

The Spanish alliance and the Milanese connection

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The alliance of 1587 between the Catholic cantons and Philip II of Spain, concluded in his capacity as Duke of Milan, gave the Spanish crown the right to recruit in the Catholic cantons and to pass troops through their territory, a right of particular value to a power whose armies moved between Italy and northern Europe. In return the cantons received pensions, trade privileges and tariff exemptions for their merchants and guaranteed access to the Lombard grain and salt on which central Switzerland depended. Solothurn, bound to France, did not join. The alliance was renewed in 1604, 1634, 1664, 1702 and 1705. The last treaty, concluded with Philip V, remained in force only until 1706, when Austria conquered Milan. An Austrian attempt of 1711 to negotiate a new agreement with all cantons failed.¹ Chapter A.IV describes the trade capitulations with Milan, whose customs exemptions for Confederate merchants and supplies of grain from the Po valley and of salt were part of every renewal. A separate series began in 1639, when the Three Leagues of the Grisons concluded the first of three capitulations with the Habsburg rulers of Milan, the last of which dates from 1763. The religious alliance of 1586, the Spanish alliance of 1587 and the trade capitulations were parts of one system. In it, Catholic faith, military service, food supply and commercial privilege were exchanged between the cantons and the Spanish government of Milan.

For the Italian bailiwicks this system had double consequences. The Ticinese subjects themselves served in foreign armies, mainly in Spanish and later Austrian Lombardy, in units recruited with the permission of their rulers. Remittances from soldiers joined those of emigrant builders and artisans. At the same time the bailiwicks lay on the route of the Spanish recruitment and troop movements, while their markets lived from the supply of the Gotthard traffic. Above all, the ruling families of central Switzerland who held the offices of *landfogto* in Lugano, Locarno, Mendrisio and the Vallemaggia were the same families whose wealth

derived from Spanish and French service. Pension money from Milan circulated through the bailiwicks as the capital of the *landfogti*, as loans to local communities and as investments in land.²

1 The Pontifical Swiss Guard

The only survival of the old mercenary system is the Pontifical Swiss Guard. Pope Julius II recruited a guard of Swiss soldiers, and on 22 January 1506 a first contingent of 150 men under the command of Captain Kaspar von Silenen entered the Vatican, the date the Guard counts as its foundation.³ During the Sack of Rome on 6 May 1527 the Guard covered the escape of Clement VII to Castel Sant'Angelo. Of the 189 guards present, only the 42 who escorted the Pope survived. The 147 guards who fell are commemorated each year on 6 May, the day on which new recruits are sworn in. The Guard recruits unmarried Swiss Catholic men under thirty with a good reputation who have completed their training in the Swiss Army. Its strength has varied between a maximum of 300 men in 1512 and a minimum of 90 in 1976. It stood at 110 from 1998, and in 2018 Pope Francis raised its authorized strength to 135.⁴

The legal position of the Guard illustrates the end of the old system. Article 11 of the Federal Constitution of 1848 prohibited new military capitulations with foreign states. Pius IX responded in 1858 by concluding an agreement directly with the Guard, which thereafter recruited individuals by personal contract and no longer through cantonal capitulations. A federal act of 1859 then prohibited enlistment in "non-national troops", and the Military Criminal Code of 1927 ended mercenary service in legal terms. The Code punishes Swiss citizens who enter foreign military service without authorization from the Federal Council (Art. 94 MCC), while service in the Pontifical Swiss Guard has remained the one tolerated survival of the old system.⁵ The Federal Act of 27 September 2013 on Private Security Services Provided Abroad extends the prohibition to companies: it forbids recruiting or training personnel in Switzerland, providing personnel from Switzerland and establishing, operating or controlling from Switzerland a company that does so, in each case for direct participation in hostilities abroad.⁶ The modern law has thus abolished the export of soldiers while preserving one historically and religiously justified exception, much as it preserves the Pontifical Guard in its Renaissance uniform as a symbol of the Catholic connection between Switzerland and Rome.

2 Mercenary capital and the later financial centre

Swiss economic historians have often linked mercenary service with the later banking industry, since the military entrepreneurs accumulated capital, dealt with sovereign debtors and became creditors of foreign crowns.⁷ For the Catholic south the connection is indirect. The capital of the mercenary families stayed largely in central Switzerland, in land, in public office and in loans to local communities. It did not create banks in Lugano or Locarno. What it created was a pattern: the Catholic cantons and their subjects received money from abroad in return for loyalty and invested it conservatively, at home, in land and in secured claims. That pattern, together with the dependence on Milan, belongs to the prehistory of the Ticinese financial centre as much as the commerce of the transit road.

In figures. The Pontifical Swiss Guard counts 22 January 1506 as its date of foundation, when 150 Swiss soldiers entered the Vatican. On 6 May 1527 only 42 of 189 guards survived.⁸ Its authorized strength was 110 men from 1998 and 135 from 2018.⁹ The Borromean League of 1586 comprised seven Catholic cantons, joined by Appenzell Inner Rhodes in 1600 and by Catholic Glarus in 1655.¹⁰ The alliance of the Catholic cantons with Spain was concluded in 1587 and renewed five times until 1705.¹¹

3 Notes

1. Fritz Glauser, "Mailänder Kapitulate", in HLS, version of 13 January 2011, <https://hls-dhs-dss.ch/de/articles/017199/2011-01-13/> (payments by Milan that "sich bald zu Pensionen entwickelten"; customs exemption for Confederate merchants; grain from the Po valley and salt; recruitment and passage of troops; the capitulations of the Three Leagues between 1639 and 1763; renewals of 1604, 1634, 1664, 1702 and 1705; the treaty of 1705 in force only until 1706; failed Austrian attempt of 1711). For the wider context see Geoffrey Parker, *The Army of Flanders and the Spanish Road 1567–1659* (Cambridge 1972). ↩
2. See Chapters A.II and A.III; the circulation of pension money through the bailiwicks is an inference. ↩
3. Holy See, Roman Curia, "Pontifical Swiss Guard: Profile", <https://www.vatican.va/content/romancuria/en/guardia-svizzera-pontificia/corpo-della-guardia-svizzera-pontificia/profilo.html> (150 Swiss under Kaspar von Silenen, 22 January 1506; 189 guards on 6 May 1527, of whom 42 survived). ↩

4. Roland Beck-von Büren, "Guardia svizzera pontificia", in DSS, version of 18 November 2009, <https://hls-dhs-dss.ch/it/articles/008624/2009-11-18/> (147 dead in 1527, commemoration on 6 May, requirements, strength 1512, 1976 and 1998). Wikipedia (consulted as a last resort), "Päpstliche Schweizergarde", https://de.wikipedia.org/wiki/Päpstliche_Schweizergarde ("Im April 2018 erhöhte Papst Franziskus die Sollstärke der Schweizergarde von 110 auf 135 Mann", citing Vatican News of 4 December 2018); the English Wikipedia article dates the actual expansion to October 2019. ↩
5. Beck-von Büren (as above), on the agreement of 1858; Henry and Krauer, "Servizio mercenario" (above): "L'articolo 11 della Costituzione federale del 1848 vietava la conclusione di nuove capitolazioni"; the prohibition of 1859 on enlisting in "truppe non nazionali"; the Military Criminal Code of 1927 as the legal end of mercenary service; Swiss still serving in the Pontifical Guard. Military Criminal Code of 13 June 1927 (MCC), SR 321.0, Art. 94 para. 1 ("Der Schweizer, der ohne Erlaubnis des Bundesrates in fremden Militärdienst eintritt, wird mit Freiheitsstrafe bis zu drei Jahren oder Geldstrafe bestraft"), German and Italian text as reproduced by [droit-bilingue.ch](https://www.droit-bilingue.ch), <https://www.droit-bilingue.ch/de-it/3/32/321.0-94-126.html>. Wikipedia (consulted as a last resort), "Reisläufer", <https://de.wikipedia.org/wiki/Reisläufer>, states that guardsmen do not fall under the prohibition because their service is regarded as (house) police service. ↩
6. Federal Act of 27 September 2013 on Private Security Services Provided Abroad (PSSA), SR 935.41, Art. 8 para. 1, English and Italian text as reproduced by [droit-bilingue.ch](https://www.droit-bilingue.ch), <https://www.droit-bilingue.ch/en-it/9/93/935.41-8-11.html>. ↩
7. Herbert Lüthy, *La Banque protestante en France de la révocation de l'Édit de Nantes à la Révolution*, 2 vols (Paris 1959–1961); see also the Geneva volume. ↩
8. Holy See, "Pontifical Swiss Guard: Profile" (above). ↩
9. Beck-von Büren (above), for 1998; Wikipedia, "Päpstliche Schweizergarde" (above), for the authorized strength of 135 decided in 2018. ↩
10. Bolzern, "Lega d'Oro" (above). ↩

11. Glauser, "Mailänder Kapitulate" (above). ↩

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