièront leur présence en

divers lieux, qu'ils se advisent de tellement départir entre eulx que chacun soyt là où il luy sera expédient.

S'il advient quelque esclandre publicq, comme feu ou tumulte ou aultre cas semblable, que le Premier Syndicq vienne incontinent en la mayson de la ville, et se tienne là pour attendre les nouvelles qu'on luy rapportera, afin d'assembler le Conseyl d'heure en heure si mestier est ou autrement disposer sellon la nécessité. Que les troys aultres courent vistement au lieu où le danger sera et puis ayant veu que c'est, que deux se départissent, l'ung d'un costé, et l'autre d'aultre, pour visiter les carfors et les portes, si mestier est, et le troysième demeure sur le lieu du danger jusqu'à ce qu'il soyt appaysé.

DE L'OFFICE DU PREMIER EN ESPECIAL.

Que tous les jours qui n'y aura point de Conseyl, il se trouve une heure du matin en la mayson de la ville, assavoir à l'issue du sermon, pour voyr s'il reste quelque conclusion du Conseyl à exécuter ou pour ouyr ceux qui y viendront

Qu'il aye à recevoir les lettres adreyssantes au Conseyl, mais qu'il ne les ouvre sinon en présence de l'ung des compagnons pour le moins ou de deux conseylliers. Puis, si c'est chose hastive, qu'il appelle ses autres compaignons pour leur communiquer sur l'heure, ou aultrement qu'il attende qu'ils se trouvent ensemble et généralement que en toutes matières qui mériteront d'avoir consultation sur l'heure, qu'il assemble ses compaignons.

Que les jours du Conseyl, incontinent après la fin du sermon, il soyt en la mayson de la ville pour escrire ceux qui demanderont audience.

Que à la sortie il ayt à faire les responces sur les audiences données et que le jour mesme il prouvoye de mettre en exécution ce qui aura esté ordonné, si c'est chose qui se puisse exécuter si tost.

Qu'il ait à signer les mariages devant qu'on les annonce à l'esglise, s'enquérant dilligemment si le mariage se peut faire selon les ordonnancos.

Qu'il ait le scel entre les mains et qu'il ait charge de sceller.

Qu'il soyt président des secondes appellations ou supresmes.

DE L'OFFICE DES AULTRES TROYS

Que l'ung préside au Consistoyre, l'aultre en la Chambre des Comptes et le troysième aux premières appellations.

Item, qu'il ait ung député à visiter les prisons une fois la sepmainne et que ces charges se distribuent au commencement de leur année par l'advis du Conseyl.

CE QUE PEUT FAIRE UNE PARTIE D'AUTRE EN LA
Que deux puissent signer les mandemens ordinaires pour faire les payemens des charges passées par le Conseyl.

Item, ouvrir les lettres adressantes au Conseyl, comme dist a esté.

CE QU'UNG SEUL PEUT FAIRE

Quant quelque plainte viendra, que un chascun des Sindicques ait la puissance de mander ceux qu'il appertendra, interroguer et examiner et faire emprisonner, si mestier est.

Item, que pour toutes insolences, dissolutions, yvrogneries et autres semblables, ung chascun puisse faire mettre en prison, puis rapporter au Conseyl, mais qu'il n'ait puissance faire sortir le prisonnier devant qu'havoir fait le rapport.

DES MATIÈRES CRIMINELLES

S'ils prennent ung criminel, que dedans vint et quatre heures, ils ayent à commander au Lieutenant de le faire respondre sur les charges desquelles il est accusé.

Après qu'il leur sera remis du Lieutenant, si c'est cas dont le fait se prouve facilement et mesme qu'il soyt desjà prouvé et qui n'y ayt point de difficulté au droyt, comme de meurtre, de larresin et semblables, que incontinent ils facent justice et pour le plus long terme qu'ils ne le tiennent point plus de dix jours.

Sy c'est matière difficile à prouver quant au fait ou qui requière consultation quant à la sentence, que terme compétant soyt donné au Lieutenant pour amener et produyre ses tesmoins, selon le lieu où ils seront. Toutefois qu'il n'y ait plus d'ung moys à ce faire, tout au plus encore qu'il faille évoquer les tesmoins d'ailleurs; s'ils sont en la ville ou deux heures près, qui n'y ayt que quinze jours.

S'il le criminel demande estre admis à ses justifications, que le Conseyl regarde s'il est de raison ou non; que s'il le Consoyl treuve qu'il y doibve estre admis, qu'on luy donne terme de trente jours.

Les preuves cogneues et les deffenses ouyes, au cas qu'elles soyent admises, que les Sindicques donnent ordre que le prisonnier soyt sententié dedans douze jours tout au plus tard, encore que la matière requière consultation; autrement, qu'ils le fassent au premier jour.

Que les dicts Sindicques soyent juges de toutes causes criminelles, estant toutesfoys accompagnés du Conseyl et chascun des quatre prononce les sentences à son ordre, tellement néantmoins que sy plusieurs sentences estoient données en une assise, qu'il n'y en eust qu'un seul qui les prononcea. Que s'il y en avoit ung ou plusieurs

absens, que ceux qui sont les premiers mes-
après eux au Conseyl tyennent leurs lieux avec
les bastons ; toutesfoys ne prononceront.

DE L'OFFICE, CHARGE, DEVOIR ET ORDRE
DU CONSEIL

Que troys jours la sepmaine, assavoir le lundy, mardi et vendredi, ils ayent à se trouver au son de la cloche sans estre appellés.

Au reste, quant il surviendra matière extraordinaire, qu'ils ayent aussy à comparoistre à l'heure qui leur sera signifiée par le commandement des Sindicques tant que nuit.

Que es jours ordinayres dempuis Pasques jusque à la Saint Michiel après huyt heures, dempuis la Saint Michiel jusque à Pasque à neuf qu'il perde ung gros de son sallayre. Que en matière de grande importance et qui requerra la présence de tout le Conseyl, que les Sindicques mandent quérir les conseyllers par le serment qui ont à la ville, mais que cella ne se face sinon avec bonne discrétion. Quiconque estant évocqué par son serment ne comparoistra, qu'il soyt en l'esmende de cinc florins, sinon qu'il ait excuse légitime, de laquelle il jurera si veut qu'elle soyt recue ; au reste il fault qu'il y ayt esté signifié en sa personne ou à sa femme ; que nul ne sorte pour s'en aller du tout, devant que le Conseyl soyt levé, sans demander congé.

Quiconque sortira contre le voulloir du Consoyl et mesme estant rappelé par le Saultier du commandement du Premier Sindicq, s'il sort contre la deffence, il sera à cinq ff. amende et tiendra prison troys jours.

La prière faicte, nul ne parle qu'en son ordre et si plusieurs parloyent, que le premier Sindicq impose sillance, le sillance imposé, si quelcung ne cesse, portant qu'il soyt cinq s. d'amende.

Que chescung se tienne en son lieu affin d'éviter confusion.

Que nul ne s'ingère de proposer rien de soy mesme, mais que cella soyt seulement au Premier Sindicq et si quelcung avoyt chose à proposer, qu'il en infôrme le dict Syndicq, devant que le Conseyl soyt assis, lors que le Syndicq le propose de sa bouche ; toutesfoys sy bon luy semble, qu'il commande à l'autre d'en dire plus outre pour mieulx informer le Conseyl. S'il advenoyst que quelcung eust advisement dempuy le Conseyl assys, qui appartient au bien publicq, que estant entré, il en advertisse le Premier Sindicq à part.

Si quelcung avoyt rien à proposer de son cas propre, qu'il se face escrire ou autrement, qu'il attende qu'on aye dépêché tous ceux qui seront escripts ; que nul n'ayt à révéler ce qui sera faict et traicté en secret au Conseyl, sur peyne d'estre desposé et réputé inhabile à toujours d'estre en

le tout, qu'on ne plus, selon l'urgence, d'estre pigny par l'advis du Conseyl ou d'amende pécuniaire, ou honorable, ou pignytion corporelle; toutesfoys s'il appert que il l'aye faict pour empêcher le cours de justice, qu'il y ait amende honorable. Si ce a esté pour intéresser le bien publicq, qu'il y ait peine corporelle.

Que nul ne jure et ne dyable dedans les Conseils, sur peine de cinq gros, et s'il continuoyt après en avoir esté corrigé plusieurs foys, d'estre déposé.

Que nul ne blasphème Dieu sur peine de crier mercy solennellement et estre mis en prison et s'il le faysoit par plusieurs foys, d'estre déposé et pigny de peine plus rigoureuse.

Que nulles injures ne se disent de l'ung à l'autre et qu'on n'entre nullement en contention ou noyse; qu'on ne dise parole coutumélieuse ou deshonneste, mais que chascun, en disant son opinion, parle en toute modestie, sans charger les autres ou parler contre leur honneur, sur peine de cinc sols et s'il estoit coustumier de ce faire, après certaines amonitions, s'il ne s'en corrige, qu'il soit desposé du Conseyl.

Si quelcung impose crime sur l'autre, qu'il soit tenu de le prouver ou autrement de luy crier mercy et qu'il soit deposé du Conseyl pour la reste de l'an et que celluy qui aura esté chargé en ait attestation; que cest ordre se tienne tant aux Conseil des Soyxante et Deux cens comme au Général et c'est pour éviter confusion, et affin que le tout soit mieux observé, qu'on lise ce qui en est dist par chascun an, tant au premier Conseyl Estroyt qui se tiendra après l'ellection, comme devant les Deux Cens et lorsque tous jurent de le tenir.

Que rien ne soit mis en avant entre les Deux Cens devant qu'avoit esté traicté au Conseil Estroyt, ni au Conseyl Général devant qu'avoit esté traicté tant au Conseyl Estroyt comme entre les Deux Cens.

POUR QUELLES CAUSES SE DEBVRONT RETIRER LES CONSEYLLERS.

Qu'un chascun en son propre cas ait à se retirer sans qu'on luy commande, ou s'il ne le faysoit pas, qu'on luy face faire.

En ce qui attochera les siens et non pas sa personne, que en causes civiles le père ne soit présent quant la cause du fils sera démenée, ni frère ni oncle, et au contraire si quelqu'un ne se retiroyt de soy mesme, qu'il soit admonesté par le Conseyl.

En causes criminelles que nul ne se tienne en l'affayre de son parent ou affin, jusqu'au cousin issu de germain inclusivement.

Item, en tous cas que bon semblera au Conseyl d'exclure quelqu'un qui ait esté de partir.

Que le trésorier ait à assister toujours en Consoyl sur les peines dictes et ayt voyx comme les aultres.

Qu'il tienne secret ce qui se fera au Consoyl sous mesme peine qui a esté mise sur les conseylliers.

Qu'il recouvre tous les deniers commungs, tant du revenu ordinayre comme des peines, amendes et autres émolumens extraordinayres.

Qu'il ait à exiger au terme ce qui sera deu par les fermiers, recepveurs particuliers, tant des amendes et peines que du revenu, et tous aultres, tellement que la ville n'ait nulle faulte par sa négligence.

S'il ne peust estre payé de bonne volonté, qu'il ayt à contraindre les débiteurs par prison, sans aulcung délay; qu'il n'ait à délivrer argent aulcung sinon par commandement; que ayant receu mandement, il ne retarde point, tellement qu'il en vienne complainte.

Qu'il ayt à rendre comptes de six mois en six mois en la chambre des Comptes, tellement que ne diffère jamais six semaines outre le terme.

En sa reddition de comptes qu'il ait à monstrer que sa recepte convient avecq l'amodiation faicte ou ordonnance en vertu de laquelle il a receu.

Quant aux mises, qu'il ayt à produire les mandemens avec les quittances sur chascun article.

Item, afin que les comptes soyent plus clairs, qu'il ayt à les réduire en forme de registre.

Quant il sera deposé de l'office, qu'il ait à rendre le reliqua dedans six semaines ou aultrement qu'il tienne prison jusque à fin de payement.

DE L'OFFICE DES SECRÉTAIRES

Que tous deux soyent tousjours au Consoyl, sinon qu'il y eust excuse fort légitime.

Qu'ils aient à tenir secret ce qui se fera au Consoyl.

Item, qu'ils n'aient à communiquer, ni exhiber ou copier aulcung acte qui doibve estre secret, ne rien révéler outre l'intention des Seygneurs; qui fera du contrayre, qu'il soyt pugnè comme dist a esté.

Qu'il y ait deux registres, l'ung pour les affayres publiques ou qui aulcunement atouchent le commung; l'autre pour les causes purement particulières, lesquelles n'appartiendront nullement à la ville ni d'une part ni d'autre.

Que le premier secrétaire tienne en Consoyl le premier registre pour escrire et l'autre ait celluy des affayres particulières.

Et pendant que l'ung escripra, s'il est mestier de lire lettres ou instrumens ou actes, que l'autre

tre le face, afin qu'il n'y ait point de retardement.

Que chacun des deux à son endroyt face les despeches des matières que son registre portera, toutesfoys que le premier seul ait la charge de tout signer, tant les ungs que les aultres, quant il sera présent.

D'aultre part, quant il aura matière publicq à dépesches de grant conséquence, comme instructions et semblables, que le premier communique avec son compaygnon pour user de son conseil; mais que en l'absence de l'ung, l'aultre ait la charge totale et entière et que le second face du tot l'office du premier.

Qu'il y ait ung registre à part pour les lettres missives qui demeure en la secrétayrie, lequel sera commung aux deux sellon la nécessité.

Item, registre à part des causes criminelles;

Item, ung aultre des causes de mariage.

Item, ung aultre où soyent enrollés les officiers dempuis le premier jour qu'on les aura constitué jusque à ce qu'ils seront sortis de l'office.

Item, ung aultre pour réduire en ordre les Edits et crieries qui se feront, sellon la nécessité du temps.

Item, registre des mandemens qui seront faict pour desbourser argent, afin que la reddition des comptes soyt plus au net vérifiée.

Item, qu'il y ait ung aultre registre auquel soyent extrait tous les actes qui emporteront à recouyrer argent pour le commung, comme des amendes ou aultres esmollements.

Item, que toutes informations soyent serrées en ung armoyre dont le premier secrétayre aura la clef ou en son absence le second, dont ils auront à rendre compte. Et afin qu'on les puisse trouver au besoing, que chascune ait sa marque de nombre et qu'en une aultre armoyre il y en ait un inventayre, mais que tous les prossès concluds et parfaicts soyent retiré en aultre lieu.

Qu'ils ayent à faire dilligemment les dépêches, tant pour le commung que pour les particuliers, et afin que rien ne demeure en arriere, que tous deux se trouvent l'après-dinée à l'heure que les Sindicques conviendront.

Item, à six heures de matin qu'ils ayent à distribuer ensemble esgallement tous les profits.

DE L'OFFICE DES CAPITAINNES, BANDERETS ET DIZENIERS

Que le capitainne-général soyt vigilant et dilligent sur toute la ville, qu'il ne se face nulle menée, conventicule ou assemblée suspecte et toutes aultres choses semblables qui pourront estre préparatifs de tumulte, sédition ou mutinerie, et que les capitaines-particuliers, banderets et dizeniens, facent le semblable chascun à son endroyt, et en son quartier.

Item, cy cella advenoyt et qu'il y eust quelque commencement de trouble, que le capitaine-général s'en appercevant en advertisse de bonne heure le Conseyl; que les capitaines particuliers, s'ils s'en aperçoivent les premiers, fassent le semblable en informant Messieurs, ou leur général, pour en faire le rapport, selon qui leur semblera bon.

Item, qu'ils veillent chascun à son endroit qu'il ne se face nul désordre et nulle insolence et que les bourgeois et habitans se gouvernent honnestement en leurs ménages et sans bruit. Si quelcung faysoit autrement, qu'ils l'en admonestent, et s'il ne profite de rien, qu'ils en fassent le rapport.

S'il y advenoyt quelque danger ou inconvénient à la ville, qu'ils soyent toujours prests pour la deffense, quant leur commandement leur sera fait.

Toutefois qu'il ne soyt licite ny à capitaine, à banderets, d'assembler gens ne faire port d'armes sans le commandement exprès du Conseyl, n'estoyt qu'il y advient quelque assaut subit de dehors, auquel cas qui facent tout ce qui est de leur office, attendant que le Conseyl il provoye plus amplement. Et affin que la ville ne demeure au dépourveu, que le capitaine-général n'entreprenne long voyage, comme pour estre plus de huit jours absent sans avoir congé.

Item plus, que chascun d'eux et en espécial les dizeniens ayent esgard que les cries et ordonnances de Messieurs, tant sur la réformation de l'Eglise que sur la police, soyent bien observées et s'il le contrayre se fait, qu'ils en advertissent.

Item, que chascun dizeniens face de six en six mois un rôle de tous les bourgeois et habitans de sa dizainne, auquel soyt comprins tous ménages faisant feu à part et présentent ledict rôle au Conseyl.

Qu'une fois l'an le capitaine-général accompagné des capitaines particuliers et dizeniens, chascun en son quartier, face visitation de mayson en mayson, scavoir s'il les bourgeois et habitans sont garnis d'armes, comme il appartient, pour la deffence de la ville.

DES AUDITEURS DES COMPTES

Que trois jours la semaine, assavoir le mardi, jeudi et samedy, ils aient s'assembler tant le matin que l'après-dîner pour vacquer à leur office; qu'ils ayent à mettre tous les droys, instrumens et obligations par ordre et les rédiger en inventaire, afin que rien ne se perde, mais se trouve facilement; qu'ils ayent un officier propre, député pour envoyer quérir les parties qu'il sera mestier; que sans épargner nuls, ils mandent tous ceux qui trouvent devoir à la ville, pour les faire payer; que quant quel-

ung renusera de payer ou nyera la dette ou alléguera quelque excuse qui ne leur semblera suffisante, qu'ils ayent à en faire le rapport au Conscyl dedans huyt jours prochains.

S'il ne se despechoyt rien pour ce cop, qu'ils ayent à le réduyre en mémoire, puis après, voyre jusque à la troysiesme et quatriesme foys, tellement que rien n'y demeure en arrière jusque à ce qu'il soyt vuydé; si par faveur ou amitié ils pardonnent à quelcung, qu'ils en soyent pugniz de punition de leurs gages pour le passé et d'estre tenuz de la debte.

Pour voir s'ils se seront deuement acquitez, que de troys en troys moys ils ayent à présenter ung rolle ou inventayre des debtes et obligations qu'ils auront trouvées, pour fayre aparoystre de leur dilligence et ce avecq exhibition de leur registre pour collationner, si mestier estoyt; toutesfoys que pour fayre le profit de la ville, ils ne defraudent point les particulliers de leurs droys, mais, quant les registres de la ville les pourront servir, qu'ils leur communiquent leur en faysant copie.

Qu'ils ayent aussy à notter tous droys des cens et revenus qui ne se payent point et après les avoyr exigés, en fayre le rapport au Conscyl, affin de les recoudre à l'inventayre ordinaire avecq les autres et c'est sur peine comme dessus.

Qu'ils ayent à revisiter les comptes du thrésorier, incontinent qu'ils leur seront présentés, et les clorre d'un trait sans délayer; que s'ils ne les apportoyt au temps dist, assavoir au bout des six moys, qu'ils les sollicitent et les exigent et ne permettent point qui passe le terme.

DE L'OFFICE DU CONTEROLLEUR

Qu'il ne passe point ung an sans visiter tous édifices appartenant à la ville; que, quant il sera adverty par les habitans qu'il y ait nécessité de réparation, que sans délayer long temps, il vienne sur le lieu pour voyr que c'est et y mettre ordre; que s'il advenoyt inconvenient par sa négligence, après qu'il en aura esté adverty, qu'il en responde.

Que en tous les bastimens où il n'y a point d'habitans, comme aux temples, pons et semblables, qu'il soyt dilligent d'y adviser, sans qu'on l'en admoneste; qu'il pourvoye et mette ordre que rien ne périsse ou se arrompe par faulte de réparation.

Qu'il ait registre propre pour signer diligemment les journées, affin de ne point signer les acquits du thrésorier, sinon qu'il en soyt bien certain; pour ce fayre, que partout où il mettra les massons ou chappuis en ouvre, qu'il ne faille point d'havoir l'oyl pour scavoir s'ils font fidellement la besongne.

Qu'il tienne soigneusement les clefs, sans les livrer en aultre main, ne s'en fier à personne, sans commandement exprès du Conseyl. Que s'il en advenoyt faulte, il aura à en respondre; qu'il soyt soigneux de la tenir nette et bien accoustree, pour s'en servir tousjours quant mestier sera; qu'il se donne garde que en la nettoyant, elle ne soyt remuée pour confondre l'ordre et de pour qu'il ne s'y face quelque tromperie, qu'il y soyt lors présent et après que ce sera faict, qu'il regarde voir s'il n'y a rien de mal.

Qu'il ne charge, ne décharge nulle pièce, sinon en nécessité et par commandement de Messieurs et qu'il observe cella par tous les boulevards.

Qu'il tienne aussy la poudre bien serrée, tellement que nul inconvenient n'y advienne sur peine de respondre si s'estoyt pour sa faulte; quant mestier sera de mettre hors l'artayllerie, son office sera de ce faire par commandement des Seigneurs et lors qu'il soyt prest.

DU PROCUREUR-GÉNÉRAL

Qu'il assiste à la cour du Lieutenant aux playdoyers, pour scavoir et entendre s'il y aura intérêt pour la ville en quelque cause, et lors s'entremettre et former ses conclusions et que pour ce faire non seulement audience luy soyt donnée, mais que Monsieur le Lieutenant l'interroge s'il a rien à dire, devant que vuyder les causes qui sembleront estre meslées avec l'intérêt commung; que en toutes causes qui apartiendront au bien et proffit de la ville et à la conservation de l'estat publicq, il soyt instant pour suyvre comme procureur du commung, mesme aux causes criminelles qui en despendront, qu'il soyt adjoint au Lieutenant.

Que, au deffaut de parens et amis, il sollicite et poursuyve pour faire créer tuteurs ou curateurs aux pupilles ou pour faire desposer ceux qui y seront, si besoing estoyt; qu'il soyt partie pour exiger les amendes au nom de la ville de tous ceux qui auront offensé. Toutesfoys qu'il ne les recouvre point et ne luy soyt licite d'en pactionner ou transsiger ou en appointer et que de ceux qui auront esté condamnés, qu'il les signifie toutes les semaines au thrésorier, affin qu'il recouvre.

Que en cela il n'espargne personne sus poyenne de payer la somme luy-mesme. Toutesfoys qu'il ne moleste nul pour le faire venir en justice qu'il ne soyt garni de probation. Item, qui mette peine et dilligence de scavoir ceux qui détiennent rien à la ville, comme terres, possessions, prés, maysons ou cens, pour en advertir les auditeurs des comptes.

Item, que quant il se fera quelque bastiment en la ville, qu'il ait regard qu'on n'entreprenne sur la rue ou sus le commung et qui s'y oppose pour empêcher jusque à ce qu'il en soyt deu par justice ; que si quelque mayson est ruynée ou démolie, en sorte que la ville en soyt defformée, qu'il poursuyve celluy à qui sera la place qui l'ayt la rédiger ou quitter.

Pareillement, s'il y a danger que quelque mayson cadueq se ruyne avec l'intérêt commung, qu'il se face partie contre le maystre pour la faire appuyer ou réparer.

Item, qu'il ne souffre point que nulle mayson soyt appuyée sur la rue pour empêcher le commung, sinon en attendant le temps opportun de la reffaire, quoyqu'il soyt qu'il ne passe point huit mois ; s'il estoyt négligent et que principalement par faveur et support, il dissimulât, qu'il en soyt mis à l'admende.

Qu'il ait la visitation des pains que les boulangers et autres mettent en vente, voyr s'ils sont de juste poy ou non et que toutes les semaines il s'en acquite ; là où il trouvera faulte, qu'il procède en la forme qu'il s'ensuyt.

Assavoir s'il ne treuve pain qu'il ne soyt marqué et poysant son poyx jouxte le prix du bled du sambedi prochain passé, qu'il exige cinc sols d'amende, dont la moytié soyt appliquée à la ville et que le thrésorier la recoyve, l'autre audict procureur et outre plus que le pain soyt confisqué au profit de l'hôpital et c'est pour la première foys ; pour la seconde foys, vint sols d'amende, confiscation du pain à appliquer comme dist est ; pour la troysiesme soixante sols d'amende et confiscation du pain ; pour la quatriesme dix f. à distribuer, comme dist est, avec cella que le délinquant soyt privé du mestier et que son four soyt abbattu.

Qu'il face les inventoyres des meubles de toutes confiscations et biens où la justice aura mis la main, au profit de la ville et puis rapporte au Conseyl.

Item, qu'il se donne garde des maysons appartenantes à la ville qu'elles ne soyent usurpées par aucun particulier, mais qu'elles se louent au profit du commung ; toutesfoys, qu'il ne face pas de louage, mais par son advertissement le thrésorier le face, voyre si c'est au dessous de dix florins et pour l'espace d'ung an seulement. Si c'est pour plus long terme ou plus haut prix, qu'il se face à la chandelle.

DU SAULTIER

Qu'il ait la garde de la mayson de la ville comme concierge ; que les jours de Conseyl il ouvre la grant porte au matin et ne la ferme point jusque le Conseyl soyt party, pareillement quant le Conseyl se tiendra extraordinairement ou que les Deux Cens seront assemblés.

Item, a l'heure que le premier syndicque y sera pour ouyr les plainctes et fayre les dépèches ou que tous les quatre conviendront ensemble l'après-diner.

Item, quant la court du Lieutenant se tient en haut ou les appellations, le reste du temps au long du jour, qu'il n'y ait que le petit huis ouvert.

Au soir qu'il ferme de bonne heure tout et le tienne fermé toute la nuit, mais devant qu'il visite bien qui n'y ait nul dedans; toutesfoys que que quant l'ung des Seygneurs Syndicques viendra, qu'il luy ouvre à quelque heure que ce soyt. voyre de nuit. Qu'il tienne toute la mayson bien nette et en bon ordre et s'il y avoyt rien à refayre, qu'il en advertisse incontinent le conte-rolleur; qu'il face allumer de bonne heure le feu pour chauffer la salle en hyver, quelque temps devant que le Premier Syndicq et les secrétayres vionnent.

Qu'il ne faylle point de se trouver, quant le Consoyl se tiendra, le premier pour garder la porte.

Qu'il tienne secret tout ce que se dira et fera dedans, sus mesme peinne que dist a esté des Conseylliers; qu'il accompagne les Seygneurs Syndicques en puis aller la justice.

Item, qu'il accompagne le Lieutenant on l'exécution des sentences criminelles.

Item, qui présente le vin que Messieurs en-voieront aux ambassadeurs et aultres.

Item, qu'il ait à visiter les maysons ruyneuses avecq les jurés, quant il en sera requis, pour en faire rapport au Consoyl.

Item, de limiter les champs et possessions dedans les franchises.

Item, qu'il ait ung cachet publicq pour barrer et sceller les biens qui appartiendront à la congnoyssance de la justice, en attendant qu'inventayre s'en face, assavoir quant la ville il prétendra intérêt ou qu'il n'y aura point d'héretiers ou que les héretiers ne s'accorderont et que l'ung demandera la main mise.

Item, les coffres des notayres, quant quelcung mourra, pour conserver les droits qu'ils auront passés par leurs mains.

Item, que quant ung desquels sera mort ou desposé, qui retire la hallebarde, le gouge, le hornoy et la secrette qu'il a de la Seygnorie pour les délivrer aux successeurs.

Quant le guet aura prins quelcung de nuyt par les rues, qu'on luy ameyne et qu'il le garde jusque à lendemain.

Item, s'il s'apportoyt quelque chose que luy fust mise entre les mains, qu'il le recoyve pour en fayre bonne et fidelle garde. Toutesfoys qu'il ait ung registre pour escrire tant les prisonniers qu'on luy amènera que ce que luy sera apporté et qu'il escrive sur le champ en présence de

celuy qui luy bannera et que le matin il face si-
gner cela par le secrétayre.

DE L'OFFICE DES PORTIERS, GUETS DE PORTE ET GARDES DES TOURS

Que chacun portier ferme la porte après le son de la cloche et ne l'ouvre point devant l'heure, soyt de matin ou de soir. Si quelcung demandoyt d'entrer hors heure, qu'il ne luy ouvre point sans congé, sinon par le passage des postes; mais encore que on ne leur ouvre que le guet n'y soyt présent de pour du danger. Item, en nécessité spéciale, comme en temps de peste, pour mettre les mallades, que le portier auquel le commandement sera faict ouvre à la requeste de celluy qui sera commis à cella.

Que chacun soyt dilligent à garder ses clefs, tellement que, s'il advenoyt faulte par sa négligence, qu'il en responde.

Item, que nul n'ait à commettre aultre en son lieu sans demander congé au premier Sindicq ou en son absence à l'un de ses compaygnons.

Que en esmeute, comme de feu ou d'aultre accident, ils se tiennent à leurs portes et ne s'en despartent sans avoir expès commandement; que en temps suspect le portier avec les gardes ferme incontinent la porte, quant le guet aura donné signe tel qu'il sera dit.

Que les touriers ne faillent de coucher chacun en sa tour et qu'ils n'y introduysent point multitude de gens sans congé ou commandement; en leur absence ou deffaut, qu'ils n'y commettent nul autre sinon au congé.

Que celluy qui garde le boulevard du Molart ait la clef de la chainne du lac pour fermer toutes les nuyts le passage des basteaux et ouvrir le matin.

DES GUETS DES DEUX CLOCHERS

Que les guets soient nuit et jour aux clochers de Saint-Pierre et de Saint-Gervais et soyent dilligens à regarder dedans et dehors; s'il advenoit quelque feu à la ville, que celluy des deux qui en sera le plus prochain le crie de voix aux maysons prochaines sans son de cloche.

En temps suspect, que chacun des deux ait une cloche et une bannière, et s'il voyt quelque grosse troppe, qu'il sonne la cloche et mette la bannière du costé que ce sera, affin que les portiers soyent sur leur garde et s'il mestier est qu'ils ferment la porte.

Les ordonances sus escriptes hont estés passés par Petit, Soyxante, Deux Cens et ceste dimenche au Général Conseyl tenu le 28 Januarii 1543 acceptés et reconfirmés.

Appendix II

The psalm read by Fatio to the *Petit Conseil* upon his condemnation in 1707 (see p. 27)

Psalm 58

Do you indeed speak righteousness, O congregation? do ye judge uprightly, O ye sons of men?

2 Yea, in heart ye work wickedness; ye weigh the violence of your hands in the earth.

3 The wicked are estranged from the womb: they go astray as soon as they be born, speaking lies.

4 Their poison *is* like the poison of a serpent: *they are* like the deaf adder *that* stoppeth her ear;

5 Which will not hearken to the voice of charmers, charming never so wisely.

6 Break their teeth O God, in their mouth: break out the great teeth of the young lions, O Lord.

7 Let them melt away as waters *which* run continually: *when* he bendeth *his bow* to shoot his arrows, let them be as cut in pieces.

8 As a snail which melteth, let *every one of them* pass away: like the untimely birth of a woman, that they may not see the sun.

9 Before your pots can feel the thorns, he shall take them away as with a whirlwind, both living, and in *his* wrath.

10 The righteous shall rejoice when he seeth the vengeance: he shall wash his feet in the blood of the wicked.

11 So that a man shall say, Verily *there is* a reward for the righteous: verily he is a God that judgeth in the earth.

The Holy Bible containing the Old and New Testaments. Translated out of the original tongues; and with the former translations diligently compared and revised, by His Majesty's Special Command. London: Eyre and Spottiswood Ltd., 1902.

Appendix III

Taken from Jérôme Sautier *La Médiation de 1737-38. Contributions à l'histoire des institutions politiques de Genève*, Thèse pour le doctorat d'Etat, Paris 1979, pp. 982-990.

Règlement de l'illustre Médiation pour la pacification des troubles de la République de Genève

Au Nom de Dieu,

Amen.

Les troubles et divisions arrivés dans la Ville de Genève dès l'année 1734 ayant été portés au point d'y attirer les horreurs d'une guerre civile, dont les suites funestes auraient pu la plonger dans les plus grands malheurs et entraîner la perte entière de l'Etat, SA MAJESTE TRES CHRETIENNE, étant informée de l'extrême danger où se trouvait cette République, qu'Elle a toujours honoré de sa bienveillance, et faisant d'ailleurs attention à l'alliance qu'Elle a avec elle, a bien voulu lui accorder sa médiation, conjointement avec celle des Louables Cantons de ZURICH et de BERNE, dont les représentants en qualité d'alliés, s'étaient déjà rendus à Genève pour y rétablir le bon ordre et la tranquillité, laquelle médiation fut acceptée par tous les différents ordres de la République. A l'effet de quoi sa MAJESTE aurait envoyé le très illustre et très excellent seigneur Comte de Lautrec, son lieutenant général en la province de Guyenne, maréchal de ses camps et armées, inspecteur général de son infanterie, muni de ses pouvoirs pour conférer avec les illustres et magnifiques seigneurs représentants Jean Hoffmeister, bourgmestre, Jean Gaspard Escher, stathalter, chargés aux mêmes fins des pouvoirs du Louable Canton de ZURICH, et les illustres et magnifiques seigneurs représentants Isaac Steiger, ancien avoyer, et Louis de Watteville, haut commandant du Pays de Vaud et ancien banderet, aussi chargés des pouvoirs du Louable Canton de Berne, lesquels, après avoir pris une parfaite connaissance des matières relatives à l'objet de leur commission et reçu d'un chacun toutes les informations, instructions et mémoires nécessaires à ce sujet, se seraient employés avec zèle et impartialité à procurer une entière pacification dans la République et y assurer une forme de gouvernement qui fit respecter les lois et l'autorité du magistrat, en conservant les droits et privilèges du peuple, ainsi que l'indépendance de l'Etat. En conséquence de quoi les susdits seigneurs médiateurs ont réglé et arrêté les articles suivants.

REGLEMENT convenu et arrêté entre les seigneurs médiateurs

ARTICLE I : Tous les différents ordres qui composent le gouvernement de Genève, savoir, les quatre Syndics, le Conseil des Vingt-cinq, le Conseil des Soixante, le Conseil des Deux Cents et le Conseil Général, conserveront chacun leurs droits et attributions particulières provenant de la loi fondamentale de l'Etat, et il ne sera fait à l'avenir aucun changement au présent Règlement, en sorte que l'un des susdits ordres ne pourra donner atteinte ni rien enfreindre au préjudice des droits et attributs de l'autre.

ARTICLE II : Les Syndics ne pourront être pris que dans le Conseil des Vingt-cinq; les membres

du Conseil des Vingt-cinq ne pourront être choisis qu'entre les Citoyens du Conseil des Deux Cents; ceux du Conseil des Soixante ne pourront être pris que dans le Conseil des Deux Cents; et les membres du Conseil des Deux Cents ne pourront être pris que parmi les Citoyens et bourgeois.

ARTICLE III : Les droits et attributions du Conseil Général légitimement assemblé demeureront invariablement fixés et limités aux articles suivants :

1. au pouvoir législatif, c'est-à-dire d'agréer ou rejeter les lois proposées, ou les changements à celles qui sont établies, lesquelles lois ne pourront avoir d'effet qu'auparavant elles n'aient été approuvées par le Conseil Général;
2. au pouvoir d'élire ses principaux magistrats, savoir, les quatre Syndics, le Lieutenant, les Auditeurs, le Trésorier et le Procureur Général, pour choisir dans le nombre des sujets qui lui seront présentés ceux que bon lui semblera, ou les rejeter en tout ou en partie, de même que la fixation du taux du vin, en agréant ou rejetant, en tout ou en partie, les prix qui lui seront proposés;
3. au pouvoir confédératif d'approuver ou rejeter les traités et alliances qui lui seront proposés avec les puissances étrangères, comme aussi les échanges, acquisitions ou aliénations des domaines de la République, ainsi que les emprunts hypothécaires qui pourraient se faire à l'avenir;
4. au pouvoir d'agréer ou rejeter la déclaration de la guerre ou la conclusion de la paix qui lui seront proposées;
5. au pouvoir d'agréer ou rejeter les impôts et subsides qui lui seront proposés pour subvenir aux nécessités de l'Etat, à l'exception de ceux qui étaient établis avant l'année 1714 qui continueront d'avoir lieu comme par le passé, lesquels ne pourront être augmentés sans le consentement du Conseil Général;
6. au pouvoir d'accepter ou rejeter les augmentations de fortifications qui lui seront proposées.

Toutes lesquelles attributions ci-dessus énoncées, y compris le contenu aux Articles XV et XVI mentionnés ci-après au présent Règlement, appartiendront incontestablement au Conseil Général, et les Conseils ne pourront par aucun règlement et innovation de leur part déroger aux Edits, ni faire de changement aux lois fondamentales de l'Etat, non plus qu'à la forme du gouvernement tel qu'il est à présent, sans le consentement du Conseil Général.

ARTICLE IV : Le Conseil Général en considération de la dépense des fortifications ayant accordé par l'Edit du 8 juillet 1734 pour dix ans les impôts y mentionnés et ce terme devant expirer au 8 juillet 1744, les seigneurs médiateurs ont estimé convenable de prolonger lesdits impôts de six autres années, qui expireront au 8 juillet 1750, passé lequel temps ils ne pourront être continués, ni dès à présent aucun autre nouveau établi, sans le consentement du Conseil Général, ainsi qu'il est porté par ledit Edit.

ARTICLE V : Toutes les matières qui seront portées au Conseil Général ne pourront y être proposées que par les Syndics, Petit et Grand Conseils.

ARTICLE VI : Il ne pourra rien être porté au Conseil des Deux Cents qu'auparavant il n'ait été traité et approuvé dans le Conseil des Vingt-cinq, et il ne sera rien porté au Conseil Général qui n'ait été auparavant traité et approuvé dans le Conseil des Deux Cents.

ARTICLE VII : Les Citoyens et Bourgeois, conformément à l'Edit du 26 mai 1707, auront droit de faire telles représentations qu'ils jugeront convenables au bien de l'Etat à Messieurs les Syndics

ou Procureur Général, sous l'expresse défense de commettre aucune sorte de violence, à peine de châtement suivant l'exigence du cas.

ARTICLE VIII : L'élection des membres du Conseil des Vingt-cinq continuera de se faire comme par le passé et suivant les Edits.

ARTICLE IX : Dans les élections des Auditeurs qui se feront à l'avenir, le sort sera et demeurera supprimé et aboli, et au lieu de six sujets qu'il était d'usage de proposer précédemment, il n'en sera plus présenté que quatre au Conseil Général, pour en choisir deux à la manière prescrite par les anciens Edits, sans que cette clause puisse rien changer à ce qui s'est toujours pratiqué jusques à présent dans ces élections.

ARTICLE X : Outre les limitations des degrés de parenté établis par les précédents Edits, les frères de même sang, ainsi que les utérins, oncles et neveux d'une même famille, comme aussi les neveux d'alliance de même nom, seront exclus à l'avenir du Petit Conseil.

ARTICLE XI : Aucun candidat ou prétendant au Conseil des Deux Cents ne pourra y être admis qu'à l'âge de trente ans accomplis, sans que les Conseils puissent donner atteinte à ce règlement par des dispenses d'âge, ni autrement, sous quelque prétexte que ce soit.

ARTICLE XII : Pour faire participer plus de personnes de l'Etat au gouvernement, le nombre des membres du Conseil des Deux Cents sera dès à présent augmenté de vingt-cinq, qui avec les deux cent vingt cinq dont il était précédemment composé, feront ensemble deux cent cinquante membres, et il ne sera procédé à l'avenir à aucune promotion dudit Conseil qu'il n'y ait cinquante places vacantes, lesquelles seront remplies à la fois, lorsque ledit Conseil se trouvera réduit au nombre de deux cents; et toutes les fois que les promotions se feront, ledit Conseil sera rendu complet sans qu'il puisse y avoir de changement fait à ce règlement que du consentement du Conseil Général.

ARTICLE XIII : Immédiatement après que l'Edit du Règlement des seigneurs médiateurs aura passé au Conseil Général pour y recevoir la sanction, il sera procédé sans aucun retardement à l'élection des membres du Deux Cents pour remplir le nombre des deux cent cinquante et le rendre complet, conformément à l'article XII.

ARTICLE XIV : Il ne sera fait aucun changement à l'usage qui s'est pratiqué jusques à présent dans l'élection du Syndic de la garde et de ses offices et fonctions.

ARTICLE XV : La garnison de la Ville de Genève continuera d'être entretenue sur le pied de douze compagnies de soixante hommes chacune telle qu'elle est à présent, sans qu'elle soit augmentée, ni qu'aucunes troupes étrangères ou auxiliaires puissent y être introduites et admises que du consentement du Conseil Général, à l'exception toutefois des cas relatifs à la garantie, où l'introduction des troupes des Louables Cantons de Zurich et de Berne pourra avoir lieu du consentement des médiateurs.

ARTICLE XVI : La garde de la Maison de Ville subsistera telle qu'elle est établie présentement et ne pourra être augmentée, ainsi que celle des autres postes de la Ville, que du consentement du Conseil Général, à l'exception des temps de vacances, de moissons et jours de foire, où l'on suivra l'usage qui s'est pratiqué jusqu'à présent.

ARTICLE XVII : Les majors, capitaines, aide-majors, sergents, caporaux, appointés et soldats prêteront serment à la forme ordinaire et conformément à l'usage qui s'est pratiqué jusqu'à présent.

ARTICLE XVIII : Lorsque le Conseil Général sera assemblé, aucune garde bourgeoise ne pourra être employée aux portes du Temple ni à la place de la Maison de Ville, et il ne sera mis aux susdites portes que des dizeniens pour empêcher d'entrer ceux qui n'ont pas le droit d'assister au Conseil Général. Il n'y aura ces jours-là aucune garde extraordinaire de la garnison.

ARTICLE XIX : En cas d'alarme causée par le feu ou autrement, le Syndic de la garde disposera de la garnison pour la sûreté de la Ville, comme il s'est pratiqué jusqu'à présent et conformément à l'article VI de l'Edit du 28 juin 1735.

ARTICLE XX : Au même cas d'alarme provenant de l'ennemi du dehors, ou de feu, chaque Citoyen et Bourgeois, Natif et Habitant, de quelque qualité et condition qu'il soit, étant obligé de prendre les armes, se rendra, sans mettre la baïonnette au bout du fusil, à la place d'armes de sa compagnie, et non ailleurs, dont il ne pourra s'écarter sans ordre exprès du capitaine, à peine de châtement, à l'exception de ceux qui seront préposés pour servir à éteindre le feu ou qui auront des excuses légitimes connues de leurs officiers.

ARTICLE XXI : Il est expressément défendu à toutes personnes dans les cas d'alarmes, ou de feu, d'arrêter et empêcher les Citoyens, Bourgeois, Natifs et Habitants, ainsi que les soldats de la garnison, de se rendre aux endroits où ils ont ordre de se trouver, à peine de châtement contre les contrevenants.

ARTICLE XXII : Les compagnies bourgeoises, en pareil cas de feu et d'alarme, qui seront destinées à aller occuper les portes de la Ville, s'assembleront dans leurs places d'armes, d'où elles se rendront sur les ordres de leurs capitaines et officiers aux susdites portes par le commandement du Syndic de la garde, qui de sa part aura attention de faire à l'avance tous les arrangements convenables à ce sujet.

Lorsque lesdites compagnies arriveront aux portes, pour prévenir toutes les difficultés qui pourraient survenir entre les officiers sur le fait du commandement, il sera à l'avenir observé que les capitaines et capitaines lieutenants des compagnies bourgeoises commanderont les capitaines de la garnison, et que les capitaines de la garnison, en l'absence des capitaines et capitaines lieutenants des compagnies bourgeoises, commanderont tous les autres officiers bourgeois.

Dans les postes où il ne se trouvera que des sergents et bas officiers de la garnison, les sergents, bas officiers ou caporaux de la bourgeoisie auront le commandement sur tous les sergents de la garnison.

Le même règlement aura lieu dans toutes les occasions où les compagnies bourgeoises et celles de la garnison se trouveront ensemble.

Immédiatement après que le feu sera éteint et qu'il n'y aura plus de danger, lesdites compagnies bourgeoises se retireront sur l'ordre du Syndic de la garde.

ARTICLE XXIII : Il est expressément défendu, sous les peines les plus rigoureuses, à toutes personnes de quelque qualité, condition et sexe qu'elles puissent être, de crier aux armes sans le commandement exprès des Syndics.

ARTICLE XXIV : Il est pareillement défendu à tous capitaines, lieutenants, sergents, caporaux et à toutes autres personnes, de quelque qualité et condition qu'elles soient, d'assembler les compagnies bourgeoises, ou de leur faire prendre les armes, sous quelque prétexte que ce soit, sans le commandement exprès des Syndics, ou Petit Conseil, sous peine de mort.

ARTICLE XXV : Tous mouvements, attroupements par compagnie, ou autrement, ainsi que toutes entreprises, pratiques et machinations tendant à troubler la tranquillité publique et l'ordre du gouvernement, sont expressément défendus, à peine contre les contrevenants d'être punis suivant l'exigence du cas, à l'exception toutefois des assemblées de société que l'usage de la vie civile autorise, où on observera de ne rien traiter contre l'Etat.

ARTICLE XXV : Aussitôt après que l'Edit du Règlement de la médiation aura passé au Conseil Général pour y recevoir la sanction, les 34 députés des compagnies bourgeoises, dont le Conseil a permis l'élection, à la réquisition de l'illustre médiation, par arrêt du 19 octobre 1737, seront et demeureront supprimés, sans qu'il puisse à l'avenir y en avoir d'autres établis, sous quelque prétexte que ce soit, à peine de châtement.

ARTICLE XXVII : Règlement de l'artillerie relatif à l'Edit du 28 juin 1735 :

La charge de maître d'artillerie ne pourra être réunie avec celle de syndic de la garde, et ces deux emplois ne pourront être exercés en même temps par la même personne.

Le maître d'artillerie présidera à la Chambre d'artillerie, assisté de ses lieutenants, tirés du Conseil des Deux Cents.

Il aura soin de faire faire un inventaire de toute l'artillerie et de tout ce qui en dépend, duquel il sera fait deux doubles dont l'un sera remis à la Chambre des comptes, et l'autre à la Chambre d'artillerie.

Les arsenaux, armes, munitions de guerre, et artillerie, ainsi que les lieux où elles pourront être placées et conservées, seront à la disposition des Conseils, qui auront attention d'y pourvoir comme ils le jugeront à propos, sans que les règlements faits précédemment puissent rien changer à cet égard.

Les dix chefs de batterie seront conservés tels qu'ils étaient avant le 21 août 1737 et choisis comme précédemment d'entre les Citoyens. Les bas officiers seront aussi remis ainsi qu'ils étaient avant ledit jour 21 août et pris indifféremment parmi les Citoyens et Bourgeois, à la discrétion du Conseil, conformément à l'Edit du 28 juin 1735.

ARTICLE XXVIII : Matières criminelles :

Les juges connaîtront de toutes les causes ou genre d'injures sans exception, soit qu'elles soient poursuivies d'office, ou à l'instance de la partie civile, et ils puniront les coupables, ainsi qu'il a été statué et observé ci-devant.

ARTICLE XXIX : Le Procureur Général sera et demeurera partie publique dans tous les procès criminels jusqu'à sentence définitive, et les conclusions qu'il donnera ne seront point communiquées à l'accusé, non plus qu'à son avocat et procureur; les Syndics et Conseil en seront juges comme d'ancienneté, et procéderont de jour en jour à leur instruction.

ARTICLE XXX : Afin néanmoins que l'accusé puisse mieux se défendre, il sera en droit de prendre, si lui ou quelqu'un en son nom le requiert, un avocat et un procureur de la Ville, à son choix, lesquels à peine d'interdiction seront obligés de le servir.

Ledit accusé pourra en outre, au lieu de douze parents et amis qui lui avaient été

accordés ci-devant par l'article XIV de l'Edit au titre XII des matières criminelles, en choisir seulement deux, tels qu'il voudra, pour l'assister aux prisons dans les instructions qu'il lui conviendra de donner à son avocat et procureur.

Lorsque ledit accusé aura subi son interrogatoire et fait ses réponses, il lui sera permis d'en faire, si bon lui semble, la lecture avant de les signer, et la procédure finie sera communiquée à l'avocat et procureur de l'accusé, ainsi qu'à ses deux assistants, huit jours avant le jugement, s'ils la demandent, lesquels en la recevant seront mis sous le serment de n'en donner ni prendre aucune copie et de la rapporter à un des Secrétaires d'Etat aussitôt après la sentence définitive.

Il aura de plus la liberté de prendre deux autres parents ou amis, faisant ensemble quatre, pour l'accompagner à l'audience et être présents au plaidoyer de ses défenses, sans que les quatre, une fois choisis, puissent être changés, ni le nombre augmenté; l'avocat et le procureur dudit accusé pourront aussi assister à l'audience.

ARTICLE XXXI : Si quelque Citoyen, Bourgeois, Natif ou Habitant, détenu dans les prisons pour cause criminelle méritant punition corporelle, après avoir été jugé et condamné définitivement, requérait d'être entendu au Conseil des Deux Cents pour en obtenir grâce, ledit Conseil sera convoqué à cet effet et recevra la requête de l'accusé, signée de lui ou de son procureur, dans laquelle il exposera les raisons qu'il aura à représenter pour demander grâce, et alors ledit Conseil des Deux Cents, après avoir pris sommairement connaissance du procès et du jugement rendu par le Petit Conseil, décidera s'il y a lieu d'accorder grâce, ou de modérer la sentence, laquelle ne pourra être aggravée, dérogeant à toutes clauses contraires au présent Règlement, et nommément à l'article XXI de l'Edit au Titre des matières criminelles.

ARTICLE XXXII : Les accusés et criminels ne pourront être appliqués à la question ou torture que préalablement ils n'aient été par jugement définitif condamnés à mort.

ARTICLE XXXIII : Tous ceux qui s'opposeront à l'exécution des jugements prononcés et rendus en dernier ressort par les différents Conseils seront punis capitalement.

ARTICLE XXXIV : Les Citoyens, Bourgeois, Natifs et ceux qui auront été reçus Habitants, comme de toute ancienneté ne pourront être obligés de prendre du blé au magasin de la République pour leur subsistance ordinaire, à l'exception des boulangers, les règlements de police concernant cette matière devant au surplus subsister comme précédemment, suivant l'usage.

Ils conserveront de même le droit qu'ils ont eu de tout temps d'acheter seulement pour leur usage particulier des vins étrangers, dont l'entrée est permise en cette Ville, n'entendant comprendre dans le présent Règlement les hôtes, cabaretiers, traiteurs et ceux qui tiennent des pensionnaires, lesquels se conformeront en cela aux règlements qui les concernent.

Les Citoyens et Bourgeois auront aussi la liberté de faire vendre le vin de leur cru comme précédemment, suivant les us et coutumes.

Lequel susdit article a été ainsi réglé conséquemment à la déclaration du magnifique Conseil portant que son intention n'a jamais été de former aucune opposition à l'usage de ces immunités.

ARTICLE XXXV : Il ne sera faire aucun changement à la formule ancienne les lettres d'Habitation qui continuera d'avoir lieu comme par le passé.

ARTICLE XXXVI : Les Natifs de la Ville seront à l'avenir admis à toutes sortes de métiers et

pourront parvenir aux maîtrises en payant au fisc les droits établis par les règlements et ordonnances.

ARTICLE XXXVII : Les Citoyens et Bourgeois conserveront les privilèges de leurs professions et maîtrises suivant les règlements établis par le Conseil qui y fera les changements qu'il estimera convenables.

ARTICLE XXXVIII : Pour entretenir désormais l'esprit d'union dans tous les ordres de la République, il est expressément défendu de rappeler par des invectives et reprocher les troubles passés, ni de se donner réciproquement certains noms de parti, que l'animosité et la discorde avaient ci-devant en usage et qui seront à l'avenir entièrement supprimés et abolis, de même que les fêtes qui pourraient être relatives à cet objet. Il est pareillement défendu d'imprimer, ou de faire imprimer, des libelles injurieux, tant dans cette Ville qu'ailleurs, de même que tous les écrits, mémoires et brochures, de quelque nature qu'ils puissent être, tendant à renouveler les vieilles dissensions, à peine contre les contrevenants d'être punis suivant l'exigence du cas.

ARTICLE XXXIX : Afin que la réunion entre tous les individus de cet Etat s'affermisse de plus en plus, les seigneurs médiateurs ont estimé convenable pour un bien de paix que les six membres des Conseils qui furent démis de leurs emplois dans le temps des troubles le 6 décembre 1734, savoir les Sieurs Marc Conrad Trembley, Jacob de Chapeaurouge, Jean Trembley, qui en particulier demeurera relevé de son bannissement, Charles Lullin, anciens Syndics, et Jean Tronchin, conseiller du Petit Conseil, ainsi que Philippe Decarro, de celui des Deux Cents et ci-devant Auditeur, obtiennent des Conseils leurs décharges pour toujours, conformément à la demande qu'ils en firent eux-mêmes ledit jour 6 décembre 1734 et qu'ils viennent de nouveau de confirmer, laquelle leur sera accordée comme ayant servi avec honneur, et qu'en conséquence leurs noms soient mis sur le tableau comme conseillers déchargés, conservant aux cinq premiers, sans rentrer dans le Petit et Grand Conseil, les honneurs accoutumés des conseillers déchargés, et en outre les gages de conseillers pendant leur vie, dont ils commenceront à jouir dès à présent.

ARTICLE XL : Tous les Edits, ainsi que les us et coutumes approuvés par les lois dont l'usage aura été constamment suivi, et auxquels le présent Règlement ne déroge point, continueront d'être observés et exécutés conformément à ce qui s'est pratiqué jusqu'à présent.

ARTICLE XLI : Et pour qu'un chacun puisse jouir d'une entière sûreté par rapport aux troubles passés et profiter de l'acte d'oubli général publié par le Petit et Grand Conseil le 1^{er} novembre 1737, les seigneurs médiateurs, désirant procurer l'affermissement de la paix et de la tranquillité dans tous les ordres de la République, ont de nouveau confirmé ledit acte d'oubli par la présente médiation, afin que personne ne soit à l'avenir susceptible d'aucune recherche sur les faits passés pour quelque cause que se puisse être, conformément au dit acte d'oubli.

ARTICLE XLII : Pour qu'un chacun connaisse les lois de l'Etat et s'y soumette avec plus de docilité, il en sera fait, le plus tôt que faire se pourra, un code général imprimé qui renfermera tous les Edits et règlements.

ARTICLE XLIII : En cas qu'il arrive après tous les règlements ci-dessus expliqués des désordres, prises d'armes, attroupements, etc. tendant à renverser l'ordre de la République, en faisant violence au magistrat, comme aussi de désarmer les soldats de la garnison, Citoyens, Bourgeois,

Natifs et Habitants, ceux qui seront atteints et convaincus des cas ci-dessus énoncés seront punis comme perturbateurs du repos public, sans pouvoir espérer d'être compris dans aucune amnistie.

ARTICLE XLIV : Tous les articles compris au présent Règlement auront à l'avenir force de lois et ne pourront être susceptibles d'aucun changement, quel qu'il puisse être, que du consentement du Conseil Général légitimement assemblé par le Petit et Grand Conseil.

Et d'autant que SA MAJESTE TRES CHRETIENNE, et les Louables Cantons de ZURICH et de BERNE n'ont eu pour but en accordant leur commune médiation à la Ville de Genève que d'y procurer parmi tous les ordres de cette République une paix stable et durable, ils ont estimé convenable pour prévenir le retour des troubles passés et y assurer une tranquillité parfaite, d'accorder (sans toucher ni préjudicier à l'indépendance et souveraineté de ladite République de Genève) la garantie des articles ci-dessus énoncés, qui ont été réglés et arrêtés, savoir, de la part de SA MAJESTE TRES CHRETIENNE, par le très illustre et très excellent seigneur Comte de Lautrec, son lieutenant général en la province de Guyenne, maréchal de ses camps et armées, inspecteur général d'infanterie et son ministre plénipotentiaire, et de celle du Louable Canton de ZURICH, par les illustres et magnifiques seigneurs représentants Jean Hoffmeister, bourgmestre, Jean Gaspard Escher, stathalter, et de la part du Louable Canton de BERNE, par les illustres et magnifiques seigneurs représentants Isaac Steiger, ancien avoyer, et Louis de Watteville, haut commandant du Pays de Vaud et ancien banderet, plénipotentiaires à l'effet de ladite médiation, lesquels promettent au nom de leurs maîtres d'en garantir l'exécution, qui ne pourra se faire que de concert et relativement à l'article XV mentionné au présent Règlement ou au traité de Soleure de 1579 après avoir employé leurs bons et communs offices; lequel susdit Traité continuera d'avoir force et valeur dans toute sa teneur comme par le passé, sans que le contenu au dit article XV puisse y préjudicier en rien ni en empêcher l'effet.

Enfin les deux Louables Cantons de ZURICH et de BERNE se réservent les Traités d'alliance et de combourgeoisie de 1558 et 1584 qu'ils ont avec la République de Genève.

[...]

Fait à Genève ce 7ème avril 1738.

Appendix IV

A. An Introduction to Genevan Families.

1. Families sitting in the Petit Conseil.

With regard to the patriciate, the work based on the *Petit Conseil* carried out by Amédée Roget gives an important insight into who they were: between 1600-1775 there were 232 members of the *Petit Conseil*, but these 232 came from only 90 families:

<i>Family Names</i>	<i>Number of Members of the Petit Conseil</i>
Pictet	12
Gallatin, Lullin	10
De la Rive, Du Pan, Trembley, Rilliet	8
De la Maisonneuve, Le Fort,	7
Sarasin, de Chapeaurouge	6
de Normandie, Mestrezat, Favre, Buisson, Rigot	5
Fabri, Tronchin, Grenus, Lect	4
Chabrey, Roset, Galiffe, Gautier, Turrettini, Bonnet,	
Leclerc, Chouet, Voisine, Humbert	3

14 families provided 2 and 40 families 1 member of their families during that period.

In reality, therefore, 29 families supplied the overwhelming majority of councillors in the *Petit Conseil*. By the eighteenth century, this was even lower, as families such as the Chabreys and Rosets drop from view.

Information taken from Amédée Roget 'Le Petit Conseil', *Etrennes Genevoises*, Genève: J. Carey, Imprimeur-Editeur, 187, 1, p. 53.

2. The closeness of family connections amongst the patriciate.

This is the information that Thellusson, Genevan Ambassador to Paris, relayed to a relative in Geneva concerning his family's connections with certain important families in Geneva.

1. Pour bien comprendre la situation en 1733, du fait surtout du petit nombre des familles puissantes et de l'étroitesse de leurs liens par des mariages entre leurs membres, il est fort utile de connaître les « éclaircissements » qu'Isaac Thellusson, le grand banquier genevois établi à Paris, donnait à son beau-frère J.-J. des Gouttes, quand celui-ci cherchait à entrer dans le Conseil des Deux-Cents, sur ses relations de famille avec les personnes dont son élection dépendait (les membres du Conseil des Deux-Cents étaient nommés par les membres du Petit Conseil) :

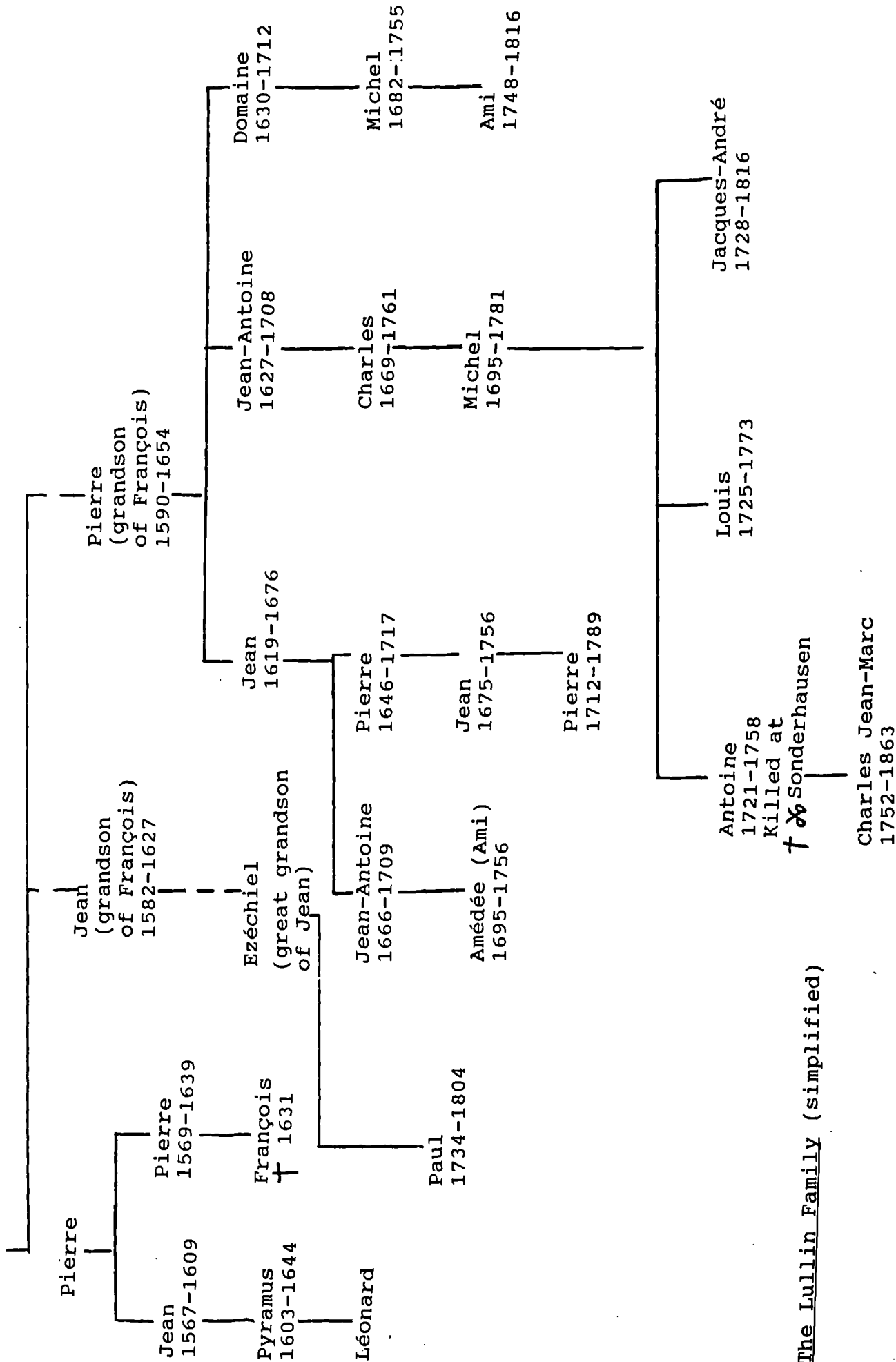
- Mons^r François Pictet est fils d'une Rocca, nièce de ma bisayeule Tronchin, née Rocca.
- Mons^r le syndic Buisson est arrière-petit-neveu de ma bisayeule Tudert, née Buisson.
- Monsieur le Conseiller des Arts est petit-fils de M. le professeur Mestrezat, dont la femme était petite-fille de M. Tudert de Mazières, mon Trisayeul, & celui de Mr. des Arts, qui d'ailleurs a épousé la fille de M. Gabriel Rilliet, dont ma femme est la tante à la mode de Bretagne, car elle est Mallet & fille d'une Tronchin.
- Monsieur le Conseiller Favre est petit-fils d'une La Croix qui étoit fille de Mons. Tudert et petite-fille de mon Trisayeul Tudert qui, par conséquent, est aussi celui de M. Favre.
- Monsieur le Conseiller De La Rive a épousé une Franconis qui est fille d'une Pictet, sœur de Mons^r le Syndic Pictet, ainsi même parenté. Il y a aussi parenté par la mère de Mons^r de La Rive.
- A l'égard de Monsieur le premier de l'année prochaine, nous luy appartenons en ce que son père avoit épousé une Mestrezat, fille de Monsieur le professeur Mestrezat, petit-fils de Monsieur Tudert, mon Trisayeul, dont une des filles épousa Mr. Domaine Mestrezat, Sgr. Syndic, père du professeur; d'ailleurs Monsieur le premier a épousé une Percal, fille d'uno Colladon, qui l'étoit de notre Grande Tante Tronchin : ainsi, d'un côté, il est issu de germain, de l'autre, il est d'un degré plus éloigné, mais je compte bien plus sur son amitié que sur la parenté.
- M. Turretin a épousé la fille de Mr. Gedeon Mallet, mon issu de germain, sa grand mère et la mienne étant sœurs & filles du professeur Théodore Tronchin » (Archives de l'État de Genève, fonds Galiffe, Archives des familles, liasse IV, lettre d'Isaac Thellusson à J.-J. des Gouttes).

An extract from André Sayous 'La haute bourgeoisie de Genève entre le début du XVIIe et le milieu du XIXe. siècle', *Revue Historique*, T. CLXXX, juillet-décembre 1937.

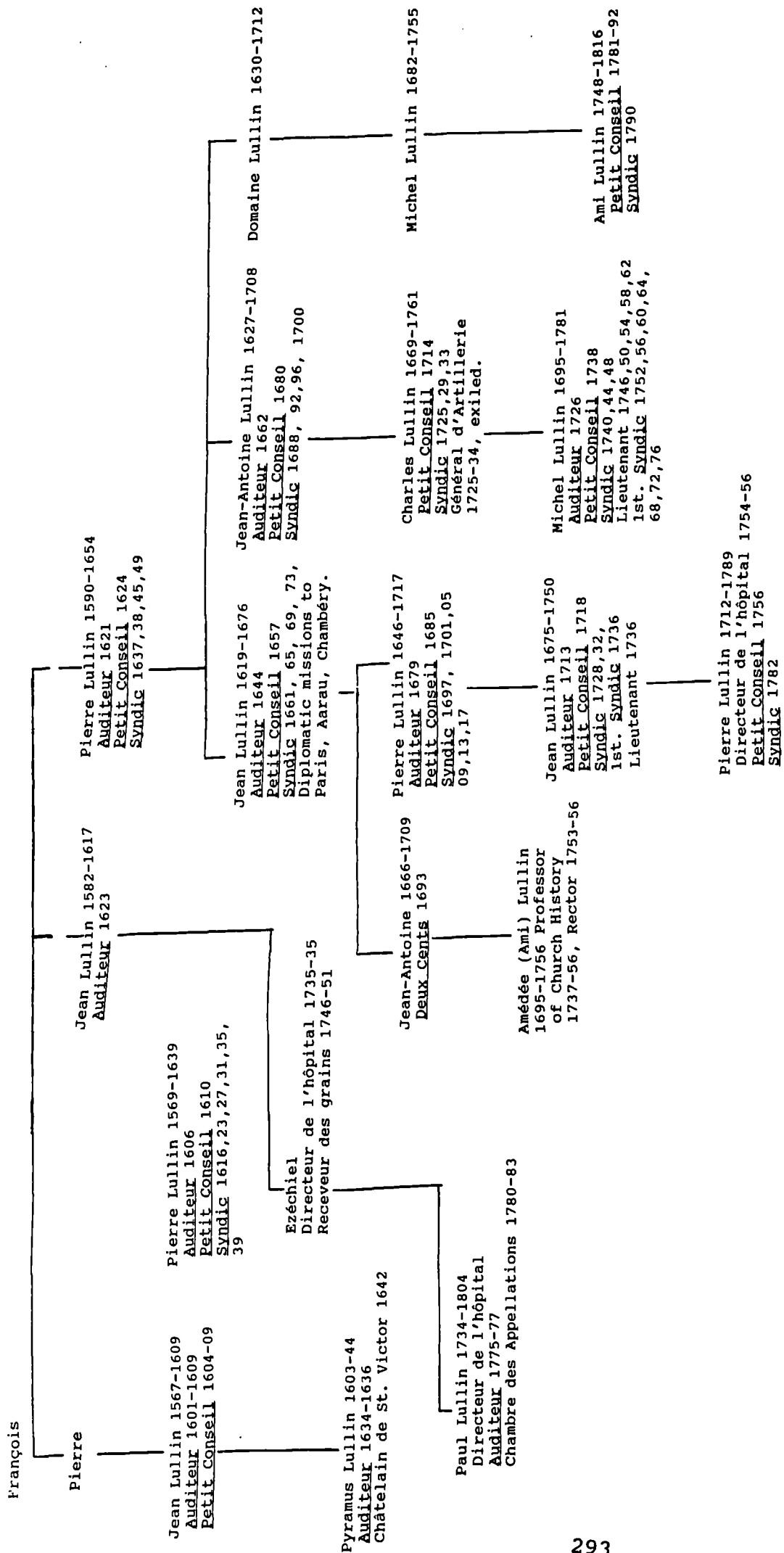
3. The Lullin and Tronchin Families

Included in this appendix are the family trees and details of two Genevan patriciate families. Both had members who were important in the state over two hundred years, and both illustrate that the patriciate were not content with political power, but also occupied positions in the Academy and the Church.

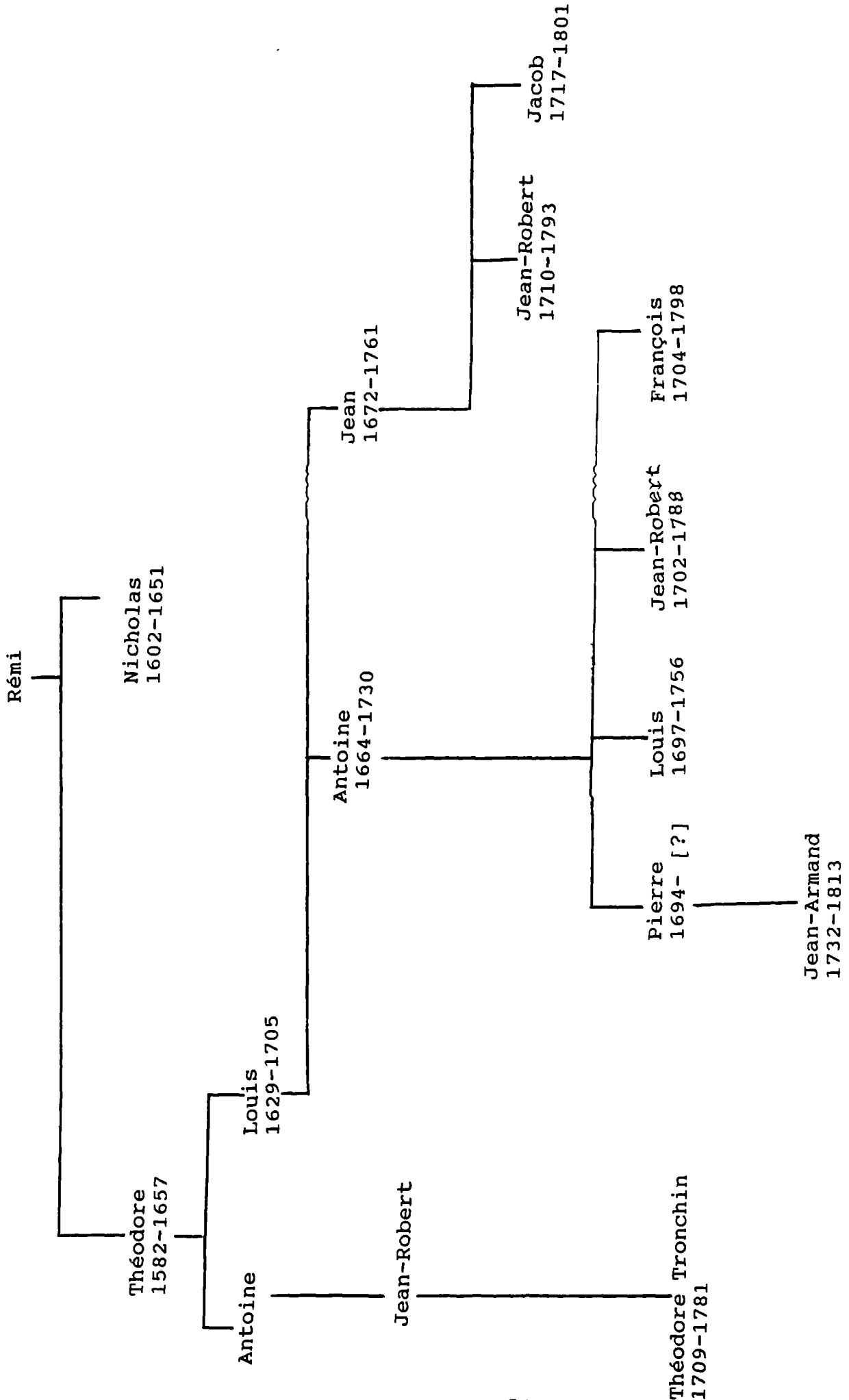
François



The Lullin Family (simplified)



The Lullin Family
Details of appointments held by members,
of the family.



The Tronchin Family

Rémi (from Troyes)
Bourgeois in Geneva 1579

Théodore
1582-1657
Pastor 1608
Dean of the Compagnie
1649-57
Professor of Hebrew
1608-18
Professor of Theology
1615-56
Rector 1610-15

Nicholas
1602-1651

Antoine

Louis
1629-1705
Pastor in Lyon
1654-61
Pastor in Geneva
1662-1705
Dean of the Compagnie
1698-1705
Professor of Theology
1662-1705
Rector 1663-8

Jean-Robert
Banker

Antoine
1664-1730
Auditeur 1697
Syndic 1715, 19
1st. Syndic 1723, 27
Diplomatic Missions to Turin

Jean
1672-1761
Auditeur 1708
Châtelain de Jussy 1713
Procureur-Général 1718-23
Deux Cents 1730-34
Dismissed and exiled.

Théodore Tronchin
1709-1781
Doctor of Medicine
Moved to Paris in 1766
to be First Physician
to the Duke of Orleans

Pierre
1694- [?]
Auditeur 1731

Louis
1697-1756
Pastor 1725
Professor of Theology
1737

Jean-Robert
1702-1788
Banker in Lyon
Fermier-général in
Paris from 1762

François
1704-1798
Auditeur 1751
Petit Conseil
1754-68
1782-1790

Jean-Robert
1710-1793
Procureur-Général
1760-1768

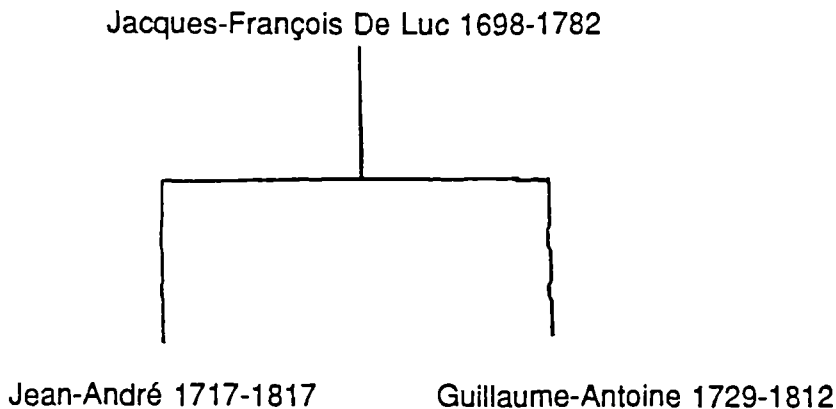
Jacob
1717-1801
Petit Conseil
1761-1768

Jean-Armand
1732-1813
Genevan Ambassador
to Paris, 1785-92

The Tronchin Family
Details of appointments held by
the Tronchin family.

4. The De Luc Family

Although they claimed to have come originally from Lucca in the sixteenth century, this was unlikely. During the eighteenth century, the family was to play an important rôle, in the *Bourgeois* group, in the politics of the city. It is interesting to see how they began to establish the same family interest in politics that had marked many of the oligarchy in Geneva.



Jacques-François was described by one historian as 'the very model of a Genevan bourgeois. He was very pious, very honest, very patriotic and "republican", very stiff and very tedious.' (James Miller, *Rousseau Dreamer of Democracy*, New Haven: Yale University Press, 1984, p. 51.) Jacques-François was friendly with Rousseau and in 1754 accompanied him on a tour of lake Geneva. He was rather a serious man, totally lacking in any sense of humour. Both he and his two sons were deeply religious and all of them, being interested in science, spent a considerable time trying to accommodate contemporary scientific discoveries with the Book of Genesis. They were also mostly self-taught, although Jean-André had studied under both Prof. Cramer and Jalabert.

Both sons began their careers in their father's company, Garriques, François De Luc et Cie. Jean-André however, soon left to devote himself to science, and invented the hygrometer. He was, together with his brother and many young men in Geneva, fascinated by the mountains, collecting rock and mineral samples from them, as well as trying to find ways to climb to their peaks.

They were also passionately involved in politics. Jean-André was one of the 24 Commissioners in 1766 and became a member of the *Deux Cents* in 1770, his brother joining this council in 1775. In the 1760s especially, they both had a reputation for being restless and

troublemakers, but, in 1774, Jean-André was already in London and about to become Reader to Queen Charlotte. The reason for his departure from Geneva was possibly some financial failure, although there is no evidence for this, and, theoretically at least, he had left the family business some time earlier. Normally, a bankrupt was not allowed to sit in the *Deux Cents*, but his brother was allowed to become a member of that council.

Guillaume-Antoine remained in Geneva, where he became a moderate *Négatif*, judging from the contents of the letters he wrote to his brother in London. This disagreement over politics might have been one of the reasons for the departure of Jean-André. Although settled in London, Jean-André still found himself involved in politics, going to Paris to see Vergennes over the crisis in Geneva in 1782 and writing a lengthy report on the political situation in Geneva as he had known it. He also became embroiled with Rouston, pastor of one of the Genvan churches in London, over the changes in the Genevan constitution introduced in 1789. Jean-André never commented on English politics, nor did he become in any way involved in them.

His correspondence, especially on scientific matters, was profuse. He invented the 'Dry Pile' or 'Electric Column', but his attempts to fit all new scientific discoveries into the Creation as told in the Old Testament made him increasingly isolated.

B. Biographical References

This section is to give the personal details and where relevant political details of individuals named in the text. Each name occurring in the text is found consecutively under the heading of the chapter in which he/she is mentioned.

Chapter I

1. **De la Baume** was 'Intelligent et intrigant, il reçut, en 1539 le chapeau de cardinal puis, en 1544, devint archevêque de Besançon.'
2. **Besançon Hugues** (ca.1480-1532) a rich merchant credited with a following amongst the Genevans, especially the less wealthy. Responsible for winning support of both Fribourg and Bern 1525-6.
3. **Ami Perrin**, originally an ally of Calvin but became estranged, in part because he enjoyed dancing and bright clothes and was opposed to giving immigrants the right to become *Bourgeois*. The Sept, Favre and Vandel families were of the same opinions as Perrin. They also objected to being subjected to the same treatment as all the other citizens of Geneva when they danced, etc.

Chapter II

1. **Jacques Necker** had entered **Isaac Vernet's** bank as a clerk in Geneva. He had been sent to work in the Paris branch. In 1765, having become a millionaire by the careful buying and selling of British and French treasury bonds, he became sole director of the bank.
2. **Théodore Tronchin** (1582-1657), **Bénédict Turretini** (1588-1631), **Jean Diodati** (1576-1649), all theologians, **François Turretini** (1623-1687) an important and strict theologian, to name but a few.

Chapter III

1. **Colladon** and **Legagneux** castigated moneylenders from the pulpit. Told to discuss such matters in the *Compagnie* before making them public, they refused and were dismissed. **Germain Colladon**, 1509-1594, Doctor of Law, lawyer, became a *Bourgeois* in 1550 and often consulted by Calvin's government. In the XL from 1559, he was a rigid Calvinist.
2. **Ami Varro**, 1526-1593. His father had become a *Bourgeois* in 1521, Ami was a member of the *Petit Conseil* from 1569 and *Syndic* 6 times from 1573. He was one of those in favour of declaring war on Savoy in 1589. He also carried out several diplomatic missions to the Swiss Confederation; a man of prime importance in the state.
3. **Jean Diodati**, 1576-1657, pastor and theologian and **Théodore Tronchin**, 1582-1657, pastor and theologian, Professor of Hebrew and strict Calvinist.
4. **Bishop Burnet**, 1643-1715, went into exile during the reign of James II, when he travelled extensively on the Continent. He became Bishop of Salisbury and was one of the moderate men appointed to replace the non-jurors when William III and Mary II ascended the throne.
5. **Jean-Robert Chouet**, 1642-1731. This was the same man who, as *Syndic*, was to be involved in the Fatio affair in 1707. When a young man, he had spent five years at Saumur 1664-1669. He joined the *Petit Conseil* in 1686 and later became a

- Syndic*. He was considered to be nearer to the *Bourgeois* than many of his colleagues on the *Petit Conseil* which was to cause considerable difficulties in 1707, as a result of his interpretations of the sovereignty of the *Conseil Général*.
6. **Jean-Alphonse Turrettini** (1671-1737). He was initially Professor of Ecclesiastical History, a new Chair at the University in 1697, later, in 1705, he became Professor of Theology and was Rector 1701-11. He was opposed to the narrow orthodoxy of the church.
 7. **Jacques Lect**, Professor of Law at the Academy.
 8. **Michel Roset**, 1534-1613. He was first a *Syndic* in 1560, then in 1564, thereafter he was 1st. *Syndic* every fourth year from 1568-1612. He was also a skilled diplomat. On his death he was awarded by a grateful government the title of 'Père de la Patrie'.
 9. **Jacques Boutiller** was the son of *Syndic* Jean-Aml Curtet dit Boutiller, who had died in 1567. Jacques had been a member of the *Deux Cents* for several years.
 10. **Charles Perrot** 1541[?]-1608, he had become *Bourgeois* in 1567 and replaced Bèze as Professor of Theology; he was twice Rector of the Academy.
 11. **Jean-Antoine** 1645-1719, **Ezéchiel Gallatin** 1630-1709 was a *Syndic* 11 times and 1st. *Syndic* a number of times 1693- 1709; **Barthélemy** 1662-1748, was a *Syndic* 6 times 1723-35, 1st. *Syndic* in 1737. Ezéchiel made no move to help Jean-Antoine.
 12. **Sébastien Arlaud**, **Chevaux**, the pâtissier and **Jacob Bartholoni**, the lame.

Chapter IV

1. **Jacob de Normandie** 1649-[17?] ,*Deux Cents* 1675, *Auditeur* 1680, *Châtelain de Peney*, 1688, *Petit Conseil* 1703. His acceptance of a post with the King of Prussia led to his resignation from the *Petit Conseil* and his return to the *Deux Cents*. His cousin, **Jean de Normandie**, was elected *Syndic* in 1707. **Pierre Gallatin's** father, **Ezekiel**, served several times as a *Syndic*, and was in the *Deux Cents* as of 1693. In 1707, Pierre was an *Auditeur*.
2. **François Delachenaz/De la Chenaz/De la Chana**, 1645-1720, a 'marchand-tailleur', the French Resident, De la Closure, called him 'un petit marchand qui est une espèce de fanatique' and he was described by Corvelle: 'il était habillé de la même manière que sont les Trembleurs d'Angleterre.' Fatio, *op. cit.*, p. 105. Some considered him insane, he was clearly honest, pious and determined.
3. **Jean Du Pan** (1655-1721): 'homme de lettres, avocat... indifférent, indisposé contre le peuple, membre des grandes familles. En plaidant leur cause, il plaide la sienne propre.' Corbaz, *op. cit.*, p. 100.
4. **Fatio**, **Gallatin**, **Marc Revillard**, son of Léonard, once Châtelain de Saint-Victor, **J.A Plaget** (1659-1707) maître-horloger de St. Gervais, **R. Dentrand** (1672-vers 1717) maître-chirurgien, **N. Lemaître** (?-1707) maître-horloger, **F. Delachanaz**, **Thomas Delorme** (1661-1708) magasin de joaillerie, **Galleine**, joaillier, **Favon**, l'horloger, **Durand**, le graveur, **Marsé**, le tanneur, **John Favre**, le fustier. The others seem to be unknown. All were hard working artisans. Corbaz, *op. cit.*, p. 123.
5. **Jean-Antoine Plaget**, 1659-1707, maître-horloger, 'il était le plus violent, le plus hardi, le plus fougueux et le plus intrigant des chefs.' Corbaz, *op. cit.*, p. 112.
6. **Jacques Chenaud**, 1654-1741, a doctor of medicine, known as a moderate, and who led the moderate *Bourgeois* to the government side.
7. **Jean Trembley**, 1674-1745, later he was a *Syndic* in 1726 and 1730 and in 1734. His attitude towards Fatio was to be remembered and helped in his condemnation and banishment in 1734.

8. **François Rilliet** was a member of the Rilliet family which was to be consistently anti-change throughout the eighteenth century in Geneva.
9. **Robert Rilliet**, 1644-1728, member of the *Petit Conseil*, 2 times *Syndic*, 1720 and 1724. **David Sartoris**, 1659-1735, 6 times *Syndic* between 1713-1733. All were clearly determined to ensure the punishment of what they perceived as rebels.
10. **Nicolas Lemaître**, 1684-1707, 'maître-horloger - pauvre, timide et réservé mais un enthousiaste, un convaincu et un tenace.' Corbaz, *op. cit.*, p. 112. He was one of the commission that went with Fatio to negotiate.
11. **Pierre Perdlau**, son of a *Syndic* of the same name, a member of the *Deux Cents* as of 1704; his brother **Daniel** was in the *Petit Conseil* from 1702. Fatio and three of his supporters were reported to have spent the night at his country house at Landecy 1.6.1707. Amédée Roget, Fatio, *op. cit.*, p. 177.
12. **Jean Tronchin**, 1672-1761, *Procureur-Général* 1718-23. He later became a member of the *Petit Conseil*.
13. **Marc-Comrad Trembley**, 1669-1748, had become a member of the *Petit Conseil* in 1707 and was to be a *Syndic* four times. His actions at this time were to be held against him and explain the harshness with which he was to be treated by the *Bourgeois* in 1734. **Jacob de Chapeaurouge** 1669-1744, a member of the *Petit Conseil* and a clear supporter of the rights of that council and the oligarchy, as he was to show in attempting to argue in 1715 that the *Procureur-Général* was merely a servant of the *Syndics*, under whose orders he would watch over the public's interests. The *Procureur-Général*, **Le Fort**, was able to maintain the independence of the office, from the desire of Chapeaurouge to make it the mere mouthpiece of the *Petit Conseil*. This was to have important consequences later.
14. No. 20 **Abraham Cassin**, leader of a delegation on 8th. December, No. 2 **Isaac Soret**, member of a delegation on 9th. December, etc. O'Mara, 'L'affaire des lettres anonymes', *op. cit.*, pp. 265-268.
15. **François Terroux**, a master watchmaker, who had a watch business, was co-owner of a building rented out to others and owned land at Jussy, a small piece of land at Plainpalais and several cattle. One of the leaders of the *Bourgeois* in 1718.
16. **Jean François Chevrler** was the father of **Jacob**, who was one of the Commissioners in 1766, entered the *Deux Cents* in 1770 and was on the *Comité de Sûreté* in 1793. **Louis Duval** was chosen as a representative by one of the militias in 1737. He was elected to the *Deux Cents* in 1738 and was a moderate.
17. **Pierre Mestrezat**, a *Bourgeois* who was a friend of **Michel Léger**. The Mestrezats were one of the important political families in the seventeenth century.
18. **Jacob de Chapeaurouge** (1669-1744). He became a member of the *Deux Cents* in 1698, eventually became *Syndic* in 1724, 1728 and 1732. He had also written a text at the time of Fatio in 1707, arguing the case for the government: *Lettre d'un citoyen de Genève à un autre citoyen de ses amis sur les mouvements présents*.

Chapter V

1. **Jacques-Barthélemy Michell du Crest** (1690-1766), a member of the patriciate, serving in the King of France's armies. He was known as a specialist on fortifications. He was also an engineer and cartographer. Elected to the *Deux Cents* even though in foreign service in 1721, he was given the fief of Crest for services rendered to Geneva. According to Sayous: 'ses théories politiques [d'être] inspirées un peu trop par son intérêt personnel.' Sayous, *op. cit.*, p. 45.
2. Men such as: **Balexert** 1698- [?], became a member of the *Deux Cents* in 1752., **Chevrler**, his son **Jacob** was to become an important leader of the *Bourgeois* in

1766. **Jean-Louis Delorme**, 1707-1784, he was later to become a member of the *Deux Cents* in 1746 and the *Petit Conseil* in 1764. **De Luc, Michel Léger**, the pastor, **Isaac Marcet** 1669-1734, a 'monteur de boîtes de montres', **Jacques Massé**, 1697-1762, a supporter of Micheli, he was later to change sides and be chased by the *Bourgeois* from the city and go to Constantinople. **Aml and Essale Mussard, Soret, Sartoris, Robert Vaudenet**, 1693-1743, nephew of the Vaudenet defended by Fatio in 1706.
3. **Louis Le Fort**, 1668-1743, *Procureur-Général* 1711-17, *Syndic* 1722 and 26, 1st. *Syndic* 1730 and 1734. He had already shown himself to be independent of the government in insisting on the independence of the post of *Procureur-Général* in 1715. The rancour had clearly remained.
 4. **Jean-Jacques Burlamaqui** (1694-1748), lawyer in 1716, became a teacher of law, 1723 Professor of Natural and Civil Law at the Academy in Geneva. 1721 in the *Deux Cents*, 1730 in LX, 1738 in the *Petit Conseil*. He was in no way inclined to accept any of the arguments put forward by the *Bourgeois*. The association between Chapeaurouge and Burlamaqui was considerable, as he had married his daughter to Jean-Jacques Burlamaqui.
 5. **Charles Lullin**, 1669-1761, Artillery General 1725-34, *Syndic*, 1725, 29, 33; **Jean-Louis Du Pan**, 1698-1775, **David Sartoris** 1659-1735, *Syndic* six times 1713-1733; **François-Jean Turretini**, 1690-1765, *Syndic* seven times 1741-65; **Pierre Mussard**, 1690-1767, 'Dr. en Droit', Professor, diplomat, *Syndic* four times 1750-62. **Marc-Conrad Trembley**, 1669-1748, a *Syndic* 1721, 23, 25, 33. He was, like all the members of this committee, a convinced supporter of the oligarchy. **Jean-Louis Chouet**, 1678-1756, was the great nephew of **Jean-Robert Chouet** and was the only member who might have had any leaning towards the *Bourgeois*. Certainly, he was often associated with **Le Fort**.
 6. **Samuel Pufendorf** (1632-1694). Unlike Hobbes, Pufendorf considered that the state of nature of man as relatively peaceful. (*De Jure Naturae*, II, VII, cited by Barbey, *op. cit.*, pp. 182-184; N.B. all further references are to Barbey's translation from the Latin). But the fear of punishment from Heaven, together with the operation of conscience did not stop man's baser instincts and passions from breaking 'natural laws'. In order to overcome the misery of such a life civil society was organised. On entering into such a society, the individual gave up his natural liberty and submitted himself to a government or a sovereign authority. (Pufendorf *De Officio* II, V, 4.) The sovereign was 'regulator' of all in the interest of all. In this civil society everyone had surrendered their will to that of the sovereign, obeying the latter's demands in all matters concerning the public good. (*Ibid*, VII, 2) Civil liberty corresponded to natural liberty minus the restrictions imposed upon society by the sovereign. (*Ibid.*, II, XII, 7.) It was essential to completely obey those to whom sovereign power had been given. (*Ibid.*, VII, VIII.) This civil state was for Pufendorf the surest guarantee of the liberty of the individual.
 7. **Phillippe de Carro**, 1693-1750, *Auditeur* and artillery lieutenant; after his banishment he went to Russia, where he became a general. **Jean Trembley**, 1674-1754, *Syndic de la garde*, responsible for the safety of the government and the state.
 8. **Jean-Pierre Oltramare**, 1672- [?] or **Jérôme**, 1705-1746, both were supporters of Micheli and both had been in prison for their support of him. **Vaudenet the Elder**, was probably **André-Robert**, 1693-1743, who had been defended by **Fatio** in 1706. Identification here is tenuous.
 9. **Jean-Gaspard Escher**, 1678-1762; in 1740 he was Burgermaster of Zürich. In 1734 he was one of Zürich's deputies sent to Geneva.
 10. **Bernard de Budé**, 1676-1755, he had been an officer in the Swiss Guard in

France. After his departure from Geneva, he lived at Ferney and died without successors.

11. **Ami (Amédée) Lullin**, 1695-1756, Professor of Ecclesiastical History 1737-1756, Rector 1753-1756, but even Lullin believed that the *Bourgeois* had been misled.

Chapter VI

1. Men such as **Charles Bonnet**, FRS, 1720-1793. Ill-health made it difficult for him to take part in the politics of the city, but he supported the *Négatifs* in the coming conflicts. **Abraham Trembley**, 1710-1784. A zoologist, he was also a member of the *Deux Cents* 1746-1770, a cousin of Bonnet. **Jean Jalabert**, 1712-1768. A mathematician, astrologist and interested in electricity, he was also a member of the *Petit Conseil* from 1757, *Syndic* in 1765 and 68, not the most hard-line opponent of the *Bourgeois* but killed in a riding accident in 1768. **Théodore Tronchin**, 1709-1781, was a doctor, Professor of Medicine in 1755, a lay member of the *Compagnie des Pasteurs*. Doctor to the Duke of Orleans, he moved permanently to Paris in 1766. He was against the theatre and was not a supporter of the *Bourgeois*.
2. **Jean le Rond d'Alembert** (1717-1782) Writer, philosopher and mathematician. He was one of the founders of the *Encyclopédie*; secretary of the Académie Française.
3. **Denis Diderot** (1713-1784), given the task of bringing the *Encyclopédie* to fruition in 1745. It took him 27 years. He was also a writer, philosopher and art critic.

Chapter VII

1. **Jacob Vernet**, 1698-1789, theologian and holder of the Chair of Theology at the Academy from 1756; a *Représentant*.
2. **Paul Moulton**, 1725-1787, a pastor, he had become a *Bourgeois* in 1755. A friend of Rousseau, he published his complete works with Girardin and Dupeyron in 1782; a moderate *Représentant*.
3. **Marc Chappuis**, 1733-1779, known as 'la plume'. One of the leaders of the *Représentants*. More extreme than moderates like Moulton, he later became one of the leaders of the *Natifs*. His defection from the *Représentants* was behind the hostile comment made on his death by G-A. De Luc to his brother in London: 'Je ne le regrette point et il n'est pas à regretter.' BPU Genève, Ms. 2469 Lettres de G-A De Luc à J-A. De Luc 1756-1782, novembre 1779, 71.
4. **Jacques Pictet**, 1705-1786, Member of the *Deux Cents*, Col. in the Sardinian Army (Retrd.), Reporter to the Sardinian Court, English *Chargé d'Affaires* to Geneva, 1763-67. The Pictets were one of the important patrician families. Jacques was a strong supporter of the *Bourgeois* cause and as a result had his appointment withdrawn by George III. **Emmanuel Duvillard**, 1693-1776, was a printer and bookshop owner. He printed the 'Gazette française d'Amsterdam & de la Haye'. He too was sympathetic to the *Représentant* cause.
5. **Jean and Isaac Bardin** were bookshop keepers.
6. **Pierre Lullin**, 1712-1789, Professor of Law 1740-56, member of the *Petit Conseil*, Secrétaire d'Etat, 1762-1781, *Syndic* 1782. He was later a member of the *Négatifs*. **Jean-Pierre Crommellin**, 1739-1751, Professor of History, 1739-1751, member of the *Deux Cents*, Minister of Geneva to the Court of Louis XV 1763-68. He was also a rigid *Négatif*.
7. The 24 were: **De Luc** and his two sons, **Marc Chappuis** and **Marc-Conrad Chappuis**, **Duvillard père**, **Combefort**, **Mollet**, **Des Arts père**, **Jacques Vleuss-**

eux, Antoine Joly, Serment, Babault, Duroverray, Vignier, Melly, Petineau, Fé dlt Dellsle, Frarin, de Ferney, Berard, Flournoy-Balaxert, Clavière son and F.H. d'Ivernols. All those emphasised had acted as delegates in 1737-8, which shows the consistency of leadership. The other interesting feature is that the *Bourgeois*, like the patriciate, was developing political families, such as the De Lucs - father and both sons and the Chappuis brothers, and Joly whose father had been involved in 1734-8. For the De Luc family see Appendix IV.

8. As French Resident, Hennin had arrived in Geneva in December 1765; he subsequently married a Genevan from one of the patriciate families and had close links with the *Négatifs*. Even on his arrival in Geneva, however, he was not inclined to side with anyone but the *Négatifs*.
9. **Gaspard Joly**, (1718-?) a member of the *Deux Cents* since 1752, became a member of the *Petit Conseil* in 1768, was twice a *Syndic*, 1780 + 84. His brother **Denis** was one of the 24 elected leaders of the *Représentants* in 1766. **Louis** [?] **Jaquet** was a Captain in armed army of Baden-Durlach who carried out various functions for the state without payment and who obtained the right from the *Petit Conseil* to sign his name 'de Jaquet'.
10. **Jacques Mercier**, 1726-1798, a member of the *Deux Cents* who had remained in Geneva and had been involved in contacts with the leaders of the *Représentants*. He was elected *Procureur-Général* in 1768-70.
11. **Jean-Pierre Trembley**, 1704-1785, a member of the *Deux Cents* and previously *Syndic* 3 times in the years 1755-1763. Although a *Négatif*, he was very moderate and wished to avoid any strengthening of French interference in the city. **Jacob Vernet**, 1698-1789, a pastor, theologian, professor at the Academy, he had a long friendship with Voltaire, which later turned sour over disagreements concerning Calvinism, and was partly instrumental in d'Alembert's article in the *Encyclopédie*. Vernet was a moderate *Représentant*.
12. **Jacques Vieusseux**, 1721-1792, cloth merchant, one of the 24 Commissioners, *Procureur de l'hôpital* 1775. In 1782 one of the leaders of the *Représentants*. **Jean Flournois** became a member of the *Deux Cents* in 1770, a member of the *Conseil de Sûreté* in 1782, of the *Commission révolutionnaire* 1794. **Etienne Clavière** (d. 1793), became a member of the *Deux Cents* in 1770, a leader of the *Représentants*, exiled with Vieusseux and Flournois in 1782, and later deeply involved in the French Revolution.
13. **Phillip 2nd. Earl Stanhope** (1714-1786). His mother, Lucy, was the sister of **Robert Pitt**, the father of **William Pitt, Earl Chatham** (1708-1778).
14. **Chevalier de Beautville**, Lieutenant-General and Ambassador of Louis XV to the Swiss Confederation, a man not sympathetic to the *Bourgeois* cause.
15. **Jean Jalabert**, d. 1768, *Syndic* in 1765 and therefore continued in the post in 1766.
16. **Jean-Louis Grenus**, 1711-1782, *Syndic* 3 times between 1758-1768. **Jean-Antoine Guainler** was a member of the *Petit Conseil*, and was a *Syndic* 3 times between 1772-1780.

Chapter VIII

1. **Jean Cramer**, 1701-1787, Professor of Law, 1721-1738, he left to join the *Deux Cents* and *Petit Conseil*, and was *Syndic* 6 times. This is the Cramer who was later to be removed from the *Petit Conseil* in 1776. He was an ultra-*Négatif*.
2. **Isaac Cornuauud** (1742-1820), watchmaker, *Natif*, bookkeeper and teacher of arithmetic, writer, orator and a man who worked for the French cause in Geneva.

He was a 'nature enthousiaste mais, absolument dépourvue de scrupules, intrigant, vénal.' Karmin, *op. cit.*, p. 52, f.52.

3. **Jacques-Antoine Du Roveray** (1747-1814), lawyer, one of the leaders of the *Représentants*, member of the *Deux Cents* from 1775, *Procureur-Général* 1779-1781, when he was dismissed from both his post and his seat in the *Deux Cents* at the behest of France. Exiled in July 1782, he spent the remainder of his life between Paris, Geneva and London, where he died.
4. **Jacob Vernes**, 1728-1791, pastor at St. Gervais from 1770, exiled in 1782, co-author with **J. Roustan** of *Abrégé de l'histoire de Genève*, *Représentant*. **Salomon Reybaz**, 1739-1804, pastor, then Geneva's Ambassador to Paris and collaborator with Mirabeau, at this stage a *Représentant*. **David Chauvet**, 1738-1802, pastor 1765-1770, resigned and entered politics, became a *Bourgeois* in 1770; sat in *Deux Cents* 1782, on the Security Commission April-July 1782, exiled, *Représentant*. **Julien Dentand**, 1736-1817, in *Deux Cents* 1770, *Auditeur* 1773, *Petit Conseil* 1778, *Syndic* 1780, *Représentant*. **Jean Louis Gourgas**, 1738-1819, elected to the *Deux Cents* in April 1782 and *Petit Conseil*, *Représentant*. Later left Geneva for Boston, U.S.A.
5. **Robert-Guillaume Rilliet**, 1719-1806, a member of the *Deux Cents* 1752, the *Petit Conseil* in 1767, *Syndic* in 1770, 1st. *Syndic* 1774. His wife's mother was a Chapeaurouge, therefore it was no surprise that he was an ultra-Négatif.
6. **Joseph Des Arts**, 1743-1829, originally a *Représentant*, elected as such to the *Petit Conseil* in 1776, became a *Constitutionnaire*, in part because of his marriage into the Chapeaurouge family, and was excluded from the *Petit Conseil* in 1778. Much disliked by the *Représentants* because of his change of party.
7. **Jacob de Chapeaurouge**, 1720-1783, the son of the previous **Jacob**, he was a member of the *Petit Conseil*, he had been *Syndic* in 1776 and was an ultra-Négatif who became one of the leaders of the *Constitutionnaires* after 1777. He preferred French intervention in Geneva rather than any compromise with the *Représentants*.
8. **Jacques Dunant** (1740-1802), in the *Deux Cents* 1770, *Procureur-Général* 1777, *Syndic* 1785. A *Constitutionnaire* who found it difficult to work with the *Représentants* on the commission for the revision of the laws.
9. **Jean-Louis Michell**, 1745-1806, an officer in the French Army, he was a *Négatif* who preferred to reach a settlement between Genevans.
10. **Ami Lullin** (1748-1816), member of the *Deux Cents*, member of the *Petit Conseil* 1781-1792, *Syndic* 1790, negotiated the Treaty of Carouge, 1792. At this time he was a young and very determined ultra-Négatif and after 1777 was one of the most important *Constitutionnaires*, believing there could be no concessions whatever to the *Représentants*.
11. **Horace-Bénédict Perrinet-Des Franches**, Resident of Geneva in Paris, had succeeded Necker in 1777 and remained in post until 1785. He was a determined *Constitutionnaire*, who came increasingly to represent their interests rather than those of the government which had appointed him until the *Constitutionnaires* returned to power in 1782.
12. **Phillbert Cramer**, 1727-1797, a *Constitutionnaire*, he was one of the four to be removed from the *Petit Conseil* in 1777.
13. **Jacques Vieusseux** 1721-1792, was related via his mother, **Elizabeth Léger**, granddaughter of **Antoine Léger** (see Chapter V), to one of the early leaders of the *Bourgeois*. He was one of the leaders in 1766-68 and was still echoing his great grandfather's ideas in the *Deux Cents* in 1779. He became one of the *Comité de Sûreté* in 1782 and was exiled for life in July 1782. Gür, *Les lettres 'séditieuses'* anonymes, *op. cit.*, p. 175 ft. 123.

14. **Gabard de-Vaux**, French *chargé d'affaires* to Geneva April 1778-May 1781, succeeding Hennin.
15. **Frédéric de Chapeaurouge**, **Jean-Jacques Dunant**, **Aml Lullin**, **Marc-Alexandre Puérari**, **Isaac-Louis Naville**, **Aml Rilliet**, all members of the P.C., **Guillaume Fuzler-Cayla**, **Joseph des Arts**, **Pierre-André Rigaud**, **Antoine Saladin de Crans**, **Jacques Mercier**, **François-André Naville**, **Isaac-Robert Rilliet-Fatio**, **Benjamin Saladin de Crans**, **Jean-François Saladin** and **Horace-Bénédict de Saussure**, all members of the *Deux Cents*, plus **Mme. Rilliet-Fatio. De Saussure**, **de Mercier** and **Saladin** were released the following morning.
16. **Jean-Louis de Budé-de Bolssy** (1729-1813), officer in the Sardinian Army. **Sellon**, probably **Jean-François** (1707-1790), entered *Deux Cents* in 1752 and was also a member of the LX from 1763.

Chapter IX

1. **Jacques-Antoine Odier**, 1748-1817, involved with work on smallpox vaccination. **Jean-Jacques Cholsy**, 1736-1792, a lawyer, member of the Commission formed by the political *cercles* in 1776, member of the *Deux Cents*, member of the Committee of Security, April 1782. **Jean Johannot**, 1748-1829, member of the *Deux Cents* in 1782; later in France he became a Deputy to the Convention for Bas-Rhin. **Jacob Meynadler**, 1724-1805, member of the *Deux Cents* 1775, member of the 'illegal' *Petit Conseil* April-July 1782; he refused to take the oath to the Edict of Pacification; re-instated 1789, elected one of the members of the new Assembly 1793. **Jean Barde**, 1746-1819, had been one of the 24 Commissioners in 1766.
2. **Gualnier** (1716-1801), 1746 in the *Deux Cents*, *Auditeur* 1750, joined the *Petit Conseil* in 1762, *Syndic* in 1772, 1776, 1780. Although a *Négatif*, he was beginning to have doubts concerning the advisability of what was being pushed through.
3. **Jacques Grenus**, 1751-1817, was an extreme *Représentant*; after his return to Geneva in 1789, he led a group which wished to see dramatic constitutional changes, including political rights for most Genevans, a position he advocated only after the French Revolution and which led to his further banishment in 1791. He was prepared to see Geneva annexed by the French to achieve his political ends. **Jean Janot**, 1754-[?], appointed to the *Deux Cents* in 1782, on his return to Geneva, was to join the faction belonging to Grenus. **Guillaume Ringler**, 1727-1809, a watchmaker, a member of the *Deux Cents* from 1775, was moderate and popular in the city. **Jean-Antoine Thuillier**, 1728-1799, a *Représentant* who had been one of the Commissioners in 1766. **Esaié Gasc**, 1748-1813, pastor and *Représentant*, went to Constance to the exiled Genevan community there. Returning to Geneva in 1790, he resigned from the Church in February 1793, and became an elected member of the National Assembly.
4. **Aml Melly**, 1741-1804, 'il est un des membres Représentants [et était dans] le CC [Deux Cents]; il fait beaucoup le raisonnement...' BPU, Ms. 2469 Lettres de G-A. De Luc à J-A. De Luc, 4.3.80, 91. His brother **André**, 1751-1812 was also involved in politics and attempting to persuade people to go to New Geneva.
5. **Etienne-Solomen Reybaz**, 1737-1804, studied theology in Geneva, he left for Paris in 1782, where he later collaborated with Mirabeau. **Genevan Chargé d'Affaires** 1792, **Permanent Minister** 1794-6. He was a strong *Représentant* and was related to the Prévost family.
6. **Isaac Pictet** (1746-1823), **British Chargé d'Affaires** in Geneva 1792-1794. He entered the *Deux Cents* in 1772, the *Petit Conseil* in 1790 and was *Syndic* 1792. He was banished in 1794. His father had been a supporter of the *Représentants*

- and the family had a reputation of supporting the *Bourgeois* and the British throughout the eighteenth century.
7. **John, Viscount Mountstuart**, 1744-1814, eldest son of the Earl of Bute, he was the the British Envoy to the Court at Turin 1779-1783, then Ambassador to Spain. He was to die in Geneva in 1814.
 8. **Etienne-Alexandre Bousquet**, 1756-1810, had refused to take the new oath to the government, and, for this reason, may have been very carefully watched. He eventually left Geneva, to return in 1789. From being a *Représentant*, he had, by 1790-91, become a supporter of Grenus' idea that total equality should be established in Geneva.
 9. **Etienne Dumont** (1759-1829), Pastor in St. Petersburg 1784-1785, later a journalist, tutor to Shelburne's son and Shelburne's librarian.
 10. **Jacques-Pierre Brissot** (1754-1793), journalist, Deputy in the Legislature and in the Convention, one of the leaders of the Girondin party. Guillotined. **Honoré Gabriel, Marquis de Mirabeau** (1749-1791), supporter of Constitutional monarchy.
 11. **Claude-Phillippe Claparède**, 1731-1803, a confirmed *Constitutionnaire*, he was *Syndic* three times, 1778, 1786, 1791.
 12. **Antoine-Jacques Roustan**, 1734-1808, became a pastor in 1759 and pastor of one of the Genevan churches in London in 1784. On his return to Geneva in 1791, he became a *Bourgeois*, pastor of a church in the city and was elected as a Deputy in 1793. For him, men like De Luc were too moderate and those like Grenus were too extreme. He was also the co-author of the *Abrégé de l'histoire universelle*, which, as a history of Geneva, the government would not permit to be published. (Used earlier in this study under Ms. Rocca 12)
 13. **Horace-Bénédict de Saussure**, 1740-1799, Professor of Natural Sciences 1762-86, Rector 1774-5, one of the founders of what was later called the science of geology. He was the first man to climb Mont Blanc (3rd. August 1787). He was not officially attached to any party, and moved from supporting a generally patrician standpoint to pushing hard for a thorough revision of the constitution.