

The cantonal constitution of 1848

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The defeat in the Sonderbund war brought a liberal revolution to the canton. On 16 January 1848, the canton adopted a new constitution, which abolished the Landsgemeinde and the division of the canton into the town and the Amt.¹ The old federation of the town and the three communes of the outer Amt, which had governed the canton for four centuries, came to an end. The canton became a unitary state composed of communes with equal rights, governed by a representative parliament and an executive council.

The abolition of the Landsgemeinde distinguished Zug from its central Swiss neighbours, several of which retained their popular assemblies until the late twentieth century or, in the case of Appenzell Innerrhoden and Glarus, into the present. Zug turned instead to the representative model of the liberal cantons of the plateau. The choice reflected the influence of the liberal minority after the defeat of 1847, but it also reflected the practical needs of a canton that was beginning to industrialise and that needed a legislature capable of dealing with the questions of a modern economy. It was a decision for a government by representatives, open to reform, which prepared the ground for the legislative agility that the canton would later display in fiscal matters.²

The separation of the corporation from the political municipality, decided in the town of Zug in the same year, 1848, followed the same logic.³ The community of residents, defined by domicile, was distinguished from the community of the old citizens, defined by descent and by the ownership of communal property. The political community became open to all residents, while the property community remained reserved to its members. This distinction, completed in 1874 and settled by agreement in 1877, allowed the town to welcome newcomers into its political life without dispossessing the old citizens of their property.⁴ This characteristically Swiss solution to the problem of integrating immigrants into a community

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of property owners made the later growth of the town politically manageable.

1 Notes

1. HLS, "Zug (Kanton)": the constitution of 16 January 1848 abolished the Landsgemeinde and the Amt divisions. ↩
2. Hans Stadler, "Landsgemeinde", HLS, version of 18 January 2021, hls-dhs-dss.ch: abolished in Zug and Schwyz in 1848, in Uri in 1928, in Nidwalden in 1996, in Appenzell Ausserrhoden in 1997 and in Obwalden in 1998; at cantonal level it survives only in Appenzell Innerrhoden and Glarus. ↩
3. HLS, "Zug (Gemeinde)": separation of the corporation decided in 1848. ↩
4. HLS, "Zug (Gemeinde)": separation of the corporation from the political municipality and division into residents', citizens' and Catholic parish municipalities in 1874; separation agreement of 1877. ↩

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