

Pennsylvania and Switzerland: The American Origins of the Swiss Constitution*

The debt of constitutional gratitude which Switzerland owes the United States in general and Philadelphia in particular is such that it can never be repaid. Is it not fitting, however, that it should at least be recalled by a Swiss student of political science, when honored by an invitation to present a paper on the occasion of the bicentennial exercises of the University of Pennsylvania?

The subject is essentially historical, as all political science necessarily must be if it wishes to be, to remain or perhaps—shall I say?—to become worthy of its name. But the subject is far from dead. It is alive not only in the grateful memory of the Swiss people everywhere. It is most alive also in that it deals with a problem of federalism. Are not problems of international federalism less dead than ever in this year of world tragedy?

Introduction

In 1848 the Swiss ship of state, after a stormy voyage of over five hundred and fifty years, at last came to port. It found refuge in the constitutional harbor which had been discovered and charted by the American statesmen assembled in the Continental Congress in Philadelphia more than half a century before. The story of this memorable docking, which took exactly fifty years, is not unknown. In fact all school children in Switzerland are taught the lesson of how the loose confederacy of sovereign cantons, which had emerged from the Middle Ages, survived throughout the religious wars of the sixteenth and seventeenth centuries, momentarily succumbed to the onslaughts of the French Revolution, at the end of the eighteenth, and was finally transformed in 1848 into the federal state it is today. Nor are they

* Under this title are reprinted here some extracts of the monograph prepared by the author on the occasion of the Bicentennial Conference of the University of Pennsylvania, in September 1940. The monograph itself, which extends over 70 pages, is naturally too long to be reproduced here. It is therefore proposed to reprint only those parts of it which most clearly show the influence exercised by the American constitution on the drafting of the Swiss fundamental law of 1848.

ignorant of the fact that this transformation was carried out in conscious and deliberate imitation of the American model.

My purpose in this paper is not to sum up the constitutional history of Switzerland from 1798, when she first ceased to be a confederation of sovereign cantons, until 1848. To do so would merely be to repeat what is to be found in countless textbooks and to add nothing to the knowledge of the subject. Rather would I recall the most significant references to the American precedent made in public discussion in Switzerland in the course of that half-century and to show how and why it finally prevailed.

Even in this field so strictly limited, I raise no claim to complete originality. The influence of the United States on the constitutional development of Switzerland is not only obvious in the light of contemporary testimony, as we shall see presently. It has also struck many subsequent commentators and through their writings it has become incorporated in the common stock of historical information.¹ What has never been attempted before, however, neither in English nor in any of the national languages of Switzerland, is an inquiry devoted exclusively to what might be called the case of American-Swiss constitutional contagion of 1798—1848. What my study thus loses in scope it may, I hope, regain in novelty, thoroughness and convincing clarity...

From Chapter I, entitled "The Revolutionary Period, 1798—1802",
the following passages are extracted:

... In the heat of this controversy, the recently adopted American federal system, which was coming to be known, was expressly repudiated by the thoroughgoing Unitarians and deliberately ignored by the thoroughgoing conservative Federalists. The latter would of course have nothing to do with

¹ The first and most important work on the constitutional similarities between the United States and Switzerland was that published in three volumes by Professor J. J. Rüttimann under the title *Das nordamerikanische Bundesstaatsrecht verglichen mit den politischen Einrichtungen der Schweiz*, Zurich, 1867, 1872, 1876. This monumental work is particularly significant in that its author, thoroughly conversant with the American literature of his time, had, before his academic career in Zurich, the federal Diet which drafted the constitution of 1848. A more recent and briefer study is that of Professor Ed. His, *Amerikanische Einflüsse im Schweizerischen Verfassungsrecht*, Basle, 1920. Cf. also my studies *Notre grande république suisse*, Geneva, 1916; *Suisse et Etats-Unis*, Geneva, 1916; *On some economic and political relations between Switzerland and the United States*, New York, 1917; *Le contrôle de la constitutionnalité des lois fédérales par le juge aux Etats-Unis et en Suisse*, Basle, 1934. The latest book on the subject is an excellent doctor's dissertation prepared in Zurich by an American exchange student, M. L. Tripp, *The Swiss and United States federal constitutional systems*, Paris, 1940.

a complicated newfangled foreign scheme of revolutionary origin, which was contrary to all Swiss traditions. But the rationalist Unitarians, for whom neither its novelty nor its complexity nor its foreign revolutionary origin were in themselves objections, were opposed to it because, if adapted to Swiss conditions, it would tend to transfer back too much power to the cantons and thus dangerously promote political reaction.

Of these rabid Unitarians, one of the most outspoken and one of the most interesting for our purposes was Jean-Jacques Cart, a native of Morges, a little town situated on the banks of the Lake of Geneva, in the newly founded canton of Vaud. Cart, after studying law in Geneva, had become tutor of the son of the British General Wood, whom he accompanied to America. After spending four years in Boston from 1769 to 1773, he returned home to practice law in his native town. Here he published a pamphlet in which he challenged the right of the Bernese authorities to tax their Vaudois subjects without the consent of the latter. Obligated to flee to France, in 1791, in order to avoid arrest, he became acquainted with several of the Girondin leaders there. In 1793, Monge, who was then Minister of the Navy, entrusted him with a mission to the United States for the purchase of supplies for the French Government. Having lost his job when the Girondin Monge was replaced by his more extreme opponents, Cart settled down as a farmer in New York State.¹ He tells us himself how the revolution of 1798 brought him back to Switzerland. In a little book published in 1802 he wrote:

"In June 1798 I left my woods and my plough in Ulster County; in twenty-eight days I was in Bordeaux and soon in Aarau (then the Swiss capital). One afternoon, I called on citizen director Ochs. He received me in bed, I don't know why, since he was in perfect health. We spoke of Washington, of Hancock, of Adams, of Jefferson and of the Americanized Genevese Gallatin, truly worthy of his fate!"²

In October 1799, Cart became a member of the Swiss Senate. He took a very active part in its debates and constantly drew on his American experience in his speeches. Although full of admiration for everything American and especially for the republican simplicity which he had found abroad and which he sadly missed among his political associates on his return home, he was opposed to the idea of Switzerland's copying the American constitution. He wrote:

"In America one hardly notices the existence of government. It has no agents anywhere, justices of the peace see to the arrest and imprisonment of anyone who troubles the public peace, which is rarely troubled. The highroads are safer than anywhere else, theft is rare, murder almost unknown.

¹ *Lettres de J. J. Cart à F. C. Labarpe*, Lausanne, 1799, p. 9.

² J. J. Cart, *De la Suisse, avant la Révolution et pendant la Révolution*, Lausanne, 1802, p. 62.

Since 1800 there exists a capital of the general confederation, the federal capital of Washington. None of the republics which constitute it has a real capital. That would offend against the principle of equality.

During the five years I spent in the republic of New York, the seat of its government was successively established in New York City, in Albany and in Poughkeepsic. One of my friends was secretary of the Senate. Once a year he would set off from his home in my surroundings. His travelling bag contained the archives and the records of the Senate. Three months later he was back home . . .

No pomp, no external show. Washington, president of the Congress, was dressed as Washington presiding over his plough; no body-guard, no drums, no noise. Accustomed to these things, emerging from my woods, somewhat of a savage as I have always been, I came back from America, I opened my eyes wide and I looked for the republic. What did I see? On the highways, in the villages, on the market places, I saw men whose arms were adorned with green ribbons. I asked who were these men. I was told: agents of the executive. Did I belong to a republic of parrots? I despaired of the Republic. I was deeply grieved."

In the United States, of which Cart expected that, as he wrote, "before thirty years they would be in possession of Mexico, before forty of the West Indies and before fifty of the whole trade with India" everything was simple. In poor and small Switzerland, everything was far too elaborate. And still the proposal was made to emulate the American federal system! What a folly, thought Cart, who in consequence favored the strictest form of unitary administration. He wrote:

"I return to my poor Switzerland and I conclude: To dress it up as the United States . . . would be to wrap up a pygmy in the garb of a giant. The trousers would be longer than the legs. He could not walk . . . The absurdity of federalizing poor little Switzerland in any way . . . is so striking . . . that I need not further dwell on the topic . . . Therefore strike out the term of canton from the Helvetic dictionary. Strike it out for ever."¹

With less knowledge of the United States than Cart, but with the same conviction that its constitution would not suit Switzerland, Secretan, a fellow Vaudois and a fellow Unitarian, expounded a similar anti-federalist philosophy in a pamphlet published in 1800.² Replying to an imaginary critic advocating, not a return to pre-revolutionary conditions but the adoption of a more enlightened form of political centralization, Secretan wrote:

" . . . One may quote against my case the example of the United States of America, an example that has become very fashionable with us (exemple devenu chez nous

¹ *Ibid.*, pp. 137 et seq.

² *Réflexions sur le fédéralisme en Helvétie*, par S., Berne, April, 1800.

fort à la mode').¹ — I must admit that I have never very well understood what reason should induce us to follow it. Is it perhaps the identity of our geographical position? Pray tell me what relation can there be between states spread over 300 leagues of sea coast, too far distant one from another to allow for a common administration, and our mountains huddled together in a very narrow and almost circular space. Should we feel the necessity of having a President with a life tenure of office, a Stadhouder or a perpetual dictator? If any of those who have suggested the American plan have felt such a need, the Helvetic people do not yet seem prepared to share can plan have felt such a need, the Helvetic people do not yet seem prepared to share their views. We have not yet discovered a Washington for us to crown. — Is it then perhaps that experience has shown the American government to be the best possible government? Surely a period of twenty years for a nation is but the space of its first childhood, especially if, as is the case with this nation, it has not had since its War of Independence an opportunity of testing its strength. The history of the American people has not yet been either long or memorable enough to allow one truly to judge of the excellence of its institutions."² . . .

From Chapter II, which deals with "The Restoration, 1814—1830",
the following is extracted:

. . . Travelling through Switzerland in the summer of 1828, the American novelist Fenimore Cooper noted that "all the liberal and enlightened Swiss . . . admit that the present system is imperfect." He added:

"Most of them, it is true, are opposed to consolidation, for the inhabitants of the towns object to having their policy brought down to the level of that of the mountaineers; but they desire a Union like our own, in place of the Confederation,—a central government, that for certain common objects, can act directly on the people, without the interference of agents, who derive their authority from a different source."³

One of the most active centers of Swiss political thought during the dark period of the Restoration was the Helvetic Society. This private organization, grouping public-spirited citizens from all parts of the country, had been founded in 1761. With brief interruptions, from 1798 to 1807 and from 1814 to 1819, when the political situation prevented it, they had met every year

¹ I find the same expression in an anonymous article entitled "Gedanken über den Federalismus in Helvetien", published in 1801 in the *Helvetische Monatschrift*, vol. VI, p. 49. The author opposes the imitation of the United States, "now a very fashionable example" ("ein jetzt sehr modisches Beispiel").

² Secretan, *op. cit.*, pp. 15—16.

³ J. Fenimore Cooper, *Excursions in Switzerland*, Paris, 1836, p. 154.

freely to talk over among themselves matters of common patriotic interest. After 1819, their main topic of discussion was the very one which had led to their first gathering, towards the end of the pre-revolutionary régime, namely, the unsatisfactory character of the relations between the sovereign cantons and the generally felt desire to strengthen the bonds between them. This inevitably led them to consider the need for, and possibilities of, federal constitutional reform.

At the two last meetings of the Helvetic Society before the revolution of 1830, the tone and substance of the speeches delivered were particularly significant in this connection.

On May 12, 1829, their venerable president, the historian Heinrich Zschokke, who had already in 1824, in a pamphlet, denounced the national peril of the prevailing intercantonal anarchy,¹ and who had long been a great admirer of America², devoted his opening address to the distressing state of the Republic. Ever since 1814, he showed, the nation had moved in one direction and the state in another. The people were ever more eager for political freedom and national unity, whereas their authorities were sternly repressive and insistent on the principle of absolute cantonal sovereignty. Zschokke pointed out how the Federal Pact of 1815 contributed to this state of affairs by saying:

"As the Federal Pact, with hardly a restriction, allowed the majesty of the whole Confederation to be buried in the grave of the absolute sovereignty of twenty-two local administrations, the federal Diet itself inevitably fell to the level of an exchange market for the negotiation of twenty-two local interests. Each canton, as indeed it must, there raises its voice only to defend its own needs against those of its neighbors. But who then speaks for the Confederation as a whole against the various cantons? Who then defends the honor, the welfare and the might of the Swiss nation? The parts decide for the whole, because they are more than the whole and because they constitute a league of states and not a federal state."³

Zschokke concluded his impassioned oration in the following terms:

"Truly, if the Swiss citizen must forget Switzerland and, limiting his loyalty to his local home, become insensitive to the pain of his bleeding patriotism, then it would be better to strike out the divine classics from the curriculum of our schools

¹ Heinrich Zschokke, *Betrachtung einer grossen Angelegenheit des eidgenössischen Vaterlandes*, Aarau, 1824.

² In 1818 he had published an article entitled "Europas Niedergang — Americas Aufgang" (Europe's fall America's rise) of which the final words indicate the general inspiration. They were: "From now on America shall be the home of human culture and the light-house of the globe, towards which the individual sages in all countries will look with yearning and grateful blessings." H. Zschokkes *ausgewählte Schriften*, vol. X, Aarau, 1825, p. 322.

³ *Verhandlungen der Helvetischen Gesellschaft zu Schinznach im Jahr 1829*, Zurich, pp. 34—35.

²¹ Rappard, *Varia politica*

and to blot out in the minds of our children the memories of the heroes of ancient Greece and Rome, and indeed also those of Washington, Franklin, Jefferson and the other immortal citizens of the American federal state."¹

Thus we again see how, whereas under the unitary régime of 1798 the American example had been pointed to as a model by the conservative federalists, under the reactionary constitution of 1815 it became the inspiration of the liberal, forward-looking national patriots.

At the next meeting of the Helvetic Society, in May 1830, Dr. Schinz, a member of the Supreme Court of Zurich, having declared that the liberal and more numerous part of the Swiss people had lost all confidence in their governments and denounced the Federal Pact of 1815 as a "political bastard," went on to make the following statement, which I quote literally for reasons which no American reader will fail to understand:

"All the governments of Switzerland must become aware of the fact that they are but governments of the people, by the people and for the people."²

These words, uttered a full generation before the delivery of Lincoln's Gettysburg address, may help to explain why the thought of the American people and the example of their constitutional arrangements were ever in the minds of their Swiss fellow-democrats . . .

One of the main chapters of the monograph is entitled "The Struggle for and against the American System, 1833—1847." An appreciable part of it is reproduced here:

. . . With the failure of constitutional reform in 1833, there begins a long period of struggle for and against the adoption of the so-called "American system."

While the opposition of Casimir Pfyffer to the draft of 1833 had been moderate and discreet, that of the radical extremists on the contrary was violent and most vociferous. Chief among these was Pfyffer's fellow-citizen from Beromünster, in Lucerne, the doctor philosopher Ignaz Paul Vital Troxler.³

¹ *Ibid.*, p. 42.

² «Alle Regierungen der Schweiz müssen es erkennen, daß sie bloß aus dem Volke, durch das Volk und für das Volk da sind.» Karl Morell, *Die helvetische Gesellschaft*, Winterthur, 1863, p. 398.

³ A. Götz, *Dr. Ignaz Paul Vital Troxler*, Zurich, 1915; Charles Secretan, *Troxler*, in *Biographies Nationales*, Lausanne, 1883, vol. III, pp. 111—128; Cf. also some interesting impressions of a foreign contemporary in T. Mundt, *Spaziergänge und Weltfahrten*, Altona, 1839, vol. III, pp. 40 *et seq.*

As Troxler was, perhaps more than any other single person, responsible for the adoption of the American bicameral system in Switzerland, he deserves a special mention here.

Born in 1780 as the son of modest, devout (but not superstitious) Catholic parents, he soon distinguished himself in his studies. In 1798 he at first welcomed the Helvetic Republic and the principles of liberty and equality which it proclaimed. Very soon, however, disappointment replaced enthusiasm. Having been appointed to a government position in Lucerne at the age of eighteen, he became disgusted with the general disorder which he witnessed and with the predominance of French influence in Swiss affairs. In 1800 he left his position and his country to study medicine and philosophy at Jena and later at Göttingen. He returned to his native Beromünster at the age of twenty-six. From then on he lived in Switzerland: first practicing medicine at Beromünster and then teaching—at Lucerne from 1819 to 1823, at Aarau from 1823 to 1830, at Basle in 1830—1831, then again in Aarau from 1831 to 1834 and finally in Berne from 1834 to 1853. He died in 1866.

Thus his active existence, as also his political views, were far more Swiss than cantonal, in contrast to the existence and the views of most of his fellow-countrymen. Throughout his long and varied career, he read and wrote philosophy, sought rather than shunned—it would seem—controversy and lawsuits, attacked the governments of the day, and published countless pamphlets which were more often violently polemic than serenely enlightening.

The political philosophy which he expounded with real consistency through all his life was that of a rabid anti-aristocrat and anti-traditionalist more than of a thoroughgoing democratic radical. He was too much attached to culture, and also to a free type of religion, not to be antagonized by certain demagogic manifestations of the leaders of the politically emancipated masses. But he was, above all, opposed to unjustified hereditary privilege and to irrational routine in all its forms. From 1813 on he published one or more books and pamphlets every year, dealing successively with matters philosophical, medical, pedagogical and political. During the Restoration, he was naturally always in opposition to the cantonal and the federal régime of his country. His presidential address at the meeting of the Helvetic Society, in 1822, was a protest against governmental repression and a plea for popular liberty and national unity. After 1830, he interested himself principally in constitutional federal reform.

The draft of 1832 was hardly out of the hands of the printers when Troxler showered down upon it a hailstorm of denunciatory pamphlets. Strangely disguising his real historical erudition and original philosophical thought

behind a barrage of violent invective, he flayed the projected federal act, laid bare its "seven capital sins" and repudiated it utterly as the "bastard" product of a "quasi-legitimist doctrine." It would lead us too far afield to analyze or even to summarize all these pamphlets,¹ of which no less than eight appeared in 1833 alone. Rather would I quote from one of them² a passage which may be taken to have laid the foundations of the bridge over which the American constitutional idea was imported into Switzerland. Having therein recalled the past constitutional evolution of his country, he wrote:

"This undeniable development leads us to the conclusion that the true equilibrium to which it tends can be found neither in a confederation of states nor in a unitary state, and that an 'Eidgenossenschaft'³ can only be a federal state,—indeed, is nothing but its most perfect form . . . The unitary state excludes the constituent states from the league and the confederation excludes its citizens . . . The federal state alone reconciles two apparently contradictory principles and satisfies alike two opposite sets of claims . . .

We have to harmonize together a qualitative and a quantitative relation or ideal to reconcile the representation of two so-called principles of nature and of rights in the constitution of the supreme authority of our federal state. For the twofold exigency of freedom within and independence without demands that both cantonal diversities and national unity find their representation and their guarantee in our league.

In the course of my long and earnest reflections on the problem, a brilliant and happy example of its solution in historical reality loomed up before my eyes. It was the federal system of North America. The federal assembly of the United States (the Congress) is divided into two branches, into the Council of the Elders (the Senate) and in that of the deputies (House of Representatives). The first is elected and composed by the legislatures of the constituent states . . . ; the second, on the other hand, by the people on the basis of population . . .

The constitution of the United States of America is a great work of art which the human mind created according to the eternal laws of its divine nature. It is the product of the united new culture of mankind. It is a model and a pattern for the organization of the public life of republics in general, in which the whole and the

¹ *Über Verderbnis und Herstellung der Eidgenossenschaft; in Reden.* (Severus Pertinax), Rapperswil, 1832; *Über die von einem Tagsatzungsausschuss des Jahres 1832 entworfene Bundesurkunde*, 1833; *Die sieben Todsünden der Bundesurkunde*, 1833; *Die eine und wahre Eidgenossenschaft im Gegensatz zur Zentralherrschaft und Kantonstümelei, sowie zum neuen Zwitterbunde Beider; nebst einem Verfassungsentwurf*, Rapperswil, 1833; *Maidbüchlein für das Schweizervolk.* (Novalis), Stäfa, 1833; *Der von der Tagsatzung am Recht der Nation begangene Verrat grundsätzlich nachgewiesen.* (Pertinax Novalis), Stäfa (?), 1833; *Reden, gehalten in der aargauischen Grossratsitzung am 23. und 25. Juli 1833 von Troxler, Hürner, Tanner etc., den Entwurf der neuen Bundesurkunde betreffend*, 1833; *Lösung der nationalen Lebensfrage. Woran muß die Bundesverfassung der Eidgenossenschaft begründet werden?* Rapperswil, 1833.

² Professor Dr. Troxler, *Die eine und wahre Eidgenossenschaft*, etc., op. cit.

³ The official German name of the Swiss Confederation, which literally translated means "a community by oath".

parts shall both be free and equal. In the year 1787 the Convention at Philadelphia solved the great problem of the conciliation of national unity with the autonomy of constituent states and this autonomy with the freedom of all citizens. The problem has been solved by the new world for all peoples, states and countries. The civically free and federally united social organization it has created is a response to a natural necessity just as the organic structure of men, of animals and of plants."¹

To the pamphlet in which this important statement is made Troxler added a "draft fundamental law for the Swiss Confederation," divided into 49 paragraphs.² Of these we quote those which most clearly show both how he was, in framing them, influenced by his American model and how he in turn seems to have influenced the framers of the present Swiss constitution:

§ 1

The Swiss *Eidgenossenschaft* is a federal state based upon the foundation of popular sovereignty with representative institutions.

§ 2

The unity of the whole shall be combined with the autonomy of the parts and accordingly the sovereignty of the nation must be exercised in the league by a general and by a special representation.

§ 3

The general representation in the league is that of the Swiss citizens or companions of oath (*Eidgenossen*), the special representation that of their states or cantons . . .

§ 34

The sovereign in the federal state is only one, namely the nation; but the nature of the federal state demands that its representative organization be twofold, namely, the original or general in the free states, or that of the population, and the derivative or special, or that of the cantons in the league . . .

§ 36

The representation of the cantons is the fruit of a historical tradition ("ist ein herkömmlich Gegebenes"). As a state in the league, a canton cannot have more or less than one representative . . .

§ 38

The representation of the nation rests on the population . . .

¹ This last passage is drafted in terms so characteristic of the German metaphysics in which Troxler had been trained and in which his mind always seemed to revel that I cannot be certain of my translation. In the original it reads: «Die Aufgabe ist durch die neue Welt gelöst für alle Völker, Staaten und Länder, und die in ihrer Lösung aufgestellte freibürgerliche und bundesgenössische Gesellschaftsgestaltung hat ihre Naturnotwendigkeit, wie der Organismus der Menschen, Thiere und Pflanzen.» *Ibid.*, p. 28.

² *Entwurf eines Grundgesetzes für die schweizerische Eidgenossenschaft*, *ibid.*, pp. 31 et seq.

§ 39

The national representation is constituted by one representative for every 25 000 inhabitants . . .

§ 42

The federal authorities are constituted by a legislature, an executive council and a supreme court.

§ 43

The legislature, or national congress, is divided into two branches, an assembly of representatives of the people and an assembly of representatives of the cantons . . .

§ 44

A federal chief («Bundesammann») with two deputies constitutes the executive council. All three are to be elected at a meeting of both councils sitting together as a diet. They may be freely chosen from the body of the citizens, but during their tenure of office they may be members neither of the council of senators nor of the council of representatives.

To the conception thus outlined Troxler remained faithful throughout his life. Fifteen years later, on the morrow of the Swiss civil war which finally broke down the resistance of the opponents and made possible the adoption of a truly federal constitution, he published one of his last political pamphlets under the title "The constitution of the United States of America as a model for the Swiss federal reform."¹

As a preface to the translation of the American constitution, he renewed the profession of his political faith in almost the same terms as those of 1833 writing:

"A rich experience of life made up of much suffering, great sacrifices and varied struggles led the author to political studies and bred in him the conviction that the authors of the fundamental law of the United States of America have solved a truly human problem. Through their federal constitution they have translated into life an ideal of social organization which from now on in the history of the world must be looked upon as the authoritative pattern of all federal republics."²

It is impossible to determine with accuracy what positive influence Troxler himself exerted on the course of events in Switzerland between the dates of publication of the two pamphlets we have singled out from among a host of other of his writings. Two things, however, are certain. On the one hand his ideas were taken up, reported and elaborated by a small group of ardent

¹ *Die Verfassung der Vereinigten Staaten Nordamerikas als Musterbild der Schweizerischen Bundesreform*, Schaffhausen, 1848.

² In italics in the original text. *Ibid.*, p. 11.

reformers, among whom he expressly mentioned, in 1848, Kasthofer, James Fazy and Druey.¹ On the other hand, although they were widely known and discussed throughout the country in the interval, they were rarely if ever mentioned in the official constitutional debates of the Diet. The natural reluctance of professional politicians to admit their intellectual debts to academic outsiders and also the fear of exasperating the opposition of the impatient believers in cantonal sovereignty are probably responsible for this otherwise surprising reticence. Before noting how the pressure of events finally forced the American solution upon Swiss officialdom in 1848, let us briefly recall how, following in Troxler's footsteps, a few other Swiss publicists sought to popularize his ideals.

One of the most effective of these was the Bernese government forester Karl Kasthofer. That he was a forester by taste, as well as by calling, is shown by the fact that most of his publications deal with the subject of forestry. It is all the more remarkable that, after taking an active but not a leading part in the cantonal revolution at Berne, he should at the age of 55 have found time to study the American constitution and felt called upon to urge his compatriots to reconstruct their country according to its principles. This he did most convincingly in a pamphlet entitled "The Swiss Federal Booklet."² It appeared in 1833 at Burgdorf, a country town in the Canton of Berne which had been one of the centers of the cantonal revolution. To this popularly written pamphlet, he annexed a translation of the greater part of the American constitution of 1787. In his introduction he expressly and sympathetically referred to Troxler's efforts, which shows that he was deliberately following the latter's lead.

For the purposes of this study, the whole booklet would deserve quoting. No publication more clearly shows the reasons and the nature of the interest the enlightened and unprejudiced Swiss of a century ago took in the American precedent. That interest was one of principle as well as of political technique. It was one of principle and of instinctive attraction, as the Americans, in Kasthofer's eyes, were like his fellow-countrymen—freedom-loving republicans who had revolted against foreign rule in order to be their own masters. And it was one of constitutional technique also, since the problem with which they were confronted on the morrow of their war of independence was essentially the same as that which was baffling the members of the Swiss federal Diet. How could local liberty and local diversities be respected with-

¹ *Ibid.*, p. 12.

² Karl Kasthofer, *Das Schweizerische Bundesbüchli*, Burgdorf, 1833. Cf. also by the same: *Mein politisches Glaubensbekenntnis am Schluss des Jahres 1834*, Berne, 1835, in which he refers to his relations with Troxler and Bornhauser, p. XIII.

out jeopardizing national unity? It was to that difficult problem that the Americans had found a technically felicitous solution.

The following passage I have selected for quotation because it brings out these two points. It is interesting also in that it shows that the advocacy of what came currently to be called "the American system" had already gone far enough to arouse the national prejudice against everything foreign, which is characteristic of the Swiss, as of most other democracies. Kasthofer wrote:

"The wonderful prosperity of North America has attracted millions of emigrants from all European countries, including thousands from Switzerland alone. The contentment and the welfare which they have found abroad are such as to make desirable for all of you, my friends, an acquaintance with the constitution which has brought with it such blessings and which teaches all of us Swiss a most significant and useful lesson. Don't tell me what our old politicians have told us for centuries past and what our new-baked grand masters are repeating today: that we should and can learn nothing from an example which cannot be adequate and helpful for us because we Swiss are a very special people, because our country is entirely different from other countries and because our conditions are such that they cannot be organized and moulded according to a foreign pattern. Men and their passions are everywhere about alike and their needs, their sufferings, their satisfactions, their force and their happiness all spring from very similar sources. Let us learn from the example of other peoples: a people that refuses to learn anything cannot escape dangerous accidents, nay even its destruction.

The North Americans . . . after their ten years' struggle against the English . . . nobility and against the king . . . were in a position similar to ours: they also had their special states or cantons which did not wish to sacrifice their independence, their customs, their particular administration; some of these cantons were peopled by Scotch, English and Irish; others by French, others by Spaniards, others finally mostly by Germans; some were Catholic, others followed the Reformed, others the Lutheran faith; some were liberals and republicans, the others royalists; some lived in hot, others in cold, climates; some in rolling country, some in lowlands, others in high mountains; some were and are engaged in large trades and in manufactures in great sea ports, others, many hundred hours travel from the coast, live only on agriculture and cattle-raising; there you find a hundred thousand black Africans in the employ of white planters, here nothing but free white farmers; here half-savage Indian hunters are welcomed into the social fold, there none of these natives are any more to be found.

And all these so diverse peoples scattered over this immeasurably large land are united into one 'Eidgenossenschaft', without losing their freedom; all these cantons situated thousands of miles from each other, separated by high mountains, by the greatest rivers in the world, by religion, by speech, habits and old customs, are bound together without loss of independence and impaired possibilities of development by a federal bond which gives them the might of the greatest powers of the world and secures their freedom against any foe.⁷¹

¹ *Ibid.*, p. 12 *et seq.*

Having thus sought to refute what even then was already the main argument of the opponents of the American system in Switzerland, namely, the greater complexity of conditions at home, Kasthofer went on to expound the pure federal and bicameral doctrine by analyzing and favorably commenting on the main provisions of the American constitution. In the light of these considerations, he then formulated "The main principles of a new Swiss league" which were but the American principles of 1787 adapted to his country. The Congress was called Diet, the House of Representatives, National Assembly and the Senate, Senate.¹

In language both less learned and less passionately violent than Troxler, the elderly Bernese forester Kasthofer preached precisely the same political philosophy as the physician philosopher from Lucerne.

The only other German-Swiss popular propagandist of American constitutionalism in the early thirties of the last century whom I shall mention here was Thomas Bornhauser, the political pastor from Thurgau. After actively promoting the cantonal revolution at home in 1830 by his fiery oratory, as we have seen above, he in 1833 joined with Troxler and Kasthofer in a common effort to win over the whole Swiss people to American federalism and bicameralism with his pen.² His literary contribution resembled neither the passionate and erudite pamphlets of Troxler, nor the popularly didactic booklet of Kasthofer. He delivered his sermon in the form of a dialogue. The principal characters were ordinary Swiss citizens of divergent political views, such as one could meet on the market place of any small town. The scene is laid at Arbon in Thurgau on the Lake of Constance where Bornhauser resided. There is no plot, but the political problems of the day are discussed from various angles. The leading character, Treuberz, who is the author's spokesman, advocates the American system as a guide for constitutional reform.³

The question is broached as a group of German emigrants coming over the lake appear on the stage. In reply to a question as to their plans, one of these emigrants says:⁴

¹ *Ibid.*, p. 19 *et seq.*

² On May 21, 1832 he had already delivered a public lecture on the reform of the federal constitution, but without referring to the American precedent. Cf. T. Bornhauser, *Ein Wort über die Revision der schweizerischen Bundesakte*, Trogen, 1832.

³ *Schweizerbart und Treuberz*, Saint-Gall, 1834.

⁴ I quote from the French translation, *Schweizerbart et Treuberz*, transl. Leresche, 1835, pp. 59 *et seq.*

"The night of slavery surrounded our cradle, the sun of liberty shall shine upon our grave; we are bound for the country of Washington."

To Treuherz, who suggests that Switzerland also is a free country, the emigrant replies:

"Switzerland is weak because it is the prey of dissension... let us leave for the country of Washington where happiness born of freedom is wedded to power, the child of concord."

After the departure of these grandiloquent German emigrants, the conversation between the Swiss who remain continues as follows:

"The school master: 'Why should everybody wish to go to North America?'"

The alderman: "There are lots of vacant lands there. That is what attracts the emigrants."

Treuherz: "It is also, and perhaps more still, the greater religious, political and civil freedom."

The school master: "What I don't understand is why Germans should not prefer to settle in Switzerland and why even Swiss should think of leaving for America."

The alderman: "Everything seems more attractive from afar."

Treuherz: "I agree with that remark... but we must admit as true what is true. In fact, North America has advantages of which Switzerland is still deprived."

The school master: "What are they?"

Treuherz: "... Our ancient and vicious federal institutions have so demoralized us that many Swiss cannot even imagine a different and happier state; that is why the men who propose a complete reconstruction of our institutions are denounced as dangerous innovators, as dreamers and as madmen. Even our alderman here seems to look upon a federal state in which the cantonal and the national spheres would be harmonized one with another as a Utopian ideal. Well, the problem has been solved. The United States of North America have founded a federal state in which the freedom of each individual canton stands in perfect harmony with the unity of the nation."

The alderman: "I am not sufficiently informed about the federal constitution of North America."

Treuherz: "In that country a careful distinction is made between what belongs to the confederation and what concerns the individual states or cantons. War and peace, treaties and foreign alliances, provisions relating to the acquisition of citizenship, the currency, weights and measures, the postal service, the customs and the ship, the army are all federal affairs which are dealt with by Congress (the Diet). This Congress is made up of two authorities or Chambers. The House of Representatives and the Senate. The House of Representatives is the organ of the nation, the Senate that of the cantons."

The alderman: "Thus the United States have a system of two houses which seems to recall the constitution of England?"

Treuherz: "The representatives are elected in proportion to the population, one for every 33 000 inhabitants. Thus, for instance, New Hampshire sends three representatives to the House, Massachusetts, eight; New York, six; New Jersey, four; Connecticut, five; Virginia, ten; Delaware, one."

Schweizerbart: "That seems reasonable. The canton that is most inhabited and that contributes most to federal expenditure should also have most representatives."

Treuherz: "Still the Senate is annexed to the House of Representatives so that the interests of the canton should not be neglected. Here population is not taken into account: every canton, be it large or small, sends two deputies to the Senate."

The alderman: "How about their instructions?"

Treuherz: "That absurd institution is absolutely unknown in the United States. The members of the House of Representatives as also those of the Senate vote freely according to their conviction. However, in order to avoid light-hearted decisions, every bill is submitted to a triple examination. That is to say that, before being enacted, it must be adopted by the House of Representatives and by the Senate and approved by the President. The latter is the supreme executive official of the Confederation and has the army under his orders."

The alderman: "If the members of the House and the Senate vote without instructions, I don't understand how the Senate can represent the interests of the cantons?"

Treuherz: "There is, however, a certain counterpoise in that, whereas the House of Representatives is elected according to population, each canton has the same number of deputies in the Senate; but this counterpoise is light because the senators do not necessarily subordinate the federal to the cantonal interests. As many of us at first, Franklin also was opposed to this system of two houses, in which he saw an imitation of the British constitution. Now several of our distinguished fellow-citizens have proposed that we adopt this system. It seems to me that the principal merit of the constitution of the United States resides in this: that a clear distinction is made between what are federal and what are cantonal affairs, that the former are unreservedly entrusted to a large national body which considers them freely, whereas the second are dealt with by the legislature of the cantons. Thereby one avoids on the one hand the disunion from which we Swiss are suffering at present and on the other, the error committed by the Helvetic government when it wished to govern the whole of Switzerland from Berne, as if it were a monarchy."

Schweizerbart: "The President seems to be a very powerful man in the United States; I should think almost too powerful for us in Switzerland."

Treuherz: "That is why he is elected, he and the vice-president, by the whole nation and only for a term of four years. We Swiss should never forget that the legislative authorities should be as numerous as possible and the executive authorities, on the contrary, as few as possible."

The school master: "Have the Americans of the United States also a supreme federal tribunal?"

Treuherz: "Yes."

Schweizerbart: "Does the Congress sit permanently?"

Treuherz: "It meets as a rule only once a year in the month of December."

Schweizerbart: 'If that is so, the federal constitution of the United States must not be very costly to run.'

Treuherz: 'The Americans are free and happy under that constitution. The greatness, the power and the wealth of their Confederation are increasing from year to year. As one readily understands, not all American institutions can be copied in Switzerland; we should, however, base our new federal constitution on the fundamental principles which experience has so gloriously consecrated beyond the Atlantic; then the happiness born of freedom would with us also be wedded to power, the child of concord.'

Schweizerbart: 'If the citizens of the United States of North America have such a good constitution that hundreds, that thousands of peoples should annually be leaving their own country and undertaking such a long voyage in order to live and to die under its rule, what is there to prevent us from introducing this constitution immediately in its essential elements? It depends only on us; a people can aspire to no more than to be the arbiter of its own destinies.'

It is not difficult to understand that this vivid and popular discussion of the American constitution should have been sold in several editions and very widely read all over Switzerland.

Troxler, Kasthofer and Bornhauser were all German-Swiss. They were born and bred in the German part of Switzerland. They had studied at German-speaking universities—Troxler and Kasthofer in Germany, Bornhauser at Zurich. None of them had ever enjoyed any close association with France and with French thought.

Druey and Fazy, the two other most prominent popular advocates of the American system in Switzerland in the thirties of the last century were, on the contrary, pure French-Swiss. Both of them, it is true, had also spent several years in Germany for purpose of study and spoke German,—and English as well, be it incidentally observed. But they had both been born in French-speaking communities—Fazy in Geneva and Druey in a country-town in Vaud—and they both came to be the leading political spokesmen for their native cantons.

Of the two, Henri Druey was the more prominent in federal politics, but the less constantly orthodox in his defense of American bicameral federalism. In 1832, and again in 1840, 1841, 1845, 1846 and 1847, he represented his canton at the Diet. After taking a very active and influential part in the drafting of the federal constitution of 1848, he became a member of the first Federal Council, as the new Swiss executive was called.

In the matter of constitutional reform, he was from the start among the most ardent partisans of centralization. He opposed the Pact Rossi in 1833 not, as the majority of his fellow-Vaudois, because it threatened the sover-

eignty of the cantons, but on the contrary because it failed to establish the predominance of the federal state.¹ He then joined hands with the German-Swiss radicals who professed similar but not identical views. On February 26, 1834, with Troxler, Kasthofer, Bornhauser and a few others, he became a member of a committee appointed by the Federal Security Society to outline a revised federal constitution.² During that year he published a series of articles in the "*Nonvelliste vaudois*" in which he urged the adoption by a federal constituent assembly of a constitution based on the principles of popular sovereignty. The Swiss nation represented in a single Diet, composed of members elected by the cantons according to their population, should secure to all of its citizens everywhere the respect of certain fundamental rights.

On all these points, except on that of the federal legislature, Druey was in accord with his German-Swiss associates. But although in one of his articles he spoke of "the United States of America whose constitution we propose as a model for Switzerland,"³ he was never enamored of the bicameral system. As a member of the Diet which in 1848 framed the revised federal constitution, he opposed the introduction of that system as long as he could.⁴ While almost reluctantly recommending the draft to his fellow citizens in Lausanne after its adoption by the committee, he declared that he felt no "paternal love" for what he looked upon as a rather lame compromise.

Quite different was the attitude of James Fazy of Geneva. Druey, as most of his fellow-constituents, was driven to submit to the bicameral system as the only means of overcoming, or at least of moderating, the opposition of the federalists. Fazy, on the contrary, looked upon it as the most valuable feature of the American constitution. When in political control in Geneva, in 1847, he expressly instructed the Geneva delegation to the Diet to vote in favor of it.

Born in Geneva, in 1794, of an old local family of French Huguenot stock, this strangely brilliant and demagogic founder of modern democracy in his native canton had spent most of his youth in France.⁵ In the early twenties of the last century, he had there become intimately acquainted with General La Fayette who aroused in him a deep and lasting enthusiasm for the United

¹ G. L. B. Leresche, *Biographie politique de Henri Druey*, Lausanne, 1857, p. 316.

² *Ibid.*, p. 318; *Journal de Genève*, March 1, 1834, p. 3.

³ Annex to Leresche, *Ibid.*, p. 11.

⁴ Cf. manuscript notes of Jonas Furrer, *Archives fédérales*, 17a, p. 101.

⁵ Henri Fazy, *James Fazy, sa vie et son œuvre*, Geneva, 1887, p. 1 et seq. H. Barth, *Bibliographie der Schweizer Geschichte*, Vol. I, Basle, 1914, p. 394.

States and its institutions. As Fazy wrote in his autobiographical notes, quoted by his kinsman and biographer Henri Fazy:

"I shall ever remember all that the General was good enough to explain to me about American institutions during our return one evening alone together in his carriage from his château de la Grange to Paris. It was a complete course of lectures on the subject. If a stenographer had been present to take down what the General told me, the work which M. de Tocqueville published later would have been useless."¹

From this early time on, we are assured that Fazy was convinced that Switzerland would inevitably be led to copy the American federal pattern.² Whatever the truth of this suggestion—and it may well be in the nature of retrospective prophecy—one thing is certain:

In September 1831, that is immediately after the first official debate in the Diet, nearly a year before the appointment of the Rossi Committee and nearly two years before the first pamphlets of Troxler, Kasthofer and Bornhauser, there appeared in the *Journal de Genève* an anonymous article whose author asserted that the "federal system of the United States of America" alone fulfilled Switzerland's constitutional needs. What is hardly less certain is the identity of that author. My reasons for recognizing him in James Fazy strike me as absolutely compelling. A few months or years later, there appeared over his signature an undated pamphlet of 32 pages with the following title: "Draft Federal Constitution (articles extracted from the *Journal de Genève*)."³ In the catalogue of the Geneva Public Library, the probable date of the publication of this pamphlet is given as 1833. Elsewhere, and particularly in Fazy's biography, it has been tentatively dated 1837.⁴

In perusing this pamphlet, I was struck by the familiarity of its contents. On verification, I discovered that the whole of its first chapter, that is 10 out of its 32 pages, was the literal transcription of the *Journal de Genève* article of 1831. The few verbal differences are so slight as to be entirely negligible. Now, either Fazy drafted those pages in 1831 for the *Journal de Genève* or he plagiarized them later. As he was in close touch with the editors of the paper which he had himself founded in 1826, as the views expounded in the article were his at the time, as they were held to be Utopian by almost everybody else and as there is nothing, either in the special circumstances of the case or

¹ Henri Fazy, *op. cit.*, p. 17.

² *Ibid.*, p. 20.

³ James Fazy, *Projet de constitution fédérale* (Articles extraits du *Journal de Genève*), Genève.

⁴ Henri Fazy, *op. cit.*, p. 235.

in the whole subsequent career of Fazy to justify the suspicion of plagiarism, I conclude that the article undoubtedly flowed from his pen.

As for the rest of the pamphlet, which contains a draft federal constitution for Switzerland and allusions to Troxler, Bornhauser and Druey, it does not seem ever to have been published in the *Journal de Genève* at all. As these allusions show, it was obviously written later, probably in 1835. Fragments of the pamphlet are to be found in issues of that year of the "*Europe Centrale*," which Fazy had founded in December of 1833 as the first daily paper ever to have been published in Geneva.¹ In January and February 1835, Fazy delivered in Geneva a series of public lectures on federal organization. Judging by their syllabus published in the "*Europe Centrale*" these lectures covered appreciably the same ground as the pamphlet and also dealt with a draft federal and bicameral Swiss constitution.²

What Fazy thus advocated as a publicist in the early thirties, he very effectively managed to bring about as a statesman in 1848. Having upset the government of his canton, as the leader of the democratic revolution of 1846, he became its first magistrate in the following year. As such, he drafted the instructions of the Geneva delegation to the Diet. These expressly called for not only the summoning of a constituent assembly and the opposition to an unitary constitution, but also, alone of all cantonal instructions, the promotion of "a happy combination of the federal democratic element to be represented in a Chamber elected on the basis of the population and of the constitutional element represented in a second Chamber where the states should all enjoy equal representation."³

Between 1831, when the American precedent first came to be proposed by individual orators and writers, and 1848, when the federal Diet finally decided that Switzerland should follow it by incorporating provisions to that effect in the new constitution, it was ever in the public eye. But it was never truly popular. Those who had the courage to advocate its imitation, once its imitation had ceased to be a mere day dream, as it had been before 1830, were looked upon as academic Utopians. Even among the radical extremists, for many of whom a unitary state with a single popular chamber was the aim, bicameral federalism was not in favor.

Thus we read in an account of a meeting of the Swiss Security Society held in Zofingen on February 26, 1834, that a speech by Kasthofer, in which he

¹ *Europe centrale*, January 3, 1835.

² *Ibid.*, January 10, 29, 31 and February 5, 14 and 19.

³ *Mémoires des séances du Grand Conseil du 24 septembre 1847 au 1er novembre 1848*, Geneva, 1848, vol. 1, p. 55.

advocated the establishment of two chambers, "one of representatives of the people and the other of the government" was "not appreciated."¹

The popular agitation in favor of the American system continued unabated, however. It was carried on by the publication of pamphlets and newspaper articles and also by the organization of public meetings. One of the most important of these was a gathering of the liberal "Nationalverein" held at Langenthal in the canton of Berne on September 23, 1838. Theodor Mundt, a German traveller who witnessed it, tells us how, under the chairmanship of Kasthofer, over 8000 Swiss citizens met in the open air on that occasion and in spite of a violent rainstorm listened, in religious silence, to a series of speeches in favor of constitutional reform, of which the most impressive was one by Dr. Troxler. In his interesting account, we read:

"As I gathered from personal conversations with several members of the 'Nationalverein', they had taken as a model North American constitutional institutions and had especially before their eyes the bicameral system of Congress."²

The campaign in favor of the American system, of which we have mentioned some striking early instances and which continued until 1848, had obviously not succeeded in overcoming the deep-rooted popular prejudice against it. Yet the efforts of its friends had not been vain, as the events of 1848 were shortly to show...

There follow the last pages of this study:

... One must note... how quickly and deeply the "American system" took root in Swiss soil. Neither in its federalism nor in its bicameral institutions had that system any precedent in the previous history of the country. Still, even today, when under the pressure of foreign events an upheaval has taken place and a state of intellectual turmoil been created in which such fundamental values as political liberty and democracy themselves are challenged, no one has ventured to question the soundness of the federal structure set up in 1848.

This striking fact establishes Switzerland's constitutional debt to the United States for the present of bicameral federalism. That the Swiss people did not welcome the American gift with that enthusiastic alacrity with which a child

¹ *Journal de Genève*, March 1, 1834, p. 3.

² Mundt, *op. cit.*, p. 146.

snatches an attractive toy from the hands of its parents on its birthday, these pages have made abundantly clear. As we have seen, their attitude was rather that of an infant most reluctantly swallowing a strange and unsavory medicine, after he had long sought, but entirely failed, to find relief from his troubles in more familiar household remedies. But, although the Swiss people thus took the drug in spite, rather than on account, of its foreign origin, they were undoubtedly encouraged thereto by the example of the Americans whom it had permanently cured of an ailment similar to their own sixty years before. This circumstance and especially the fact that it has proved decisively and lastingly salutary at home, fully suffices to explain and to justify the debt of gratitude the Swiss people owe their American friends for its discovery.

Conclusion

The story of how the United States, by the force of her example, contributed to the conversion of Switzerland to the principles of bicameral federalism, devised in Philadelphia in 1787, thus reaches its normal conclusion. It has been told with sufficient detail to be fastidious, I fear, but also, I venture to hope, with sufficient clarity to be enlightening. Its special historical interest is limited to the two democracies concerned and, even within their boundaries, is hardly such as to suggest any headlines that might startle the general public.

What is of universal interest, however, is the lesson it teaches, the political lesson of how general union can be combined with local freedom. That lesson, which the disunited nations of the world have still to learn from the United States of America, as the since united cantons of Switzerland learned it from them nearly a century ago, is one of peculiarly tragic timeliness today. That it has long been understood to be one of world importance, is shown by a statement made more than seventy years ago by my fellow-countryman Professor Rüttimann. In the preface of his monumental comparative study of American and Swiss constitutional practice, he wrote:

„The North American Union at present unites about forty states of quite unequal size and power in a community of law from which not only war, but also every other form of self-help, has been excluded as entirely dispensable. Likewise in small Switzerland, which was formerly decieved as the seat of constant anarchy and wild discord, the federal state has since 1848 justified itself as a foundation on which the citizens of twenty-five cantons, in spite of their diversity of speech, of faith, of political views and of material interests, have been able to live together in happy and ordered circumstances and to develop in common a gratifying prosperity.

If mankind is perfectible and capable of constant progress, Europe will also sooner or later come to see that its peoples are one to another as members of one body;

²² Rappard, *Varia politica*

that the solidarity between them is real; that every wound inflicted upon one of them spares none of the others; that any conflict between them is susceptible of a peaceful settlement. Then they also will unite into one federal state and come to look upon our present international law in much the same light as that in which we today look upon the mediaeval law of reprisals."¹

These words, written on the morrow of the American Civil War, may well serve as a conclusion to this monograph, prepared during the present world civil war. What was true two generations ago is assuredly no less true today. Why should the hopes which a study of Swiss-American institutions suggested to a Swiss scholar in 1867 be forbidden to his successor in 1940? And why should they not be shared by friends of peace and liberty everywhere, whatever their national allegiance?

I had just put the final touch to these pages when my eye chanced upon a remarkable article in the July number of the *Annals of the American Academy of Political and Social Science*. The author, Mr. Ralph W. Page of Philadelphia, concludes as follows his study on *Designs for a World Order*:

"It is to be hoped and expected that universal exposition and discussion will prepare the people of the world for some such miracle as happened in Philadelphia in 1787."

May this message from the Geneva home of Albert Gallatin, to the state of Pennsylvania in which that "minister of peace," as he called himself at the end of his long career, first found a welcome in America, be accepted as a modest contribution to that necessary "universal exposition and discussion!"

¹ Rüttimann, *op. cit.*, vol. I, p. VI