CHAPTER 15

From Private Entrepreneurship to State Monopoly: Contracting Swiss Soldiers for Dutch Service under *Ancien Régime* Fiscal-Military Practices (1693–1829)

Michael Depreter

Since the late 15th century, the Swiss had a reputation for being particularly skilled soldiers.[1] Following their infantry's successful engagement in the Burgundian (1474–77) and Italian Wars (1494–1559), they became keen suppliers of military manpower as a means for social and financial advancement of both the soldiers and their officers.[2] On the other hand, from the very beginnings, the Dutch Republic became a keen employer of foreign soldiers.[3] At the intersection of supply and demand, this contribution aims to give a tentative overview of Dutch contracting practices of Swiss soldiers, from the first systematic recruitment of Swiss units retaining their own identity within the Dutch army in the late 17th century up to the last upsurge of such practices in the newly

1 This research is part of a broader collective project on "The European Fiscal-Military System, 1530–1870". The project has received funding from the European Research Council [ERC] under the European Union's Horizon 2020 research and innovation programme (grant agreement no. 787504). I would particularly like to thank my colleagues on this project, John Condren, Aaron Graham, Michael Martoccio, Katalin Pataki, Cathleen Sarti, and Peter Wilson, as well as the editors of this volume, André Holenstein and Philippe Rogger, for their useful feedback on this contribution.

2 John McCormack, *One Million Mercenaries: Swiss Soldiers in the Armies of the World* (London, 1993), pp. 24–57; Michael Jucker, "Erfolgreiche Söldnerlandschaft Eidgenossenschaft? Die Innenperspektive um 1476," in *Söldnerlandschaften: Frühneuzeitliche Gewaltmärkte im Vergleich*, eds. Philippe Rogger, Benjamin Hitz (Berlin, 2014), 85–105; André Holenstein, "Die wirklich entscheidenden Folgen von Marignano: Das *Corps helvétique* auf dem Weg zur Einigung mit Frankreich (1515–1521)," in *Après Marignan: La paix perpétuelle entre la France et la Suisse*, eds. Alexandre Dafflon, Lionel Dorthe, and Claire Gantet (Fribourg, 2018), 181–207. Overview of Swiss regiments in foreign service since the 16th century in Georg Tessin, *Die Regimenter der Europäischen Staaten im Ancien Régime des XVI. bis XVIII. Jahrhunderts*, 1: *Die Stammlisten* (Osnabrück, 1986), pp. 685–694.

3 H.L. Zwitzer, *'De militie van den Staat': Het leger van de Republiek der Verenigde Nederlanden* (Amsterdam, 1991), pp. 39–61, esp. pp. 45, 61; Olaf van Nimwegen, *De veertigjarige oorlog, 1672–1712: De strijd van de Nederlanders tegen de Zonnekoning* (Amsterdam, 2020), pp. 35–36; idem, *De Nederlandse Burgeroorlog* (*1748–1815*) (Amsterdam, 2021), pp. 393–395.

instated Kingdom of the Netherlands as the last units, reinstated during the Restauration, were only ultimately dismissed in 1829.

As an Early Modern phenomenon, Swiss foreign service has already been extensively studied. From the employee's (supply) perspective, historians paid attention both to the military entrepreneurs, often cantonal aristocratic dynasties, and to the soldiers themselves, considering the socio-cultural, economic, religious, and political incentives drawing men into service abroad.[4] Monographs have been devoted to specific regiments[5] as well as to economy and politics of foreign service in specific cantons.[6] From the employer's perspective

4 John Casparis, "The Swiss Mercenary System: Labor Emigration from the Semi-Periphery," *Review* (*Fernand Braudel Center*) 5 (1982), 593–642; Hans Steffen, *Die Kompanien Kaspar Jodok Stockalpers: Beispiel eines Solduntemehmens im 17. Jahrhundert* (Brig, 1975); Hans Conrad Peyer, "Die wirtschaftliche Bedeutung der fremden Dienste für die Schweiz vom 15. bis zum 18. Jahrhundert," in *Könige, Stadt und Kapital: Aufsätze zur Wirtschafts- und Sozialgeschichte des Mittelalters*, eds. Ludwig Schmugge, Roger Sablonier, and Karl Wanner (Zurich, 1982), 219–231; Christian Windler, "'Ohne Geld keine Schweizer': Pensionen und Söldnerrekrutierung auf den eidgenössischen Patronagemärkten," in *Nähe in der Ferne: Personale Verflechtung in den Aussenbeziehungen der Frühen Neuzeit*, eds. Hillard von Thiessen, Christian Windler (Zeitschrift für Historische Forschung Beiheft, 36) (Berlin, 2005), 105–133; Benjamin Hitz, *Kämpfen um Sold: Eine Alltags- und Sozialgeschichte schweizerischer Söldner in der Frühen Neuzeit* (Cologne/Weimar/Vienna, 2015); Philippe Rogger, *Geld, Krieg und Macht: Pensionsherren, Söldner und eidgenössische Politik in den Mailänderkriegen, 1494–1516* (Baden, 2015); Marc Höchner, *Selbstzeugnisse von Schweizer Söldneroffizieren im 18. Jahrhundert* (Herrschaft und soziale Systeme in der Frühen Neuzeit, 18) (Göttingen, 2015); André Holenstein, Patrick Kury, and Kristina Schulz, *Schweizer Migrationsgeschichte: Von den Anfängen bis zur Gegenwart* (Baden, 2018), pp. 47–59.

5 Robert-Peter Eyer, *Die Schweizer Regimenter in Neapel im 18. Jahrhundert* (*1734–1789*) (Bern, 2008); Willy Pfister, *Aargauer in fremden Kriegsdiensten*, 1: *Die Aargauer im bernischen Regiment und in der Garde in Frankreich 1701–1792: Die Aargauer im bernischen Regiment in Sardinien 1737–1799* (Aarau, 1980); idem, *Die Aargauer in fremden Kriegsdiensten*, 2: *Die bernischen Regimenter und Gardekompanien in den Niederlanden 1701–1796* (Aarau, 1984); Guy de Meuron, *Le régiment Meuron, 1781–1816* (Lausanne, 1982); Adolphe Linder, *The Swiss Regiment Meuron at the Cape and afterwards, 1781–1816* (Cape Town, 2000); Alistair Nichols, *Wellington's Switzers: The Watteville Regiment* (*1801–1816*). *A Swiss regiment of the British army in Egypt, the Mediterranean, Spain and Canada* (Huntingdon, 2015).

6 Hans Conrad Peyer, "Wollgewerbe, Viehzucht, Solddienst und Bevölkerungsentwicklung in Stadt und Landschaft Freiburg i.Ü. vom 14. bis zum 16. Jahrhundert," in *Könige, Stadt und Kapital: Aufsätze zur Wirtschafts- und Sozialgeschichte des Mittelalters*, eds. Ludwig Schmugge, Roger Sablonier, and Karl Wanner (Zurich, 1982), 163–182; Jean Steinauer, *Patriciens, fromagers, mercenaires: L'émigration fribourgeoise sous l'Ancien Régime* (Lausanne, 2000); Nathalie Büsser, "Militärunternehmertum, Aussenbeziehungen und fremdes Geld," in *Geschichte des Kantons Schwyz*, 3, ed. Historischer Verein des Kantons Schwyz (Schwyz, 2012), 69–127; Marc Höchner, "Das Söldnerwesen in der Zentralschweiz, 1500–1800, als Migrationsbewegung," *Der Geschichtsfreund* 167 (2014), 13–29. Despite its title, Walter Bührer, *Der Zürcher Solddienst des 18. Jahrhunderts: Sozial- und wirtschaftsgeschichtliche Aspekte* (Bern, 1977), is primarily concerned with the Zurich's policy regarding foreign service.

(demand), Swiss troops are known to have been highly sought after by many Early Modern polities. Their French service, in particular, is renown: the 1521 treaty, renewed for the last time in 1777, granted the French monarchy a right to recruit 6,000 to 16,000 soldiers in the Confederation in exchange of a right to recall, a regular subsidy irrespective of the number of troops effectively provided, and commercial privileges such as toll exemptions and access to French salt, in addition to individual pensions serving as retainers or bribes for Swiss officer families.[7] Similarly, often more strictly aligned than France to their confessional identity when it came to geographical and political areas of recruitment, the policies of other employers such as Spain, Piedmont-Sardinia, or Naples have been examined.[8] Although some polities were able to follow the French example and obtained an alliance to consolidate their recruitment practices through official capitulations (*Standeskapitulationen*), as Habsburg Spain did with the Catholic cantons in 1587,[9] others resorted to private capitulations with individual military entrepreneurs (*Partikularkapitulationen*). The latter gave greater freedom to the contractor, but could also lead to difficulties to recruit on Swiss territory.[10] As attested by the Dutch case-study, the terms of service of foreign soldiers could however change over time as the respective polities and military entrepreneurs renegotiated them.

---

7 Hans Conrad Peyer, *Verfassungsgeschichte der alten Schweiz* (Zurich, 1978), pp. 80–81. On the origins and significance of the French service: Holenstein, "Die wirklich entscheidenden Folgen von Marignano," pp. 181–207; Andreas Würgler, "Symbiose ungleicher Partner: Die französisch-eidgenössische Allianz 1516–1798/1815," *Jahrbuch für Europäische Geschichte* 12 (2011), 53–75. Most recently: Benjamin Ryser, *Zwischen den Fronten: Berner Militärunternehmer im Dienst des Sonnenkönigs Ludwig XIV.* (Baden, 2021). See also Jérôme Bodin, *Les Suisses au service de la France: de Louis XI* à la Legion étrangère (Paris, 1988).

8 Hermann Suter, *Innerschweizerisches Militär-Unternehmertum im 18. Jahrhundert* (Zurich, 1971); Rudolf Bolzern, *Spanien, Mailand und die katholische Eidgenossenschaft: Militärische, wirtschaftliche und politische Beziehungen zur Zeit des Gesandten Alfonso Casati (1594–1621)* (Lucerne/Stuttgart, 1982); Andreas Behr, *Diplomatie als Familiengeschäft: Die Casati als spanisch-mailändische Gesandte in Luzern und Chur (1660–1700)* (Zurich, 2015); Arnold Biel, *Die Beziehungen zwischen Savoyen und der Eidgenossenschaft zur Zeit Emanuel Philiberts, 1559–1580* (Basel/Stuttgart, 1967); N. Gysin, "Les troupes suisses dans le royaume de Sardaigne," *Revue militaire suisse* 59 (1914), 662–670; Rudolf von Steiger, *Die Schweizer Regimenter in königlich-neapolitanischen Diensten in den Jahren 1848 und 1849* (Bern, 1851); Robert-Peter Eyer, *Die Schweizer Regimenter in Neapel im 18. Jahrhundert (1734–1789)* (Bern, 2008).

9 Bolzern, *Spanien*, pp. 28–30.

10 André Holenstein, *Mitten in Europa: Verflechtung und Abgrenzung in der Schweizer Geschichte* (Baden, 2014), pp. 32–40, 127. On different types of fiscal-military contracts: Peter Wilson, "'Mercenary' contracts as Fiscal-Military Instruments," in *Subsidies, Diplomacy, and State Formation in Europe, 1494–1789: Economies of Allegiance*, eds. Svante Norrhem, Erik Thomson (Lund, 2020), 68–92.

Less reputed than those serving in France, Swiss soldiers in the armies of the United Provinces are not unknown. By 1792, the Dutch were indeed the second-biggest consumer of Swiss regiments in Europe, behind France but ahead of Spain and Piedmont.[11] Matthijs Bokhorst's 1930 unfinished study of Dutch-Swiss relations around 1700 as well as Hermanus Amersfoort's *Koning en Kanton*, in particular, have respectively focused on a turning point for Dutch recruitment of Swiss soldiers in the 1690s and on its ultimate demise at the start of the 19th century.[12] A long-term comparative overview of Dutch contracting practices towards Swiss foreign troops, however, has not yet been attempted. Such an overview reveals both a continuity and the changing nature of this service beyond similarities of formal practice of private and official capitulations during the Ancien Régime and its Restauration. This first attempt to evaluate the overall contribution of Swiss soldiers to Dutch demand places the contracts themselves, as witnesses of a specific documentary culture and its actors, at the core of a two-fold analysis. I will first examine how and where Dutch demand and Swiss offer met. The place where negotiators and their networks connected to agree on the levying of troops indeed reveals the actors' changing agency, highlighting how Swiss service evolved from private enterprise over increasing cantonal control to potentially conflicting state monopolies. In a second stage, the evolution of contractual form and content will similarly reveal how both the Dutch and the Swiss polities increasingly sought to control manpower to the detriment of independent military entrepreneurs, leading to a monopoly of the emerging nation-state.

11 McCormack, *One Million Mercenaries*, p. 147; Robert Murray Bakker Albach, "Die Schweizer Regimenter in holländischen Diensten, 1593–1797," *Jahrbuch der Schweizerischen Gesellschaft für Familienforschung* (1989), 57–104, mentions a total of 26 Swiss regiments serving in Europe in 1792, among which 13 for France, 4 for Spain, 3 for Piemont, and 6 for "Holland".

12 Matthijs Bokhorst, *Nederlands-Zwitserse betrekkingen voor en na 1700: Eerste deel (1685–1697)* (Amsterdam, 1930), pp. 66–101. The second part of Bokhorst's work remained unpublished. Hermanus Amersfoort, *Koning en Kanton: De Nederlandse staat en het einde van de Zwitserse krijgsdienst hier te lande, 1814–1829* (The Hague, 1988). See also: Martin Bundi, *Bündner Kriegsdienste in Holland um 1700: Eine Studie zu den Beziehungen zwischen Holland und Graubünden von 1693 bis 1730* (Chur, 1972); *De Nimègue à Java: les soldats suisses au service de la Hollande, XVII^e–XX^e siècles*, ed. Sébastien Rial (Morges, 2014). A rather traditional approach to Swiss soldiers in Dutch service in: Jürg A. Meier, *Vivat Hollandia: Zur Geschichte der Schweizer in holländischen Diensten, 1740–1795: Griffwaffen und Uniformen* (Zurich, 2010). On Dutch-Swiss relations in the Early Modern period, see also: Christine von Hoiningen-Huene, *Beiträge zur Geschichte der Beziehungen zwischen der Schweiz und Holland im XVII. Jahrhundert* (Berlin, 1899); *The Republican Alternative: The Netherlands and Switzerland Compared*, eds. André Holenstein, Thomas Maissen, and Maarten Prak (Amsterdam, 2008).

1 Accessing and Negotiating Swiss Soldiers: Military Entrepreneurs and Rising States

Since the late 16th century, a few captains and colonels provided Swiss soldiers to the United Provinces on the basis of private capitulations and religious (reformed) affinity. Hence, in the early stages of the Revolt already, Swiss units served William the Silent of Orange (1533–84) under Nikolaus von Hattstatt and Veyt Schoner in 1568.[13] The Estates General, however, only started hiring Swiss in 1598, retaining four companies dismissed from French service, each company counting 250 men. In their overview, Ten Raa and De Bas do not mention any public authority partaking in these capitulations on the Swiss side.[14] Captains of the units were Guillaume du Puy,[15] Hans Krieg von Bellikon,[16] Hans Meyer,[17] and Hans von Sax.[18] When known, the familial and geographical background of these men suggests that confessional likeness may have brought them into Dutch service: Bellikon and Meyer were both from Reformed Zurich, whereas Sax's family had also converted to Protestantism.

Although other companies followed their example, they all seemed hard to maintain. Indeed, besides the French origins of the companies contracted in 1598, a failed attempt to recruit another 700 to 800 men dismissed from French service in 1606 underscores that the Dutch did not yet have the necessary networks to recruit Swiss units directly and on a systematic basis in the

13 F.J.G. Ten Raa, F. De Bas, *Het Staatsche leger, 1568–1795*, 2 (Breda, 1913), p. 149 ("Claes Hattstaet", "Veyt Schoner"). On Nikolaus von Hattstatt (1510–85) and his family involved in foreign service: Veronika Feller-Vest, "Hattstatt, von," 2007, in *Dictionnaire historique de la Suisse* [DHS]. Available at https://hls-dhs-dss.ch/de/articles/019632/2007-11-29/. Accessed 23 April 2022.

14 Ten Raa, De Bas, *Het Staatsche leger,* 2, pp. 149, 168–171 ("Guillaume du Puy", "Hans Krieg van Bellikon", "Hans Meyer van Zurich", "Hans van Saxen van Unterwalden").

15 Not identified.

16 Andreas Steigmeier, "Bellikon," 2004, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/001634/2004-06-11/. Accessed 4 April 2022.

17 Given his origin, unlikely the Catholic Hans Meyer (1537–1612), member of the Council of 200 of Fribourg, captain of the Lanthen-Heid regiment in France: Pierre de Castella, "Meyer, Hans," 2008, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/015021/2008-11-13/. Accessed 4 April 2022.

18 Likely related to Johann Philipp von Sax-Hohensax (1550–96), who married Adriana Franziska von Brederode in the Netherlands, is attested in Dutch service in 1577–88, and was governor of Guelders in 1578: Anna-Maria Deplazes-Haefliger, "Sax-Hohensax, Johann Philipp von," 2011, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/048767/2011-02-21/. Accessed 4 April 2022. His father converted to Protestantism: idem, "Sax, von," 2011, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/019541/2011-02-18/. Accessed 4 April 2022.

cantons. Dutch access to Swiss manpower was seemingly obtained in France,[19] which, unlike the United Provinces, had gained permanent access to recruitment in both Protestant and Catholic cantons since 1521.[20] Whether the Dutch contacted malcontent, zealous Reformed or supernumerary Swiss captains directly or whether France, then allied with the United Provinces, mediated these contacts, remains to be investigated.

Between 1609 and 1622, the contracted companies lost their distinctive Swiss character. They were complemented with men from other geographical origins or taken over by military entrepreneurs such as Christian of Brunswick-Luneburg. No new capitulations were signed during this period. Up to the 1660s, at least, the United Provinces found it difficult to directly recruit captains and men in Switzerland.[21]

When the Estates General sought to augment their army in 1665 as the War of Devolution led to renewed international tensions,[22] they addressed the Evangelical cantons to hire two Swiss regiments.[23] Possibly hoping to take advantage of tensions between France and the Confederation as Louis XIV sought to hire free companies at lower conditions rather than officially capitulated ones according to the alliance renewed in 1663,[24] a Dutch delegation in Paris took the opportunity to contact a cantonal delegation as well as Swiss colonels active in French service.[25] As the Swiss diet had condemned and threatened to sanction those privately capitulating with France in January 1666,[26] it is noteworthy that a few Protestant captains such as May (Bern) and Redinger (Zurich) offered their services before February 1666, as did Bonstetten (Zurich) in 1668,[27] at a time when Louis XIV reduced the French army strength after the conquest of the County of Burgundy.[28] Besides the changing conditions for Swiss troops in French service and uncertain prospects due to their

19 Ten Raa, De Bas, *Het Staatsche leger,* 2, pp. 168–171; Pfister, *Aargauer*, 2, p. 12.

20 Holenstein, "Die wirklich entscheidenden Folgen von Marignano".

21 F.J.G. Ten Raa, F. De Bas, *Het Staatsche leger, 1568–1795,* 3 (Breda, 1915), p. 191; F.J.G. Ten Raa, F. De Bas, *Het Staatsche leger, 1568–1795,* 4 (Breda, 1918), p. 253. Pfister, *Aargauer*, 2, p. 12. See also: Ryser, *Zwischen den Fronten*, p. 224.

22 Van Nimwegen, *De veertigjarige oorlog*, pp. 109–112.

23 Ryser, *Zwischen den Fronten*, p. 224.

24 On French policy and the Swiss reaction in these years, see in particular: Katrin Keller, "Ein Schweizer Gardehauptmann als französischer Unterhändler: Johann Peter Stuppas Werbeverhandlungen in der Eidgenossenschaft 1671," in *Beobachten, Vernetzen, Verhandeln: Diplomatische Akteure und politische Kulturen in der frühneuzeitlichen Eidgenossenschaft*, eds. Philippe Rogger, Nadir Weber (Basel, 2018), 92–115, pp. 95–99.

25 F.J.G. Ten Raa, F. De Bas, *Het Staatsche leger, 1568–1795,* 5 (Breda, 1921), pp. 488, 553–554.

26 Keller, "Ein Schweizer Gardehauptmann", pp. 95–99.

27 Ten Raa, De Bas, *Het Staatsche leger*, 5, pp. 560–561.

28 Keller, "Ein Schweizer Gardehauptmann", pp. 95–99.

(temporary) dismissal, confessional community and networks may have spurred these military entrepreneurs to offer their service to the Dutch Republic. In Zurich, especially, a strong current emphasising such community of Reformed interests existed.[29] Nevertheless, as the Evangelical cantons did not wish to enter the triple alliance, the United Provinces had to rely on individual capitulations with separate captains rather than on any political alliance. Without political support and permission to recruit, the men promised by Bonstetten proved hard to levy in the Confederation. The project was abandoned in October 1669.[30]

Since 1668, rising tensions between France and the United Provinces, formerly allies, indeed complicated access to Swiss manpower even more. As reliance upon the French marketplace had become hazardous, obtaining direct access became a priority. As the United Provinces still desired to recruit three regiments (3,600 men), besides a cavalry company and a company of 150 "vuurroers" (matchlock guns), negotiations were resumed in 1671. Friedrich von Dohna was now sent directly to the Evangelical cantons.[31] A private capitulation was concluded on 29 March 1672. The operation was abandoned again in July as Holland was unwilling to pay and as the French had, by then, invaded the United Provinces (May 1672).[32] It nevertheless foreshadowed Dutch efforts of the 1690s.

Stressing both a political, Republican, and religious, Reformed, community with the United Provinces,[33] Petrus Valckenier's well-studied mission to the Evangelical Cantons was indeed destined both to convince the representative assemblies to allow levies and to establish contacts to tap networks for contracting and recruiting such troops, bypassing the former French marketplace where Dutch efforts had been largely ineffective. Valckenier was successful, concluding several capitulations in Zurich in 1693 (Capol, Lochmann,

29 Sarah Rindlisbacher, "Mit Gottes Segen und obrigkeitlichem Auftrag: Der Zürcher Gesandtschaftsreise von Johann Heinrich Hottinger zu protestantischen Reichsfürsten und in die Niederlande 1664," in *Beobachten, Vernetzen, Verhandeln: Diplomatische Akteure und politische Kulturen in der frühneuzeitlichen Eidgenossenschaft*, eds. Philippe Rogger, Nadir Weber (Basel, 2018), 68–91.

30 Ten Raa, De Bas, *Het Staatsche leger*, 5, pp. 560–561.

31 Ryser, *Zwischen den Fronten*, pp. 224–225.

32 Ten Raa, De Bas, *Het Staatsche leger*, 5, pp. 560–561; van Nimwegen, *De veertigjarige oorlog*, pp. 112–118.

33 See in particular: Thomas Maissen, "Petrus Valkeniers republikanische Sendung: Die niederländische Prägung des neuzeitlichen schweizerischen Staatsverständnisses," *Schweizerische Zeitschrift für Geschichte* 48 (1998), 149–176; idem, "'Par un pur motif de religion et en qualité de Republicain': Der aussenpolitische Republikanismus der Niederlande und seine Aufnahme in der Eidgenossenschaft (ca. 1670–1710)," *Historische Zeitschrift* 39 (2004), 233–282.

Goumoëns) and 1694 (Sacconay).[34] Zurich was Valckenier's main place of residence during his stay, which suggests that the military entrepreneurs came to him to negotiate.[35] Moreover, since the 16th century, the town also held the confederation's archives, including treaties and alliances with foreign powers since the 16th century.[36] Using French-Swiss practice as a model, for instance to assess the monetary value of foreign service – systematically calculated in French écus and livres tournois to be converted in Dutch florins as we will see –, access to capitulations made by the Swiss with French authorities may hence have been sought after.

Nevertheless, the new Swiss-Dutch capitulations were still private contracts with military entrepreneurs rather than public ones involving political authorities. Valckenier's endeavours were facilitated by the revocation of the Edict of Nantes (1685) whereby Louis XIV had estranged reformed officers, now keen to serve coreligionists.[37] Hence, Hercules Capol (1642–1706), contracting for a Grison regiment, was a patrician who studied medicine at Leyden (1665) before starting a military career. He had served France until 1685, before joining Spain (in Milan) and, eventually, the Dutch Republic.[38] Co-signatories and fellow officers in Capol's regiment were Rudolf Anton Saluz, who had served France between 1677 and 1692,[39] and Conradin Beeli von Belfort (1639–1712), who would serve Zurich in the Second War of Villmergen.[40] For the Zurich battalion of 800 men, Heinrich Lochmann, Hans Felix Werdmüller, and Johannes Heinrich Schneeberger[41] signed as lieutenant-colonel, major, and captain, respectively. Lochmann (1658–1702), born in Zurich, had been captain of Swiss guards in French service in 1686, but had resigned by 1690 as a consequence of the revocation of the Edict of Nantes.[42] Werdmüller (1658–1725),

34 The Hague, Nationaal Archief [NA], Raad van State [RvS], 1903.

35 Ryser, *Zwischen den Fronten*, p. 228.

36 Andreas Würgler, "Tagsatzung," 2014, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/010076/2014-09-25/. Accessed 3 April 2022.

37 On these men and pro- and anti-French factional strife in the Cantons, see also Ryser, *Zwischen den Fronten*, pp. 208–261.

38 Martin Bundi, "Capol, Hercules," 2003, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/023378/2003-07-24/. Accessed 7 April 2022.

39 Daniel Saluz, "Saluz, Rudolf Anton," 2007, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/024243/2007-02-23/. Accessed 7 April 2022.

40 Adolf Collenberg, "Beeli, Conradin," 2002, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/023304/2002-05-03/. Accessed 7 April 2022.

41 Likely related to Hans Ludwig Schneeberger (1594–1658), quartermaster at the Zurich arsenal and member of the Council: Martin Lassner, "Schneeberger, Hans Ludwig," 2010, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/018187/2010-05-18/. Accessed 26 April 2022.

42 Katja Hürlimann, "Lochmann, Heinrich," 2008, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/023977/2008-07-09/. Accessed 25 April 2022.

also born in Zurich, had been lieutenant in Lochmann's French regiment (1676) and was now heading for a brilliant career in Dutch service.[43] Similarly, Jacques François de Goumoëns (1667–1729), had started his career in French service, became colonel-proprietor, and now signed a capitulation for a Bernese company.[44] Finally, Jean de Sacconay (1646–1729), a Bernese officer who had left French service due to the persecution of Huguenots, capitulated for a complementary Swiss company on 1 January 1694 and would henceforth serve as lieutenant-colonel of the Mülinen regiment before obtaining his own regiment.[45] Goumoëns and Sacconay capitulated individually, as they signed to levy a company rather than a larger battalion or regiment for which Lochmann and Capol negotiated collectively with their associates. This reflected a practice specific to the Bernese units: as the canton did not avow the levies, the capitulations were made for free companies which would later integrate a regiment to be avowed in the Netherlands.[46] Zurich's authorities, on the other hand, after having ineffectively fought recruitment through repression, now regularised their captains' capitulation. In exchange, the Estates General offered a vague promise to advocate Zurich's right to free commerce and, especially, grain provisions, at the Viennese imperial court (article 29). In a period of direness, potential access to grain replaced French salt as a bargaining chip.[47]

After these first private capitulations, a further series of capitulations was negotiated in the Netherlands. As they could finance the serving regiments through Amsterdam's capital market[48] and complement them through already established networks of contracted military entrepreneurs, the United Provinces were now in a stronger negotiating position. Both Bern and the Grisons, each separately, sent envoys to The Hague in the early 1710s. Although Bokhorst suggests a shift in offer and demand, the Swiss becoming keener to provide soldiers than the Dutch were to taking them on,[49] Bern and the Grisons foremost sought to regularise troops de facto already serving the Dutch via particular capitulations rather than to provide more men. Especially after the turmoil

43 Bernhard Rieder, "Werdmüller, Hans Felix," 2013, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/024419/2013-10-03/. Accessed 25 April 2022.

44 Damien Bregnard, "Goumoëns, Jacques François de," 2004, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/023730/2004-11-24/. Accessed 7 April 2022.

45 Lucienne Hubler: "Sacconay, Jean de," 2011, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/024227/2011-02-10/. Accessed 7 April 2022.

46 Ryser, *Zwischen den Fronten*, pp. 233–239.

47 Bührer, *Der Zürcher Solddienst*, p. 30. See also Sarah Rindlisbacher, *Botschafter des Protestantismus: Aussenpolitisches Handeln von Zürcher Stadtgeistlichen im 17. Jahrhundert* (Göttingen, 2022).

48 James C. Riley, *International government finance and the Amsterdam capital market, 1740–1815* (Cambridge, 1980), pp. 28–67.

49 Bokhorst, *Nederlands-Zwitserse betrekkingen*, pp. XXIV–XXV.

caused by the Battle of Malplaquet (11 September 1709), where Swiss soldiers, even relatives such as the Bernese May family, had fought each other as they served on both the French and the Allied side,[50] avowing the regiments would allow the cantonal authorities to regain a degree of control on both human and financial capital embodied in them. The envoys' presence in the Dutch Republic must however also be considered in the context of peace talks leading to the Treaty of Utrecht (1713). Beyond capitulations, they negotiated alliance and subsidy treaties with the Estates General. On behalf of the Grisons, Peter von Salis (1675–1749) ensured recognition of the Three Leagues' territorial sovereignty;[51] general representative of the Protestant cantons in the peace negotiations, François-Louis de Pesmes de Saint-Saphorin was commissioned by Bern to conclude a defensive alliance.[52] Both Salis and Saint-Saphorin had served as officers in Swiss regiments abroad, respectively in France (until 1702) and in the Dutch and imperial armies (1685–88, 1692–1705). However, despite family members still directly involved in military service – Salis's brother served as captain in the Capol regiment and Saint-Saphorin's brother-in-law was no less than Jacques François de Goumoëns –,[53] neither Salis nor Saint-Saphorin acted as military entrepreneurs. Whereas such personal networks were usually not disregarded, Salis and Saint-Saphorin acted as representatives of their cantons, securing alliance and subsidy treaties (1712, 1713) as well as a general capitulation with Bern drawn up in The Hague in 1714.[54]

As the War of Spanish Succession came to an end, the Dutch withdrew from major international conflicts and substantially reduced troop strength of the existing regiments, dismissing, reorganising and redistributing companies in 1714, 1716/17, and 1737, respectively, according to the terms of this general

50 On Malplaquet: Hervé de Weck, "Malplaquet, bataille de," 2008, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/008913/2008-08-25/. Accessed 20 April 2022; André Corvisier, *La bataille de Malplaquet, 1709: l'effondrement de la France évité* (Paris, 1997).

51 Jean Dumont, *Corps universel diplomatique*, 8/1 (Amsterdam, 1726), pp. 386–387. On Peter von Salis: Jürg Simonett, "Salis, Peter von (Soglio)," 2011, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/016954/2011-12-12/. Accessed 11 June 2022. On his diplomatic mission: Bundi, *Bündner Kriegsdienste*, pp. 70–89.

52 Dumont, *Corps*, 8/1, pp. 423–427. On Saint-Saphorin: Rolf Stücheli, "Pesmes de Saint-Saphorin, François-Louis de," 2010, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/024135/2010-09-27/. Accessed 22 April 2022; Sven Stelling-Michaud, *Saint-Saphorin et la politique de la Suisse pendant la guerre de Succession d'Espagne* (*1700–1710*) (Villette-lès-Cully, 1935). On this mission to The Hague, see especially: Stefan Altorfer-Ong, "Exporting Mercenaries, Money and Mennonites: A Swiss Diplomatic Mission to the Hague, 1710–1715," in *The Republican Alternative: The Netherlands and Switzerland Compared*, eds. André Holenstein, Thomas Maissen, and Maarten Prak (Amsterdam, 2008), 237–257.

53 Bundi, *Bündner Kriegsdienste*, p. 76; Bregnard, "Goumoëns, Jacques François de".

54 Dumont, *Corps*, 8/1, pp. 425–427. See also Ryser, *Zwischen den Fronten*, pp. 252–257.

capitulation, as we will see.[55] The same terms allowed the existing Swiss regiments to be brought back to full strength during the War of the Austrian Succession (1740–48).[56] In 1748, the end of the war did not impede the recruitment of a regiment of Swiss guards, as well as four new regiments, only one of which remained in existence beyond 1749.[57] Hence, six regiments, including the guards, served up to the end of the Ancien Régime, shortly complemented by the Meuron regiment from 1781 onwards.[58]

After 1714, the official capitulation with Bern negotiated by Saint-Saphorin set the framework for the private capitulations. To complement existing units and their recruitment networks, new contractors and their networks were again contracted in the confederacy. Onno Zwier van Haren, Dutch plenipotentiary and commissioner general of Swiss and Grison troops was hence sent to Zurich to contract Jacob de Budé and the captains who would serve in his regiment.[59] On 1 and 6 January 1748, Budé himself signed a capitulation for a regiment of eight companies, to be complemented with another four companies, levied and employed under the conditions existing for the Bern regiment. To raise the additional four companies, Budé entered into another agreement on 1 February 1748, in the name of five fellow military entrepreneurs, company captains who would serve in his regiment and, each individually, raise 200 men.[60] Captains Michael Sturzenegger[61] and Jean Antoine Porta,[62] on the

55 J.W. Wijn et al., *Het Staatsche leger*, 8 (The Hague, 1964), pp. 277, 486–490; Pfister, *Aargauer*, 2, pp. 19–20; Tessin, *Die Regimenter*, pp. 685–694.

56 Pfister, *Aargauer*, 2, pp. 20–22.

57 H.L. Zwitzer, J. Hoffenaar, and C.W. van der Spek, *Het Staatsche leger*, 9 (Amsterdam, 2012), p. 862.

58 Zwitzer, Hoffenaar, and van der Spek, *Het Staatsche leger*, 9, pp. 856–857; Tessin, *Die Regimenter*, pp. 685–694; Höchner, *Selbstzeugnisse*, pp. 278–280.

59 NA, Staten Generaal, 12597.207. On O.Z. van Haren: Prinsen, "Haren (Onno Zwier van)," in *Nieuw Nederlandsch Biografisch Woordenboek*, 8, eds. P.C. Molhuysen, P.J. Blok (Leiden, 1930), col. 684–689.

60 NA, Staten Generaal, 12597.207. On Budé (1693–1774), who served in France between 1710 and 1745 before entering in Dutch service (1745–50) where he became colonel, then general-major in 1766, and a member of the Council of 200 from 1728 onwards: Vincent Perret, "Budé, Jacob de," 2002, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/020242/2002-03-25/. Accessed 22 April 2022.

61 Michael Sturzenegger was father to Ulrich (1714–81), lived in Trogen and was a member of the Council: Thomas Fuchs, "Sturzenegger, Ulrich," 2012, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/026185/2012-07-20/. Accessed 26 April 2022.

62 The a Porta family was installed in Chur since the mid-15th century, and at least one family member had served in a martial quality (captain of the castle of Fürstenberg in 1578): Martin Bundi, "Porta, von," 2018, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/020152/2018-01-18/. Accessed 26 April 2022.

other hand, negotiated their capitulations for an infantry company separately, partly on their own terms as respectively agreed upon on 9 and 22 January 1748.[63] These three capitulations were contracted in Geneva, Zurich, and Bern respectively.[64] At least the reference to Geneva suggests an effort made to meet Budé in his hometown. Significantly, several capitulations made with these company captains, resembling forms in which only name and signature of the contractor had to be filled out, show The Hague as intended, yet subsequently erased and amended, place of negotiation. Clearly, demand had to seek its supply to tap new recruitment networks abroad.[65]

As the Batavian republic reformed its army, the Swiss units were dismissed in 1796–97.[66] Conscription became the basis of a national army as Enlightened ideas about citizenship and nationhood were applied, just like in the French revolutionary armies.[67] Whether those ideals were immediately sustainable is however questionable: in September 1803 at the latest, Napoleonic France resumed hiring Swiss units on the basis of private capitulations and a right obtained from the reinstated confederacy to recruit no less than 16,000 men.[68] Rendering foreign service less appealing, new political ideals and changing economic circumstances also lay at the heart of the army organization of the newly instated Kingdom of the Netherlands (1814). Here too, implementing these changes proved difficult: on the one hand, conscription had been strongly associated with the despised French rule; on the other hand, the dynasty of Orange was eager for compliant troops at her command.[69] Hence, when

63 NA, Staten Generaal, 12597.213.

64 NA, Staten Generaal, 12597.207.

65 NA, Staten Generaal, 12597.213 (capitulation Sturzenegger: The Hague replaced by Zurich); NA, Staten Generaal, 12597.213 (capitulation Porta: The Hague replaced by Bern).

66 Zwitzer, Hoffenaar, and van der Spek, *Het Staatsche leger*, 9, pp. 856–857, 862.

67 Hervé Drévillon, "Une Révolution militaire, 1789–1795," in *Histoire militaire de la France*, 1 (Paris, 2018), pp. 481–482; Philippe Catros, "'Tout Français est soldat et se doit à la défense de la patrie' (Retour sur la naissance de la conscription militaire)," *Annales historiques de la Révolution française* 348 (2007), 7–23. Frederick C. Schneid, "Introduction," in *Conscription in the Napoleonic Era: A Revolution in Military Affairs?,* eds. Donald Stoker, Frederick C. Schneid, and Harold D. Blanton (London/New York, 2009), 1–5, rightly questions the longevity of revolutionary and Napoleonic conscription before the end of the 19th century. On ideals and reception of conscription in France, see: Annie Crépin, *Défendre la France: Les Français, la guerre et le service militaire, de la guerre de Sept Ans à Verdun* (Rennes, 2005). On the Enlightenment's increasing critique of foreign service: Rudolf Bolzern, "The Swiss foreign service and Bernese reform politics in the late eighteenth century," *History of European Ideas* 33 (2007), 463–475.

68 McCormack, *One Million Mercenaries*, pp. 162–170, esp. p. 165.

69 Herman Amersfoort, "The Dutch Army in Transition: From All-Volunteer Force to Cadre-Militia Army, 1795–1830," in *Fighting for a Living: A Comparative Study of Military Labour, 1500–2000*, ed. Erik-Jan Zürcher (Amsterdam, 2013), 447–477.

William of Orange (1772–1843), son to the last stadholder, became sovereign Prince of the United Provinces, then King of the Netherlands, he desired to recruit 12,000 Swiss troops.[70] Starting over from scratch, Elias van der Hoeven was sent as plenipotentiary and extraordinary envoy to the Confederacy.[71] Between 23 September 1814 and 28 August 1816, he negotiated contracts for no less than 11,997 Swiss soldiers.[72]

Despite the advent of a new national, albeit federal, political framework,[73] Swiss cantons still negotiated and concluded official capitulations individually or in clusters of several cantons. A general capitulation was considered but not agreed upon. Bern set the stage with a first treaty signed on 23 September 1814. Capitulations were not only contracted with the traditionally manpower-providing Protestant regions of Bern, Zurich (19 October 1814), and the Grisons (27 October 1814; 28 August 1816).[74] Schaffhausen, St Gall, Aargau, and Thurgau (20 December 1814) now officially capitulated to raise a few companies within their jurisdiction to join the Zurich regiment, as did Glarus (24 December 1814; 14 February 1816) and Appenzell (29 December), both to join the Grison regiment.[75] They hence departed from former practices of 'laisser-faire' recruitment on the soldiers' market.[76] More drastically, formerly *terrae incognitae* for official capitulations with the Dutch, Catholic cantons such as Zug (15 March 1815), Uri, Schwyz, Unterwalden, Lucerne, Solothurn, and Ticino (29 March 1815; 24 October 1815; 23 February 1816), agreed to recruitment within their jurisdiction,[77] reflecting changing attitudes towards religious ideology as well as a need for catholic officers and soldiers to find new markets beyond their traditional employers.[78]

Although Lagemans' edition of these treaties does not systematically specify Swiss negotiators, a pattern of political involvement represented by higher government officials, siding if not overruling the military entrepreneurs,

70 Amersfoort, *Koning en Kanton*, p. 111.

71 Amersfoort, *Koning en Kanton*, pp. 109–141, esp. pp. 110–112.

72 E.G. Lagemans, *Recueil des traités et conventions concludes par le royaume des Pays-Bas avec les puissances étrangères depuis 1813 à nos jours*, 1 (The Hague, 1858), treaties no. 10, 12, 13, 14, 15, 16, 20, 24, 35, 41, 42, and 50.

73 Renato Morosoli, "Bundesvertrag," 2010, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/009809/2010-05-07/. Accessed 10 June 2022.

74 Lagemans, *Recueil*, 1, treaties no. 10, 12, 13, and 50.

75 Lagemans, *Recueil*, 1, treaties no. 14, 15, 16, and 41.

76 Such "laisser-faire" clearly appears in a letter by Reboulet to Heinsius on 20 August 1710: *De briefwisseling van Anthonie Heinsius, 1702–1720*, 11, ed. Augustus J. Veenendaal Jr. (The Hague, 1990), p. 72 (letter 128).

77 Lagemans, *Recueil*, 1, treaties no. 20, 24, 35, and 42.

78 Amersfoort, *Koning en Kanton*, pp. 109–141.

emerges. Indeed, Bern's treaty was negotiated by both politicians and officers acting as members of Bern's sovereign council: whereas Niklaus Rudolph von Wattenwyl,[79] Rudolph Wurstemberger,[80] and F.A. Tschiffeli de Stabroek[81] were avoyer, councillor, and member of the small city council, respectively, Rudolf von Luternau[82] and Charles May de Buren were, respectively, an artillery colonel and a lieutenant-colonel of infantry.[83] Similarly, Federal Cantonal Mayor Jakob Ulrich Sprecher von Bernegg,[84] Cantonal Associate Judge T. von Castelberg,[85] Mayor Anton von Salis-Soglio[86] and Lieutenant-Colonel Jakob Sprecher

79 Niklaus Rudolf von Wattenwyl (1760–1832), formerly in Dutch service (1776–84), major of a Thun regiment in 1795, high commanding officer of the Federal Swiss troops in 1805, 1809, and 1813–14. He was avoyer of Bern from 1803 to 1829, alternatively with Niklaus Friedrich von Mülinen, Christoph Friedrich von Freudenreich, and Emanuel Friedrich von Fischer: Christoph Zürcher, "Wattenwyl, Niklaus Rudolf von," 2013, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/013317/2013-08-26/. Accessed 27 April 2022.

80 Rudolf Wurstemberger (1790–1823), son of Ludwig, officer in the Austrian army until 1814, then partaking in the Swiss expedition to Franche-Comté in 1815, deputy of the Grand Council of Bern in 1821: Franziska Schönauer, "Wurstemberger, Rudolf," 2013, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/012412/2013-11-27/. Accessed 27 April 2022.

81 Member of the Bernese Tschiffeli patrician family, many of which's members served as foreign troops: Hans Braun, "Tschiffeli," 2012, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/020918/2012-11-20/. Accessed 27 April 2022.

82 Rudolf von Luternau (1769–1849), served France until 1792, colonel of Bern's artillery in 1804, general inspector of the Federal artillery in 1809, entered the Grand Council of Bern in 1814, and the Small Council from 1816 until the end of the Restauration in 1831: Hans Braun, "Luternau, Rudolf von," 2008, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/023989/2008-07-03/. Accessed 27 April 2022.

83 Lagemans, *Recueil*, 1, pp. 41–49, treaty no. 10.

84 Jakob Ulrich Sprecher von Bernegg (1765–1841), studied law in Wittenberg and Jena, delegate at the Grison Diet in 1790, politically active in the Grisons between 1791 and 1839, deputy at the Grand Council of the Grisons: Martin Bundi, "Sprecher von Bernegg, Jakob Ulrich," 2013, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/005268/2013-01-10/. Accessed 26 April 2022.

85 Likely Johann Theodor von Castelberg (1748–1818), studied at Pavia, secretary to the Grison in 1766, six times president of the Ligue between 1777 and 1798: Ursus Brunold, "Castelberg, Johann Theodor von," 2005, in *DHS*. Available at https://hls-dhs-dss.ch/fr/articles/016796/2005-02-01/. Accessed 27 April 2022.

86 Anton von Salis (1760–1831), mayor of Bregaglia (1780), president of Chur, Zernez, and Southern Tirol during the temporary government envisaging Grison annexation by Austria (1799–1800), imperial chamberlain in 1811: Jürg Simonett, "Salis, Anton von (Soglio)," 2012, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/013586/2012-01-06/. Accessed 27 April 2022.

von Bernegg[87] negotiated on behalf of the Grisons.[88] For Glarus, Cantonal Mayor Nicolas Heer assumed the same responsibilities in February 1816.[89] The August 1816 complementary agreement for the Grisons was negotiated by Federal Cantonal Mayor Jakob Ulrich Sprecher von Bernegg, again,[90] Federal President Gaudenz von Planta,[91] and Cantonal Associate Judge Johann Placidus Caderas.[92] This time, no active officers were involved,[93] confirming a shift in official agency from military to political powerholders despite the clear familial ties between both worlds as illustrated by the Berneggs. Uri and Schwyz constitute an exception to this institutionalised control embodied in politicians, as General Don Louis Auf der Maur, stadholder regent and captain general of Schwyz, signed the agreement for a complementary battalion to the Catholic infantry regiment on 24 October 1815.[94] Hence, the Schwyzer Auf der Maur

87 Jakob Sprecher von Bernegg (1756–1822), served in the United Provinces, captain at 18 and major at 28, accompanied the stadholder to England and was lieutenant-colonel of the exiled Dutch troops on the Isle of Wight. Proprietor of the Swiss Sprecher regiment (1814), he served William I of the Netherlands (1772–1843) as major-general (1816): Daniel Sprecher, "Sprecher von Bernegg, Jakob," 2012, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/048990/2012-02-27/. Accessed 26 April 2022.

88 Lagemans, *Recueil*, 1, p. 51, treaty no. 13.

89 Lagemans, *Recueil*, 1, p. 167, treaty no. 41. Niklaus Heer (1775–1822), former adjunct-major to Glarus troops sent to help Bern in 1798, was member of the canton's diet in 1802, Landamman in 1803–6, 1808–11, 1813–16, and 1818–21, and delegate to the Diet from 1803 to 1820. Head commissioner of war in 1805, 1809, 1813, and 1815, he took an active role in the Swiss army reform: Veronika Feller-Vest, "Heer, Niklaus," 2007, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/005996/2007-10-10/. Accessed 22 April 2022.

90 Bundi, "Sprecher von Bernegg, Jakob Ulrich".

91 Gaudenz von Planta (1757–1834), studied law in Vienna, was Landamman in 1786, member of the Grand Council of the Grisons from 1812 to 1832, of the Small Council in 1815, 1819, 1823, 1827, and 1830, and took part in drafting the Cantonal constitution in 1814: Jürg Simonett, "Planta, Gaudenz von (Samedan)," 2010, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/005278/2010-09-28/. Accessed 26 April 2022.

92 Johann Placidus Caderas (1774–1821), was member of the Grand Council (1805–20) and its president in 1815 and 1818, also president of the Grison League in 1815, 1818, and 1820, and delegate to the Diet in 1816: Adolf Collenberg, "Caderas, Johann Placidus," 2008, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/005279/2008-05-27/. Accessed 26 April 2022.

93 Lagemans, *Recueil*, 1, pp. 191–192, treaty no. 50.

94 Lagemans, *Recueil*, 1, pp. 156–157, treaty no. 35. Ludwig Auf der Maur (1779–1836), officer serving Sardinia, returned to Schwyz and became aide-de-camp of Aloys von Reding in 1798, captain of Schwyz in 1803, vice-Landamman (1813–15, 1824–25), commander of the Swiss catholic regiment in the Netherlands (1816–21), and recruiting officer for the Schwyzer capitulations with the kingdom of Two-Sicilies: Franz Auf der Maur, "Auf der Maur, Ludwig," 2013, in *DHS*. Available at https://hls-dhs-dss.ch/de/articles/007268/2013-12-19/. Accessed 22 April 2022.

family tried to take up a traditional military entrepreneurship which it had exercised before the Revolution.[95] Assuredly, these differences reflect the autonomy retained by each canton and its political networks and organisation.

Beyond new institutionalised politics, the place of negotiation and conclusion of the treaties reflected a persistence of old Dutch practices and ties with the Protestant cantons. Indeed, the new capitulations were almost systematically concluded in their political centres, Bern, Zurich, and Chur. These places did not only concentrate the financial and political elites who had the economic power and political authority to provide troops; they also constituted knowledge reservoirs of a fiscal-military documentary culture and practices to which one was eager to resort. Expectedly, this applied to the Bern, Zurich, and Grison capitulation. But Zurich, in particular, also served as place of negotiation for Schaffhausen, Aargau, Thurgau, and St Gall, capitulating to provide companies for the Zurich regiment (20 December 1814),[96] Glarus, capitulating for two companies joining the Grison regiment (24 December), Appenzell (3 companies to join the Grison regiment),[97] Zug (15 March, 1 company to serve in a Swiss catholic regiment), the Catholic cantons (29 March – Uri, Unterwalden, Schwyz, Lucerne, Solothurn, Ticino, and Zug),[98] and Uri and Schwyz again (3rd battalion, 24 October 1815).[99] In February 1816, Bern became a place of negotiation for Glarus (two additional companies for the Grison regiment, 14 February), Schwyz, Appenzell, and Ticino (23 February).[100] As the Long Federal Diet was held in Zurich from 6 April 1814 to 31 August 1815, Zurich then alternating with Bern and Lucerne as siege of the regular Federal Diets,[101] contracting practice seems to have reflected both old traditions – Dutch demand meeting military entrepreneurs and political authorities at home – and new institutions – the Federal diet not only hosting the traditional protestant manpower-suppliers but also their catholic counterparts.

2 Fiscal-Military Contracts: Emergence, Stabilisation, and Persistence of Contractual Forms

The 1693–94 particular capitulations negotiated by Valckenier set a first framework for Swiss service in the United Provinces. Although these contracts were

95 Büsser, "Militärunternehmertum," p. 74; Amersfoort, "Dutch Army in Transition," p. 471.
96 Lagemans, *Recueil*, 1, pp. 41–49, no. 10; p. 50, no. 12; p. 51, no. 13; p. 52, no. 14.
97 Ibid., p. 53, no. 15; pp. 53–54, no. 16.
98 Ibid., pp. 63–64, no. 20; pp. 69–70, no. 24.
99 Ibid., pp. 156–157, no. 35.
100 Ibid., p. 167, no. 41; p. 168, no. 42.
101 Morosoli, "Bundesvertrag".

not yet standardised, the content and sequence of their respective articles already suggest a certain degree of uniformization constraining a colonel- or captain-entrepreneur's negotiating agency in respect to the employer's specifications. Containing approximately 20 articles each, the contracts regulated the basic conditions of Swiss service.

To recruit their respective companies, the Dutch supported the Swiss captains, acting as military entrepreneurs, with an interest-free loan of 6,000 *livres*, to be deducted from the company's pay at a monthly rate of 250 *livres* (over two years).[102] On top of this, two entrepreneurs benefited from an annual pension.[103] This, however, now constituted an exception rather than the rule. For each recruit, a company captain would perceive a five *écus* signing bonus, in addition to five *écus* travel money for each soldier to reach the United Provinces.[104] A captain's further gratifications depended on the strength of a company: nominal strength was set at 200, including staff, with a gratification of 27 additional pays to the captain.[105] Conceived as an incentive to maintain a company's effective strength, this gratification would be reduced by half when a company fell below 175 men, and lost entirely if it fell below 165.[106] Casualties would be replaced at the captain's expense. Each captain was however allowed two months to replenish his company after an engagement. During this time, he would receive pay according to the last muster before said engagement.[107]

Soldiers' pay was set at 16 *livres* 4 *sous* (all in "French money", i.e. *livres tournois*), equivalent to 13 *florins* 10 *sous* money of Holland – a specification strongly suggesting alignment to French practices to which the Swiss were

102 NA, RvS, 1903, capitulation Lochmann, art. 10; capitulation Capol, art. 7 (specified as 2,000 écus in this first contract, but equally amounting to 6,000 livres, at an equivalence rate of one to three); capitulation Goumoëns, art. 6; capitulation Sacconay, art. 1 (exception: 1,000 écus, only half of it, 1,500 livres, to be recovered at rate of 300 livres per month, unless the Estates General decide to grant it as a gratification "considering his losses in France").

103 NA, RvS, 1903, capitulation Capol, art. 3 (pension of 200 écus to Saluz); capitulation Sacconay, art. 3 (pension of 200 écus to Sacconay).

104 NA, RvS, 1903, capitulation Lochmann, art. 11, 12; capitulation Capol, art. 8, 9 (travel money, signing bonus of 15 livres only on arrival in the Netherlands); capitulation Goumoëns, art. 7, 8; capitulation Sacconay (exception: travel money nor signing bonus are included, which seems logical as the capitulated company would largely be recruited among already serving, supernumerary, Grison troops, as per art. 1).

105 NA, RvS, 1903 and Staten Generaal, 12584.291, capitulation Lochmann, art. 5; NA, RvS, 1903, capitulation Capol, art. 4; capitulation Goumoëns, art. 1; capitulation Sacconay, art. 5.

106 NA, RvS, 1903, capitulation Lochmann, art. 7, 8, and 9; capitulation Capol, art. 6; capitulation Goumoëns, art. 3, 4, and 5; capitulation Sacconay, art. 7, 8, and 9.

107 NA, RvS, 1903, capitulation Lochmann, art. 21; capitulation Capol, art. 18; capitulation Goumoëns, art. 17; capitulation Sacconay, art. 19.

more acquainted due to long-standing traditions of service.[108] Recruits signed up for at least three years, and dismissal was to be compensated with two months' pay for each soldier,[109] provisions protecting both the soldiers and the captain's investment. Clothing and weaponry had to be provided by each captain to his soldiers at company level.[110] Ammunition, on the other hand, was provided by the Estates of the United Provinces.[111]

In terms of discipline, the companies were entitled to their own jurisdiction, "as the Swiss are accustomed to enjoy everywhere", a reference to companies serving in France and elsewhere and a clear concession, considering disciplinary reforms subjecting soldiers who served the United Provinces to stricter (and direct) military justice since the late 16th century.[112] To maintain discipline, regular pay was essential, and ought to be provided to the company in monthly thirds, respectively paid out on the 1st, the 10th and the 20th of the each month.[113] Moreover, each company was allowed its own sutler, ensuring regular provisioning on campaigns.[114] Recruits were ensured access to all services available to other troops serving the United Provinces (accommodation, bread, hospitals).[115] Finally, before their arrival, the recruited companies would be assigned easily reachable quarters on the frontiers, a measure destined at maintaining control over the recruits once they entered the United Provinces.[116]

Although some restrictions on recruitment of French deserters may have been related to discipline, morality, and the fear to see dishonest recruits leave

108 NA, RvS, 1903, capitulation Lochmann, art. 6; capitulation Capol, art. 5; capitulation Goumoëns, art 2; capitulation Sacconay, art. 6.

109 NA, RvS, 1903, capitulation Lochmann, art. 22, 23, capitulation Capol, art. 19, 20; capitulation Goumoëns, art. 18, 19; capitulation Sacconay, art. 20, 21.

110 NA, RvS 1903, capitulation Lochmann, art. 15; capitulation Capol, art. 12; capitulation Goumoëns, art. 11; capitulation Sacconay, art. 10.

111 NA, RvS, 1903, capitulation Lochmann, art. 16; capitulation Capol, art. 13; capitulation Goumoëns, art. 12; capitulation Sacconay, art. 14.

112 NA, RvS, 1903, capitulation Lochmann, art.17; capitulation Capol, art. 14; capitulation Goumoëns, art.13; capitulation Sacconay, art. 15. On the disciplinarisation of the army: Marjolein 't Hart, *The Dutch Wars of Independence: Warfare and Commerce in the Netherlands, 1570–1680* (London/New York, 2014), pp. 37–57.

113 NA, RvS, 1903, capitulation Lochmann, art. 19; capitulation Capol, art. 15; capitulation Goumoëns, art. 15; capitulation Sacconay, art. 17.

114 NA, RvS, 1903, capitulation Lochmann, art.18; capitulation Capol [article absent]; capitulation Goumoëns, art. 14; capitulation Sacconay, art. 16.

115 NA, RvS, 1903, capitulation Lochmann, art. 24; capitulation Capol, art. 21; capitulation Goumoëns, art. 20; capitulation Sacconay, art. 22.

116 NA, RvS, 1903, capitulation Lochmann, art. 13; capitulation Capol, art. 8; capitulation Goumoëns, art. 9; capitulation Sacconay, art. 11.

after receiving their signing bonus or pay, another restriction was clearly political: subjects of the Estates General, England, and Spain, then allies in the Nine Years' War, were excluded from the captains' recruitment pool.[117] In January 1694, Sacconay, the last captain to contract, was imposed a complementary restriction, extending to German soldiers from the Westphalian, Lower Saxon, and Lower Rhine circles. Moreover, at least two thirds of the company now had to be recruited among the "Suisses naturels", i.e. subjects of the cantons.[118]

Two potentially contentious points regarding control of the regiments by Swiss and Dutch military elites, on the one hand, and by the cantons and the United Provinces, on the other hand, deserve further attention. Firstly, each captain retained appointment of his company's officer staff, subject to approval of the regiment's lieutenant-colonel. Where larger units were capitulated, the latter retained the appointment of the captains, subject to approval of the general. At the time of contracting, this position was held by Arnold Joost van Keppel, Lord Albemarle, colonel-general to the Swiss troops in Dutch service and a favourite of William III of Orange (1650–1702).[119] Included in the capitulations for the Lochmann battalion and the Capol regiment as well as in those for the individual companies contracted with Goumoëns and Sacconay, the specification regarding appointment of the captains further hints upon a progressive standardisation of the contracts: both Goumoëns and Sacconay can already be considered appointed when signing their contract.[120] As these provisions concerned the most lucrative positions, with possible promotion to captaincy over time, appointments however led to recurring disputes over the following years,[121] necessitating more precisely defined terms in future contracts, particularly as the Swiss elites desired to reserve officer positions to their own cantonal networks.

Secondly, the particular capitulations did barely restrict service: all captains signed a statement to serve the Estates General wherever and against whomever required, except against their canton ("nostre patrie"). Whether this service was defensive or could entail offensive actions was not specified.

117 NA, RvS, 1903, capitulation Lochmann, art. 14; capitulation Capol, art. 10; capitulation Goumoëns, art. 10; capitulation Sacconay, art. 13.

118 NA, RvS, 1903, capitulation Sacconay, art. 12, 13.

119 A.J. Van der Aa, *Biografisch woordenboek der Nederlanden*, 10 (Haarlem, 1862), pp. 126–128.

120 NA, RvS, 1903, capitulation Lochmann, art. 20; capitulation Capol, art. 17; capitulation Goumoëns, art. 16; capitulation Sacconay, art. 18.

121 The correspondence of Heinsius is overflowing with such cases involving Albemarle. See, for instance, in 1702 and without being exhaustive: *De briefwisseling van Anthonie Heinsius, 1702–1720*, 1, ed. Augustus J. Veenendaal Jr. (The Hague, 1976), pp. 283, 289, 326, 401, 403, and 408.

From 1714 onwards, the general capitulation with Bern sharpened and consolidated the initial framework for further Swiss capitulations. Indeed, the 1713 alliance with the Grisons even explicitly stated that Grison troops would serve under the same conditions as those officially capitulated with Bern. Hence, between 1714 and 1748, the form of the capitulations, up to the content of each numbered article, is strikingly similar, almost formulaic. The standard articles already set in the 1690s, such as 6,000 *livres* interest-free loans to company captains to levy recruits, five *écus* signing bonus complemented with five *écus* travel money per recruit, as well as a captain's gratification according to his company's strength, were maintained.[122] Individual pensions to particular officers disappeared. A soldier's monthly pay equally remained unchanged (!), and the cost of his equipment was borne by the captain. As in Sacconay's 1694 capitulation, a company now systematically had to hold at least two thirds of Swiss soldiers, and the last third was to be recruited among high Germans (Swabia, Austria, Bavaria, Franconia, Upper Rhine, and Upper Saxony).[123] Additional specifications and new articles, however, solved issues which had emerged with the first capitulated units. Overall, the length of these fiscal-military contracts increased to approximately 30 to 32 articles, a seemingly stable number until the Revolution, as both the Estates General and the cantonal authorities bargained to increase their respective control over Swiss units as agreed upon in principle in the alliance and subsidy treaties.

Firstly, the Estates General desired to increase efficiency of the hired troops. Although each captain was still to provide weapons and clothing to his men, calibres had to be equal to those in use by the State troops – an essential specification to use the ammunition provisioned by the Estates General, and

122 Dumont, *Corps*, 8/1, pp. 425–427 (general capitulation Bern), art. 1 (loan), 2 (signing bonus), 3 (travel money), 5 (weaponry), 6 (length of service), 7 (pay), 11–12 (captain's gratification), 24 (ammunition), 26 (sutler), 27 (regularity of pay), and 29 (access to accommodation and services); NA, Staten Generaal, 12597.207, capitulation Budé, art. 1 (loan), 2 (signing bonus), 3 (travel money), 5 (weaponry and clothing), 6 (pay), 8–11 (captain's gratification), 21 (ammunition), 23 (sutler), 24 (regularity of pay), and 26 (access to accommodation and services); NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 1 (loan), 2 (signing bonus), 3 (travel money), 5 (weaponry), 6 (pay), 8–11 (captain's gratification), 21 (ammunition), 23 (sutler), 24 (regularity of pay), and 26 (access to accommodation and services); NA, Staten Generaal, 12597.213, capitulation Porta, art. 1 (loan), 2 (signing bonus), 3 (travel money), 5 (weaponry), 6 (pay), 8–11 (captain's gratification), 21 (ammunition), 23 (sutler), 24 (intervals of pay), and 26 (access to accommodation and services).

123 Dumont, *Corps*, 8/1, pp. 425–427 (capitulation Bern), art. 4; NA, Staten Generaal, 12597.207, capitulation Budé, art. 4; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 4; NA, Staten Generaal, 12597.213, capitulation Porta, art. 4.

revealing potential previous issues.[124] Moreover, this would certainly increase a captain's reliance on the weapons' market pushed by the Estates General in the United Provinces. Disciplinary efficiency was also sought for. Companies retained their jurisdictional competence, i.e. their own martial courts, but had to apply the military law of the United Provinces, equally revealing of previously encountered issues.[125] Access to accommodation, provisions, and medical services was still guaranteed, but now complemented with access to fodder from the Estates' stores at the same rate as the one paid by national troops.[126] Officers' leave also became regulated according to the rights of the other officers in the Dutch army.[127]

As the War of the Spanish Succession had crippled Dutch finances,[128] the Estates General included provisions allowing them to reduce manpower, and specified how such reductions would affect a captain's gratification.[129] In principle, reductions had already been agreed upon in the 1712 and 1713 subsidy treaties regulating Bernese and Grison service.[130] New specifications allowed the United Provinces to replenish and reduce companies as they needed them. On the other hand, military entrepreneurs were guaranteed employment beyond the end of the war, albeit with potentially reduced manpower. Some captains, such as Jean Antoine Porta, managed to juridically preserve their company's existence, albeit reduced, against full dismissal in peacetime.[131] Most captains', however, could lose their company following regimental reorganisations and

124 Dumont, *Corps*, 8/1, pp. 425–427 (general capitulation Bern), art. 5, 23; NA, Staten Generaal, 12597.207, capitulation Budé, art. 5, 20; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 5, 20; NA, Staten Generaal, 12597.213, capitulation Porta, art. 5, 20 (specification on calibres and quality).

125 Dumont, *Corps*, 8/1, pp. 425–427, art. 25; NA, Staten Generaal, 12597.207, capitulation Budé, art. 22; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 22; NA, Staten Generaal, 12597.213, capitulation Porta, art. 22.

126 Dumont, *Corps*, 8/1, pp. 425–427, art. 30; NA, Staten Generaal, 12597.207, capitulation Budé, art. 28; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 28; NA, Staten Generaal, 12597.213, capitulation Porta, art. 28.

127 Dumont, *Corps*, 8/1, pp. 425–427, art. 32; NA, Staten Generaal, 12597.207, capitulation Budé, art. 29; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 29; NA, Staten Generaal, 12597.213, capitulation Porta, art. 29.

128 Maarten Prak, *The Dutch Republic in the Seventeenth Century: The Golden Age* (Cambridge, 2005), pp. 263–273.

129 Dumont, *Corps*, 8/1, pp. 425–427, art. 13–17, 19; NA, Staten Generaal, 12597.207, capitulation Budé, art. 12–16, 18; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 12–16, 18; NA, Staten Generaal, 12597.213, capitulation Porta, art. 12–15, 17–18 (article 16 is a guarantee against full dismissal of the company!).

130 Dumont, *Corps*, 8/1, pp. 423–428 (Bern), art. 11, 386–387 (Grisons), art. 7.

131 NA, Staten Generaal, 12597.213, capitulation Porta, art. 16.

would have to abide by the reductions as regulated in the subsidy treaties with the cantonal authorities.

The cantonal authorities themselves, indeed, had vested interests in this military enterprise. Not only were they often related to military entrepreneurs through familial and social networks, explaining their involvement in securing long-term employment for their troops.[132] They also desired to regain political control over their manpower and its use. Hence, new specifications tried to reserve lucrative officer positions, traditionally sought-for by Swiss elites, to cantonal subjects, at least to a high degree if not entirely. The alliance with Bern already contained several specifications regarding the 16 companies then serving the United Provinces, eight of which had been avowed, and eight others still to be levied: all had to remain in the hands of citizens or subjects of Bern in order to keep the cantonal peace.[133] In their 1713 treaty, the Grisons similarly retained the right to appoint company officers, including captains. The Estates General only kept a limited choice regarding a regiment's staff, to be chosen among the Grison-appointed company captains and one of the three officers put forward by the Grisons.[134] Bern's 1714 capitulation restated that all appointments of captains were retained by Bern, although a time-limit to make these appointments was agreed upon in order not to hamper a company's functioning. Within each company, captains appointed their officers, provided confirmation by the colonel and colonel general. Again, a time-limit was added to avoid long haggling over positions in Switzerland.[135] Further capitulations were made on this model, but approval of the Prince of Orange was equally sought for, beyond the approval of the regiment's colonel.[136]

Related to the effectiveness of a right to recall their avowed regiments, retained by both Bern (for all troops) and the Grisons (only for the officers),[137] the general capitulation with Bern restricted overseas, i.e. colonial, service or even transportation by sea, except in defence of England.[138] However, the individual capitulations signed with Budé, Sturzenegger or Porta did not repeat such a restriction. Formerly, only Goumoëns, in his company's capitulation,

132 On the entangled networks of political and military actors in the Swiss cantons, see bibliographical footnotes in the introduction.

133 Dumont, *Corps*, 8/1, pp. 423–428, art. 8–10, 12, 13, and 14.

134 Dumont, *Corps*, 8/1, pp. 386–387.

135 Dumont, *Corps*, 8/1, pp. 425–427, art. 21–22.

136 NA, Staten Generaal, 125927.207, capitulation Budé, art. 19; NA, Staten Generaal, 12597.213, capitulation Sturzenegger, art. 19; NA, Staten Generaal, 12597.213, capitulation Porta, art. 19.

137 Dumont, *Corps*, 8/1, pp. 423–428 (Bern), art. 6, 386–387 (Grisons), art. 3, 6.

138 Dumont, *Corps*, 8/1, pp. 425–427, art. 31.

had retained such a right for himself in order to aid his homeland if it were to come under threat.[139]

When William I of the Netherlands restored old recruitment practices during the Restauration, fiscal-military capitulations were drawn up anew in a most detailed way to cover all aspects of future Swiss service. Once again, Bern set the standard for the other cantons' capitulations.[140] The new capitulations made from 1814 to 1816 with the Swiss cantons contained no less than 62 articles, reflecting three tendencies: the demise of profitable military entrepreneurship, an increased assimilation of the regiments to the Netherlands' army structures and practices, and, paradoxically, an increased control of their troops by the Swiss authorities.[141]

In terms of military entrepreneurship, although a regiment would still be named after its colonel (art. 2), companies now received a number within the Dutch army and captain-entrepreneurs lost their interest-free loans to raise a company as well as their gratifications. The higher officers of a regiment, including company captains, were now accountable for the money they received as state officials, agents of his Majesty, rather than as military entrepreneurs (art. 29). Officers could still be involved in recruitment in the Confederation, but would tap their local networks as agents of the state: indeed, while on semestrial leave, they could opt either to receive a half pay or a full pay if they served as recruiters in support of the ordinary hired recruiters (art. 39, 40). Further constraining the officers' recruitment agency and reflecting a new kind of scientificity based on numerically measurable elements inherited from the Enlightenment and the Revolution, specifications regarding age (18–36, up to 40 in wartime, art. 24), health (art. 25), and height (art. 26) of the recruits were now included, with exceptions made for a regiment's musicians (art. 27). A regiment's completeness remained the officers' responsibility: once the companies were recruited, they would have to pay recruitment agents out of their own pockets to replenish the ranks when troops were found lacking (one-third in peacetime; one-fourth in wartime, art. 36). This measure, however, seems related to discipline enforcement rather than to military entrepreneurship. Moreover, recruits would now entirely be clothed, equipped, and armed at their assigned arrival depot in the Netherlands, according to the orders of the minister of war (art. 15), a measure both diminishing the former military-entrepreneurs' role as investors in their companies, and hence their

139 NA, RvS, 1903, capitulation Goumoëns, art. 21.

140 Amersfoort, *Koning en Kanton*, p. 122.

141 For what follows: Lagemans, *Recueil*, treaties no. 10, 12, 13, 14, 15, 16, 20, 24, 35, 41, 42, and 50.

potential gains,[142] and leading to a stronger integration of the Swiss units in the army of the Netherlands.

In many ways, the Swiss units were now indeed integrated to a higher degree into the Dutch army. With the inevitable exception of regulations concerning recruitment abroad, their distinctiveness as foreign regiments gradually disappeared. Henceforth, a regiment resorted under the rules, martial law, and courts of the king's army (art. 45–47). Although it could keep its own flag, the latter was to display the arms of the Sovereign House of the United Provinces (i.e. the House of Orange), besides those of its canton (art. 48). A regiment's autonomy against dissolution into other Dutch army units was guaranteed (art. 53, 54), but it was to be treated equally to all Dutch national troops in everything (art. 60). Soldiers were entitled to the same pay (art. 38) and retirement pensions as other Dutch troops (art. 41, 42), constituting both a guarantee and a loss of former privileges. Recruits signed up for respectively four or six years, and could renew their enrolment for terms of two, four or six years (art. 20, 21). In a recruitment depot established in Bern (art. 28), a Dutch commissioner would muster and pay new recruits on arrival and enrolment (art. 30). In terms of career advancement, Swiss officers were assimilated to national officers (art. 55). As prisoners of war, their treatment would be equal to that of other officers from the national army (art. 19). The King of the Netherlands also kept a strong hold on new appointments of higher officers (colonels, lieutenant-colonels, and majors) in case of vacancies (art. 18).

Paradoxically, despite this increased integration into the Dutch army, cantonal authorities also increased their hold on the Swiss troops. Firstly, although officer appointments became a royal prerogative, they were appointed on proposal of canton or colonel (art. 7), and only the Bernese (or other cantonal) bourgeoisie could be considered for appointment, a point which they had already tried to ensure before the Revolution. More importantly, service was much more explicitly restricted than it used to be: a Swiss regiment could not serve on board (art. 50), outside Europe (art. 49), against its homeland (art. 51), or even, preferably, against other Swiss troops serving other powers (art. 52). Indeed, Bern and the other cantons now retained a right to recall the troops whenever necessary (including not only external threats but also civil war), although this would entail a refund on clothing, equipment, and weaponry provided by the Netherlands (art. 56). Such an extended right to recall also made cantonal authorities more interested in keeping their troops both national and up to strength. On the one hand, all recruits now had to be Swiss,

142 On company economy and potential profits for captains during the *Ancien Regime*, see in particular: Hitz, *Kämpfen um Sold*, pp. 180–184.

except medical staff or technicians, experts who moved more freely (art. 22). On the other hand, company reductions were limited to absolute leave and suspension of new recruitment (art. 58), implying that the cantons achieved an even higher degree of stable employment for their men than in the 1714 general capitulation. Full dismissal of a company would cost an unspecified *paye de réforme* (discharge fee) to each soldier and officer according to their respective rank and length of service (art. 59). Moreover, Bernese authorities would deliver returned deserters to the depot in Bern. (art. 32). The increased cantonal control over the Swiss troops was also reflected in the management of individual soldiers' signing bonus and travel money: formerly managed by the captains, this money now went through an institutionalised regimental treasury installed in Bern and most likely controlled by the cantonal authorities who signed the contract (art. 28). Finally, as both the Swiss troops and the newly constituted Kingdom of the Netherlands were now bi-confessional, free practice of the reformed religion was ensured wherever Bern's soldiers would serve in the Netherlands or allied countries (art. 44), an article logically amended in favour of Catholic practice in the treaties with the Catholic cantons.

3 Conclusion

During the Dutch Patriot Revolt, Swiss foreign troops remained loyal to the authorities they had sworn allegiance to, respectively the provincial Estates or the House of Orange. Recent literature hence tends to nuance the perception of Swiss troops as servants of the Dutch monarchy alone.[143] However, one cannot escape the fact that no major capitulations were concluded during stadtholderless periods. Moreover, exceptions to the rule, the 1712–14 alliances and official capitulation required by the Protestant cantons to avow (and regain control of) their regiments, were concluded under Grand Pensionary of Holland Anthony Heinsius, known to have continued the policy of his patron William III of Orange.[144] Desiring to consolidate his newly retrieved power with reliable troops, William I of the Netherlands, as King of the Netherlands, hence rather unsurprisingly revived Swiss foreign service during the Restauration.

143 Van Nimwegen, *De Nederlandse burgeroorlog*, pp. 358–360.

144 Augustus J. Veenendaal Jr., "Who is in Charge here? Anthonie Heinsius and his Role in Dutch Politics," in *Anthonie Heinsius and the Dutch Republic 1688–1720: Politics, War, an Finance*, eds. Jan A.F. de Jongste, Augustus J. Veenendaal Jr. (The Hague, 2002), 11–24.

Nevertheless, although formal practice of contracting Swiss troops via capitulations according to the uses established in 1693 and refined in 1714 resumed, its meaning had dramatically changed, as witnessed by both the process and the result of the negotiations. Despite the persistence of Protestant recruitment networks, at least until the end of the Ancien Régime if not beyond, contractors gradually lost their independence as they were progressively sidelined as active negotiators, from the first private capitulations in 1693 over the Bernese official capitulation of 1714 to the renewed official capitulations of 1814. The place of negotiation tells a similar story, reflecting shifting power positions of offer and demand. Loss of independence is also reflected in the content of the contracts. During the 18th century, the agency of Swiss military entrepreneurs in Dutch service had progressively been restricted (as had their pensions), both by their Dutch employers who sought to increase bureaucratic and military efficiency through standardisation of contracts and units, and by cantonal authorities, desiring to control their manpower and muster its potential for their own purposes, whether financial (officer positions) or military (right to recall). Moreover, changing concepts regarding army organisation and new economic circumstances may have led Swiss foreign soldiers and military entrepreneurs to seek security of employment, giving up the high degree of autonomy they still enjoyed at the end of the 17th century. Mirroring a general tendency,[145] this agency was further restricted as the nation-state took shape, leading to the final demise of the military-entrepreneurs.

Indeed, the former stadtholder's attempt to revert to the old system was check-mated both by his own parliament (1829) and by the changing power dynamics within the Swiss confederation. Military entrepreneurs, who had coexisted and collaborated for centuries with their political networks, now saw the latter taking the lead, potentially to the detriment of their own commercial interests. Whether the bourgeoisie in the new kingdom of the Netherlands had by this time lost its long-lived strong financial (loans) and economic (weapons' market) interests in Swiss and other military enterprise remains open to further investigation. In any case, the revival of hired foreign troops was short-lived, the last Swiss units being dismissed by 1829 as a new era of nationalised military organisation emerged.[146]

145 Holenstein, Kury, Schulz, *Schweizer Migrationsgeschichte*, pp. 50–53.
146 Amersfoort, "The Dutch Army in Transition," p. 476.