

The choice between Empire and Confederation

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The decision of 1501 was not self-evident and was debated within the city. Basel had belonged to the Empire for five centuries. Its privileges came from the Emperor, its trade was oriented towards the Rhine cities, its language and its law were those of the Upper Rhine, and many of its leading families had ties to the nobility and the patriciate of Alsace, the Breisgau and Swabia. A part of the citizenry, in particular the old knightly families and those with interests in the Habsburg territories, favoured the Empire. Another part, in particular the guilds and the merchants trading with the Swiss cantons, favoured the Confederation.¹

The arguments for the Confederation prevailed for reasons of security and of economic interest. The Swabian War had shown that the Empire could not protect Basel against the Confederates, and that the Confederates were the stronger military power in the region. The Habsburgs, who dominated the imperial side in the Upper Rhine, were the traditional adversaries of the city. And the markets of the Swiss cantons, with their growing population and their wealth derived from mercenary service and agriculture, offered opportunities to the merchants of Basel. The accession also allowed the city to escape the imperial reforms of 1495, which would have subjected it to the Imperial Chamber Court and to imperial taxation.

The choice of 1501 was thus in part a fiscal and jurisdictional choice. By joining the Confederation, Basel avoided taxes and a jurisdiction that it regarded as burdensome. It also placed itself in a political system that left it a large measure of autonomy. The choice of a political framework on the basis of fiscal and jurisdictional considerations is a pattern that recurs in the history of Switzerland and of its financial centre. Companies and individuals who choose to establish themselves in Switzerland often do so, among other reasons, because of its fiscal conditions, its legal system and its courts. The practitioner who advises on such choices today continues, in a sense, the deliberations of the council of Basel in 1501.

1 Notes

1. On the internal debate in Basel between the imperial and the Confederate parties before the accession of 1501, see HLS, article "Basel (Kanton)", section on the accession; Wackernagel, vol. 2/2, 1916. To be verified. ↩

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