

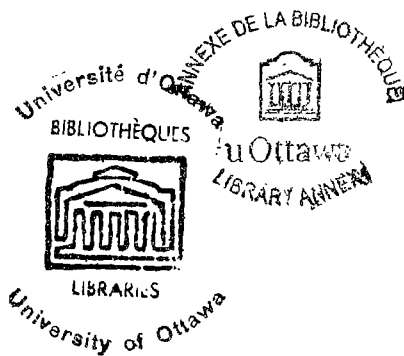
THREE CONCEPTIONS OF EUROPEAN STRUCTURE AND POLITICS:

HAUTERIVE, CZARTORYSKI, PITT

by

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A dissertation presented to the
 Faculty of Arts - Ottawa University
 through the intermediary of the
 Institute of South and East Europe
 in partial fulfilment of the requirements
 for the degree of Doctor of Philosophy.



Ottawa, Canada
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ACKNOWLEDGEMENTS

We wish to express our thanks and appreciation to Professor T.F. Domaradzki, Director of the Institute of South and East Europe - Ottawa University, for encouragement to proceed with this dissertation; to Professor G. Buxton and to Dr. V.J. Kaye for help, advice and encouragement throughout the writing of this thesis; to Dr. W. Rodys for constructive and helpful criticism of the conclusions drawn from this research.

CURRICULUM STUDIORUM

The author of this dissertation, before his studies for Ph.D. at Ottawa University, has completed the following studies: After having received his baccalaureate in 1931 he studied from 1931 to 1935 at Lwow University (Poland). There in the Faculty of Law he followed a four years' course in law, political sciences, and economics, and, concurrently a three years' course in Diplomatic Sciences. In 1935 he graduated with the degrees of Master of Law and Master of Diplomatic Sciences.

In the summer of 1935 he gained a scholarship for studies abroad and from 1935 to 1937 studied at Ecole des Sciences Politiques in Paris where he specialized in diplomatic history, public and private international law, the history of internal politics of the main European and Latin American countries, problems of contemporary Europe and international relations. In 1937 he obtained the Diploma of Ecole des Sciences Politiques.

In 1941-42 he studied, at St. Andrews University (Scotland), English constitutional law and history, Scottish evidence and procedure, and English and French literature.

During 1943-44, on a British Council scholarship, he did research work at Cambridge University (England), in diplomatic history, public international law, and international relations. Part of the material collected at that time was used in this dissertation.

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INTRODUCTION

The subject of this dissertation is the analysis of three conceptions of harmonious European structure and relations; the first conception appeared in 1800, the second in 1804, and the third in 1805. Hauterive presented the French conception in a political pamphlet written at Napoleon's instigation and published anonymously at the end of 1800. Czartoryski, a Pole, in his capacity as minister of foreign affairs of Alexander I of Russia, explained his plan in his secret instructions of September 1804, given to Mr. Novosiltzov when the latter was sent to London to negotiate the Russian-English alliance of 1805. Pitt expressed England's views on the same subject in a diplomatic note handed to the Russian ambassador in London in January, 1805. These three conceptions appeared at the beginning of the Napoleonic era and Czartoryski's and Pitt's conceptions were the ideological basis for the formation of the Third Coalition against Napoleon. All three conceptions reflect the main currents of ideas on the subject of European unity and European relations which have been voiced throughout the history of Europe up to the present day. The fact that these three approaches, so perennial to the history of European relations - particularly after the treaties of Westphalia - were formulated by the statesmen of the three powerful

European nations between 1800 and 1805, emphasizes the importance of this period with regard to European relations during the 19th and 20th centuries.

In order that our approach to the subject of this dissertation may be understood better, it might be useful to explain how the subject of this research was formulated and how the research was carried out.

It originally began with an interest in Czartoryski's plan aroused by the lectures on Public International Law at Ecole des Sciences Politiques in Paris. The late Prof. Charles Dupuis, while dealing with the League of Nations, during the course of his lectures mentioned Czartoryski as one of the forerunners of the idea of the League of Nations. At the same time, while taking part in the seminar of Prof. Dupuis, we became interested in the relation between the principle of balance of power and modern public international law, which relation loomed in the background of diplomatic history during the 18th and 19th centuries. During the war, while in England, we came upon Czartoryski's Memoirs and thus became acquainted in detail with his secret instructions of 1804. The next step was to ascertain the circumstances that prompted Czartoryski to formulate his ideas. It seemed that, besides his personal background and the current political events, there was also a particular political climate of Europe at that time which made him feel

called upon to formulate a conception of harmonious European structure and relations. Our search was directed towards further study of the political climate of the first years of the Napoleonic era. Immediately after Napoleon assumed personal power in France, the European courts were hesitant regarding the course they should follow. Some viewed Napoleon as a dangerous continuator of the French Revolution; others hoped that he would close the revolutionary period of French history, and even encouraged him to do so and to assume the royal title. They were ready to accept him into the family of European monarchs. But the political circles were anxious to learn more about the ideas of the new master of France's destinies. Following this lead, we wondered if there had appeared some kind of publication that would explain with some authority Napoleon's approach to European problems. In this regard the French political pamphlets of that period were searched for clues. In perusing various French political pamphlets available in the Cambridge libraries, our attention was focused on Haute-*rive's* pamphlet "De l'état de la France à la fin de l'an VIII". The importance of this pamphlet as representing Napoleon's ideas at that time was corroborated by evidence from various sources. The question then arose whether the ideas presented by Haute-*rive* were entirely new and original or whether they had roots in the past. The research in that

direction led to the activities of the French "legistes" and to their rôle in formulating the doctrinal basis for the French foreign policy. Taking lead from Sorel, we became acquainted with Favier's "Conjectures raisonnées" and in this way realized that there was a certain continuity and similarity between Hauterive's ideas and those put forward by various French political writers in the past. The next step was to discover the European reaction to Hauterive's pamphlet. Again we returned to the favourite propaganda weapon of that time, namely to the political pamphlets. This time our research was concentrated on the activities of pamphleteers who opposed the French Revolution. In that connection it was natural that the name of Gentz, perhaps the best German publicist of that time to oppose the French Revolution, should arise. Going through Gentz's writings, we came across his pamphlet "Von dem politischen Zustande Europas vor und nach der französischen Revolution" (available only in the English translation) written as a direct reply to Hauterive's pamphlet. In this battle of propaganda being waged in Europe, the subject of discussion usually turned to such essential problems as independence of states, hierarchy among them, international law, balance of power, and the meaning of the treaty of Westphalia from the point of view of European relations. An analysis of the political atmosphere of Europe of that time convinced us that Czarto-

ryski's conceptions were not the isolated utterances of a dreamer, and, although in some respects they were advanced for the actual period, nevertheless they fitted into the political climate of Europe on the threshold of the 19th century. The next step was to follow the diplomatic negotiations between Russia and England to learn British reaction to Czartoryski's plan. This line of research led us to Pitt's note of January, 1805 which outlined his conception of European structure and politics. In this way the research for the purpose of the present dissertation seemed to be completed.

In presenting this dissertation the main objectives are:

- a) bringing back from historical oblivion Hauterive's pamphlet, stressing its importance, and analyzing it from the point of view of the continuity of views and ideas on the rôle of France in European politics as expressed by some French political writers before the French Revolution;
- b) pointing to the European reaction to Hauterive's views;
- c) stressing the importance of Czartoryski's plan, until now hardly mentioned by the historical writers who dealt with the Napoleonic era;
- d) formulating from a detailed analysis of Hauterive's pamphlet, of Czartoryski's secret instructions, and of Pitt's

diplomatic note, three distinct approaches to the concept of harmonious European structure and politics, and placing these conceptions in the perspective of the progress of public international law;

e) presenting these three conceptions as ideological bases for the diplomatic and military activities of Napoleon and his European opposers, and placing them against the background of historical events of that period.

In this kind of research there is always the possibility of missing some important primary sources of material. But whatever the limitations of this dissertation are, we hope that our approach to the topic in question will bring forward certain new aspects which up till now were neglected, and will contribute to better understanding of the history of European relations.

CHAPTER I

TREATIES OF WESTPHALIA AND THE TRADITION OF THE FRENCH "LEGISTES"

1. Europe after the treaties of Westphalia

The Thirty Years War was brought to an end by the two treaties concluded on October 24th, 1648, by the Holy Roman Empire with France at Munster, and with Sweden and the Protestant Estates of the Empire at Osnabruck. Those treaties, known as the Treaties of Westphalia ended the war which started in 1618 between the Hapsburgs and the Czechs on religious and national grounds, and which later evolved as a religious and national war within the Holy Roman Empire between its Catholic and Protestant components. It also assumed international character by embracing in the whirlwind of war and politics almost all Europe, with the foreign intervention of France and Sweden being a decisive factor in bringing this conflict to an end.

The treaties of Westphalia restored religious and political peace in Germany, and on the whole proved to be a victory for the Protestants. The attempt of the Emperor to assume absolute power in Germany was broken. His rights were now limited and about 360 states, estates and free cities of Germany became independent, each of them represented at the Imperial Diet at Frankfort. From then the power of the

Emperor and of his Catholic clients was to be balanced by the Protestant states, with the foreign powers, France and Sweden, as guarantors of "German liberties"¹ (Libertés Germaniques), watching and eventually intervening in case either one of the opposing forces might prevail over the other². After the treaties, the number of electors was increased. There were now 8 electors (instead of 7): three Catholic ecclesiastics (the archbishops of Mainz, Cologne, Trier), two Catholic laymen (the Electors of Bohemia and Bavaria), and three Protestant laymen (the Lutheran Electors of Brandenburg and Saxony - and the Calvinist Elector of the Palatinate of the Rhine). In religious matters, the treaties of Westphalia put Protestantism on an equal footing with

1 Gabriel Hanotaux, Histoire de la Nation Française, vol. 9, Histoire Diplomatique 1515-1928, par René Pinon, Paris, Société de l'Histoire Nationale, Librairie Plon, 1929, p. 216, 217.

2 Charles Dupuis, Le principe d'équilibre et le concert européen de la paix de Westphalie à l'acte d'Algésiras, Paris, Perrin et Cie, 1909, p. 20. . . . Autriche, Espagne, Bavière, d'un côté; France, Suède, Etats protestants d'Allemagne, Provinces-Unies, de l'autre, forment à la fin de la guerre de Trente Ans, les deux groupes adverses qui se tiennent en balance. La paix de Westphalie qui termine cette guerre . . . met au premier plan le souci de maintenir cette balance. Aucun des adversaires n'est en état de subir ni d'imposer une domination exclusive, mais celui dont une longue tradition d'autorité universelle avait soutenu les prétentions à prééminence est contraint d'abdiquer, en fait et en droit, toute revendication d'omnipotence. L'Empereur n'est pas supprimé, mais la puissance impériale, réduite en droit, est presque annihilée en fait . . . Les princes de l'empire sont désormais moins des vassaux que des confédérés . . .

Catholicism in Germany. Religious liberty which, by the peace of Augsburg, 1555, had been allowed only to Lutherans, was now extended also to Calvinists. All German territories which in the Palatinate, Wurtemberg and Baden in 1618, and in other states in 1624, were held by Catholic princes, were to remain Catholic, and all those, which at that time belonged to Protestants, were to remain Protestant. Also the rulers were within their rights in imposing their religion upon their subjects, but the latter had the right to emigrate to another state if unwilling to embrace the religion of their rulers. It meant the application of the principle "cuius regio, eius religio".

Among the other decisions of the treaties of Westphalia we mention: the acquisition of Alsace by France; the acquisition of Western Pomerania with Stettin and Oder's estuary by Sweden - with a seat for the King of Sweden at the imperial Diet; and the acquisition of the secularized bishoprics of Minden, Alberstadt and Kammin by Brandenburg. Spain recognized the independence of the United Provinces of the Netherlands, and the Emperor recognized the independence of Switzerland.

The treaties of Westphalia are considered as a turning point in the history of European politics. Their importance has to be stressed primarily in regard to the dissolution of the medieval European system of public law and

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relations, and in regard to the emergence of France as the leading European power.

The medieval conception of international relations sought to organize Europe on a double basis, namely, on unity of Christendom and on hierarchy of powers. The Pope and the Emperor placed at the top of an international society so conceived had, in theory, to maintain this unity, while dividing the power, the former acting in the spiritual sphere, the latter in the political sphere. Commenting on the nature of that "unity", Gierke, writes:

The Unity was neither absolute nor exclusive, but appeared as the vaulted dome of an organically articulated structure of human society. In Church and Empire the Total Body is a manifold and graduated system of Partial Bodies, each of which, though itself a whole, necessarily demands connection with a larger whole. It has a final cause of its own, and consists of parts which it procreates and dominates and which in their turn are wholes³.

The Pope and the Emperor had also to safeguard the rights of all by offering aid against the abuses of various holders of restricted sovereignty under the feudal system⁴. The opposition against this doctrine started in the political sphere with the emergence of the powerful European monarchies which, in this tendency, were aided by the intel-

³ Otto Friedrich, von Gierke, Political Theories of the Middle Ages, Cambridge, University Press, 1900, p. 20, 21.

⁴ Ch. Dupuis, ibid., p. 9.

lectual movement of the Renaissance and by the religious movement of the Reformation ⁵.

The Renaissance revived the pagan theories of unrestricted sovereignty of state and of absolute power of the monarch and challenged the supremacy of the Emperor in the political sphere. The Reformation, by breaking religious unity, set free from the spiritual supremacy of the Pope those who made a religious break with Rome ⁶.

The treaty of Westphalia marked the end of the evolution determined by the Renaissance and the Reformation. The feudal idea of hierarchy and order in international relations was replaced by the doctrine of sovereignty and independence of states. The natural effect of this new doctrinal standpoint was the emergence of the principle of equilibrium as the only means to preserve the doctrinal equality and independence of states against the greediness of powerful neighbours ⁷.

5 O.F. Gierke, ibid., p. 21. . . . The "antique-modern" concept of the State-Unit as an absolute and exclusive concentration of all group-life gradually took shape inside the medieval doctrine, and then, at first unconsciously but afterwards consciously, began to burst in pieces the edifice of medieval thought.

6 Ch. Dupuis, ibid., p. 12, 13.

7 Ch. Dupuis, ibid., p. 20.

The Reformation and the Renaissance were not liberal in the good sense of the word. They were not liberal for the subjects but only for the rulers because both movements gave the latter liberty for absolutism. After that time the rulers were able to dispense with any moral or material obstacles in furthering their political aims. The rulers, both Protestant and Catholic, did not hesitate to use at their convenience the benefits resulting from these new ideas ⁸.

As the result of the stipulations of the treaties of Westphalia, France became the leading political power in Europe ⁹. She became the protector of the Protestant states in Germany, and the arbitrator in the eventual conflicts

⁸ Ch. Dupuis, ibid., p. 13, 20.

⁹ Albert Sorel, L'Europe et la révolution française, Paris, E. Plon, Nourrit et Cie, 1885, vol. 1, p. 280, 281.

La France avait accru son pouvoir beaucoup plus que ses terres; ce pouvoir, en dehors de la maison d'Autriche, ne faisait point de jaloux, car il semblait destiné à protéger les droits de chacun, et la France, au moyen de ses ligues, avait intéressé l'Europe même à la conservation de sa puissance. La politique extérieure était ainsi ramenée au principe qui avait fait, à l'intérieur la prospérité de la monarchie: la modération dans la force. C'est ce qu'il faut bien comprendre, quand on étudie ce qu'on a nommé le "système classique" de la diplomatie française. Ce tempérament en fait toute l'économie; pour peu que l'on excède, le ressort se fausse. Ce réseau d'alliances, d'une trame très subtile, n'était si formidable que par l'espèce d'attraction qui en tenait liées toutes les parties. L'Allemand, le Suédois, le Hollandais, le Savoyard, le Polonais, voire le Turc, s'y trouvaient comme soutenus l'un par l'autre, contre un adversaire commun. Mais pour peu que la France les menaçait eux-mêmes, ils prenaient aussitôt parti contre elle, et tous les noeuds se déliaient.

between them and the Emperor. The Emperor could no longer claim supremacy over France, but France, as the guarantor of the "German liberties" and of the new European order established by the treaties, had in practice ascendancy over the Emperor. In theory there was another guarantor of the newly-established equilibrium in Germany, namely, Sweden. However she was away from the mainland of Europe and, her strength being soon in decline, she ceased to be interested in the exercise of her rights as one of the guarantors. In fact France alone remained as actual guarantor and, because of her forces and the weakness of her neighbours, the capacities of Mazarin and the ambition of Louis XIV, she attempted to destroy the system of European equilibrium and impose her supremacy in Europe ¹⁰.

2. "Legistes" and the policy of expansion

Louis XIV, for his political ambitions, needed theoretical justification. He found this justification in the writings of the "legistes", men of law, the traditional supporters of the French monarchs in their aim to build a

¹⁰ A. Sorel, *ibid.*, p. 283. . . . Il y avait dans les entreprises extérieures une certaine mesure qu'il ne fallait point dépasser, un excès que l'Europe n'eût point toléré et que les Français eux-mêmes n'auraient pas été capables de soutenir. C'est le fond même du système classique: Louis XIV le dénatura.

strong and centralized France as she emerged from the Middle Ages.

Bardoux, in the introduction to his book "Legistes", writes that two influences thoroughly penetrated France and moulded her destiny. First and primarily there was the influence of the men of law, "legistes", and afterwards that of the men of letters: law and imagination. The social movement, work of the first, preceded the political movement, work of the second. The concept of government preceded the luxury of pondering various political ideas. The "legistes" had led the nation for a long time, they had already formed French characters, when the men of letters - the "philosophes" influenced French intellects. And in this way, from different sources, two currents were formed that united later in the Revolution ¹¹.

The aim and the political tendency of the "legistes" were already formulated when they and the monarchy found in the Middle Ages a common enemy in the internal sphere amongst the high nobility and the clergy in high positions ¹².

¹¹ Agénor Bardoux, Les légistes, leur influence sur la société française, Paris, G. Baillière et Cie, 1877, Préface.

¹² A. Bardoux, ibid., p. 2. . . . Ils reconnurent immédiatement qu'ils avaient deux ennemis: la noblesse et le clergé. Ils leur vouèrent une haine irréconciliable, et jurèrent que le droit ne serait ni féodal, ni ecclésiastique. La législation romaine fut leur second Evangile, parce qu'elle avait les mêmes instincts.

Ernest Nys, Les théories politiques et le droit international en France jusqu'au 18e siècle, Bruxelles, A. Castaigne, 1899, p. 46.

The French monarchy, centralized and with strong national consciousness as it emerged from the Middle Ages, was the product of a combined effort of the Royalty and the Third Estate. From the beginning the "legistes" imposed the idea that the royalty possesses full sovereignty by the simple fact that it is royalty. They saw in the person of the king two personalities: that of the suzerain with the rights of overlordship over the vassals, and that of the prince whose power is extended over the whole kingdom. To the feudal crime of felony they added, following the Roman tradition, the crime of "lèse-majesté"¹³. The "legistes" represented the spirit of high "bourgeoisie". They thought that this partnership between them and the king would be of long duration. But, anxious to preserve and emphasize the superiority of the king against the ambitions of the Church and high nobility, they did not realize that, in the interest of public order, they were gradually sacrificing the privileges of the Estates assembled in the "Etats Généraux". Consequently when the 16th century started, absolute monarchy in France had been established¹⁴.

13 E. Nys, ibid., p. 47, 48.

14 E. Nys, ibid., p. 49.

Once the clergy and nobility had been subjugated, the "legistes" wanted to share, or at least to take an active part in the government of France; but the monarchy, being strong enough, disregarded this desire. Richelieu not only crushed the high nobility and the Protestants, but also suppressed most of the "Etats Provinciaux". There, not only the spirit of loyalty towards the monarchy, but also the spirit of independence of the Third Estate, as a partner of the King in the rule of the country, was preserved. During the reign of Louis XIV, the Third Estate was, in its turn, subjugated ¹⁵. The "legistes" ceased to be an independent body and became completely subject to the King. Their writings interpreted the King's ideas. Generally speaking it was the time of the decadence of French political thought.

Since the 16th century in France, the popular slogans like: "si veut le roi, si veut la loi", - "le roi ne tient sa couronne que de Dieu et de son épée", - "tous les hommes du royaume lui sont sujets", - emphasized the idea that the power of the King was absolute and his sovereignty was complete ¹⁶.

15 E. Nys, ibid., p. 134, 135, 136.

16 E. Nys, ibid., p. 49.

But the "legistes" were also interested in the relations of the king with other sovereigns; early they denied superiority of the Pope or Emperor over the King of France, and, championing the idea of complete sovereignty and independence of the French monarchy, they put forward the general idea of independence and sovereignty of states thus contributing to the dissolution of the medieval international order ¹⁷.

In their endeavor to secure for the Royalty and for France the pre-eminent position in European politics, the "legistes" did not stop at the conception of independence and sovereignty of the French monarchy. Quite early they started to build a theoretical basis for the policy of expansion and domination - hence the theory of natural frontiers, and also the theory of empire connected with the French royalty ¹⁸. This theory of empire lead to the justification of domination by France of various countries.

At the beginning of the 14th century, a "legiste", Pierre du Bois, maintained the claims of the French Kings

17 E. Nys, ibid., p. 49.

18 E. Nys, ibid., p. 58. . . . Le gallicanisme royal étendit ses prétentions au dehors; de là deux théories, celle des frontières naturelles et cette autre théorie négatrice du droit international que l'empire est inséparablement uni à la couronne de France.

for universal supremacy¹⁹. Sully, the famous minister of Henry IV, gave the vague dreams of Pierre du Bois a more practical form. Sorel commented on some aspects of Sully's "Grand Dessein" such as: defeating the House of Austria, confining its reign to the Spanish peninsula, dividing Europe into a few dominations which would support each other, and which would form a Christian Republic presided over by the Pope and governed by France; weakening France's rivals, and strengthening her clients, surrounding her by a belt of neutral states, legally her protégés but actually her vassals who would serve as a bulwark for her defence and a vanguard for her influence; ejecting Turks and Tartars from Europe and restoring the empire of Constantinople. Sorel concluded that in Sully's "Great Design" the idea of a constitutional monarchy of Europe attributed to France and provided with a learned and complicated constitution was a disguise for the idea of universal monarchy²⁰. And Sorel pointed out that three centuries after we find again the same ideas in the project of Sieyès - namely:

France environed by the vassal republics, dominating Europe by her alliances, directing Europe by her

19 E. Nys, *ibid.*, p. 59.

20 A. Sorel, *ibid.*, p. 268.

policy, imposing peace upon states and propagating among the peoples the doctrines of Revolution ²¹.

In 1544, William Postel, a jurist, theologian, and philosopher, in his book "Concorde du monde" thought of bringing all the peoples of the world to the Christian religion, but also conceived the idea that the mission of François I was to found the universal monarchy ²².

In 1620, Jean Savaron wrote "Traité de la souveraineté du roi et de son royaume . . . et que sa majesté ne peut transmettre à qui que soit, ni aliéner son domaine à perpétuité . . ." where he maintained the nullity of the cessions of territories to which the King of France might be obliged to consent, and the doubtful character of the oath given on such occasions ²³.

In the 17th century, Bessian Arroy defended the rights of France for an Empire which should contain: "toutes les Gaules, l'Italie entière, l'Allemagne, la Hongrie, la Pologne, la Russie, la Prusse, la Livonie, la Lithuanie, la Moscovie, . . . la Valachie, toutes les Gaules du côté des

21 A. Sorel, *ibid.*, p. 269. . . . La France environnée de républiques vassales, dominant l'Europe par ses alliances, la dirigeant par sa politique, imposant la paix aux Etats et propageant parmi les peuples les doctrines de la Révolution.

22 E. Nys, *ibid.*, p. 60.

23 E. Nys, *ibid.*, p. 146.

Pyrénées et en Espagne tout le territoire en déça de l'Ebre". According to him these countries belonged to the kings of France as the successors of Charlemagne ²⁴.

In the 17th century, Le Bret, at the instigation of Richelieu, wrote a book "De la souveraineté du roi". There he declared that the domains of the Crown are inalienable even in spite of the conventions and treaties concluded with other states which would provide to the contrary ²⁵.

At the same time (1643) there appeared Jacques de Cassan's "La Recherche des droits du Roi et de la couronne de France sur les royaumes, duchés, comtés, . . .". In this book dedicated to Cardinal Richelieu, the author asserted the incontestable rights of France "sur la Navarre, Naples, la Sicile, Majorque, Milan, la Sardaigne, l'Empire, la Savoie, le Piemont, la Lorraine, Genés, la Flandre, les Pays-Bas, Ravenne, Avignon" ²⁶.

Daniel de Prezac, in "Vindiciae Gallicae", a book written about the same time at the instigation of the French government, proclaimed that, in France, only the inhabitants

24 E. Nys, ibid., p. 60.

25 E. Nys, ibid., p. 152.

26 E. Nys, ibid., p. 153.

of the countries, which never before were under the authority of the Kings of France, were considered as foreigners. And in this respect Le Bret formulated the theory, that the inhabitants of the countries which once belonged to the Kings of France are not considered as foreigners, because France might be forced under duress to abandon the possession of those countries, but the rights would remain with the Crown of France, which would never lose its rights over territories that are part of its rightful domain ²⁷.

One of the most important publicists in the service of Richelieu was Chantereau-Lefèvre. In 1642 he published "Considérations historiques sur la généalogie de la maison de Lorraine, avec une carte de l'ancien royaume d'Austrasie, le vrai et primitif héritage de la couronne de France". Sorel commenting on this book, remarks that Chantereau-Lefèvre is convinced that the happiness of the universe is bound with the prosperity of France. That is a characteristic of the writers of 17th century which was also common to their predecessors of the 14th century as well as to the writers of the period of the Revolution. The legislators of 1792 will believe that by increasing French power in Europe, they

27 E. Nys, ibid., p. 156, 157.

work for the peace of the world ²⁸.

In 1667, Antoine Aubéry, a barrister in the Parliament of Paris, wrote "Traité des justes prétentions du roi de France sur l'Empire", in which he insisted upon the divine character of all sovereigns and upon the preeminence which belongs to the kings of France, as successors of the Roman Empire, and of Charlemagne's Empire; and concluded that the "empire of the lands and seas and universal monarchy" will belong to the descendants of Louis XIV ²⁹.

With such doctrinal backing, Louis XIV conducted his external policy with a view to impose France's supremacy in Europe. However, other states which contributed to the abolition of the medieval order and supremacy of the Pope and the Emperor, stood firmly on the basis of the complete independence and sovereignty of states, and were not inclined to accept either the medieval conception of international order under French supremacy, or a "pax gallica", a new version of "pax romana" of antiquity. They combined their forces against Louis XIV and were victorious.

The Treaty of Utrecht (1713) put an end to the ambition of Louis XIV as to universal monarchy. The policy

28 A. Sorel, *ibid.*, p. 275.

29 E. Nys, *ibid.*, p. 169.

of European equilibrium received official sanction³⁰. The separation of the French and Spanish sovereignties and the giving of Belgium to Austria as a barrier protecting Holland against France, were the essential conditions provided by that treaty for the reestablished equilibrium and the means of its maintenance³¹. In succeeding times the treaty of Utrecht was renewed and confirmed in each treaty of peace concluded among great European powers up till the French Revolution. This confirmation was omitted for the first time in the treaty of Luneville in 1800 and Amiens in 1803³².

The treaties of Hubertsburg and Paris (1763), which ended the Seven Year war, saw the end of the position of

³⁰ Ch. Dupuis, ibid., p. 27. . . . La théorie (d'équilibre) est donc entièrement formée. Son influence se traduit par l'apparition, jusque dans le texte des actes publics et des traités, du souci et de la volonté de rétablir ou de sauvegarder l'équilibre. Ce qui s'était fait, sans le dire à Munster et à Osnabruck, se fait, en le disant, à Utrecht.

A. Nussbaum, A Concise History of the Law of Nations, New York, the MacMillan Co., 1947, p. 126. . . . "the peace and tranquillity of Christendom may be restored by the just balance of power (justum potentiae equilibrium); which is the best and most solid foundation of mutual friendship and of lasting accord".

³¹ Henry Wheaton, Histoire des progrès du droit des gens en Europe depuis la paix de Westphalie jusqu'au Congrès de Vienne, Leipzig, F.A. Brockhaus, 1841, p. 112.

³² H. Wheaton, ibid., p. 33.

ascendancy which France acquired on the continent by the Treaty of Westphalia. England's colonial and maritime supremacy was firmly established. Prussia acquired a first rank position among the European powers. Russia started to take an active interest in the affairs of the center of Europe. Sweden and Spain, the allies of France, fell to a secondary position among the European powers³³. European relations actually were based "de iure et de facto" on the principle of the full independence and sovereignty of the great monarchies, and on balance of power as the first principle of international relations. France not only ceased to be the arbiter of European affairs, but faced a situation in which the system of partitions and compensations which resulted from the application of the principle of equilibrium was directed against her traditional allies: Sweden, Poland, and Turkey.

The French political writers of the 18th century, imbued with the tradition of the political thinking of "legistes", considered such a situation as humiliating for France. They cherished the memory of the treaties of Westphalia of which the political consequences, when they ceased to be a reality, began to be an ideal, the object of admiration. These writers analyzed the causes of the

33 H. Wheaton, ibid., p. 119.

decline of French political influence, and considered the means whereby French political supremacy of the 17th century could be reestablished. Among them the most important was Jean Louis Favier, who in 1773 wrote "Conjectures raisonnées sur la situation de la France dans le système politique de l'Europe . . ." where he expanded the doctrine and system of French diplomacy. This book greatly influenced the theorists of foreign policy of the French revolution. Sorel, commenting on this fact, writes that three men influenced the doctrine of external policy of the French Revolution. Duclos in "Mémoires Secrets" told the history of the Seven-Year war and excited indignation against the humiliating treaties of 1763. He spread resentment against Austria and her alliance, and admiration for the king of Prussia. Duclos prepared public opinion ³⁴. Favier in "Conjectures raisonnées" in 1773 expounded the doctrine and system of French diplomacy. Raynal in "Histoire philosophique et politique des deux Indes" spread the doctrine of Favier among the men of the Revolution ³⁵.

34 A. Sorel, *ibid.*, p. 305.

35 A. Sorel, *ibid.*, p. 309. . . . Il (Raynal) traduisit, en apostrophes véhémentes les aphorismes de Favier. C'est à travers la glose de "L'Histoire philosophique et politique des deux Indes" que la doctrine de "Conjectures raisonnées" se transmet aux hommes de la Révolution. Toutes proportions gardées, la diplomatie qui avait eu son Montesquieu trouva son Rousseau. Les politiques de la Révolution procèdent de Favier, les rhéteurs, les chimériques et les sectaires procèdent de Raynal; Favier fit des disciples et Raynal des prosélytes.

3. Favier

Favier's "Conjectures raisonnées" were connected with the "Secret du Roi" a system of a secret correspondence and external policy of Louis XV. This secret policy started about 1744, when Louis XV agreed to the proposition of the Polish nobles who came to Paris to prepare the election to the throne of Poland of the Prince de Conti. To prepare this election, Prince de Conti conceived the formation of the general system of policy. This system consisted in preserving in Europe the equilibrium established by the Treaty of Westphalia; in protecting the liberties of the Germanic body; in binding by a permanent treaty Turkey, Poland, Sweden and Prussia under the mediation followed by the accession of France; in separating Austria from Russia, in throwing back the latter to her vast deserts and thereby excluding her from the affairs of Europe ³⁶.

As Prince de Conti was not in charge of the official French policy so, with a view to securing the realization of his vast projects, he established a network of his agents at the courts of Eastern and Northern Europe. These agents

³⁶ Segur L'Ainé, Politique de tous les cabinets de l'Europe pendant les règnes de Louis XV et de Louis XVI, Paris, chez Buisson, 1802, 3rd edition, vol. 1, p. 55, 56 (the letter of de Broglie to Louis XVI dated 9 June, 1774).

were admitted to the "Royal Secret" and, by means of secret correspondence, Prince de Conti was informed of the events and, with the approval of the king, carried a policy often in direct opposition to the official diplomacy.

As a result of the Austrian alliance in 1756, Conti resigned his position as chief of the Secret Correspondence and eventually was succeeded in this capacity by Count de Broglie. Count de Broglie suggested to the King the writing of a political treaty, which, by describing the political picture of Europe, would allow the degradation of France's influence in Europe to be seen, and would explain the methods as to how to reestablish the former position of France's supremacy in European politics. Louis XV agreed to this suggestion and de Broglie started to work on his project ³⁷. However de Broglie considered the task too heavy for him alone, and in a letter of March 17, 1773, he suggested to the king to use for this purpose Favier, who was not admitted to the secret correspondence. With the king's approval, de Broglie explained to Favier the plan of what he had in mind, and Favier started to work on this memorial. On April 17, 1773, de Broglie presented to the King the first instalments of this work, which by the end of

37 Segur, ibid., vol. 1, p. 167.

August reached the number of 14. The death of Louis XV interrupted the work which was left unfinished ³⁸.

Favier's "Conjectures raisonnées"³⁹ were intended to be written in three sections. The first section contained the examination of the military, federative and monetary power of France as the decisive factors in the position of a state. In the second section the respective positions of the powers of Europe with regard to France were analysed in topographical order. The third section was not executed. The first two tried to give an historical analysis of the actual position of France. The proposed aim of the third section was, according to Broglie, to present the means for the establishment on a solid basis the military and federative power of France ⁴⁰.

38 Segur, *ibid.*, vol. 1, p. 171 (Mémoires du Comte de Broglie 1 mars 1775).

39 Jean Louis Favier, Conjectures raisonnées sur la situation actuelle de la France dans le système politique de l'Europe; et réciproquement sur la position respective de l'Europe à l'égard de France; enfin sur les nouvelles combinaisons qui doivent ou peuvent résulter de ces différents rapports, aussi dans le système politique de l'Europe (16 avril 1773), - ouvrage dirigé par le Comte de Broglie, exécuté par M. Favier, et remis à Louis XV dans les derniers mois de son règne, in Politique de tous les cabinets de l'Europe pendant les règnes de Louis XV et de Louis XVI, by Segur L'Ainé, Paris, chez Buisson, 1802, vol. 1, p. 211 et suivantes.

40 Segur, *ibid.*, vol. 1, p. 180.

The first section dealing with the "Actual situation of France in the political system of Europe"⁴¹ was divided into two articles; one entitled: "De la situation actuelle de la France dans le système politique de l'Europe, relativement à la puissance militaire", the other: "De la situation actuelle de la France dans le système politique, relativement à la puissance fédérative". Both the articles pointed out that military position and alliances together with finances are essential for a prominent position among the States of Europe. If military power is passive, consisting only in capacity for defence, it is insufficient to elevate a prince to the first rank of the political order. Only active military power, consisting in maintaining and improving capabilities for attack when necessary, gives a prince a respectable position among sovereigns. France, if disarmed, could only play a subordinate rôle.

According to Favier, the pre-eminent position of France among European states was at first contested when France, by the "pacte de famille" with Spain in 1761, accepted another power as her equal for the first time. Then other powers not less powerful than Spain started to have

⁴¹ Segur, *ibid.*, vol. 1, p. 225. "De la situation actuelle de la France dans le système politique de l'Europe".

doubts about France's precedence and consequently considered themselves equal to France. But they did not stop at that; led by exaggerated ambition, they considered whether it would be possible to ascertain their superiority over France⁴². This French ascendancy, lawfully due, must exist in reality for France's inferiority would entail her dependence. "The chimera of a weaker state, which would preserve its independence vis-à-vis stronger one, is denied by history and experience"⁴³.

There are two alternatives with regard to French foreign policy: 1) to consent to the projects formed by the preponderously armed Powers against the weak States and in consequence to be the last victim to be devoured, or, 2) to oppose those projects. But in order for the last alternative to be effective, France must prepare not only means for defence but also for attack. Favier's conclusion of this first article is that the actual situation of France,

42 Segur, *ibid.*, vol. 1, p. 230. . . . Les puissances en assez grand nombre, qui ne cédaient point à l'Espagne, commencèrent alors à révoquer en doute notre préséance; et comme pour toute ambition, l'égalité, une fois obtenue, n'est qu'un pas de plus vers la supériorité, on crut bientôt qu'il ne serait pas impossible de l'usurper sur nous: tant il est dangereux de se laisser entamer sur l'opinion dans tout ce qui tient à la prééminence.

43 Segur, *ibid.*, vol. 1, p. 231. . . . La chimère d'un état plus faible, qui resterait indépendant vis-à-vis des plus forts, est démentie par l'histoire et par l'expérience.

considering her military assets, is disadvantageous, unstable, and dangerous.

Reviewing the position of France with regard to her system of alliances, Favier finds in the North of Europe that the alliance with Sweden, at that time weak, is a burden rather than a help to France; in Germany, France has an alliance with Austria, but the accession of the latter to the league of co-partitioning powers (Prussia and Russia) made questionable her alliance with France. This league is a menace to Poland, Sweden, Turkey, and, as regards Germany, the influence of France will, as a result, be replaced by that of the Emperor of Austria and King of Prussia. At the same time, Italy and consequently the whole of Europe, is menaced by the league as a direct result of one of France's allies being a member of this co-partitioning league. It is true that France possesses in the South of Europe a solid system of alliances with the King of Spain and King of Sicily, but their weight is not sufficient to restore the balance in the North of Europe. France must defend and give support to Sweden and Turkey, prevent the total destruction of Poland, for the achievement of which it has only the alliance with Austria which is in league with Russia in plotting against Poland and Turkey. Favier concluded the first section of his "mémoire" stating that the actual

federative⁴⁴ position of France was no better than her military situation; consequently, the love of peace and the need to strengthen it by solid, powerful, and mutually useful alliances would impose on France the necessity of a new political system as the only means of escaping the dangerous situation in which she found herself with regard to her federative power⁴⁵.

The second section deals with the position of the respective powers of Europe with regard to France⁴⁶. Favier begins with Sweden and, after having described all the weak points and disadvantages of this alliance since the Treaty of Westphalia, he concludes that the respective position of Sweden towards France is of a state without proper resources, divided by internal quarrels and faction, menaced from outside, exposed to attacks of various powerful enemies, having as the only ally France, a distant country, without direct communication with Sweden by land, and, in present circumstances, unable to help her by sea⁴⁷.

⁴⁴ Writers in the 18th century were using the expression "federative position", "federative power", "puissance fédérative", meaning foreign alliances and alignments of a state.

⁴⁵ Segur, *ibid.*, vol. 1, p. 250.

⁴⁶ Segur, *ibid.*, vol. 1, p. 255. "De la position respective des puissances de l'Europe à l'égard de la France".

⁴⁷ Segur, *ibid.*, vol. 1, p. 264.

Starting to consider the position of Prussia towards France, Favier begins with the following general considerations. Before the treaty of Westphalia, Europe counted only three powers in the North, namely: Sweden, Denmark, and Poland. Russia was still unknown, and the Duchy of Prussia was a fief of Poland. But since the Elector of Brandenburg, Frederick-William shook off the yoke of Vassality by the treaty of Velhau (1657) and later acquired the title of King; after that the House of Brandenburg held a very important position in the North. Now, writes Favier, Prussia is the only power able to balance the ascendancy of Russia in that part of Europe ⁴⁸. The actual position of Prussia amongst the first-ranking powers of Europe is based upon her highly developed monetary, military, and federative system. In the empire, the king of Prussia balanced for a long time the influence of the House of Austria; and as long as the ancient system of policy lasted, this equilibrium in Germany, supported by France's impartiality, guaranteed the tranquillity and liberty of the Germanic corps, and consequently the prestige of France and her ascendancy in European politics. But the conclusion of an exclusive alliance with Austria in 1756, and the war that followed,

48 Segur, ibid., vol. 1, p. 280.

caused the creation of a new system of policy. Since then the King of Prussia considered France as the instrument of Austrian policy. He thought that the Austrian emperor, supported by France, would be always master of the Empire and, consequently, one had to renounce the idea of maintaining equilibrium in Germany⁴⁹. In consequence, the King of Prussia concluded an alliance with Austria to execute his projects against Poland. This alliance, Favier stated, would be a dominant factor in Germany and would entirely exclude the influence of France in the affairs of Germany. To improve this situation, he thought that the Prussian alliance would be necessary to France.

Examining the position of Poland in relation to France, Favier points out the position of France created by the treaty of Oliva, 1660. France as guarantor and mediator of this treaty acquired a similar position in the North of Europe to that which she already held in Germany

⁴⁹ Segur, *ibid.*, vol. 1, p. 286. . . . Dans l'empire, il (the King of Prussia) avait balancé longtemps la cour de Vienne; et tant que notre ancien système avait duré, cet équilibre, maintenu par notre impartialité, assurait la tranquillité et la liberté du corps germanique, ainsi que le crédit, la considération de la France, et par conséquent sa dignité et sa prééminence dans l'ordre politique. Notre alliance exclusive avec l'impératrice, et la guerre qui la suivit, firent éclore un autre système. Le roi de Prusse ne vit plus la France que comme un instrument de la cour de Vienne. Il sentit qu'apouyé par nous, le chef de l'Empire y serait toujours le maître, et que dès lors il fallait renoncer à l'idée équilibre qui ne pouvait plus subsister.

by the treaty of Westphalia. However, in spite of this favourable situation, she did not prevent the partitioning of Poland. Actually in 1773 "il n'y a plus de république; le royaume est démembré. Il y reste un roi, tant qu'il plaira à Dieu ou aux trois puissances co-partageantes". And Favier concludes:

La position respective de la Pologne à l'égard de la France et de toutes les puissances de l'Europe, est donc celle d'un membre retranché de la société, d'un citoyen privé de ses droits naturels, réduit à l'esclavage, mort civilement, et par conséquent n'ayant plus dans l'ordre moral, ni propriété, ni personnalité. Tel est, en effet, dans l'ordre politique, le sort d'une nation autrefois appelée illustre, qui avait fait proclamer czar le fils de son roi dans Moskow, reçu dans Varsovie l'hommage de la Prusse, et sauvé sous les murs de Vienne l'Autriche orgueilleuse et humiliée⁵⁰.

The change of the French political system in 1756 impaired her relations with her other traditional ally - Turkey. The alliance of France with Austria followed by that with Russia had as a consequence the weakening of the traditional confidence between France and Turkey, and brought about the destruction of the French federative system. Two states only would be able to balance in the North the enormous weight of Russia and that of Austria on the Ottoman empire: namely Sweden and Prussia. Both had the same interests and the same motives as France: nothing to fear

50 Segur, ibid., vol. 1, p. 305, 306.

from Turkey, and much to fear from both Austria and Russia, neighbours and natural enemies of the Turkish empire⁵¹. The league between France, Sweden, and Prussia could be followed by another league in the South of Europe, in which France would be the centre. "La France alors serait devenue le lien et le centre commun de ces deux ligues respectables. Elle aurait tenu dans ses mains la balance de l'Europe". In such a situation, Poland could preserve her independence, France her influence in Turkey, but the system inaugurated in 1756 put an end to that glorious perspective⁵². Favier summed up the position of France towards Turkey in the following way: Turkey is a friend and faithful ally of France, but in 1756, France somehow deserted her without any reason, and since then even if she tried to re-establish more intimate relations, it has been done without plan, without principles. And actually, it would be dangerous for France to abandon Turkey altogether, however it seems to be difficult to give her proper support⁵³.

Analyzing the situation of the German Empire, Favier underlines the essence of a federative system of a state. The

51 Segur, ibid., vol. 2, p. 15.

52 Segur, ibid., vol. 2, p. 16.

53 Segur, ibid., vol. 2, p. 38.

federative system of a state is the result of the relationship, established by common interest, between the various states. "De ce rapport naît le besoin réciproque, et de ce besoin les alliances, les garanties, le recours des plus faibles, le secours des plus forts, et, dans certains cas le concours des uns et des autres". The French federative system in Germany, as conceived by the Treaty of Westphalia, the League of the Rhine (1658), and the treaty of Nimegue (1678), guaranteed these three afore-mentioned principles of a federative system. The position of France in Germany was that of protector and arbitrator. The alliance with Austria of 1756 put an end to this political system. The princes and the states of the Empire, seeing themselves without support of France against the court of Vienna, threw themselves into the arms of the latter, or attached themselves to the King of Prussia or to the Elector of Hanover. The Elector of Hanover, assisted by England, formed in the Empire a third power of the first rank. Consequently, France during the Seven Year War, appeared as a secondary and auxiliary power to Austria, carrying out blindly the decision of the Austrian cabinet ⁵⁴.

Since the creation of the "ligue co-partageante", equilibrium in Germany is assured, states Favier, by Austria

54 Segur, ibid., vol. 2, p. 88, 89.

and Prussia with the exclusion of France. Actually there is no place in Germany for a third state to keep the balance. Formerly this third state to keep the balance was Sweden under Gustave-Adolphe, who, when the Catholic league carried away this balance, restored it in favour of the Protestant League. Richelieu and Mazarin followed, and by clever and impartial conduct, established equilibrium between the two religions. The treaty of Westphalia limited the ambition of Sweden and of Austria, and France became this third party to act as trustee of the equilibrium ⁵⁵. The misfortunes of France and Sweden were followed by the ambitious plans of Peter the Great of Russia in keeping the balance in Germany. These plans were not abandoned by his successors. Austria succeeded in keeping Russia out of the affairs of Germany, and, by the partitioning of Poland, blocked Russian access into Germany. Actually, France, in spite of her rights under the treaty of Westphalia, is in fact without influence in Germany and the balance there is kept entirely by the union of Austria and Prussia. In this way, Germany is left

⁵⁵ Segur, *ibid.*, vol. 2, p. 93. . . . Ce tiers fut autrefois la Suède sous Gustave-Adolphe. La ligue catholique emportait la balance, il la fit pencher en faveur de la ligue protestante. Richelieu, Mazarin suivirent et, par une conduite adroite et impartiale, rétablirent l'équilibre entre les deux religions. La paix de Westphalie posa des limites à l'ambition de la Suède, à celle de l'Autriche, et la France devint ce tiers dépositaire de la balance.

without defence at the mercy of those two powers with the exclusion of any foreign power. France lost direct relations with Germany and in this way she lost an important factor in her federative system. But she can not renounce her former position, because on that depends her position, dignity, and preeminence in Europe ⁵⁶.

Describing the position of England towards France, Favier presents the unreconcilable conflict between the two countries as between Rome and Carthage. England's attitude towards France can be summed up in the saying of Cato the Censor: delenda Carthago.

Continuing his analysis, Favier remarks that very similar to the situation between France and Germany, as established by the treaty of Westphalia, was the French federative system with relation to Italy as established by the treaty of Aix-la-Chapelle (1748). The mutual relations of the Italian states with France were again, as in Germany, based upon the essential principle of any federative system of a state, namely, the recourse of the weaker states, the succour of the stronger states, and the concourse of both. In exercising her influence, France could choose mediation, arbitration, or protection, according to her interests. In

56 Segur, ibid., vol. 2, p. 96.

this way, France, in relation to Italy, as well as to the German empire, was in the most advantageous position regarding her federative power ⁵⁷. French military power and a spirit of justice and generosity were the guarantees of the stability of French pre-eminence in Italy. Actually, this pre-eminence in Italy ought to be maintained against the menace of the contrary influence exercised by the House of Austria. This could be done by means of the close alliance and understanding between France, Spain, Naples, and Sicily. To achieve this aim the maintenance of the "pacte de famille" between Spain and France is necessary. The independence of the court of Rome and of the other States of Italy was maintained in the past by the protection of France and Spain, especially by the position of France in Germany and Italy. All this, Favier continues, was based on the wisdom and solidity of the former system of France's federative power. That system had been destroyed and replaced by another one, namely, by a system of equilibrium which had placed France in a secondary position and subordinate to Austria, whose ambition and oppression all the states of Italy dread. This second federative system gave birth to the third one, namely the "co-partitioning system", which is a menace not only to the North of Europe,

57 Segur, *ibid.*, vol. 2, p. 355.

but also to Rome and the whole of Italy. So the first federative system had been destroyed, the second is tottering and ready to collapse by its own weight, and it is the third which is dominating Italy as elsewhere. A branch of this system is the principle of equality and proportion in the acquisitions of the three "co-partitioning" powers. Russia and the king of Prussia may "acquire" much in the North of Europe and in Germany, but nothing in Italy. So to maintain this proportion and equality among respective "acquisitions", it is necessary each time to find an "equivalent" for Austria. And outside Poland and the Empire she could find it only in Italy ⁵⁸.

The Ecclesiastical States of Rome, created by the French monarch and constantly protected by his successors whose rights to protect were the inalienable rights of the French Monarchy, must continue to be protected as the whole of Italy against the constant menace of Vienna increased by the newly created system of the league of co-partitioning powers. France should not wait until the fire starts in that part of Europe, but should start to work immediately on the formation of a new political and military system, the solidity of which could stop the ambition and avidity of others. By such action, France, "protectrice-née de l'église"

58 Segur, ibid., vol. 2, p. 372, 373.

and natural arbiter in Italy, as in Germany, will maintain not only peace, but also her glory, and will reestablish in Europe her preeminence 59.

The third part of Favier's work was destined to expose the new federative system of France in order to reestablish her ancient preeminence in Europe. This third part was not written. We can only form some ideas about this system by analyzing the two parts already written. From the theoretical point of view, Favier does not accept the doctrine of equality of states. The only objection which he has against the "pacte de famille" with Spain is that France for the first time, accepted another power as her equal in the order of European states and by that fact, created the precedent by which other states, equal to Spain, could claim equality with France in international relations. The preeminent position of France in Europe resulting from the Treaty of Westphalia was considered by Favier as an essential point of the contemporary law of nations. According to him,

59 Segur, *ibid.*, vol. 2, p. 377. . . . Donc aussi la France ne doit pas attendre que le feu s'allume dans cette partie de l'Europe; elle doit, au contraire, travailler sans délai, sans relâche, à la formation d'un nouveau système politique et militaire, dont la solidité puisse en imposer à l'ambition et à l'avidité des infracteurs de la paix. Par ce moyen, seul digne d'elle, cette monarchie "protectrice-née de l'église", et arbitre naturel de l'Italie, comme de l'Allemagne, conservera tout à la fois, et la paix, et sa propre gloire, et commencera dès lors de recouvrer son crédit, sa considération et sa prééminence.

the alliance with Austria in 1756 impaired in fact the preeminent position of France in Germany and Italy, although from the point of view of rights this position still existed. The accession of Austria to the "co-partitioning league" broke the whole French federative system as created by the Treaty of Westphalia, in Germany, the treaty of Oliva (1660) in the North of Europe, and the treaty of Aix-la-Chapelle (1748) in Italy. Favier realized that, to restore the preeminent position of France in Germany and in Italy, and consequently in the whole of Europe, the new "Co-partitioning system" which immediately menaced Sweden, Poland, and Turkey, should be broken.

Austria, Prussia, and Russia, as well as England, contested not only in fact the French preeminence, but placed themselves in equal rank with the French monarchy. To restore the former position of France in Europe "de facto et de iure", Favier suggested the destruction of the "co-partitioning system" by breaking the alliance with Austria and by creating two leagues in Europe under the leadership of France: 1) in the North the alliance of France with Prussia and Sweden, and 2) in the South the alliance of the powers bound by the "pacte de famille" and Turkey. In isolating Austria from Prussia, France would be restored to her position as arbitrator and mediator in Germany. The French leagues in the North and in the South would contain

Russia and put limits to her expansion. The position of France towards England was presented as analogous to that of Carthage and Rome. Favier states that, from the English point of view, the existence of France is unreconcilable with the existence of England.

4. The "Philosophes" and the French Revolution

In the 18th century, during the reign of Louis XV, the "legistes" tried to reestablish their previous position, but the time was not favorable for subtle legal reasoning and in spite of the fact that the tradition of "legistes" was maintained by some important personalities, generally speaking the leadership of public opinion passed to the "philosophes" ⁶⁰.

The 18th century in France was dominated by the "philosophes". In both movements, we can find some common ground: The "legistes" of the Reformation and the "philosophes" of the Revolution have the same hatred of the Middle Ages, the same concern for human individuality and civil equality. All of them are more attached to the idea of unity than to that of conciliation; they are more shocked by disparity than by abnormality, and in politics more by inequality than by arbitrary will. At the bottom, it was the

60 A. Bardoux, ibid., p. 179.

same absolute spirit of logic, attracted towards general theories and complete systems, preferring to destroy and to build something new, than to amend in parts the old structure ⁶¹.

However, in the 18th century, there were some differences between both movements. If the "legistes" attacked Royalty, they did so in order to improve the monarchical system of France, to restore the ancient balance between the King and the Third Estate, to share with the King the government of France. But at the same time, they accepted Rousseau's conception of "contrat social" and replaced the doctrine of the divine right of the King by that of the sovereignty of the Nation. The Parliament of Paris on the 16th of July, 1789 proclaimed that sovereignty resides in the nation, whose rights do not depend on the will of a Prince. In July, 1789, the Constituant Assembly, before passing the resolution that the declaration of the rights of man and citizen should precede the French Constitution, examined the report containing the summary of the resolution of the provincial parliaments regarding the political issues agitating public opinion at the very beginning of the Revolution. These resolutions, the so called "cahiers", were unanimous on certain points, namely: the system of

61 A. Bardoux, ibid., p. 206.

French government is monarchy, the nation makes the laws with the royal sanction, the consent of the nation is necessary to contract a loan and to impose taxes⁶². The "legistes" thought the revolution would bring about the continuation of the French political tradition so as to complete the unification on a new doctrinal basis.

Different was the spirit of the "philosophes", especially those gathered around the "encyclopédie française". They hated the past with all its traditions and attacked the Monarchy not in order to improve it, but to destroy it. Most of the "philosophes" held in contempt the English constitutional institution, they wanted "le règne des lumières" exercised by "un despote éclairé"⁶³.

Another difference between "legistes" and "philosophes" was in connection with relations among the states. "Legistes" considered France "pays des Gaulles" as the legitimate successor to the Roman empire. They considered themselves as descendants of the ancient Romans.

62 A. Bardoux, *ibid.*, p. 289.

63 A. Sorel, *ibid.*, vol. 1, p. 107. . . . Toute la politique des philosophes se ramène à mettre l'omnipotence de l'état au service de l'infailibilité de la raison, à faire, si l'on veut de la raison pure une nouvelle raison d'état. Sur ce principe toutes les sectes s'accordent. Voltaire donne la main aux encyclopédistes; les physiocrates, dissidents sur le reste, reviennent ici à l'ortodoxie.

With regard to internal policy, they favoured unification and centralization; regarding external policy, they were haunted by historical reminiscences of the unity of the civilized world under Roman supremacy. France regarding herself as the successor of ancient Rome could claim supremacy in the international sphere, in order to unify modern international society under her direction. "Philosophes" praising the individuality, liberty, and independence of human beings, could not refuse these attributes to the political entities - the states. Therefore, they were inclined towards a conception of the sovereignty and independence of states.

It is not easy to trace a clear distinction between these two movements in the 18th century. Those who were "legistes" quite often called themselves "philosophes" and vice versa. Most of the political figures of the revolution were under the influence of both ideologies. Both ideologies had many similarities and differences. Therefore, the leaders of the revolution at different periods followed either the one or the other. In consequence we observe many changes and contradictions during the revolutionary period.

Some of the leaders of the French Revolution were influenced by dreams of vast European or even universal

arrangements to ensure peaceful collaboration amongst the states. In this respect, some of them followed the tradition of William Postel, Pierre du Bois, Sully, who developed the idea of the European or world society built to ensure the supremacy of France; others, inspired by l'Abbé de St.Pierre and Rousseau, in their dreams of perpetual peace, were more impartial and were guided more by the idea of humanity than of French nationalism.

We see during the revolutionary period all these tendencies struggling against one another. The policy of the National and Legislative Assembly was marked as regards internal affairs by "legistic" desire for the unification of law, the centralization of power, and the abolition of feudal privileges; on the other hand, in external relations it was animated by the "philosophical" spirit of national liberty and the independence of states. The rights and liberty of man, as conceived by the Declaration of Rights, implied in international relations the rejection of the idea of imposed revolutionary propaganda. The members of the National Assembly were convinced that the new ideas would gain ground without resorting to force and violence ⁶⁴.

⁶⁴ Ernest Nys, Etudes de droit international et de droit politique, Bruxelles, A. Castaigne, 1896, p. 359.

George Peabody, Gooch, Studies in Diplomacy and in Statecraft, London, Longmans, Green & Co., 1942, p. 301.

In November 1789, the National Assembly rejected a motion to incorporate Venaissin and Avignon into France, as being the property of the Pope. The same spirit was reflected in the Decree of 27 May, 1790 which declared that the French Nation renounced the undertaking of any war with a view to making conquests and would never employ her forces against the liberty of any nation⁶⁵. This declaration was afterwards included in the text of the Constitution of 3rd September 1791.

The problem of Avignon and Venaissin was brought again before the National Assembly, when the Commune of Avignon, after having expelled the Pope's representative, decided to join France. Pétion, in broaching the question, considered the fact that Avignon was a part of the French Empire and that Royalty had never renounced sovereignty over contested territories and accepted only the Pope's right of possession. He presented the motion to include Avignon in France and ask the King to discuss with the Pope only the question of indemnities. Robespierre supported the Pétion's motion and defended the right of the people to choose their

65 E. Nys, Etudes de droit international . . ., ibid., p. 365. . . . L'Assemblée nationale déclarant à cet effet que la nation française renonce à entreprendre aucune guerre dans la vue de faire des conquêtes, et qu'elle n'emploiera jamais ses forces contre la liberté d'aucun peuple.

government⁶⁶. The Assembly still hesitated to decide the problem. The motion of incorporation was rejected again on the 4th of May and 24th of May, 1791. Finally, on the 14th of September, 1791, the Assembly voted for the re-unification of Avignon and Venaissin to France on the grounds of the unquestionable rights of France over these places and the will of the majority of their populations freely and solemnly expressed⁶⁷.

Very characteristic of the spirit and tendency of the Legislative Assembly which replaced the National Assembly in October, 1791, was the discussion with regard to the abolition of privateering. On the 30th of May, 1792, Armand de Kersaint, deputy of Paris, introduced the project of abolishing privateering arguing that war, being the most eminent act of sovereignty of a nation, legally can only be conducted by the nations, and not by individual citizens and for their particular profits. The usage of privateering, he continued, is contrary to the law of nations and

⁶⁶ E. Nys, Etudes de droit international . . ., ibid., p. 366, 367. . . . "On vous a dit que par un décret vous aviez renoncé à toute conquête. La réunion libre d'un peuple à un autre a-t-elle quelque chose de commun avec les conquêtes! Une conquête n'est-elle pas l'oppression d'un peuple auquel le conquérant donne des fers? Ici les Avignonnais vous invitent à un contrat libre de part et d'autre".

⁶⁷ E. Nys, Etudes de droit international . . ., ibid., p. 369.

revolutionary France should initiate the suppression of that practice, which action would be the consequences of the declaration of human rights inserted in the Constitution. After the discussion, the Assembly voted the decree inviting the government to negotiate with foreign powers for the suppression of privateering with a view to assuring the liberty of commerce ⁶⁸. This whole discussion and the decree voted, were animated by the spirit of Rousseau and by his doctrine with regard to war.

On the 20th of April, 1792, the Legislative Assembly voted for the declaration of war against Austria. The manifesto of the Duke of Brunswick was announced on the 25th of July, 1792. On the 23rd August, 1792, Brissot, in a project of declaration to foreign powers, insisted that the law of nations and the tranquillity of Europe had for an essential basis the guarantee of the independence of the respective states. Such a guarantee would not exist if a foreign power intervened in the sphere of the internal constitution of a state ⁶⁹.

The battle of Valmy (20 September, 1792) decided the campaign to the advantage of France. France was preparing

⁶⁸ E. Nys, Etudes de droit international . . ., ibid., p. 375, 377.

⁶⁹ E. Nys, Etudes de droit international . . ., ibid., p. 380.

to take the offensive. Carra, the editor of the "Annales Patriotiques", connected with the "Gironde" party, in his report drew the following conclusions from the victorious campaign by arguing that France should be surrounded along her frontiers by a border of free and independent nations; that she should refuse any contact with Kings, and should not make peace until Belgium, the country of Liege, the lower Rhine, Catalonia and Biscay would be liberated ⁷⁰. Among this revolutionary phraseology the spirit and tradition of the foreign policy of the "ancien régime" in its expansionist aspect, was accentuated. Behind Rousseau, we see the shadow of Richelieu and Louis XIV.

During the National Convention after the fall of the Monarchy, the notion of "patrie" was extended. The revolutionary watchwords acquired a new impulse. France liberated from the traditional bonds of Monarchy achieved a new force in proclaiming the solidarity of nations against tyrants. The French republic had ideological assets for the

70 E. Nys, Etudes de droit international . . ., ibid., p. 380. "Que la France . . . soit entourée au plus tôt dans toute sa circonférence d'une bordure de peuples libres et indépendants; qu'elle n'ait aucun contact avec les rois qui pourraient conserver encore leurs trônes pendant quelques années. Point de paix avec les puissances voisines, jusqu'à ce que la Belgique, le pays de Liège, les rives inférieures du Rhin jusqu'à la Hollande exclusivement, les Alpes extérieures, la Catalogne et la Biscaye n'aient planté avec des racines l'arbre de la liberté".

realization of the universal society. Meanwhile, we observe a curious phenomenon. At this moment, France, apparently liberated from all tradition from the past, when she was able to build a European society upon a new basis of equality and fraternity of all nations, returned to her old tradition of the ancient regime with regard to her foreign policy. Danton emphasized this tendency when he said that the frontiers of France are marked by nature itself, and France will eventually reach them at four points, namely: the ocean, the Rhine, the Alps, and the Pyrenees ⁷¹. The conception of international relations which had been held by the "philosophes", was replaced by that which the "legistes" had stood for. France adopted the revolutionary watchwords to serve the idea of unification of human society under French supremacy.

At the beginning of the National Convention, there was still among its members the tendency to respect the law of nations, but later the policy of aggrandizement was accentuated and suddenly there were doubts and hesitations; the men of the Revolution realized that to abandon the firm ground of legality in their conduct of foreign policy would

⁷¹ E. Nys, Etudes de droit international . . ., ibid., p. 381.

bring disaster ⁷².

When the problem of the conquest of Savoy arose in September 1792, Montesquieu received the instruction in the sense that a liberated nation was free to declare itself independent, or to join the French Republic. The rights of conquest could only be sanctioned if a particular nation persisted in adhering to its previous masters ⁷³. However, later the idea of the policy of intervention and of imposed propaganda was accentuated. On the 19th of November, 1792, the National Convention passed the following decree: "La Convention Nationale déclare au nom de la nation française qu'elle accordera fraternité et secours à tous les peuples qui voudront recouvrer leur liberté, et charge le pouvoir exécutif de donner aux généraux les ordres nécessaires pour porter secours à ces peuples et défendre les citoyens qui auraient été vexés ou qui pourraient l'être pour la cause de la liberté" ⁷⁴.

This new tendency was further accentuated in the report which was presented to the Convention by Cambon on

⁷² E. Nys, Etudes de droit international . . ., ibid., p. 381.

⁷³ E. Nys, Etudes de droit international . . ., ibid., p. 381.

⁷⁴ E. Nys, Etudes de droit international . . ., ibid., p. 385.
G.P. Gooch, ibid., p. 301.

the 15th of December, 1792 on the subject of the attitude of the republican generals in the conquered countries. This report stressed the idea that the aim of the war was to eradicate all privileges. "Guerre aux châteaux, paix aux chaumières". All privileged people in the countries entered should be considered as enemies - a natural consequence of the revolutionary principles. Otherwise, the newly gained liberty would be imperilled. It would be useless to disguise their principles. The tyrants know them already ⁷⁵. "Malheur au peuple" said the report of Cambon, "qui essaiera de s'affranchir s'il ne rompt au même instant toutes les chaînes". On the same day the decree was voted, which, to quote the Cambridge Modern History "made liberty compulsory and imposed the revolutionary nostrums of France on all the liberated countries. This decree was the manifesto of the war of conquest; and the 'liberty' which it heralded was in fact an unmitigated tyranny" ⁷⁶.

Such a tendency and the policy of annexation aroused suspicion amongst the other powers and was prejudicial to the interests of France. Danton, on the 13th of April, 1793

⁷⁵ E. Nys, Etudes de droit international . . ., ibid., p. 386.

⁷⁶ The Cambridge Modern History, edited by A.W. Ward, G.W. Prothero, S. Leathes, Cambridge, The University Press, 1902-12, vol. 8, p. 257.

succeeded in abrogating the decree of 15th December, 1792, and a new trend of policy could be noted in the following resolution:

La Convention déclare au nom du peuple français, qu'elle ne s'immiscera d'aucune manière dans le gouvernement des autres puissances; mais elle déclare en même temps qu'elle s'ensevelira plutôt sous ses propres ruines que de souffrir qu'aucune puissance s'immisce dans le régime intérieur de la République et influence la création de la constitution qu'elle veut se donner ⁷⁷.

On the 18th of June, 1793, the Convention voted the articles of the constitution concerning relations with the foreign nations, which declared: "Le peuple français se déclare l'ami et l'allié naturel des peuples libres. Il ne souffre pas que les autres nations s'imiscent dans le sien. Il ne fait point la paix avec un ennemi qui occupe son territoire"⁷⁸. The same tendency marked the "Déclaration du droit de gens" presented by Gregoire, on the 18th of June, 1793 and 23rd of April, 1795 ⁷⁹.

On the 26th of October, 1795, the National Convention terminated its work and with the new Constitution the period

⁷⁷ E. Nys, Etudes de droit international . . ., ibid., p. 393, 394.

⁷⁸ E. Nys, Etudes de droit international . . ., ibid., p. 394.

⁷⁹ E. Nys, Etudes de droit international . . ., ibid., p. 395-403.

of Directory began. The foreign policy of the Directory was that of the "Frontières naturelles". The then existing government renounced the conception of the Girondist party of spreading the Revolution over Europe and of assuming supremacy by founding satellite republics. Reubell controlled the foreign policy having as foreign ministers Delacroix, succeeded by Talleyrand. Reubell was the most important person amongst the Directors. The Directory opposed Bonaparte's view of spreading Revolution all over Italy with the intention of forming Italian States under French protection. The conquest of Lombardy by Bonaparte was viewed by Reubell as the price of exchange with Austria for the acquisition by France of the Low Countries and for the securing of the frontier of the Rhine. The preliminary treaty of Leoben concluded on 18th of April, 1796 by Bonaparte, which provided for the acquisition of the Low Countries by France, the creation of the Italian Republic, and the partition of the Venetian Republic, did not, however, secure the Rhine as a frontier of the French Republic and was against the formal instruction given to Gen. Clarke, who was sent to treat with Austria. Circumstances forced the Directory to accept the preliminary treaty of

Leoben ⁸⁰. The break of negotiations for peace with England in Lille (1797) left the French foreign policy under the influence of Bonaparte and he then started to lay the foundation of his future policy of conquest and domination ⁸¹.

⁸⁰ Raymond Guyot, Le directoire et la paix de l'Europe, des traités de Bâle à la deuxième coalition (1795-1799), Paris, F. Alcan, 1911, p. 342 and following.

⁸¹ R. Guyot, ibid., p. 368.

CHAPTER II

"DE L'ETAT DE LA FRANCE A LA FIN DE L'AN VIII"

With Napoleon Bonaparte's accession to power as First Consul on 9 October, 1799, a new period of European history, dominated by his personality, begins.

At the opening of that period, France attained the object which "ancien régime" had long ago aimed at, namely, "les frontières naturelles": the Pyrenees, the Alps, and the Rhine. This French expansion could be accepted by Europe, at the time when, with the destruction of Poland and the decadence of Sweden and Turkey, the general equilibrium of European powers took a new form. The establishment of the French power in Belgium, the Rhineland, Nice and Savoy could be accepted as the natural compensation for Russia's expansion in Poland and on the Black Sea; of Prussia's in Poland, of Austria's acquisitions in Poland and on the Adriatic coast, and of England's colonization of India ¹. This new equilibrium of Europe

¹ Edouard Driault, Napoléon et l'Europe; La politique extérieure du premier consul, 1800-1803, Paris, F. Alcan, 1910, p. 21, 22. . . . L'équilibre alors établi semblait même plus parfait que jamais; les éléments de puissance de ces cinq états étaient comme harmonieusement combinés: l'Angleterre avait sa force sur les mers, la Prusse était maîtresse de la plaine allemande et étendait normalement son influence vers l'ouest jusqu'au Rhin, sur l'Allemagne protestante; l'Autriche se concentrait sur le Danube moyen et les côtes de la mer Adriatique, regardant vers l'Orient. La Russie s'établissait sur la Vistule et descendait résolument à la mer Noire. Et la France, dans ses frontières naturelles des Pyrénées, des Alpes et du Rhin, ne contrariait pas les aspirations des autres grandes nations de l'Europe.

would have contained the elements of stability, if, with its restoration, some common ground of the principles of justice and equity in international relations could have been restored; if equilibrium could have ceased to be that "chose de pure opinion que chacun interprète suivant ses vues et ses intérêts particuliers"; if the "partitioning powers", Russia, Prussia, and Austria, could have forgotten the saying of Frederic the Great: "c'est le royaume des cieux qui se gagne par la patience, ceux de ce monde appartiennent à la force"; if France could have returned to the policy of Richelieu and Mazarin. Meanwhile, we observe on the one side the spirit of "partitioning" continuing, and the tendency to expand by any means regardless of the national feeling of populations and the principles of legitimacy; and on the other side, the French revolution still menacing the old structure of Europe by proclaiming the rights and liberty of man with their corollary, the rights of the nations and the new ideas of popular sovereignty and self-determination, to a world which appeared to be without any ideas beyond self-interest. Between these two sets of political ideology, we see England waiting to secure equilibrium on the continent and her supremacy on the seas, and to restore her colonial position after the setbacks of the American war.

Napoleon, armed with the qualities of his genius, the

resources of France, and for propaganda purposes, with the principles and ideas which Sorel described as "chacun put les admettre parce que chacun les interpréta selon son tempérament, ses passions, et les notions acquises", faced Europe divided and suspicious, unable to justify and uphold any ideological principle, which would successfully oppose the French revolutionary watchwords.

Soon after assuming power in France as First Consul, Napoleon asked for somebody capable of writing a manifesto for the foreign powers. He was advised to use for that purpose Hauterive², the Head of the First Division (that of political correspondence) at the French Ministry of Foreign Relations. Napoleon was pleased with the choice; he explained to Hauterive his views and ideas. In six weeks was written and appeared an anonymous book entitled: "De l'état de la France à la fin de l'an VIII" - Paris - Brumaire an 9 - which was generally assumed to be written by Hauterive³. This book acquired great renown. After that, the First Consul made Hauterive a special advisor and collaborator and as such (and also in his capacity as first "commis" at the French Ministry - second only to Talleyrand)

² Alexandre Maurice Blanc de Lanautte, comte d'Hauterive, born on 14th April, 1754, died 28th of July, 1830.

³ (Anonymous), De l'état de la France à la fin de l'an VIII, Paris, Brumaire an 9, chez Hentics, 302 pages.

Hauterive was associated with all the most important diplomatic activities of that period ⁴.

Hauterive's pamphlet, although published anonymously in October 1800 ⁵, was at once considered by Europe as an unofficial publication of the new French regime ⁶. From this book, Europe became better acquainted with Napoleon's ideas regarding the urgent problems of the rearrangement of European affairs on the basis of law and European unity ⁷. The purpose of "L'Etat de France" was to expound the doctrine which inspired the government regarding France's foreign policy and to stress the principles which the new

⁴ Nouvelle Biographie Générale, édition MM Firmin Didot Frères, Paris, Firmin Didot Frères, fils et cie, 1853-1866, vol. 23, p. 587, 588. . . . Le lendemain du 18, Brumaire Bonaparte demanda un employé capable de rédiger un manifeste aux nations étrangères. On lui présenta d'Hauterive: il lui plut, et lui expliqua aussitôt ses vues. En six semaines fut rédigé et parut l'ouvrage intitulé: "De l'état de la France à la fin de l'an VIII". Ce livre eût un immense retentissement. Le premier consul fit dès lors de Hauterive un de ses travailleurs familiers. C'est en qualité de conseiller intime et de secrétaire de prédilection qu'il fut mêlé à tous les grands travaux diplomatiques de cette époque.

Therese Ebbinghaus, Napoleon, England und die Presse (1800-1803) Munchen, und Berlin, R. Oldenbourg, 1914, p. 13.

⁵ T. Ebbinghaus, ibid., p. 36 (footnote).

⁶ August Fournier, Gentz and Cobenzl, Geschichte der Österreichischen Diplomatie in den Jahren 1801-1805, Wien, W. Braumüller, 1880, p. 43-56.

⁷ August Fournier, Napoleon I, A Biography, translated by Annie Elisabeth Adams, London, New York, Longmans, Green and Co., 1911, vol. 1, p. 258.

government intended to follow in this respect ⁸.

The English translation of Hauterive's book appeared in London in 1801 ⁹.

For the purpose of our work the detailed analysis of Hauterive's pamphlet is necessary.

Hauterive presents the subject in six chapters:

1. "Situation politique de l'Europe avant la guerre
2. Considérations générales sur la situation relative de la France
3. Situation relative de la France à l'égard de ses alliés
4. Situation relative de la France à l'égard de ses ennemis
5. Situation relative de la France à l'égard des neutres
6. Situation intérieure de la France".

The first five deal with the position of France with regard to Europe; the sixth deals with the interior situation of France.

On reading the 1st chapter, dealing with the political situation of Europe previous to the war, we find the following picture of the state of Europe before the outbreak of French Revolution:

Avant la révolution, presque tous les gouvernements de l'Europe étaient dans une position contrainte et fautive à l'égard les uns des autres, oppressive et ruineuse à l'égard de leurs sujets:

⁸ Frédéric Masson, Le Département des affaires étrangères pendant la révolution, 1787-1804, Paris, E. Plon et Cie, 1877, p. 483.

⁹ Alexandre Maurice Blanc de Lanautte Hauterive, State of the French Republic at the End of the Year VIII, translated from the French of Citizen Hauterive by Lewis Goldsmith, London, J.S. Jordan, 1801, 312 pages.

jamais on n'avait vu au dehors des liens politiques aussi indécis, aussi discordants, aussi faibles, jamais les principes d'une administration sensée n'avaient été plus méconnus dans l'intérieure de tous les Etats ¹⁰.

To explain the causes of this internal and external crisis involving the European states, Hauterive starts with an apotheosis of the treaty of Westphalia.

Au milieu du siècle dernier, un traité fondamental des droits et des devoirs de la plus grande partie des puissances continentales, assigna la place qui appartenait à chacune d'elle dans la grande échelle politique de l'Europe . . . Les traités postérieurs à celui de Westphalie altèrent plus ou moins la force de ces engagements, mais ils se rapportèrent cependant à ses bases principales dans tout l'ensemble de leurs plus importantes dispositions. Ce traité qu'on peut appeler élémentaire et classique, eût pu être fondé, pour une longue suite des siècles, le droit public de l'univers, si trois événements qui datent à peu près de la même époque n'étaient venus compliquer le système général, de combinaisons inattendues qui, d'abord imperceptibles et lentes, attaquèrent graduellement tous les rapports consacrés ou préparés par le traité de Westphalie, et ont enfin, de nos jours, brisé avec scandale tous les liens qui unissaient ces rapports, et détruit les bases d'intérêts, de concorde et de contrepoids sur lesquelles ils étaient établis ¹¹.

These three events that caused the disruption of the European system created by the treaty of Westphalia, were: 1) the formation of a new empire in the North of Europe, namely the

¹⁰ (A. Hauterive), L'Etat de la France à la fin de l'an VIII, Paris, Brumaire An 9, chez Bentics, p. 2.

¹¹ A. Hauterive, ibid., n. 4.

rise of Russia, 2) the elevation of Prussia to a place among the powers of the first rank, 3) the extension of the colonial and maritime system of England in the four quarters of the globe.

The Russian empire, still behind the other European powers in civilization, thrust itself among them, and once being incorporated with the system when its different parts were united by relations already established, displaced the existing connections, relaxed or dissolved the principles of every alliance and tended to annihilate the political union of Europe. The conduct of Russia towards Poland and other neighbours and her constant desire for her aggrandizement was the reason that the ancient principles of public law and equilibrium, trust and confidence among the states, gave place to fortuitous speculations, accidental alliances. The signal was given to the ambition of all princes, and alliances among the powerful states became purely accidental; alliances between strong and weak gave to the stronger partner semblance of right to oppress the weaker¹².

By the treaty of Westphalia, France became the protector and guarantor of the rights of Protestants in Germany. But the rise of a new great power in the Empire, namely of Prussia, rendered the patronage and guardianship

12 A. Hauterive, ibid., p. 6-8.

of France less necessary. In consequence, the disputes between the Empire and its members have more frequently occasioned wars; France became almost stranger to the interests of the German Empire, and the German Empire to the interests of France; Disputes on the constitution of the Empire, being no longer determined by a third party, were resolved by violence and the will of the strongest; The Protestant League disappeared, identifying itself with the name of the Power whose protection took the place of that of France, and became known by the title of the Prussian party. Prussia reached that position led by ambitious and unscrupulous rulers, who to promote their aims, adopted the tactics of recruitment and of hoarding money. Other states had to follow the same steps and consequently Europe witnessed more frequent and bloody wars ¹³.

While examining the third cause of European political disorder, Hauterive points out Cromwell as the real founder of the maritime system, by which England emerged from the insignificant part she played during the negotiations for the treaty of Westphalia to her position of control in the contemporary maritime and colonial system. Cromwell by proclaiming "The Navigation Act" plaça le commerce de sa nation dans une position constante d'inimitié

13 A. Hauterive, ibid., p. 10-13.

et de jalousie à l'égard du commerce des autres peuples" 14. The consequences of England's growing sea-power were, first, that she thought that she alone could interfere in maritime legislation, secondly, an indissoluble union was produced between the powers of the state and the commercial interests of the nation. Using her power in the affairs of Europe and incessantly changing her political system, England created a partial and ephemeral balance of power contrary to the principles on which the general equilibrium should be founded¹⁵.

At the time of the treaty of Westphalia when the foundations of the public law of Europe were laid, Russia was rather unknown to Europe, Prussia was neutral and passive, and England was disregarded in the negotiations of Münster and Osnabrück. Therefore, it was the fault of those states by and for whom the public law of Europe was founded for not having perfected the political balance which they intended to maintain; for not having foreseen that the foreign influence of two new powers was bound to produce great alteration in the already organized political system, because the powers which were subordinate before could not aggrandize within an established system without shaking the

14 A. Hauterive, ibid., p. 19.

15 A. Hauterive, ibid., p. 23.

very foundations of that system and without being injurious to their neighbours; and finally for not having estimated the consequences of the creation of new military system and of the development of a colonial and maritime system in the internal and international relations of all states ¹⁶.

According to Hauterive, the war against revolutionary France which started without any motive which might be justified by any principles of public law only proves . . .

. . . que depuis longtemps il n'existait plus en Europe aucune maxime de gouvernement, aucun lien fédératif, aucun principe constant de politique et de conduite; que de faibles étaient à la discrétion du plus fort; que les forts étaient les jouets du plus habile; que toutes les têtes étaient fascinées de je ne sais quel principe de développement, qui n'est en soi qu'une exagération d'efforts ruineux, violents et mal habiles ¹⁷.

The French Revolution contributed to the dissolution of that precarious and unsatisfactory state of European relations. It proved that immediately before the Revolution the public international law did not exist in reality any more, only some appearances of that law were preserved. "La révolution n'a fait que signaler avec éclat sa destruction, et que le plus important de leurs devoirs, comme le plus grand de leurs intérêts, est de se livrer incessamment, et de concert, au

16 A. Hauterive, ibid., p. 25, 26.

17 A. Hauterive, ibid., p. 32.

soin de le récréer" 18.

The second chapter of Hauterive's book - "considérations générales sur la situation relative de la France" - deals with three points: a) Is a system of public law necessary for Europe? b) Did such a system exist previous to the war? c) Does such a system exist at this moment?

When the war was being waged against revolutionary France, the whole of Europe was armed against her.

Cette union sans principes s'était formée sur la dissolution de tous les rapports antérieurs; et c'était du sein d'une guerre violente, dont l'objet ne pouvait être commun à tous, que devaient sortir les règles d'un nouveau droit public, un nouvel équilibre de puissances, de nouvelles garanties, enfin pour assurer et perpétuer la conciliation des droits et des intérêts généraux 19.

France, if defeated, was destined very probably to an arbitrary dismemberment. If victorious, she would return of her own accord into the train of her ancient relations with the right and power to correct their abuses, to abolish even by violence all the rules of the old system of policy; she would call upon all other governments, either individually or collectively, to join in her efforts to rear the general system of public rights on foundations more suited to the actual state of Europe. Even her resistance "suffisait pour que l'Europe se vît placée dans la nécessité de recomposer

18 A. Hauterive, ibid., p. 33.

19 A. Hauterive, ibid., p. 35, 36.

son droit public, que des alliances monstrueuses, que des projets de démembrement et de partage, que le mépris de toutes les lois, de toutes les maximes fédératives avaient anéanti" ²⁰.

Meanwhile, France triumphed over her enemies and her victories and conquests gave her the right to take a more active and powerful share in the solution of European problems.

Is the system of public law necessary for Europe? To that question, Hauterive answers in the following way:

Le droit public, entre les nations qui sont les unes à l'égard des autres dans des communications de voisinage ou de commerce, se compose de rapports, sinon permanents au moins parfaitement constatés. Ces rapports expriment les droits et les devoirs de chaque état; ils assurent à tous les moyens connus et autorisés de préserver, de cultiver les éléments de leur richesse et de leur puissance; ils ouvrent devant chacun d'eux une carrière libre au développement de leurs facultés; ils empêchent le fort d'intimider le faible, et garantissent les sages de la turbulence des insensés ²¹.

Every state, except those afflicted with blind passion of expansion is interested in the existence of such a system of general security and mutual protection, but France, after having retired within the boundaries which she has right and power to prescribe for her future security, is

20 A. Hauterive, ibid., p. 37.

21 A. Hauterive. ibid., n. 38.

most anxious to see the reestablishment of such a system of public laws. However, as the ambitious and quarrelsome powers will always exist, therefore, Hauterive continues:

Pour toutes ces puissances, et contre chacune d'elles, il faut un système qui trace d'une manière précise les démarcations géographiques, l'étendue des devoirs, la limite des droits; il faut que les lignes circonscriptives soient clairement exprimées, il faut que chacun puisse apercevoir l'extension, et même en prévoir l'entreprise avant d'en ressentir le dommage. Il faut en même temps un système qui indique à tous les gouvernements de l'Europe les véritables circonstances de leur position relative, qui leur apprenne quels sont les peuples que la nature de leurs rapports leur signale comme amis, comme ennemis, comme neutres; qui, dans le calme de la paix, les empêche de voir du même oeil les progrès ou la décadence de tel ou tel état; qui dans la guerre, les mette en garde contre les erreurs d'une indifférence irréfléchie, et les préserve des méprises d'une prédilection mal éclairée . . . Il faut donc un droit public à l'Europe 22.

To his second question - whether a system of public laws existed in Europe before the war - Hauterive answers that the elements of that system were confused, discordant, on the point of being dissolved, yet it was never entirely annihilated. Prussia, Russia, and England, could not entirely disregard it, but at the time when the enemies of Revolutionary France succeeded in raising up against her the rest of Europe, with a view to destroying the only counterpoise that was capable of preserving both continental and maritime balance of Europe, then the public law of

22 A. Hauterive, ibid., p. 42

nations no longer existed. Nevertheless, it existed at the epoch immediately preceding, when no power would have dared to incur the universal reprobation of Europe by manifesting such a design ²³.

Eventually, Hauterive comes to his third question: Does public law of nations exist in Europe at the moment of his writing? His answer is that once the ascendancy of France had ceased to be respected, the advantage of her support and protection was disdained. The revolutionary wars were the last stage in the process which led to the destruction of the contemporary public law, such as existed before the Revolution. Further, Hauterive insists on the necessity of recreating the system of public law in Europe.

J'ai dit plus haut que l'Europe était aujourd'hui placée dans la nécessité de récréer son droit public, et que tous les points de vue divers de la situation relative de la France se trouvent dans la solution de ce problème. Je dois ajouter qu'une partie de l'Europe a déjà été amenée par la France à sentir cette nécessité, et que de cette reconnaissance heureuse et du rapprochement qui en est résulté entre quelques Etats et la France, on a déjà vu sortir les premières bases d'un nouveau code politique, qui n'a plus besoin que de ses derniers développements et la sanction d'une paix générale, pour servir de sauvegarde aux uns, de contre-poids aux autres et de règle à tous. . . Les traités formés par la France, la Hollande, l'Espagne, la Suisse et quelques états d'Italie présentent à l'examen des publicistes, un des aspects les plus importants de ce nouveau

23 A. Hauterive, *ibid.*, p. 44.

droit public. Ils donnent les bases du système défensif et fédératif de la France. Ils vont servir à nous faire connaître notre situation relative à l'égard de nos alliés et de nos amis. Les traités formés directement avec le roi de Prusse, et indirectement avec la partie septentrionale de l'Empire, nous donneront la situation relative de la France à l'égard des états neutres. Les traités faits avec la maison d'Autriche et avec quelques princes du Midi de l'Allemagne nous feront apercevoir dans les causes et les motifs des événements qui ont détruit ces traités, les rapports principaux de la position relative de la France à l'égard de ses ennemis 24.

The third chapter deals with the situation of France regarding her allies. According to Hauterive, the true relations between states consist, not in accidental or temporary connections inspired by ambition or fear, but in an agreement for common protection against a common enemy. At all times, the French federative system was designed to avert the real danger menacing not only France, but at the same time the whole of Europe. Throughout history, France was the chief Power to oppose the plans of domination of the court of Rome over the States of Christendom. Afterwards she directed the resistance of the States of Italy against the commercial and maritime despotism of Venice. She was the soul of the confederacy formed against the House of Austria, and the Thirty-Year War and the peace of Westphalia proved to the friends and enemies of France, that her policy had in view general interest and common security. Hauterive

24 A. Hauterive, ibid., p. 46,47.

continues with the analogy between the Thirty-Year War and the wars of Revolution, and with apology for the treaty of Westphalia. At the time of the Thirty-Year War, he says, France united the cause of the feeble and oppressed nations to that of her own interests; she chose her allies from among the only free states then existing in Europe; she towered above religious prejudices and political passions, whether Catholic or monarchical and she embraced the cause of Protestantism and insurrection; she carried the war into Spain, the Low Countries, Italy and to the very heart of Germany.

Elle triompha partout; elle conquit la paix; et le traité (of Westphalia) qui en stipule les conditions, dépose à jamais de sa fidélité envers ses amis, de sa justice envers les neutres, de sa générosité envers ses ennemis. Elle ne réclame pour elle un accroissement de territoire, que parce qu'il était nécessaire à sa sûreté. Elle assura la défense de ses frontières en Allemagne et en Italie; mais le Portugal et la Hollande furent affranchis du joug de la Maison d'Autriche, et l'indépendance de la Suisse fut enfin reconnue. La Suède, la plus utile alliée de la France, fut placée au rang des puissances prépondérantes; la liberté des cultes fut mise au nombre des droits primitifs qui appartiennent à toutes les nations, et l'intolérance religieuse, ce grand prétexte de l'ambition des princes, fut classée dans le code de l'Europe, parmi les délits politiques, et signalée désormais comme un crime de lèse-humanité et une des plus graves infractions du droit public 25.

It was the expansion of the English maritime and

25 A. Hauterive, ibid., p. 51.

colonial system, always a source of jealousy and ambition, which according to Hauterive, particularly contributed to the destruction of the European federative system created by the treaty of Westphalia. The growth of that maritime system and the rivalries resulting weakened the unity of the continental powers and almost entirely changed the nature of their relations. If France, during the 17th century wars had been more successful, the maritime system of Europe would have unfolded itself more slowly and with less striking effects, it would have remained much longer subordinated to the interests of continental policy, the federative system of each power would have assumed a more uniform consistency, and Holland and Portugal would have preserved their independence with respect to England. When the states of Europe attempt to destroy or at least to weaken France, they are responsible for helping to subjugate the continent to the maritime system of England.

Il n'existe qu'un moyen de prévenir l'action de cette cause perturbatrice: c'est de constituer le système fédératif sur de bons principes, et de rapporter à ces principes la réforme devenue indispensable du système général des alliances européennes. La recherche de ces principes n'est ni longue ni difficile: ils sont simples et peu nombreux. Je les réduit à deux: 1. Toute alliance doit avoir pour objet, dans la paix de garantir la permanence des rapports existants, et dans la guerre, de concerter la défense de ces rapports contre les entreprises de l'ennemi commun. 2. Toute alliance doit avoir pour objet, dans la guerre comme dans la paix, de garantir les intérêts politiques du continent de l'ascendant

exagéré des intérêts maritimes ²⁶.

The coalition of the whole of Europe against revolutionary France was opposed to these two above-mentioned principles. Writers and governments, acting against all established principles, were obliged to invent a new name to describe this association against the independence of a single nation and against all the rules of public law - a Coalition.

France, through her successful resistance, returned to the traditional system of her ancient alliances.

Le système fédératif de la France est en évidence, soit qu'on le considère sous le point de vue maritime ou sous le point de vue continental, on trouvera qu'il repose sur des éléments déjà connus, et dont une longue expérience a constaté la bonté. Le but de ce système ne se perd pas dans un vague indéfini de conquêtes; ses vues ne s'allient pas à des projets de destruction, d'incorporation, de démembrement; . . . il n'a en perspective que consistance, ordre, justice et stabilité ²⁷.

Actually, the basis of a maritime system of France is the alliance with Holland, Spain and Liguria. France also, says Hauterive, laid the basis of her continental system. She reconquered the alliance of Switzerland. Other continental alliances which France would consider as necessary for her

26 A. Hauterive, ibid., p. 66.

27 A. Hauterive, ibid., p. 72.

federative system would be brought into existence by negotiations or by military actions. Hauterive continues in a menacing tone, that if the Princes disregard the voice of self-interest, which dictates to them an alliance with France, she will virtually ally herself to their Countries, which they are incapable of defending ²⁸.

Chapter four deals with the position of France regarding her enemies. According to Hauterive, the coalition of the enemies of France ought to be dissolved, because this coalition is composed of discordant elements and its aim does not agree with any system of general safety. But its dissolution does not mean the destruction of the members of which it is formed. Those members ought to be preserved, because each considered in itself, may enter sooner or later into a system, not merely neutral, but also of amity and alliance with France ²⁹.

In every system of alliances, some alliances are necessary and others are chosen at discretion. While all have for their aim the political safety of a state, some of them contribute directly and instantly to that object, and others indirectly. "La France est placée au centre de ses alliances actuelles. Là elle est tout à la fois le

28 A. Hauterive, ibid., p. 74.

29 A. Hauterive, ibid., p. 86.

point d'appui et le principal levier de l'équilibre qu'elle est la plus intéressée à maintenir" 30.

The general equilibrium, says Hauterive, because of the difficulty of establishing it with any hopes of duration, is an interest rather chimerical. Also such general equilibrium is of secondary consideration because in politics, as in natural objects, the advantages and dangers of relations are measured by the distance of their objects. However, Hauterive continues:

Il y a en Europe ou du moins il devrait y avoir un équilibre général. Il y a ensuite dans quelques parties de l'Europe des équilibres partiels qui se forment de la correspondance des rapports de quelques états placés dans des relations presque immédiates les uns avec les autres, comme l'équilibre général devrait se former de la correspondance de tous les équilibres partiels. Les équilibres de cette dernière espèce sont plus faciles à former, et une fois établis ils sont susceptibles de plus de durée. Tels sont l'équilibre politique du Nord, l'équilibre politique de l'Allemagne, de l'Italie et du Sud de l'Europe. C'est au centre de ce dernier équilibre que la France est placée; c'est à son rétablissement qu'elle a voué ses premiers efforts dans la guerre actuelle, et c'est à ses victoires qu'elle doit la gloire et le bonheur de l'avoir rétabli 31.

Only in a secondary manner France owes its efforts to the reestablishment of the other partial equilibriums. They are broken. There is no doubt that the destruction of

30 A. Hauterive, ibid., n. 90.

31 A. Hauterive, ibid., n. 91.

those partial equilibriums, by rendering impossible the existence of a general political balance, renders also more difficult the preservation of the partial equilibrium that France has already restored. However, the direct and numerous evils, resulting from the dissolution of the other political balances, fall back on the states placed within the sphere of other partial equilibriums. Therefore, first of all those states should endeavour to reestablish those equilibriums ³².

Dans la recherche des moyens de rétablir l'équilibre partiel dont la France était le principal levier et le centre, elle était commandée par des règles qui ne laissaient aucune latitude à son discernement, et aucun choix à son libre arbitre: ses rapports dans le système de cet équilibre local, étant de proximité, de contiguité, de circonscription géographique, étaient pris dans la nature même. Des états voisins doivent être éternellement amis ou éternellement ennemis. Or, dans l'inégalité de force où se trouve la France à l'égard de ses voisins, il n'est aucun d'eux qui puisse et vis-à-vis duquel elle puisse rester dans une longue indécision sur une telle alternative.

Mais la France se trouve dans une position toute différente, relativement au rétablissement des autres balances partielles. Les états qui sont compris dans ces balances n'étant liés à elle que par des rapports distants, elle peut hésiter, elle peut choisir, elle peut s'engager sans consulter d'autres règles que sa prédilection ou ses convenances actuelles. Il lui importe sans doute de concourir au rétablissement de leur équilibre rompu; mais sa participation peut y contribuer également soit qu'elle s'allie à telle ou à telle puissance influente dans la sphère de tel ou tel équilibre donné.

32 A. Hauterive, *ibid.*, p. 91.

Ici son système fédératif se présente sous un point de vue particulier. Sous le premier point de vue, la France est forcée par des considérations qui lui commandent ses déterminations politiques, ses alliances sont des rapports naturels inhérents à sa position, essentiels à sa prépondérance; sous le second point de vue, ses alliances sont l'ouvrage de son choix et des circonstances.

Dans un tel état de choses, c'est aux puissances qui dominent et luttent de prééminence dans les diverses sphères des balances partielles que j'ai indiquées, à rechercher la participation de la France; si elles savent voir de quel danger est pour elles le désordre qui résulte de la dissolution de cette balance, si elles ont à redouter l'accroissement d'une puissance rivale, si elles sont sous une dépendance à laquelle elles désirent de se soustraire, si elles sentent le besoin de s'assurer un puissant appui, c'est à elles à se rapprocher de la France: et ce sont ces puissances que j'ai eu en vue, quand j'ai dit plus haut que c'était moins pour sa sûreté que pour celle des Etats qui réclament l'assistance de la France, qu'elle est disposée à étendre en leur faveur la sphère de son système fédératif 33.

Among the states now at war with France, the Turkish Empire has most to fear from being detached from an alliance with France. To conserve her independence and integrity, Turkey ought to change her system of alliances and to ask to be admitted again to the friendship of France. Concerning Russia, Hauterive says, France is, perhaps, the only state that has no reason either to dread the power of Russia, or to desire its fall, or to wish to check its prosperity. It is true, that France must be willing that Russia itself should put bonds to the unnatural extension of

33 A. Hauterive, ibid., p. 92, 93.

its influence. Russia should never again desire to repeat the experiment recently made, of her active interference in a war against France, which in no point of view, had any relations to her interests. Russia should change her political system of constant acquisition of territory and of being a menace to all her weaker neighbours, and should dedicate herself to the task of civilizing the remote parts of her Dominions. The best policy for Russia would be to divide her vast dominion, like that of the old Roman Empire into two parts: one Asiatic and another European, with Moscow and Petersburg as respective capitals. One part would keep the equilibrium in Asia, the other in the North of Europe.

Alors l'Empire russe aura un grand et beau système fédératif, un juste et redoutable système de guerre; il ne verra pas la France avec des yeux d'inimitié; il n'entrera dans aucune de ses vues de préservation et de défense; il maintiendra l'équilibre du Nord pendant que la France garantira celui du Midi, et leur accord assurera celui de l'univers entier. La gloire enfin du gouvernement russe sera de ne s'être mêlé aux dernières querelles de l'Europe que pour en mieux connaître la folie, pour s'en retirer à temps, pour y mettre en terme, et de s'être placé, moins d'un siècle après la civilisation de son empire, au premier rang des fondateurs du droit public, des bienfaiteurs de l'humanité et de pacificateurs du monde 34.

Austria, Hauterive continues, because of her defeats in the recent war, by the treaty of Campo Formio, lost

34 A. Hauterive, ibid., p. 103.

Belgium and the Milanese, but in compensation she acquired the territories of Venice and new territories in Dalmatia. By this arrangement, all the Austrian possessions are concentrated; the frontiers are simpler and stronger and, therefore, her preponderance is not weakened at all, but on the contrary increased. The French acquisitions from the King of Sardinia and from the Empire on the left bank of the Rhine, were necessary to the security of France and to reestablish the equilibrium deranged during the hundred years following the treaty of Westphalia. The new acquisitions of France compared with the aggrandizement of Austria and Prussia since the treaty of Westphalia must be considered as very moderate and insignificant. This new strengthening of the power of France was necessary in the light of the dissolution of her traditional system of alliances through the decadence of Sweden and Turkey, through the partition of Poland and the weakness of Spain.

Considering the position of France towards England, Hauterive says: "l'Europe est condamnée à d'éternelles agitations si le problème de la puissance anglaise, mis en accord avec des sauvegardes assurées pour la prépondérance de France, n'est pas résolu"³⁵. After having described the

35 A. Hauterive, ibid., p. 117.

colonial and commercial preponderance of England, Hauterive asserts that:

L'Angleterre est justement soupçonnée d'aspirer à l'empire universel du commerce maritime, et par cet empire à une influence toute puissante sur les intérêts sociaux et politiques qui tiennent au système du commerce de terre et à celui de la politique et de l'administration de tous les états 36.

In consequence of the acceptance by M. Gentz³⁷ and some European governments as a fixed principle "the eternal stability of the preponderance of England" the following errors occur: a) the inattention or oversights of governments, who have all, except that of England, seemed to be ignorant that there subsists an intimate connection between maritime and continental commerce, between general and national commerce, between national commerce and public power; b) the want of consideration of the fact that public power is subordinate to national commerce and in its turn that continental commerce is subordinate to maritime trade; c) the ignorance which prevents governments from perceiving that those nations which acquire the greatest share of advantages of maritime and general commerce, are placed in a real state of superiority and independence with respect to all other nations; d) the instability of every system of public administration which is constructed without regard to rela-

36 A. Hauterive, *ibid.*, p. 128.

37 See p. 93, 94.

tions of local power to local industry and commerce, and without regard to the dependent state of national commerce; e) the uncertainty and disorder of the political relations that subsist between governments, and the oblivion of, or the contempt for, the maxims and principles of the law of nations; f) the uncertainty and discord in the commercial relations which subsist between nations, and the ignorance which prevails with respect to the real sources of their prosperity; g) the present war and its continuance 38.

Seulement si la politique et les lois de tous les états étaient calculées sur les moyens de s'assurer un droit constant et toujours proportionné à leurs facultés, dans le partage légitime des avantages du commerce, il n'en résulterait pour aucun de moyens de domination sur les autres; ils seraient tous puissants, selon la mesure de leur population et de leur territoire, riches selon l'étendue de leurs moyens et de l'activité de leur industrie; ils seraient enfin indépendants, et ce résultat nous suffit à nous, qui ne voulons opprimer aucun peuple, et qui désirons qu'aucun peuple ne soit opprimé.

Mais ce vœu ne peut être entièrement accompli que lorsque les erreurs que j'ai signalées seront entièrement dissipées; et pour présenter ici les moyens dans l'ordre naturel de leur action et dans la graduation de leur efficacité, je dirai qu'il faut: 1. que la guerre finisse; 2. que de meilleures combinaisons président aux relations commerciales qui doivent unir les nations de l'Europe; 3. que les rapports plus sages résultent des traités qui doivent déterminer leurs droits et leurs devoirs politiques; 4. que des systèmes plus fixes et mieux ordonnés règlent et organisent les ressorts de l'administration intérieure de tous les états; 5. enfin que les

gouvernements, toujours attentifs aux grands mouvements du commerce général, cherchent dans ses combinaisons et dans les changements qu'ils subissent, les règles de l'amélioration de leurs rapports politiques 39.

The salvation of Europe depends on the accomplishment of the three first measures, the last two require time and perseverance and their end is to complete and perpetuate the good consequences of the earlier measures.

Si la guerre finit, s'il s'établit un droit public basé sur les intérêts de toutes les nations, si des engagements libéraux et justes associent les états qui doivent se prêter un mutuel appui, s'il se forme une balance entre ceux que leur situation relative expose à des concurrences, s'il résulte enfin des négociations futures un équilibre solide qui se compose de la réaction tranquille et constante de système fédératif de chaque gouvernement sur le système politique de tous, l'indépendance générale du commerce et de la politique des nations européennes est assurée 40.

The fixed principles of the federative system of France always were safety, equilibrium, concord, the preservation of justice. Those of England were the continual extension of her ascendancy over the politics of all states, and the opening of privileged roads to her commerce in every part of the world through alliances. England being anxious to secure her commercial omnipotence in India and to improve her commerce in the Levant, contracted an alliance with

39 A. Hauterive, ibid., p. 135.

40 A. Hauterive, ibid., p. 137, 138.

Turkey. She allied herself with Naples, hoping to gain one day the possession of Malta, that she might from this important point, considered either as a military port or commercial depot, command the commerce of Sicily, Italy, Turkey, and the Barbarian States, and dominate the policies of the governments of those countries. The fear of losing commercial and consequently political ascendancy over other European states, fear of commercial emancipation of Holland and Belgium, were the causes of her strong disinclination to the reestablishment of peace.

Hauterive concludes this chapter in the following way:

C'est aux gouvernements qui assistent comme spectateurs ou agissent comme acteurs dans le débat qui dure encore, à juger si leurs vœux s'égarerent quand ils s'attachent à la cause d'un gouvernement qui veut être tout-puissant par usage d'une influence uniquement fondée sur les dommages de leur commerce et de leur puissance, plutôt qu'à celle d'un gouvernement qui ne veut être puissant que de leur indépendance et de la sienne, de l'affranchissement de toutes les industries nationales et de la sienne, de la richesse et de la prospérité de tous les pays et du sien ⁴¹.

In chapter five, dealing with the position of France regarding neutral powers, Hauterive considers the problem of Maritime law. "Le mot de neutralité", he says, "emporte avec lui une idée d'indifférence, d'impartialité et d'isola-

⁴¹ A. Hauterive, ibid., p. 144.

tion, qui est loin de convenir à l'état politique que cette dénomination désigne" ⁴². The political power of every state is conditioned by its industrial and commercial power. Commerce is a vast organisation with wide influence in which even a partial injury of its structure affects the whole. In consequence a partial war is a general evil.

Ainsi dans l'ébranlement que la guerre porte sans cesse à l'organisation générale du commerce extérieur de tous les peuples, aucun état ne peut être à l'abri de ses atteintes; il ne peut donc rigoureusement exister de moyen d'isolation, de motif d'indifférence, de principe d'impartialité de la part de nations neutres à l'égard des puissances belligérantes ⁴³.

The application of different theories of public maritime codes has a direct effect upon the state of neutral maritime powers during war-time. One public maritime code is that professed by all nations; that which the superiority of England imposed upon states as a maritime law, is another.

The universal maritime law of nations would, Haute-rive continues, in time of war, allow an unlimited freedom of navigation to the neutrals. If this general maxim was authorized and securely guaranteed, general commerce, finding a quiet asylum both in the territories and under the flag of every state exempted from war, would preserve

42 A. Hauterive. ibid., n. 145.

43 A. Hauterive, ibid., n. 147.

untouched every element of the great organization of industry, until the time when peace should reestablish between every nation the harmony of those commercial relations which should bind them together. However, this wish of public law has never been realized; "il est resté au nombre des théories que la philosophie s'est plu à méditer, et que toujours la politique s'est fait un jeu de détruire"⁴⁴.

France, Hauterive continues, was the first to propose to abolish all restraint regarding neutral commerce, but England devised another theory, and owing to her maritime superiority, turned it into a law. The results of that law are as follows: a) maritime war between England and continental powers is founded upon privateering and barbarous legislation; b) the right, which England arrogated to herself, of distressing neutral commerce provokes retaliation by countries at war with England, which are forced to adopt the same attitude as England towards neutral commerce; c) in war-time the commerce of neutral states inevitably falls within the province of foreign, arbitrary and illiberal jurisdiction, which consequently leads to usurpation of general rights by a particular power and the submission of the nation at peace to those at war; d) the rights and obligations of neutrals are not defined;

44 A. Hauterive, ibid., p. 149.

the will of the King of England may at any time change the maritime law by declaring any object as contraband, by prohibiting access to any port, and by declaring a whole country under fictive blockades; e) the arbitrary decision of one of the belligerents can prevent all neutral states from any agreement and connection with some belligerent nations; f) the ships of the belligerent powers contest the right of the armed vessels of neutral powers to convoy trading ships; they dispute the right of sovereigns to open their ports and there give an asylum to foreign ships, or to protect with the batteries on their coasts such as place themselves under their protection; g) neutral seamen detained by belligerent powers are induced by misery and violence to enter into the service of war; h) illegal stratagems are practiced with a view to maintain commerce ⁴⁵.

Such is the maritime law established by actions of England and through lack of intervention of other nations. France calls for the reform of it and for the institution of a code truly maritime, truly commercial, and truly general.

Si l'on se rappelle ce que j'ai dit de l'influence du commerce maritime sur le commerce continental, et de l'influence des rapports commerciaux sur le système des rapports politiques, on sentira d'abord toute l'importance de l'établissement du code public des lois de la mer. Les vices de l'organisation actuelle de l'Europe

45 A. Hauterive, ibid., p. 153.

tirent toutes leurs sources des abus que je viens de développer; ils ne peuvent trouver leur remède que dans la réforme de ces abus ⁴⁶.

For the basis of the maritime law of the nineteenth century, according to Hauterive, two rules are necessary: 1) Privateering should be abolished; in time of war, the sovereignty of territory should be transferred, with all its rights, to the flags of the nations who take no part in the war; 2) in time of peace, navigation from one nation to another should be subject to no prohibitory laws; this regulation should have but one exception, that which relates to coasting from one port to another belonging to the same nation, and the navigation between the colonies and their mother country ⁴⁷.

The first proposal should be discussed by France with all the belligerents, except England, and between France and neutral powers.

La France a modifié les lois de la course; elle ne cessera jamais de souhaiter leur abolition; elle unira volontiers toutes ses forces à celles des états qui réclameront à mains armées que ce monument d'ignorance et de barbarie disparaisse de la législation des siècles éclairés ⁴⁸.

France would be willing to declare that, from the moment when

46 A. Hauterive, *ibid.*, p. 155, 156.

47 A. Hauterive, *ibid.*, p. 160.

48 A. Hauterive, *ibid.*, p. 162.

England would be disposed to the abolition of the practice of privateering, all the French laws would be consecrated to the abolition of it, and all the power of France would be employed to maintain that abolition.

The second regulation could be made effective by the combined effort of all maritime states, aided by those continental powers who are interested in the general freedom of the sea.

In order that England should accept the plans proposed, Hauterive suggests, that some prohibitory law must be introduced. Once the proposals are accepted the prohibitory laws ought to be abolished for ever.

Les premières lois prohibitives qu'il convient à toutes les nations maritimes d'adopter, sont celles qui sont comprises dans ce qui porte le nom d'acte de navigation . . . Un grand acte de navigation peut être conçu de manière à renfermer toutes les lois prohibitives du commerce local de chaque nation maritime, avec toutes les différences que leurs rapports et leurs localités exigent ⁴⁹.

This general Act of Navigation designed to produce its own abolition, ought not to be a national but an international act and shipping of the allied nations should be protected in their different ports; there should be little differentiation between allied and national commerce regarding distant and foreign importations, coasting and exportations.

49 A. Hauterive, *ibid.*, p. 168.

The second part of "Etat de la France" deals with the internal situation of France, which has no direct bearing on our present considerations.

The following is a résumé of the ideas expanded by Hauterive in "Etat de la France à la fin de l'an VIII".

The treaty of Westphalia established a system of public law in Europe by forming a hierarchy of states and by assigning to each state its proportionate place in the political scale of Europe, with France at the top of that hierarchy. This political structure was disrupted by the rise to power of Prussia and Russia, and by the increased colonial and commercial power of England. In consequence, the notion of unlimited and uncontrolled sovereignty replaced that of hierarchy and order among the European states. The conception of balance of power - which was dominant at the negotiations for the treaty of Utrecht (1713) and which replaced the system of public law based upon hierarchy of states with France as guarantor of the established order - degenerated in the 18th century into a lawless system of partitions. This consisted in the dismemberment of the weaker states by the stronger in an attempt to preserve the balance by means of compensations. The apogee of that new system, or lack of any system, was the partitioning of Poland.

The revolutionary wars put an end to this immoral practice. The new public law of European cooperation should now be established by tracing for the states their geographical limits and the extent of their rights and duties: the anarchy of the 18th century should once more be replaced by order and hierarchy. The new political system should serve again as protector of some, the censor of others, and rule for all. The alliances ought to have for their aim in peace to guarantee the permanence of existing relations, and in war, to defend these relations against the common enemy, and to guarantee the political interests of the continent against the exorbitant ascendancy of the maritime interests. There should be solidarity of the continent as a political and commercial unity, against England. France will reestablish her system of alliances even by force, by disregarding "Princes", and by making appeal directly to "countries".

The general equilibrium of Europe can be reestablished by the following partial equilibriums:

1. The political equilibrium of the North of Europe
2. The political equilibrium of Germany
3. The political equilibrium of Italy and South of Europe

France is placed in the centre of the equilibrium of Italy and the South of Europe. In the circle of her own equilibrium, France must have ascendancy and all her neighbours must be her friends.

The other partial equilibriums ought to be re-established by the care of the leading powers in any given partial equilibrium. The powers wishing to reestablish the equilibrium to their profit in their respective parts, ought to secure for themselves the alliance of France. The leading position of any state in any circle of equilibriums would depend on the attitude of France towards aspiring powers. So, France, the leader of her own circle of partial equilibrium, would have ascendancy over the other centres of partial equilibriums, and her position would be that of a protector and mediator of the continent as at the time of the treaty of Westphalia.

If, however, Russia ceased her plans for expansion, divided herself up into Asiatic and European, and made an alliance with France, then both powers would retain their respective equilibriums in the North and South of Europe and their agreement would assure the peace of the world. France, while keeping the ascendancy over Europe, would share world supremacy with Russia.

The peace of Europe depends on the re-conciliation of the power of England with the supremacy of France. England is suspected of aiming at the universal empire of maritime commerce and consequently she is aiming at world domination. The place for world domination is already reserved for France, possibly with Russian cooperation.

Therefore, the commercial power of England should be restricted and all commercial benefits should be divided according to the strength of the different countries. This aim can be realized if peace and a new political system and understanding are established on the continent, and if a united continent enforces certain rules of maritime law upon England, thereby weakening her commercial and political influence. Those necessary rules would be enforced upon England by a league of states, formed to defend the freedom of commerce under the leadership of France, and by prohibitory laws directed against England, namely by blockade.

The whole scheme of European rearrangement presented by Hauterive aims to secure the supremacy of France in Europe, and to unite Europe under French leadership in war against England.

As we analyze Favier's "Conjectures raisonnées" and Hauterive's "Etat de la France" we easily find some common ground of ideas. We find the same conception of the pre-eminence of France "de iure et de facto" in European politics, the same eulogy of the treaty of Westphalia; the same attack on the "co-partitioning" system, the same desire to reestablish the ancient position of France on the continent and finally, the same hatred of England.

There are some differences in the methods suggested to restore French supremacy. Hauterive is less dogmatic than

Favier; he does not show any special preference for the alliance with Prussia. To restore the partial equilibrium in the North and in Germany under the control of France, Hauterive does not commit himself in advance to any alliance; he does not show any particular hate or preference, except in his attitude towards England. Neither Favier nor Hauterive considers the power of England compatible with that of France. Hauterive's system of international relations was directed against the system of balance of powers and aimed at promotion of the new variant of universal monarchy.

When we realize that Hauterive's conception portrays the views of Napoleon at that time in relation to Europe, we can safely assume that Napoleon, who, until the fall of the French Monarchy, was more a Corsican than a Frenchman, on becoming the First Consul, adopted the views of the French Monarchy of Louis XIV regarding the position of France in Europe. He accepted and followed the traditional trend of ideas and arguments of the royal "legistes" who for the benefit of the French monarchs were expounding the theoretical basis and arguments for French supremacy in Europe, for a "Pax Gallica" reminiscent of the ancient "Pax Romana".

CHAPTER III

EUROPEAN REACTION TO HAUTERIVE'S PAMPHLET AND NAPOLEON'S EXTERNAL POLICY

The ideas, as they were exposed by Hauterive, were maintained both during the negotiations and after the conclusion of the treaty of Amiens (25 March, 1802) by the French press and political pamphlets. The appearance of Hauterive's book was preceded by an article written by Napoleon in "Mercure de France" on 23rd of September, 1800, then reprinted on 27th September, 1800 by "Moniteur", the official government paper, which stated that England's power was threatened to be crushed by the solidarity of the Continent. This article was along similar lines of thought to those set out in Hauterive's book which appeared a few weeks later ¹. The controlled French press commented upon it by citing certain extracts, and other publications which appeared at the same time developed similar themes ². "Etat de France" had much more than the significance of a

¹ Therese Ebbinghaus, Napoleon, England und die Presse (1800-1803), Munchen, und Berlin, R. Oldenbourg, 1914, p. 35, 36.

² T. Ebbinghaus, ibid., p. 37. . . . "Du jacobinisme de Anglais sur mer, et des moyens d'en triompher; adresse aux nations neutres par un neutre". (appeared in September, 1800, "Aurons-nous la paix? ne l'aurons-nous pas? est-il possible de la faire avec l'Angleterre?" (also appeared in September, 1800).

momentary political pamphlet. It was considered that, apart from this immediate aim of separating England from her continental allies, it was a manifesto of principles of French national policy. Even after the reestablishment of continental peace (1802) Hauterive's book was reprinted several times and references to his ideas and principles were frequent in political publicity during the following years ³.

Contemporary Europe realized the importance of Hauterive's book. There was no doubt in public opinion that

3 T. Ebbinghaus, *ibid.*, p. 126. . . . Das ist der Grundgedanke des Aufrufes an die Mächte Europas. Er fordert sie auf, zur Wahrung gemeinsamer Weltinteressen zusammenzustehen und sie gegen einen Feind zu verteidigen, der keine Rücksichten kennt und rastlos die Stunde wahrnimmt, in der kein Widerspruch seinen ehrgeizigen Plänen ein Ziel setzt. Dieser Aufruf tauchte bereits in Flugschriften und Publikationen der ersten Monate des Konsulats auf und verschwand seitdem nicht mehr aus der Tagesliteratur. Am deutlichsten, klarsten und auffälligsten wird er sichtbar in jedem Buche Hauterive's: "De l'Etat de la France à la Fin de l'An VIII", das auf Bonapartes Befehl entstand und obwohl es in einer Zeit im Herbst 1800 - erschien, die der französischen Politik als Hauptaufgabe die Trennung Englands von seinen Alliierten vorschrieb, nicht etwa nur als momentanes Lockmittel betrachtet werden kann; denn als den Kontinentalkrieg längst beendet war, erfolgten noch mehrere Neuauflagen, und die Berufung auf Hauterivesche Grundsätze und Aufserungen gehört in der politischen Publizistik der folgenden Jahre zu der allerhäufigsten Erscheinungen. Das Buch ist interessant als Fundgrube napoleonischer Staatsgrundsätze, aber seine Hauptbedeutung liegt doch eben in der Darlegung der politischen Ziele, die dem ersten Consul damals vorschwebte, und für die er das festländische Europa zu gewinnen suchte.

T. Ebbinghaus, *ibid.*, p. 176.

the conceptions exposed by Hauterive represented the program of foreign policy of the French government ⁴. The most remarkable direct reply of anti-revolutionary Europe to Hauterive's program was given by Frederik Gentz⁵ who was considered the best German publicist of the time ⁶, and who later became general secretary of the congress of Vienna.

Gentz, as publicist, established his relations with the English government in 1795. In 1799, he presented to

⁴ The Parliamentary History of England, Parliamentary Debates, Year 1802, vol. 36, House of Commons, 5th March, 1802, Dr. Laurence: . . . It was a notorious fact, that it was the plan of the French government when the war of arms was over to carry on a war of custom-house duties with us, and if possible, to ruin our trade. . . . This appeared from a pamphlet published by a person of considerable consequence in the French government, for he was under secretary of state to M. Talleyrand. This book completely developed the plan of the French government to ruin our commerce. The principles laid down in this book were such as France had uniformly acted upon. All these circumstances ought to make us extremely watchful.

⁵ T. Ebbinghaus, ibid., p. 133, 136.

⁶ August Fournier, Gentz and Cobenzl, Geschichte der österreichischen Diplomatie in den Jahren 1801-1805, Wien, W. Braumüller, 1880, see annex: correspondence between Cobenzl and Colloredo with regard to Gentz's admission in Austrian service. However P. Reiff considers Gentz as great German publicist second only to Joseph Görres - see P.F. Reiff, Friedrich Gentz, an Opponent of the French Revolution and Napoleon, p. 62.

the English secretary of state, Lord Grenville, an article which had appeared in the "Historisches Journal" and which dealt with the financial policy of William Pitt. He asked that this article be shown to the king. Grenville replied with a letter and a cheque. In November, 1800, Gentz sent two memorials to London, in one giving a picture of popular opinion on the continent toward England, in another offering his services to the English government as journalistic representative on the continent. This offer seems to have been accepted. In October 1802, Gentz himself went to England and stayed there about three months. During his stay in England, he reached an agreement with the English government. It has never become known what instructions he received, but in general he was expected to act as an English agent on the Continent ⁷.

Gentz's book "On the State of Europe before and after French Revolution, being an answer to the work entitled 'De l'Etat de la France à la fin de l'an VIII' " was published in 1801. It was originally written in German ⁸,

⁷ Paul F. Reiff, Friedrich Gentz, an Opponent of the French Revolution and Napoleon, Urbana-Champaign, 1912, p. 62, 63.

⁸ Friedrich Gentz, Von dem politischen Zustande Europas vor und nach der französischen Revolution, Berlin, 1801.

was translated into French in 1802, and into English, where it reached several editions (in 1802, 1803, 1804)⁹.

Gentz in the "State of Europe" contested Hauterive's assertion that the treaty of Westphalia created a system of public law for Europe. A treaty could claim to establish a universal and perpetual system of public law only under two conditions: 1. it must embrace all states and their relations within a sphere, where this system of law should apply; 2. it must contain provisions whereby all future changes in the internal situation and external connections of these states should be foreseen and considered and taken into account in the whole political system. These two conditions, says Gentz, are impossible to fulfil. Impossible as it is for the code of laws of any nation to provide for every possible future variation in the character and manners, the civil, moral, and domestic conditions of its inhabitants, it is just as impossible to establish an eternal system of public law, by means of any general treaty, however numerous the objects which it may embrace and with whatever care and ability it may have been combined. The treaty of Westphalia was a treaty between France, Sweden,

⁹ Friedrich von Gentz, On the State of Europe before and after the French Revolution; being an answer to the work entitled "De l'Etat de la France a la fin de l'an VIII", (by Citizen Hauterive), translated from the German by John Charles Herries, 4th edition, London, J. Hatchard, 1803, CXXIV-397 pages.

and Austria. Spain refused to accede to it. England, Denmark, Poland, and the states of lower Italy had no direct share in it. This treaty was entirely confined to Germany, became a fundamental law of the German Empire and established a basis for relations between France and Germany¹⁰.

Gentz also contested Hauterive's assertion that the growth of Russian Empire, the elevation of Prussia, and the rise and progress of the commercial and colonial system contributed to the dissolution of the European system as established by the treaty of Westphalia. He agreed with Hauterive's statements regarding the sometimes disturbing rôle of Russian activities in European affairs¹¹, but the

10 F. Gentz, *ibid.*, p. 14.

11 F. Gentz, *ibid.*, p. 17. . . . The desire of the Russian princes to obtain an immediate influence in the federal arrangement of Europe, incited them to many bold measures, which filled their neighbours with anxiety and consternation; alarmed the more powerful for the balance of Europe and made the weaker nations tremble for their very existence. . . . The plans of conquest and partition, of which a great part must be laid to the account of this empire, were less hurtful in their immediate, than in their remote consequences. They attacked the foundations of all political and social security; they loosened and invalidated all principles; they made it doubtful whether the law of nations was not an empty name, invented as a cloak for power, and secretly despised by the powerful they were the model, the pretence, and the excuse for all future usurpations; and so much did they corrupt the public opinion, that the terms, "sound policy, system of equilibrium, maintenance of restoration of the balance of power", were too often applied, to what, in fact, was only an abuse of power, or the exercise of arbitrary will.

revolutions accomplished by Russia in Poland and projected by her in Turkey did not affect the fundamental basis of the treaty of Westphalia which was, according to him, the internal political organization of the German Empire and the relations between France and Germany. The attempt of Russia to procure more influence in the domestic affairs of Germany, and her claim by the treaty of Teschen to be the guarantor of the treaty of Westphalia were rejected by the majority of the German states ¹².

Prussia's rise to power, Gentz argued, had more influence in the internal status of Germany. But a strong Prussia capable of balancing the weight of Austria in the affairs of Germany contributed to the stabilization of the internal situation in Germany and proved to be necessary counterbalance to Austria which acquired more importance by the treaty of alliance with France in 1756. With regard to the internal situation of the German Empire and to the relations between France and this Empire, the growing power of Prussia acted as additional support and confirmation of the treaty of Westphalia. As to the general balance of Europe, Prussia did not disturb it, "she only kept pace with the continual progress made by other nations, without

12 F. Gentz, ibid., p. 17.

forcibly or unnaturally hastening it; she has only displayed, in a peculiar degree, the art of making this progress with more regularity, more order and more firmness than others, perhaps than any others engaged in the same career"¹³. Far from being one of the causes of decay and disorganization of Europe, Prussia, by her geographical position, "became a bulwark to all the West of Europe, against the attempts of Russia and a necessary counterbalance to that Empire, after its intervention in the general affairs of Europe"¹⁴.

After having dealt with Prussia, Gentz turned to the third cause described by Hauterive as contributing to the disorganization of the federal system of Europe, namely the growth of commercial and colonial powers, especially England. He endeavoured to prove that the commercial and colonial power of England and Holland contributed to check the enormous ambitions of Louis XIV, and therefore aided the maintenance of the federal system of Europe and helped to preserve the treaty of Westphalia.

Also the internal situation of the different states, after a period of crises common to all European states, tended towards improvement. At the opening of the French

13 F. Gentz, ibid., p. 36.

14 F. Gentz, ibid., n. 37.

Revolution, the European states (France and Poland¹⁵ included) more or less mastered this internal crisis and showed a spirit of progress and reform.

With regard to the external relations of the states, Gentz was not inclined to agree with Hauterive's statement that, at the time of the French Revolution, the political system of Europe had reached the last stage of decay and disorganization and its every foundation was destroyed. According to Gentz, the conception of the law of nations as a system regulating several relations between the different states by immutable law, assigning to each an appropriate place in the general system so as not to interfere with the interest of the rest, assuring the duration of this system by a perfect equilibrium of powers, and providing means for preventing the destruction of this equilibrium - is not realistic and can only exist as an ideal¹⁶. The system of public relations between the states can only be more or less defective and an object for constant improvement. In such a system even the hideous practice of partition, condemned by principles, can be excused and even found useful, as adjusting the balance between different states without resort to war¹⁷. Consequently, at the beginning of the French Revolu-

16 F. Gentz, ibid., p. 89.

17 F. Gentz, ibid., p. 370, note G, relating to the system of partitions.

tion "Europe possessed, in every reasonable sense of the word, a federative constitution, a political balance, and a law of nations" ¹⁸. The history of political relations among the principal states - France, Austria, Prussia, Russia, and England - during the 18th century proved that this system of federal relations existed and was improving, and England, maintaining the necessary balance on the continent, contributed to its preservation and its improvement.

The French Revolution and the consequent wars destroyed the existing federal system of Europe and its balance; Gentz asked what the hopes were of its reestablishment. Before the Revolution, the balance was kept by Austria, Prussia, or England, who singly or in combination with each other could oppose and eventually restrain French ambitions

¹⁸ F. Gentz, *ibid.*, p. 92, 93. . . . The fate of Europe depends upon the fortunes and political relations of the powers which preponderate in the general system. If the balance be preserved among these; if their political existence and internal organization be safely established; if, by their mutual action and reaction, they protect and secure the independence of the smaller states (so much, at least, as the weak can be secured in a community with the strong); if there is no dangerous preponderance to be perceived, which threatens to oppress the rest, or to involve them in endless war; we may rest satisfied with the federal constitution which fulfils these most essential points, notwithstanding many errors and defects. And such was the federal constitution of Europe before the French Revolution. The five powers which since the middle of the eighteenth century have constituted the principal weight in the general political system are: France, Austria, Prussia, Russia, and England.

for aggrandisement. Apart from that, France was, moreover, surrounded by several independent states, which, though of comparatively little weight, yet served to break the force of the first attack, and gave time to the leading powers to assemble and prepare for defence, and, united with them, were able to preserve the balance. This system has been entirely destroyed. Before the Revolution the independence of Holland was a main bulwark of North Germany; this safeguard has disappeared, Holland can no longer be considered as an independent country. Further, the Austrian Netherlands, German territories on the left bank of the Rhine, as well as Switzerland, ceased to be the ramparts of Germany. The dependence on France of the King of Sardinia and the annexation of Savoy destroyed the ramparts between France and Italy. The obedience of the Cisalpine Republic and submission of Genoa, Parma and Tuscany, made incontestable French rule in Italy. Finally, Spain became the dependency of France. And Gentz described the actual situation, as follows:

The truth is, that France, in her present state, is contained by no limits; every thing round about her either is really, if not nominally, her territory and property, or may be made a part of her possessions, at the first convenient opportunity, by the nod of her sovereign. Spain, Italy, and Germany, without fortresses, without means of defence, without security political or military, are open to the attacks of France: and it now only depends upon the moderation and justice of the

French government (mere personal guarantees, which every moment may alter or destroy) whether France shall rule alone in the whole West of Europe, whether any law shall be obeyed but hers 19.

To check the French preponderance and restore the old federal constitution of Europe and to guarantee the balance it is necessary that Austria or Prussia or both be principally engaged in every effectual coalition against France. The other powers of Europe can never combat France's ascendancy, but in concert with one or both of these powers. Russia and England, owing to the distance which separate them from France, can only act as auxiliaries and in concert with Austria or Prussia, or both of them ²⁰.

Gentz then asks whether Austria or Prussia can protect themselves and the nations connected with them, against France. Before the Revolution, Austria or Prussia with her eventual allies presented sufficient counter-balance against France. But the situation changed when all the ramparts between France and Germany were destroyed. Neither Austria, nor Prussia, alone could subsequently keep the balance against France.

If it be yet possible to preserve the independence and security of Germany (whose frontiers are now defenceless and unprotected) against France,

19 F. Gentz, *ibid.*, 231, 232.

20 F. Gentz, *ibid.*, p. 235.

with all her late conquests, her enormous extent of territory, her consolidated military strength, and her absolute control of Holland, Italy, and Switzerland, it can only be effected by a junction of all the powers of the Empire. Such a union cannot be produced without a good understanding between the two principal states. Is that to be expected? This question involves, to all appearances, the future fate of Germany, and that of Europe also, since Europe can only resist the preponderance of France, by means of Germany ²¹.

The balance of Europe can only be saved by the general coalition of Europe against France, with Austria and Prussia as the essential part of such coalition ²². The differences and animosities between Austria and Prussia are so great that the idea of an alliance ("permanent league formed for the maintenance of certain permanent interests") seems to be impossible; and the formation of a coalition of Europe ("a temporary union suspending all the usual federative relations and uniting the nations in the prosecution of a common object, without regard to the similitude or diversity of their permanent views") is the most uncertain, the most intricate and difficult of all political measures ²³.

According to Gentz, the only political system appropriate to the existence of Europe is that of natural or

21 F. Gentz, ibid., p. 240.

22 F. Gentz, ibid., p. 249.

23 F. Gentz, ibid., p. 202, 203.

artificial balance of power, the due proportion of strength between different states ²⁴. To this system of balance already extinct, Hauterive opposed another system where every political alliance should: a) in peace guarantee the continuance of existing relations, and in war, provide for the defence of those relations against the common enemy, b) secure the political interests of the continent, both in peace and war, against the ascendancy of maritime powers. Gentz rightly remarked that Hauterive's formula ought to be interpreted in this way: "No alliance must be formed but for the purpose of securing the continuance of the ascendancy of France or of contributing to its further extension in peace; and for organising the means of opposing every attempt to diminish it in war; no alliance must be formed but for the purpose of destroying the influence of England both in peace and war, in order that there be no longer any rival to the preponderance of France" ²⁵.

Thus Gentz formulated his theory of the alliances which is inherent in a European system based on the balance of power. "A nation ought in its alliances to consider its true and permanent interests (distinguished from the

24 F. Gentz, ibid., p. 260, 264, 265.

25 F. Gentz, ibid., p. 287.

mutable dispositions, the temporary inclinations and aversions of its rulers), and, at the same time, to keep in view, as much as possible, the maintenance of that general balance, which will always most conduce to the true and permanent interest of each particular state" ²⁶. In this system of public relations, every alliance ought to be directly or indirectly opposed to the preponderating power ²⁷.

Hauterive presented as a model and basis for the new European system, the alliances of France with Spain, Holland and Genoa. For Gentz these alliances were more reminiscent of the alliances which the Romans concluded with other states in building their Empire, than with what was considered as an alliance in modern Europe ²⁸. The

26 F. Gentz, *ibid.*, p. 270.

27 F. Gentz, *ibid.*, p. 272.

28 F. Gentz, *ibid.*, p. 274. . . . The author (Hauterive) was no less acquainted than any of his readers with the real nature of the connections of France with Spain, Holland, etc. and if he truly and conscientiously considered as alliances the relations existing between the French republic and the nations honoured with the vague and equivocal title of her allies, his conception of an alliance must be very different from all hitherto conceived notions. Such were the alliances (though the terms were certainly more favourable) of Sicily, Greece, Asia Minor, Egypt, with the Romans! If the future alliances of France are to be formed on these models; if the present conditions of Switzerland and Holland, Italy, and Spain, await all those to be hereafter leagued with the French government; it may well indeed be asked, whether the friendship and protection of that power are less fatal than her declared enmity. If these relations, formed and maintained by force of arms, are to be the basis of a new federal system and a future law of nations, Europe must ardently wish that the superstructure to be raised upon such a foundation may never be completed.

fundamental law of the new federative constitution of Europe as intended by France would be that there shall be in future no league whatever formed, till France shall have pronounced it lawful and good ²⁹.

Gentz in his remarkable book explained to Europe the dilemma which she faced: to accept French suzerainty as formulated by Bonaparte in Hauterive's book; or to unite herself and fight for the restoration of the balance of power, which, in spite of all its abuses in the 18th century, was the only means of preserving the independence of European states. Gentz plainly realized the importance of Hauterive's assertions and how they were incompatible with the modern system of European relations which had emerged from the Middle Ages. This system, sanctioned by the treaty of Utrecht (1713), established as an essential basis of international relations the principle of balance. This system was meant to preserve Europe from any attempt at domination by a single power. To support and conserve this balance it upheld the now firmly established doctrine of sovereignty and independence of the states, of which Vattel, the theorist of the law of nations, was an eloquent exponent ³⁰.

29 F. Gentz, *ibid.*, p. 286.

30 Emerich de Vattel (1714-69), whose work "Le droit des gens" was published in 1758 and acquired great popularity. See - J.L. Brierly, The Law of Nations, an Introduction to the International law of peace, Oxford University Press, London: Humphrey Milford, 1938, p. 29-33.

The sovereigns, who personified the states, considered themselves as equal in right to each other and did not in theory accept any superior. To conserve this theoretical equality against any attempt by more powerful neighbours, the monarchs used to form alliances to check the ambitions and menace of the stronger and to restore the fluctuating balance of Europe. The alliances took the form of temporary association of more or less equal powers to oppose the common danger. The wars, like the wars of Spanish and Austrian successions and afterwards the Seven Year War, were typical of the conservation of the balance of Europe.

Other features connected with the system of balance were the so-called "barrier treaties". They were intended to protect a weak neighbour from the menace of a power aspiring to supremacy, by forming between them a fortified territory under the sovereignty of a third power strong enough to be respected. (Example: the provision the treaty of Utrecht made to protect Holland from the menace of France by putting fortified Belgium under Austrian sovereignty). Another means used in the system of balance was perpetual neutrality, by which a very small state could preserve its independence and at the same time form a "barrier" protected by the respect due to its inviolability under the law of nations. By this system of law and practical application of alliances, Europe intended to confine France within her borders after

her attempt to procure for herself universal monarchy between 1648 and 1712.

However, there was one aspect of this system of balance which was detrimental to the principle of sovereignty and juridical equality of states, on which the whole system was based. It was the practice that the aggrandisement of one power demanded compensation for another so as to keep the balance. This practice led to the system of partition of weak states by stronger and put in doubt the existence of any law of nations.

Louis XIV was forced to accent the system of balance in Europe; Louis XV, changing the traditional system of French alliances in 1756, was trying in his official foreign policy to adapt French aspirations to the new situation of Europe; Vergennes in the time of Louis XVI was able to procure for France within this system a prominent position in the world (treaty of Versailles 1783).

If the French monarchy accepted the system of balance and was inclined to build the greatness of France within it, this was not the case with the French nation. The French superiority in population, in resources, the ascendancy of the French culture throughout Europe, the new social and political ideas which stirred the world at the time of the Revolution, did not induce moderation. The souvenirs of the

glorious epoch of Louis XIV were vivid. The hatred of revolutionary France against the treaty of alliance with Austria of 1756 had a special significance. In the eyes of the revolutionary doctrinaires this treaty was a symbol of the acceptance by France of the new European system, incompatible with her greatness and aspirations. In the system of Louis XIV the alliances of France with other states signified not so much equality but dependence. The allies of France were her clients. Favier described the traditional conception of the French alliances towards neighbouring states as "le recours de plus faibles, le secours de plus forts, le concours des uns et des autres" ³¹. This definition did not mean juridical equality of the partners. In the treaty of 1756 with Austria, France willingly accepted the new conception of the alliance which was meant as the association of equal partners and excluded the idea of subservience one to another; such conception of the alliance was essential to the system of balance. Favier complained bitterly that in the "pacte de famille" of 1761 with Spain, France accepted de iure the doctrine of equality of sovereigns (with regard to Bourbons in Spain and Italy) ³². Hauterive's definition of

31 See p. 31.

32 See p. 23.

alliances ³³, like that of Favier's did not imply the equality of the partners, but meant the dependence of one of them. Both Favier and Hauterive attacked the system of balance in its weakest points, namely: the instability of European relations, the system of compensation, exemplified by Poland's partition.

The 18th century practice of conserving the unstable equilibrium of the powers by partitioning the weak states as compensation between the stronger, shook the juridical foundation of the whole system. Gentz, discussing the partitions of Poland could not deny the gravity of the case with regard to the basis of the law of nations. Hauterive cited the case of Poland and the coalitions against revolutionary France as proof that Europe did not possess any system of public law. But the system of international relations which he suggested aimed at promoting a new variance of universal domination by one state.

From Hauterive's book, Europe learned the Napoleonic doctrine of European order, and from Napoleon's activities from the beginning of his personal rule, its realization. His action corresponded to Hauterive's description that states, the neighbours of each other, must be eternally friends, or eternally enemies, and considering the inequality of France and her neighbours they had even

33 See p. 69, 70.

perforce to be her friends. The meaning of friendship in that connection was dependence. Napoleon's action in Italy, Spain, Switzerland, Holland, and Germany left no doubt as to Napoleon's understanding of friendship and alliance. Within 1800 - 1803, Spain, Holland, the Italian Republic, and Switzerland, all ceased to be considered, in spite of formal appearances, as independent countries. Napoleon did not hesitate even to take, in some cases, the official title of "protector" (as in the case of the Swiss Federation) or that of "president" (as in the case of the Italian Republic). Gentz rightly observed³⁴ that France was not contained by any limits and everything round about her was really, if not nominally, her property, or could be so made at the first convenient opportunity. Napoleon did not take too much care to conceal the reality of the situation under the subtlety of diplomatic language³⁵.

34 See p. 101, 102.

35 Edouard Driault, Napoléon et l'Europe; la politique extérieure du premier consul, 1800-1803, Paris, F. Alcan, 1910, p. 292. . . . Addressing the Swiss delegation which came to Paris asking for mediation in affairs of Switzerland, Napoleon expressed his views as follows: Toute l'Europe s'attend à voir la France arranger les affaires de la Suisse. Il est reconnu par l'Europe que l'Italie et la Hollande sont à la disposition de la France aussi bien que la Suisse. Que comme dans les siècles passés votre premier intérêt, votre première politique, votre premier devoir, soient de ne rien permettre, de ne rien laisser faire sur votre territoire qui, directement ou indirectement puisse nuire aux intérêts, à l'honneur, et en général, à la cause du peuple français. La politique de la Suisse a toujours été considérée, en Europe, comme faisant partie de la politique de la France, de la Savoie et du Milanais, parce que la manière d'exister de la Suisse est entièrement liée à la sûreté de ces États . . . Il faut que, pour ce qui regarde la France, la Suisse soit française, comme tous les pays qui confinent à la France.

The peace of Amiens between France and England (25 March 1802) brought about the general pacification of Europe. The French and English journalists, writers, politicians and businessmen renewed, after 10 years of state of war, the habit of visiting the respective countries and vividly reported on the changes they found regarding social, political, cultural habits and manners ³⁶.

The treaty of Amiens contained the following provisions. Peace was proclaimed between the French Republic, the King of Spain and the Batavian Republic on the one part, and the King of Great Britain and Ireland on the other. Great Britain retained Ceylon and Trinidad and restored the other colonies taken from France and her allies. The integrity of Turkey was guaranteed. The Prince of Orange was to receive an indemnity. The Republic of Seven Islands was recognized. Malta was to be restored to the Order of St. John of Jerusalem, to remain neutral and independent under the guarantee of the Great Powers, and receive a Neapolitan garrison for a year, and if necessary for a longer period. Great Britain was to evacuate the island of Malta within three months of the ratification of the treaty while France

³⁶ J. Fiévée, Lettres sur l'Angleterre et réflexions sur la philosophie du XVIIIe siècle, Paris, Perlet, 1802, 277 pages.

was to evacuate Taranto and the possessions of the Church; Great Britain was to surrender the points which she occupied on the Adriatic and the Mediterranean in the month following the ratification of the treaty, and her colonial conquests within six months of that date 37.

However, the hopes of lasting peace soon disappeared. Napoleon's activities on the Continent (11 September 1802, annexation of Piedmont to France; 11 February 1803, act of Swiss mediation; 25 February 1803 - the Imperial Recess), and in the colonies (affair of San Domingo, the expedition of Gen. Decaen to India, the report of Col. Sebastiani on Egypt) created tension between the two governments. England refused to evacuate Malta arguing that the balance on which the peace of Amiens was concluded was already deranged by the increase of the French power on the continent, which was a menace to the established European system of politics. Otto, the French ambassador in London, in his despatch to Talleyrand, drew attention to the growing British tendency to restore "the chimera" of the balance in Europe 38.

37 The Cambridge Modern History, edited by A.W. Ward, G.W. Prothero, and Stanley Leathes, Cambridge, The University Press, vol. 9, p. 77.

38 E. Driault, ibid., p. 395. . . . Otto to Talleyrand: Je vois en général que le système de l'équilibre va reprendre ici toute sa force. On se croit appelé à tenir la balance de l'Europe, et, si les grandes puissances du continent voulaient se prêter à ce projet chimérique, on en verrait bientôt sortir une ligue semblable à celle de 1608.

England became more and more conscious that the conflict between her and France was the conflict of two opposing sets of ideas. Napoleon wanted peace based upon solidly established French preponderance; England wanted peace based on the equilibrium of the great powers as guarantee of their respective independence³⁹.

In his note of March 15, 1803, Lord Hawkesbury drew the attention of the French government to some principles of the established law of nations, namely to the *clausula rebus sic stantibus* and to the principle of compensation as the motive for the refusal of evacuation of Malta⁴⁰, and requested a general discussion of pending problems on the basis of those principles of international law and politics.

39 E. Driault, *ibid.*, p. 398, 399. . . . Enfin, achevant d'exposer les principes de son gouvernement en des phrases plus éloquentes que claires, l'ambassadeur de France (Andreossy), disait les hautes raisons qui légitimaient l'extension du territoire de la France et de son ascendant sur le continent: "Votre politique a toujours été de diviser les forces de la France en soulevant contre elle le continent pendant que vous faisiez la guerre par mer. Eh bien! la politique du gouvernement français doit être, non seulement de détacher de l'Angleterre les puissances continentales, mais encore de concentrer tellement les volontés et les intérêts pour le repos de l'Europe que celui-ci ne puisse être troublé".

40 The Parliamentary History of England, Parliamentary Debates, Year 1803, House of Commons, vol. 36. Papers respecting the discussions with France No. 45 - Note from Lord Hawkesbury to General Andreossy, dated March 15, 1803 (see Appendix 1).

Napoleon refused to agree to such discussion involving *clausula rebus sic stantibus* and the problem of compensation. He considered the Anglo-French conflict only from the point of view of the execution of the treaty of Amiens and demanded the evacuation of Malta as the first essential ⁴¹.

On the 4th of April, 1803, Lord Whitworth, British Ambassador in Paris, was instructed to inform the French government that the French reply to the British note of 15th March could not be considered satisfactory and to propose the following arrangement: "Malta to remain in perpetuity in the possession of His Majesty. The Knights of the Order of St. John to be indemnified by His Majesty of any losses of

⁴¹ The Parliamentary History of England, Parliamentary Debates, Year 1803, vol. 36, p. 1320. Extract from the official note delivered to Lord Hawkesbury on the 29th March, 1803 by Gen. Andreossy, in reply to Lord Hawkesbury's note of 15th March, 1803. . . . There remains, therefore, but one object worthy of fixing the attention of the two nations: the execution of the treaty of Amiens as far as concerns Malta. His Majesty has engaged to restore it to the Order, and to entrust it to the Neapolitan army till the Order should be in a condition to guard it. His Majesty will reject all sophistry, every distinction, every mental reservation which might be offered to him, to put in doubt the force and the validity of his engagement. His Britannic Majesty's equity, his conscience in this respect, are guarantee for the French Republic. Were it otherwise, what means in future would the two nations have for coming to an understanding? Would not all be chaos? This indeed would be adding another calamity to those which have menaced social order. The undersigned is directed to declare, in short, that the First Consul will not take up the defiance of war given by England to France; that as to Malta, he sees no subject for discussion, the treaty having provided for everything, and settled everything.

property which they may sustain in consequence of such an arrangement. Holland and Switzerland to be evacuated by the French troops. The island of Elba to be confirmed by His Majesty to France, and the King of Etruria to be acknowledged. The Italian and the Ligurian republics to be acknowledged by His Majesty, provided an arrangement is made in Italy for the King of Sardinia, which shall be satisfactory to him" 42.

After having received the suggestion of Talleyrand that the independence of the Order of Malta is essential for the French government, Lord Hawkesbury, in his dispatch dated 13th April, 1803, to Lord Whitworth, suggested the following arrangement: Malta to remain for ten years at least a British possession and afterwards to be given up to the inhabitants and to be acknowledged as an independent state. Great Britain would acquire then the sovereignty over Lampedosa 43.

On the 26th of April, 1803, Lord Whitworth announced to Talleyrand as an ultimatum the following proposals:
"The possession of Malta for ten years, during which period

42 Parliamentary Debates, ibid., p. 1322.

43 The Parliamentary History of England, Parliamentary Debates, Year 1803, House of Commons, vol. 36, p. 1328.

the authority, civil and military, was to remain solely in His Majesty, and that at the expiration of that term it was to be given up to the inhabitants, and not to the Order; provided also, that His Sicilian Majesty shall be induced to cede to His Majesty the Island of Lampedosa; that Holland should be evacuated by the French troops within a month after the conclusion of a convention by which all these provisions shall be secured; and that His Majesty would consent to acknowledge the new Italian States, provided stipulations were made in favour of His Sardinian Majesty and of Switzerland ⁴⁴.

The French government's reply to these proposals ⁴⁵ was not considered satisfactory by Lord Whitworth and on the 3rd of May, 1803, he asked for his passports for his return to England. Talleyrand tried to retain him in Paris and suggested the temporary possession of Malta by Austria, or Prussia or eventually Russia, until the conflict between England and France was solved. The British government did not accept this suggestion and on the 12th May, 1803, Lord Whitworth got his passports and left Paris.

⁴⁴ The Parliamentary History of England, Parliamentary Debates, Year 1803, House of Commons, vol. 36, Dispatch from Lord Whitworth to Lord Hawkesbury dated Paris, 27th April 1803.
E. Driault, ibid., p. 410.

⁴⁵ The Parliamentary History of England, Parliamentary Debates, Year 1803, House of Commons, vol. 36, p. 1340, 1341.

On the 16th of May, 1803, the royal message to Commons announced the rupture with France, followed by the declaration of war on the 18th of May, 1803. The war came sooner than Napoleon expected. To gain time in order to permit French merchant vessels to return home safely and Gen. Decaen to take up a strong position in India, Napoleon accepted the mediation of Russia. The Tsar's proposals of the 19th July, 1803⁴⁶, were rejected by Napoleon⁴⁷. The war was to decide the conflict between France and England. However, in this conflict the whole of Europe had a vital interest. England expected that sooner or later, she would be joined in the struggle by some of the European powers.

At the opening of the negotiations for the third coalition, Europe was conscious that the war started not only for certain territorial arrangements particularly with

46 E. Driault, *ibid.*, p. 453. . . . Malta rendue à l'Ordre de Saint-Jean, avec une garnison russe pendant dix ans; Lampedouse à l'Angleterre; le Piémont laissé à la France, moyennant une indemnité continentale au roi de Sardaigne; reconnaissance des républiques bataves, helvétiques, italienne, ligurienne, et ionienne comme des états libres et indépendants; neutralité formellement garantie à ces états en temps de guerre; neutralité absolue garantie à la Sicile, à la Sardaigne, à l'Etrurie, au corps germanique; intégrité de l'Empire ottoman.

47 E. Driault, *ibid.*, p. 454.

regard to Malta, but primarily to determine which of the two opposite conceptions of international order would prevail, namely: supremacy of one state, or equilibrium in European relations.

CHAPTER IV

CZARTORYSKI'S SECRET INSTRUCTIONS

The acceptance by Emperor Paul I in October 1800 of a plan of foreign policy elaborated by Rostopchine¹ marked the dissolution of the second coalition against Napoleon.

The main idea of the scheme presented to the Emperor of Russia was that, in view of the fact of disagreement between Russia, England, and Austria regarding the conduct of war against France, the general pacification of Europe should be expected. Visualizing that future general peace, Rostopchine reflected the anxiety that France would expand her frontiers and conserve her recent conquests; Prussia would also increase her forces by acquiring new territories and by her close alliance with France; England would conserve her colonial possessions particularly in India and would remain first maritime power; and besides Austria only Russia would find herself without any equivalent compensations. In order to prevent such a situation, Rostopchine continued to explain to Paul "les moyens que possède la Russie d'acquérir de nouveaux avantages, qui lui procureront de nouvelles richesses des mers et de la gloire, lui donneront à jamais la supériorité

¹ Duc de Broglie, La politique de la Russie en 1800, d'après un document inédit, in Revue d'Histoire Diplomatique, part 1, vol. 3, 1899, 1-12 pages.

sur les autres états et éleveront votre nom au dessus de tous ceux des souverains qui ont acquis des droits à l'immortalité".

As to the means to be employed to obtain for his sovereign this preponderant position amongst the sovereigns, Rostopchine proposed the partition of Turkey in agreement with Austria, Prussia, and France. Russia would receive Romania, Bulgaria and Moldavia; Austria's lot would be Bosnia, Serbia, and Valachia; France would retain Egypt; Greece with the adjoining islands would form a republic under the protection of the powers that would take part in the partition of Turkey; Prussia in compensation, would receive Hanover and the bishoprics of Paderborn and Münster.

To put into effect the above-mentioned scheme, Rostopchine considered the reestablishment of good relations between France and Russia essential. And in the following way he explained the technique of negotiations to follow.

. . . Bonaparte doit être le centre de ce plan. Il verra dans le partage ci-dessus mentionné un sûr moyen d'abaisser la Grande-Bretagne et d'assurer à la paix générale toutes les conquêtes de la France. Avant de découvrir nos projets de rapprochement avec la France, il faut d'abord, sans porter atteinte à notre alliance avec l'Angleterre, empêcher que cette dernière ne s'oppose au partage de la Turquie; proposer au Danemark et à la Suède de rétablir la neutralité armée du Nord, et au commencement des négociations, inviter Bonaparte ainsi que le roi d'Espagne à y prendre part. Bonaparte trouvera dans ce projet un grand moyen de nuire à l'Angleterre, de l'obliger, ou à se démettre de ses droits injustes sur les mers, ou à déclarer la guerre à toute l'Europe,

ce qui, à l'exception de Gibraltar, lui fermerait tous les ports. Pour donner le change relativement aux négociations il faut publier qu'elles n'ont d'autre objet que celui d'amener la neutralité armée. Vers la fin de cette affaire il faudra envoyer à Paris un homme de confiance accrédité pour traiter avec Bonaparte sur cinq articles en réponse à ses propositions. Il lui sera enjoint de faire céder, par les insinuations, au roi de Prusse, la ville de Memel. Pendant ces opérations, on prendra des mesures contre les Anglais; on exposera leurs propositions de paix ainsi que celles de la France, et on fera valoir la condescendance de Bonaparte pour les demandes de Votre Majesté Impériale . . .

The aim of the scheme that Rostopchine presented to Tsar Paul I was to assure Russian supremacy by the destruction of the Turkish empire and English maritime supremacy; by the acquisition of preponderance in the Balkans in order to pave the way for the reestablishment of the Empire of the East "en réunissant sur la même tête les couronnes de Pierre et de Constantin, ces grands fondateurs des deux plus vastes empires du monde". As to the means of achieving it, Rostopchine proposed an agreement with Bonaparte, and the weakening of England's opposition by inviting him and the King of Spain to join the armed neutrality of the North reestablished by Russia.

The acceptance by Paul I of this new policy and the replacement of Count Panine by Rostopchine in the direction of foreign affairs ², was followed by Rostopchine's letter

² K. Waliszewski, Paul the First of Russia, The Son of Catherine the Great, London, W. Heinemann, 1913, p. 347.

addressed to Talleyrand on the 8th October, 1800 (26 September, 1800 - Russian style) couched in the following terms:

Sa Majesté Impériale l'Empereur de toutes les Russies, ayant eu connaissance des lettres écrites à son vice-chancelier, comte de Panine, m'a ordonné de faire savoir au Premier Consul, que la bonne harmonie avec mon maître ne peut être établie que par l'accomplissement de ses désirs, déjà annoncés au général de Beurnonville.

1. La reddition de l'île de Malte avec ses dépendances à l'Ordre de St. Jean de Jérusalem, dont l'Empereur de toutes les Russies est le Grand Maître;
2. Le rétablissement du roi de Sardaigne dans ses états tels qu'ils étaient avant l'entrée des Français en Italie;
3. L'intégrité des états du roi des Deux Siciles;
4. De ceux de l'Electeur de Bavière, et
5. de ceux du Duc de Wurtemberg }.

General Sprengporten, the Russian envoy, was sent to Paris regarding the repatriation of Russian prisoners of war. Bonaparte, after a conversation with him, expressed to Emperor Paul in a personal message (21 December, 1800) his desire to see "promptement et irrévocablement réunies les deux plus puissantes nations du monde", and he continued:

. . . Vingt-quatre heures après que Votre Majesté Impériale aura chargé quelqu'un, qui ait toute sa confiance et qui soit dépositaire de ses désirs, de ses spéciaux et pleins pouvoirs, le continent et les mers seront tranquilles. Car lorsque l'Angleterre, l'Empereur d'Allemagne et toutes les autres puissances seront convaincues, que les volontés comme les bras de nos deux grandes nations tendent à un même but, les armes leur échapperont des mains

3 Russian Historical Society, Archives, St. Petersburg, published by M. Stasyulevich, 1890, vol. 70, p. 10, 11.

et la génération actuelle bénira Votre Majesté de l'avoir arrachée aux horreurs de la guerre et aux déchirements des factions ⁴.

Waliszewski commented on this letter as follows: "He offered, in fact, the position of arbiter of the world's destinies to Paul, and continuing in the same key, he evoked a vision of their forces united to crush England, to recapture the Mediterranean and partition Asia. But above all his aim was to intimidate Austria, to disarm the coalition once for all, and to place Don Quitote at Caesar's service" ⁵.

Talleyrand's letter ⁶ to Rostopchine of the same date

⁴ Russian Historical Society, Archives, ibid., vol. 70, p. 24.

⁵ K. Waliszewski, ibid., p. 359.

⁶ Russian Historical Society, Archives, vol. 70, p. 26, 27. Le soussigné, ministre des relations extérieures de la République française, a mis sous les yeux du premier consul la note en date du 26 septembre, qui lui a été adressée par son excellence monsieur le Comte de Rostopchine. Le soussigné est chargé de déclarer, que les bases renfermées dans la note de Son Excellence, ont paru justes et convenables en tout point et le premier consul les adopte. Dans les divers entretiens, que le soussigné a déjà eus avec Monsieur le général de Sprengporten et dans lesquels il s'est expliqué avec lui de tout ce qui peut intéresser les deux états, il lui a fait connaître combien le premier consul désirait de voir réunies deux puissances, qui peuvent seules amener le rétablissement de la paix et en garantir la durée. Monsieur le général de Sprengporten a été en conséquence invité de témoigner à Sa Majesté Impériale, que le voeu du premier consul est, que les affaires d'Allemagne et d'Italie, celles qui intéressent la liberté générale du commerce et les droits de la neutralité se traitent d'un commun accord entre la Russie et la France. Et que pour arriver à ce concert de vues et de mesures, dont les nobles et vastes résultats peuvent avoir tant d'influence pour la tranquillité générale de l'Europe et la prospérité particulière des deux états, il paraîtrait nécessaire, qu'au préalable la personne, investie de la confiance de sa Majesté Impériale, eût des pouvoirs suffisants pour négocier et conclure sur tous les points. Le soussigné annonce en même temps, que partout, où il se trouvera un négociateur russe, muni de pleins pouvoirs il se trouvera pareillement un négociateur français aussi amplement autorisé.

(21 December, 1800) officially accepted the basis for negotiations stated in Rostopchine's proposals of 26th September, 1800.

Announcing Kolytchev's mission to Paris, the Emperor Paul, in a letter to Bonaparte dated 2/14 January, 1801, already assumed the rôle of arbiter of Europe, as had been suggested by Bonaparte. Paul wrote: " . . . Je désire de mon côté la paix à l'Europe, que nous pourrons certes donner. Mais je ne veux pas m'ingérer autrement de prescrire des limites soit en Italie, soit en Allemagne, pour éviter les suites, que cela entraînerait. Il est sûr que deux grandes puissances, qui s'entendent entre elles, influenceront d'une manière positive sur le reste de l'Europe. Et je suis prêt à le faire" . . .⁷.

In January, 1801, Kolytchev was sent to Paris provided with secret instructions of 29th December, 1800 to conclude with France the treaty of peace on conditions previously enunciated but with additional clauses such as the recognition by Napoleon of Paul I as Grand Master of the Order of Malta, the suggestion of the invasion of England by Bonaparte and of the assumption by Bonaparte of the title of King of France with provisions for the succession to the throne in his family, and finally, the invitation to close the revolutionary

⁷ Russian Historical Society, Archives, *ibid.*, vol. 70, p. 29.

clubs in Paris, in particular the Polish club ⁸.

The negotiations were difficult because Bonaparte refused to restore Malta to the Emperor Paul and Egypt to Turkey. Another difficulty was the insistence by the Emperor Paul on the establishment of the King of the Two Sicilies in his ancient domain, which idea was not convenient to Bonaparte. Further, Kolytchev insisted that his mission was to establish general peace in Europe, while Bonaparte wanted first of all to reestablish peace between France and Russia ⁹.

The sudden death of Emperor Paul I (24th March, 1801) was a blow to Bonaparte's plan. With the accession to the throne of Alexander I, Bonaparte had to consider an eventual complete change in Russian foreign policy.

Analyzing the character of the new Tsar, we should keep in mind his liberal although very superficial education (La Harpe), and at the same time the autocratic tradition of the Russian court in which Alexander had grown up. It may

⁸ F. de Martens, Recueil des traités et conventions conclus par la Russie avec les puissances étrangères, St. Petersburg, A. Böhnke, 1874-1909, vol. 13, p. 252.

Also - Russian Historical Society, Archives, vol. 70, p. 32 - (Paul's letter to Bonaparte, dated 15/27 January, 1801).

⁹ F. Martens, ibid., vol. 13, p. 252.

Also - Russian Historical Society, Archives, vol. 70, p. 69 (Kolytchev to Emperor Paul).

be useful to quote in this connection the opinion of Prince Adam Czartoryski, his most intimate friend, who, in his Memoirs, gave the following picture of Alexander ¹⁰ :

. . . Alexandre eut toujours dans son noble caractère quelque chose de féminin avec les aimables, les bonnes et fâcheuses conséquences qui en résultent. Il lui arrivait souvent d'arranger dans son imagination des projets qui lui plaisaient et qui ne pouvaient se combiner avec la réalité. Sur ce fondement idéal il élevait à sa fantaisie des structures complètes qu'il ne manquait pas de perfectionner avec tout le soin possible . . .

. . . Les grandes pensées de bien général, les sentiments généreux, le désir de leur sacrifier ses convenances et une partie de son autorité, de se démettre enfin d'un pouvoir immense et arbitraire pour mieux assurer le bonheur à venir des hommes soumis à sa volonté, tout cela avait occupé sincèrement l'Empereur; tout cela l'occupait encore, mais c'était plutôt une veilleté de jeune homme qu'une volonté décidée d'homme fait. L'Empereur aimait les formes de la liberté comme on aime les spectacles; il se plaisait à voir représentées les apparences d'un gouvernement libre et en tirait vanité; mais il ne voulait que les formes et les apparences, et il n'entendait pas que elles se changeassent en réalité; en un mot, il eût volontiers consenti à ce que tout le monde fût libre, à condition que le monde ferait volontairement sa volonté seule . . .

Alexander's liberal tendency, which prevailed in his character at the beginning of his reign, caused him to become absorbed in vast schemes, discussed with his young friends, of internal reforms for the Russian empire. Consequently, he was pressed to help the general pacifica-

10 A.J. Czartoryski, Mémoires du prince Adam Czartoryski et correspondance avec l'empereur Alexandre Ier, Paris, E. Plon, Nourrit et Cie, 1887, vol. 1, p. 262, 345.

tion of Europe as much as possible in order to be able to dedicate himself absolutely to the internal reforms of his empire.

Long instructions to Kolytchev regarding the negotiations with France dated 16/28 April, 1801 stressed the following points ¹¹:

1. The peace with France should be such as would contain the basis for the general pacification of Europe, as the most important aim of the negotiations.

Mais il m'importe infiniment, que les négociations ultérieures, qui en seront la suite, soient dirigées vers un principe stable, et que dans les réintégrations des princes dépossédés, comme dans les indemnités à accorder à ceux qui sont lésés, une mesure sage et équitable soit observée de manière à établir un équilibre, qui garantisse respectivement et assure le repos de l'Europe. Tel a dû être et est effectivement le but essentiel du rapprochement avec la France.

2. Special solicitude in the rearrangement of Italy and Germany: a) relating to Germany, the instructions pointed to the securing of equilibrium between Austria and Prussia, by the maintenance of the integrity and eventual aggrandizement of Bavaria, and by checking the desire for aggrandizement on the part of Austria and Prussia; b) regarding Italy, the instructions stressed the security of the Kingdom of Naples and the reestablishment of the House of Savoy in its possessions in Italy.

¹¹ Russian Historical Society, Archives, *ibid.*, vol. 70, p. 125-138.

3. The evacuation of Egypt by France and its return to the Turkish empire. But Alexander would be prepared to leave the problem of Egypt until such time as discussions between Turkey and France for peace would take place under Russian mediation.

4. Leaving without a definite reply the eventual French suggestion of joining the Armed Neutrality of the North¹².

5. "De marquer mon vif intérêt pour le repos et la tranquillité de l'Europe (objet qui sera et doit être toujours le principal); de donner dès le commencement de mon règne des preuves de mon amour pour la justice et l'exemple de la religieuse observation des traités".

The part of the instruction regarding the "Neutralité du Nord" proved also the desire of Alexander not to become involved in the war with England for the sake of France.

Kolytchev, in the notes of 26th April and of 1st May, 1801, asked categorically if France intended to fulfil the obligations undertaken towards Emperor Paul, especially with regard to the Kings of the Two Sicilies and Sardinia.

Talleyrand in his reply stated that "le premier consul persiste dans les intentions, qu'il a manifestées;

12 Concluded in December, 1800.

mais le soussigné doit en même temps observer, que les rapports, qui s'étaient récemment établis entre la France et la Russie, ayant eu dans le principe et pour objet spécial un double concert à former tant pour combattre un ennemi commun, que pour favoriser les arrangements continentaux d'après un système convenu, il s'était réellement agi entre les deux états de la conclusion d'une véritable alliance, disposition parfaitement réciproque alors, et qui avait amené les explications, que M. de Kolitcheff rappelle aujourd'hui . . ." Consequently, he asked if Alexander had the same intention as Paul "de s'entendre avec le gouvernement français tant sur les affaires maritimes que sur les affaires continentales" - if not - "il ne s'agirait donc plus alors que de procéder à la conclusion d'un simple traité de pacification et il n'y aurait lieu à rien déduire ultérieurement des propositions, qui avaient été faites d'une part et acceptées de l'autre dans l'intention réciproque de s'unir de vues et d'efforts pour la repression de l'ennemi commun et le rétablissement de la paix générale" ¹³.

In the instructions dated 27 June / 9 July, 1801 to Count Morkoff, who replaced Kolytchev in the negotiations with France, Alexander outlined his actual political

¹³ Russian Historical Society, Archives, vol. 70, p. 146.

system ¹⁴.

En me déterminant à poursuivre les négociations entamées avec la France vers la fin de l'année dernière, j'ai été guidé par un double motif - celui d'assurer à mon empire un état de paix et de tranquillité nécessaire pour rétablir l'ordre dans les différentes parties de l'administration, et en même temps de concourir, autant qu'il serait en mon pouvoir, à l'accélération d'une paix définitive, qui donne du moins à l'Europe le temps de restaurer l'édifice du système social, ébranlé jusque dans ses fondements, si la providence ne permet pas encore de tarir la source des fléaux, qui affligent l'humanité.

The essential conditions of lasting agreement between Russia and France, and of the reestablishment of equilibrium in Europe, would be fulfilled if the First Consul "mieux éclairé sur ses véritables intérêts et sensible à la vraie gloire, voudrait fermer les plaies de la révolution et donner à son autorité une base plus solide, en respectant l'indépendance de gouvernements". (An obvious encouragement to Bonaparte to take the throne of France as hereditary in his family, to close the revolutionary chapter of France and return to the old system of balance in foreign policy). The principles that directed his foreign policy, Alexander described as follows: "respectant l'indépendance des nations, je ne prendrai jamais aucune part à leurs dissensions intestines et quelle que soit la forme de gouvernement, qu'elles se donnent par le voeu public, elles peuvent maintenir une

¹⁴ Russian Historical Society, Archives, ibid., vol. 70, p. 221-227.

parfaite intelligence avec mon empire, tant que le même esprit d'équité les animera". Respect for the international obligation already contracted inclined Alexander to support the King of Two Sicilies.

Then followed the "tour d'horizon" of the political situation and the outlines of the actual aims of the Russian diplomacy. One of those aims was the reestablishment of confidence between Russia and Austria and the eventuality of concerted action by Russia, Austria, and Prussia towards France with regard to the problem of German indemnities. (The former break between Russia and Austria toward the end of the reign of Paul was followed by the establishment of friendly relations between Russia and Prussia and the latter's access to the treaty of armed neutrality of the North). Actually, the aim of Russian policy was to maintain the balance between Austria and Prussia, and to see that the distribution of indemnities was such as to keep the balance between these two powers inside Germany also. There was stressed also the importance of the Russian rôle in the future organization of Germany. "Son indépendance et sa sûreté tiennent de trop près à la tranquillité future de l'Europe, pour que je puisse y être indifférent et négliger l'occasion, que m'offre l'état présent des affaires, pour conserver à la Russie une influence prépondérante dans les affaires de l'Empire".

Concerning England, Alexander continued that, after the period of animosity which culminated in the treaty of "armed neutrality" of 16 December 1800 which was directed against England, "la bonne intelligence entre mon empire et la Grande-Bretagne a été heureusement rétablie et consolidée par la convention du 5/17 de ce mois ¹⁵, qui embrace les intérêts des deux puissances maritimes engagées dans cette cause. Leur accession aux arrangements conciliatoires, dont je suis convenu avec S.M. britannique, mettra incessamment le dernier sceau à cette oeuvre salutaire et il ne restera plus, qu'à déterminer la cour de Berlin d'y concourir en révoquant toutes les mesures dirigées contre les possessions du roi d'Angleterre en Allemagne" (the return of Hanover by Prussia).

The British suggestion to guarantee Turkish European possessions was left for the time being without a positive reply in order not to arouse the suspicions of Bonaparte.

Le soupçon d'une coalition nouvelle dirigée contre la France pourrait porter son gouvernement à de nouvelles violences qui prolongeraient encore les calamités publiques en rallumant le feu de la guerre. Il faudra donc mettre tous vos soins à détruire une semblable opinion, et vous pouvez donner au premier consul l'assurance la plus positive, qu'il n'entre aucune vue hostile dans mon rapprochement avec les cours de Vienne et de Londres, que ni l'une, ni l'autre ne m'a fait aucune ouverture d'alliance offensive, et que je suis très éloigné d'y prêter les

15 Treaty of June 17, 1801, between Russia and England which marked the end of "armed neutrality of the North".

mains tant que le gouvernement français voudra respecter lui-même les droits et l'indépendance de mes alliés. - Tous mes soins et mes efforts tendent à un seul but, celui du rétablissement de la paix et de la tranquillité, pour lequel je serai toujours prêt à me concerter avec le premier consul.

Regarding Italy, Alexander stressed again his interest in her independence and in the maintenance of the legitimate governments and hoped that Napoleon would find means to satisfy Alexander's solicitude in favour of the King of Naples and the King of Sardinia.

Another interesting point of this instruction was Alexander's policy towards Turkey. In spite of the actual friendly relations existing between these two countries, he considered that "la haine du nom chrétien" could rise in Constantinople in the form of hostility towards Russia.

Quoiqu'il en puisse être il ne tiendra pas à ma modération de prévenir tout sujet de mésintelligence entre mon empire et la Porte Ottomane. Eloigné autant par mes principes que par mon penchant naturel de tout projet de conquête et d'agrandissement, persuadé que cette ambition doit être étrangère au souverain d'un vaste empire, comblé des plus grands bienfaits de la nature et qui renferme dans son propre sein toutes les sources de la félicité publique avec tous les éléments de la force et de la puissance, une des bases de mon système politique sera toujours de concourir de tous mes moyens à la conservation d'un état, dont la faiblesse et la mauvaise administration est un gage précieux de sécurité.

Alexander concluded his instructions in the following way:

Il résulte du tableau que je viens d'esquisser que c'est avec les cours de Vienne, de Londres et de Berlin, que l'intérêt général, aussi bien que ceux de

mon empire, me portent à désirer une solide union; que les deux premières allant au-devant de mes vœux, semblent par leur empressement en reconnaître l'utilité; que le ministère prussien, caractérisé par une grande fluctuation de principes et poursuivant toujours ses vues de cupidité, me laisse encore dans l'incertitude sur le parti qu'il embrassera; qu'un concert sur les indemnités et les changements qu'éprouvera la constitution germanique peut incessamment s'établir avec l'Autriche; que je crois très utile d'y faire intervenir également le roi de Prusse; et que dans tous les cas pourvu que le premier consul apprécie la loyauté de mes vues, je ne suis pas moins disposé de m'entendre avec lui sur les mesures, qui peuvent rétablir l'équilibre en Europe.

Count Morkoff, empowered by the above instructions, signed on the 26 September (8 October) 1801 the treaty of peace between France and Russia, and the secret convention between Russia and France relating to the affairs of Europe, on the 28 September (10 October) 1801¹⁶.

The first document reestablished peace and good relations between both contracting parties, which promised each other "de ne pas souffrir qu'aucun de leurs sujets se permette d'entretenir une correspondance quelconque, soit directe, soit indirecte, avec les ennemis intérieurs du gouvernement actuel des deux états, d'y propager des principes contraires à leurs constitutions respectives ou d'y fomenter des troubles". This provision was evidently directed against

F. Martens, ibid., vol. 13, p. 263-270.

the Polish emigrés in France and French emigrés in Russia ¹⁷.

The secret convention established mutual understanding regarding the main problems involving Germany, Italy and the Orient. It stressed that the two governments "s'engagent réciproquement à agir d'un commun accord relativement aux principes à suivre pour les indemnités, à se communiquer leurs vues et à former un concert parfait entre elles pour amener les parties intéressées à l'adoption de leurs plans qui auront pour principe invariable le maintien d'un juste équilibre entre les maisons d'Autriche et de Brandebourg". Other provisions concerned: the affairs of Italy which were left to future arrangements between France and Russia; Alexander's mediation with a view to reestablishing peace between Turkey and France and to reaching decision upon the question of Egypt and the integrity of the possessions of the King of Two Sicilies (the problem of Egypt once settled, the Kingdom of Naples should be neutral); the affairs of the King of Sardinia which were left to future agreement between France and Russia; the indemnity in Germany for the Duke of Wurtemberg; the guarantee of the possessions of the Duke of Bavaria after eventual re-adjustment for loss of territories ceded to France; the independence of Seven Island Republic.

17 S. Tatistcheff, Alexandre 1er et Napoléon. D'après leur correspondance inédite, 1801-1812, Paris, Perrin et Cie, 1891, p. 17.

Finally, article XI provided:

Aussitôt après la signature du traité de paix et de la présente convention secrète, les deux parties contractantes s'occuperont des moyens de consolider la paix générale sur les bases susmentionnées, de rétablir un juste équilibre dans les différentes parties du monde et d'assurer la liberté des mers, se promettant d'agir de concert dans toutes les mesures de conciliation ou de vigueur convenues entre elles pour le bien de l'humanité, le repos général et l'indépendance des gouvernements 18.

At this moment, Alexander's policy of agreement with France could be defined as being supported by friendly relations with Austria, England and Prussia, and acting in concert with Napoleon, he sought to close the revolutionary period in Europe. He wanted to provide with France for the necessary readjustment of powers in Germany and Italy, and to maintain the reestablished European equilibrium in collaboration with France. At that time, Alexander was inclined to share with Napoleon the rôle of pacific arbiter in Europe. Earlier, in conversation with Duroc, he said:

J'ai toujours désiré de voir la France et la Russie unies. Ce sont deux nations grandes et puissantes qui se sont donné réciproquement des preuves d'estime et qui doivent s'entendre pour faire cesser les petites divisions du continent. Des ouvertures avaient été faites à ce sujet à feu mon père. Je désirerais beaucoup m'entendre directement avec le premier consul, dont le caractère loyal m'est bien connu, et sans passer par tant d'intermédiaires toujours dangereux 19.

Alexander, as partner with Napoleon in the rôle of

18 F. Martens, *ibid.*, vol. 13, p. 269.

19 S. Tatistcheff, *ibid.*, p. 3. (Duroc à Bonaparte le 3 juin, 1801).

arbiter of Europe and as mediator between Austria and France, conceived a plan for the indemnities and organization of Germany based on two principles: 1. "les états nouvellement organisés qui constituaient l'empire d'Allemagne, devaient augmenter leurs forces intérieures pour les opposer à leurs voisins et particulièrement à la France;" 2. "ceux des états germaniques auxquels, par leur position géographique, incom- bait l'honorable obligation de veiller à la sécurité de la commune patrie, devaient être munis de tous les moyens néces- saires pour s'opposer à toute attaque ennemie" 20.

Napoleon's aim was entirely opposed, namely, to maintain the disaccord between the Germanic states and to keep the German empire in a state of weakness.

Austria put difficulties in the way of acceptance of the Russian project for indemnities. Meanwhile, Prussia and France agreed on the subject on the 23rd May, 1802²¹. The scene of negotiations was moved to Paris. On the 3rd June, 1802, the declaration signed between Morkoff and Talleyrand decided the problem of German indemnities. On December 26th, 1802, Austria accepted the plan. The distribution of German

20 F. Martens, ibid., vol. 2, p. 376.

21 K. Waliszewski, Le règne d'Alexandre I, Paris, Plon-Nourrit et Cie, 1923-25, vol. 1, p. 120-122.

territories was to Prussia's advantage. The whole negotiation was not of such a nature as to improve the relations between Alexander and Bonaparte. The real arbiter was Napoleon. Moreover, the case of the King of Sardinia aggravated the situation. On 21st October, 1802, Alexander wrote to Bonaparte:

Il n'y a qu'un seul point sur lequel mes vœux et mes désirs ne s'accordent point avec le système que vous avez adopté. L'intérêt que feu mon père a toujours pris à Sa Majesté Sarde, les engagements du gouvernement français envers feu Sa Majesté pour le rétablissement du roi de Sardagne dans les états héréditaires et les démarches que j'ai faites moi-même en faveur de ce prince malheureux me faisaient toujours espérer que vous trouveriez les moyens de lui assurer un établissement convenable, et qui puisse en quelque sorte le dédommager des pertes considérables qu'il a éprouvées. Aussi longtemps que cet ordre de choses subsistera, il me sera impossible, quel que soit au reste mon désir sincère de vous faire plaisir, de reconnaître le roi d'Etrurie et les républiques d'Italie dont vous faites mention dans votre lettre 22.

In 1802, there were some changes in the Russian cabinet. Count Alexander Worontzov, brother of Simon Worontzov the Russian ambassador in London, became chancellor and minister for foreign affairs. Prince Adam Czartoryski, a Pole and intimate friend of the Emperor, was offered the post as assistant to the minister for foreign affairs.

As Czartoryski plays an important part in our narrative and as his plan for European structure influenced

22 S. Tatistcheff, ibid., p. 21.

to a certain degree that of Wm. Pitt, it is essential to sketch Czartoryski's background for better understanding of his ideas.

Prince Adam Jerzy Czartoryski was born on 14th January, 1770 in Warsaw. He was a member of a Polish aristocratic family, whose wealth and family ties made it the most influential family in Poland in the 18th century and one of the first in Europe. The family's material wealth was equalled by their patriotic sentiment and eagerness to make sacrifices for the cause of the general well-being. This spirit was manifested in their material and moral support of the development of national culture, and by their constant endeavour to restore to Poland her former greatness and her position among the European states.

During the rule of the incapable Saxon Kings (Augustus II and Augustus III) from 1697 to 1763, who were imposed on Poland by her hostile neighbours, Poland reached the bottom of her political and cultural decline ²³. Poland's enormous effort in the second part of the 17th century to defend herself against all neighbours saved her independence for the time being but left the country completely exhausted and a prey to continual intervention in

²³ O. Halecki, Modern Poland until partitions (1506-1795), in A Handbook of Slavic Studies, edited by L.I. Strakhowsky, Cambridge, Mass., Harvard University Press, 1949, p. 223, 224.

her internal affairs by her greedy neighbours. The Polish internal political constitution, unadapted to the changed political, economic, and international situation of the country, was still abused by the extensive practice of "liberum veto", which made the deliberations of Polish diets inconclusive. A small number of aristocratic families, - often disregarding the state authorities and the authority of the kings imposed on the nations against the will of the majority - fought among themselves to satisfy their families' egoistic aspirations, disregarding the welfare of the commonwealth. The large masses of gentry - privileged "szlachta" - numbering about 10 percent of the population, proud and often ignorant, were docile and venal tools in the hands of ambitious and selfish aristocrats and unscrupulous foreign powers. The level of education among the gentry sank very low, often was restricted to the ability of reading and writing, to the superficial knowledge of religious precepts and of colloquial latin.

At the time when Poland lost her political strength and international prestige ²⁴, the War of the Austrian

²⁴ J.F. Bielfeld, Institutions Politiques, La Haye, P. Gosse Jr., 1760-72, vol. 3, p. 579. Au reste, il n'y a en Pologne aucun système de politique, relativement aux puissances étrangères. Ils laissent veiller la providence sur leur état, et ne tiennent des ministres dans aucune cour de l'Europe. (Car ceux qui y sont de la part du roi, ne sont proprement que des ministres de Saxe). Par-ci par-là la Pologne entretient quelque liaison avec ses voisins. . . Comme la Pologne n'a point de liaisons avec les autres puissances, ni par le commerce, ni en s'ingérant dans le système général de l'Europe, nous nous dispensons de faire des réflexions à cet égard.

Succession and the Seven Year War strengthened the position of Prussia and Russia in European politics. Frederick the Great, by the conquest of Silesia (1748), cut off Poland from Saxony and encircled her western provinces. Russia's often decisive interventions on the battlefields of central Europe during the Seven Year War were possible through the violations of Poland neutrality by the trespassing Russian armies. That fact still more increased the prestige of Russia and her influence in Polish affairs.

However, before the reign of the Saxon dynasty was over, the movement of national revival in the cultural as well as in the political sphere had already started among the patriotic Polish elements. In this movement, particularly in its political aspect, the Czartoryski family took a leading part. It was a tragedy of 18th century Poland that foreign intervention took such deep roots in the internal life of the country, that it was impossible to achieve fundamental reforms in the social and political structure of the country against the will of either Russia or Prussia. Realizing this sad reality, the Czartoryski family, in order to be able to introduce basic political reforms, turned towards Russia for her political support. Such a move was opposed to their own innermost feelings and contrary to the traditions of the family. However, they made this decision, hoping that in this

way they might save the country ²⁵.

At first this policy seemed to be successful. In 1763, King Augustus III died and the reign of the Saxon dynasty ended in Poland. The new King Stanislas Augustus Poniatowski, elected with the support of Catherine II, was related to the Czartoryski family. The new reign opened the prospects for the Czartoryski family to put into effect the vast program of political reforms which they planned with the growing support of the patriotic elements in the country. King Stanislas Augustus Poniatowski, thanks to his own refined education and liberal ideas, was well qualified to promote cultural progress and constitutional reforms, but he was too weak to oppose the policy of Russia and Prussia which eventually ended in Poland's partitions. So in the long run the Czartoryski policy of basing the political survival of Poland on the good will of Russia was a failure.

Poland lost her political independence by the end of the 18th century, but Poles as a nation started the 19th century revigorated by the enormous efforts made since the middle of the 18th century by men like Konarski, Kollataj, Staszic, Czacki, who rank amongst the greatest educationalists and political reformers in Polish and in European history.

²⁵ M. Handelsman, Adam Czartoryski, Warszawa, Towarzystwo Naukowe Warszawskie, 1948, vol. 1, p. 3.

By the time of the first partition (1772) the cultural revival of the nation found its expression in the flowering of Polish literature recalling the achievements of the 16th century. The general level of education was raised with enormous speed by educational reforms conducted by the Commission of National Education. This first Board of Education in Europe, founded in 1773, reorganized the whole educational system in a progressive spirit and in close touch with the main currents of Western European civilization of that time. The universities of Wilno and Cracow (Lwow university was lost to Austria in the first partition) became again the important centers of learning. In 1765 was founded the so-called School of Cadets in Warsaw, a boarding school and military academy for young Poles whose ambition was to become officers in the Polish army. That school, of which Adam Kazimierz Czartoryski, father of Prince Adam, was commanding officer and the author of its ideological catechism, imbued its pupils with lofty conceptions of personal morality, integrity, and self-sacrifice for the cause of the country and their fellow citizens. Perhaps the most famous pupil of that school was Tadeusz Kosciuszko, hero of the Polish and American wars of independence.

This national revival produced a new generation of Poles, whose political maturity could be judged by the new Constitution for Poland voted by the Great Diet on May 3rd,

1791. This new constitution abolished "free" election of the kings, "liberum veto", and thus reformed the whole machinery of administration. Also, it improved the position of townsmen and peasants. The vote and acceptance of the May Constitution was followed by the armed intervention of Russia and the second partition of Poland in 1793. The Kosciuszko uprising in 1794 was followed by the third partition of Poland in 1795.

Such was the panorama of Polish life during the early youth of Prince Adam Czartoryski.

Prince Adam Czartoryski received careful education; his tutors were among the best available in Poland and abroad (Dupont de Nemours). Early, he acquired remarkable knowledge of history, political institutions, classical languages, mathematics. Showing talents in drawing, painting, and poetry, he mastered thoroughly, besides Polish and Latin, also French, English, and German. Later, he learned Russian and Italian ²⁶. Unbounded love and admiration for his mother, Princess Izabella, dominated his early and mature life.

In 1787, he went with his mother to Paris. There he had a busy time studying, painting, visiting art galleries and places of historical interest. He mingled in the best

²⁶ M. Handelsman, ibid., vol. 1, p. 22.

French and Polish society and was presented to Marie Antoinette at the court of Versailles.

In 1788, he was back in Poland attending the opening session of the Great Diet which framed in 1791 the new constitution for Poland. In the autumn of 1789, he made another journey with his mother abroad. He went to Switzerland, and France where he attended the debates of the National Assembly and was impressed by Mirabeau's great oratory. From France, Prince Adam went to England and Scotland, where he studied in Edinburgh, listened to parliamentary debates in London, visited the main cities, met writers (like Clark, Robertson), made acquaintances and friends among several great families like Lansdowne, Argyle, Stafford, Hamilton. His admiration for W. Fox began at that time ²⁷.

In 1792, Prince Adam was back in Poland. The voting of the May Constitution in 1791 by the Polish Diet provoked armed Russian intervention. Czartoryski's family residence - Pulawy - was the main center of the Polish patriotic activities that inspired the Poles to fight in defence of the newly-adopted constitution. Prince Adam joined the Polish army and fought with distinction against the Russians. For his bravery, he was decorated with the highest Polish

27 M. Handelsman, ibid., vol. 1, p. 24 - quoting extracts from the letter of Dr. Currie of Liverpool to Thomas Creevey, Member of Parliament, dated 31 October, 1803.

military decoration - "Virtuti Militari". By the end of 1792, Russia was victorious. Prince Adam left the army. For a while, he joined his parents in Pulawy and shortly afterwards, following his mother's advice, he went abroad. He stayed in Vienna, London, Brussels, and, at the time of the Kosciuszko insurrection (1794), he found himself back in Vienna. From there, he followed the fortunes of the Kosciuszko insurrection with feverish anxiety. In a letter to one of his foreign friends, he wrote that only solicitude for his father and his family in Poland, already associated with the Kosciuszko uprising, and the wish to avoid further misfortunes that would befall them, prevented him from joining the insurrection and from fulfilling in that way his patriotic duties. The fact that he did not take active part in that patriotic war left on Prince Adam's mind indelible mortification ²⁸.

Soon, for the sake of the family, he had to make another sacrifice which influenced the entire course of his life. Kosciuszko's failure was followed by the third partition of Poland in 1795. The parents of Prince Adam, compromised in the abortive uprising, had to flee from their family seat, Pulawy, which was now occupied by the Russian army, and they took refuge in their estates situated in the Austrian part of Poland. Their enormous estates in Russian

28 M. Handelsman, ibid., vol. 1, p. 28.

Poland were temporarily confiscated by the Russian government. To be able to recover these estates, Prince Adam Kazimierz Czartoryski, father of Prince Adam, following the advice of Prince Repnin, a Russian friend of the family and actually general governor of Lithuania, had to accept the Russian conditions and to send his two sons, Adam and Konstanty, to the court of Catherine II as virtual hostages for the loyal behaviour of the rest of the family in partitioned Poland. Prince Adam accepted this sacrifice for the sake of his parents well-being. A soldier himself in 1792, son of the woman of whom current rumours in Petersburg and elsewhere said that she played the principal part in engineering the uprising of 1794, he realized what would be his situation in Petersburg, and accepting this sacrifice he wrote to his mother "vous pouvez être sûre que notre conduite sera telle qu'elle doit l'être" ²⁹.

On January 30th, Prince Adam and his brother Konstanty, left Sieniawa (family residence in Austrian Poland) and started the long journey by coach to Petersburg. They stopped at Grodno, where lived the last King of Poland after his abdication, and where Prince Repnin, their protector, also resided. There, they stayed for awhile, awaiting the final decision of Catherine II. She was distrustful, and on February 22nd,

29 M. Handelsman, *ibid.*, vol. 1, p. 29.

1795, she wrote to Repnin pointing to the rumours she heard, that Princess Izabella, before sending her sons to the Russian Court, like Hamilkar with regard to Hannibal, was supposed to have sworn them to remain always enemies of Russia ³⁰. To dispel such distrust and in order to have the family's estates recovered, Repnin advised the young princes to enter Russian service. Such prospects for Prince Adam were most alarming. At a time when Kosciuszko was in a Russian prison and when his fellow compatriots and soldiers were leaving the country to form future Polish legions in Italy, Prince Adam was faced with the prospect of entering Russian service ³¹.

The order came from Petersburg and the young princes left Grodno and reached Petersburg by the end of May, 1795. They found themselves in an entirely new situation. From that time, they had to live in the suffocating atmosphere of the court full of intrigues, jealousies, animosities and whims of Catherine's favourites.

In this painful situation, they were helped by Prince Repnin and, owing to his solliciture and influence, Catherine II eventually restored the family estates in the form of a "gift" to the young princes Czartoryski.

30 M. Handelsman, ibid., vol. 1, p. 30.

31 M. Handelsman, ibid., vol. 1, p. 30.

Prince Adam continued his lonesome and unhappy existence in Petersburg, in spite of friendship with the Stroganow family, noted for its great qualities of mind and character, and in spite of his contacts with Joseph de Maistre who stayed in Petersburg as the envoy of the King of Sardinia. He was longing to be back in his native Poland and tried to find consolation in writing patriotic poetry.

In the spring of 1796, Prince Adam found new interest in life. Grand Duke Alexander, the heir to the throne, started to show him particular friendship. He made Prince Adam his companion and the most frequent guest at his home. In their frequent discussions, Alexander condemned the policy of his grandmother Catherine, stressed his love for freedom and justice and deplored what happened to Poland. The charm, which the Grand Duke possessed, of which he was conscious, and did not hesitate to use when convenient, conquered Prince Adam completely. Henceforth, Czartoryski loved him deeply and sincerely and offered him unbounded friendship. That sentiment persisted, in spite of injuries suffered later from Alexander, until the end of his life ³². Prince Adam found in Alexander a friend and in this friendship a new aim in his life. Also this friendship opened for Prince Adam the possibility to do something for Poles and

32 M. Handelsman, ibid., vol. 1, p. 33.

for Poland.

Soon, another motive was added to restore the Prince's happiness. Encouraged and prompted by Alexander and with his written consent, Prince Adam fell in love with Alexander's wife, Elizabeth, and this romance was to remain "une seule grande passion de sa vie" ³³.

In November, 1796, Catherine II died and was succeeded by her son Paul. His behaviour was unpredictable, everybody's existence was precarious, particularly that of Alexander and his friends. In spite of this uncertainty, Prince Adam brought Grand Duke Alexander closer to his friends, Stroganow and Novosiltzov, and together, taking all necessary precautions, they planned the future reconstruction of Russia in a liberal and progressive spirit.

Soon, however, the storm broke out. Grand Duchess Elizabeth, Alexander's wife, bore a child on 29th May, 1799. Three months later Tsar Paul expressed the desire to see his grandchild and expressed astonishment that the child of two blond parents should be so dark and swarthy. Enraged, he gave Rostopchine the order to send Czartoryski to Siberia. Later, he changed his mind and decided to send him as Russian diplomatic representative to Charles Emanuel IV, King of Sardinia. Czartoryski was ordered to leave Petersburg

³³ M. Handelsman, ibid., vol. 1, p. 33, 34.

immediately which he did on August 23rd, 1799.

In Italy, without any instructions, on an apparent diplomatic mission, Prince Adam followed the King of Sardinia, who was chased by French armies from one place to another. In Rome, Prince Adam tried to find oblivion in studying ancient and modern Rome, conducting archeological research, mastering the Italian language and in extensive reading and writing. There, he learned the news that his daughter had died in August, 1800. The news was a terrible blow. To escape the tragic reality of life, Prince Adam turned wholeheartedly to God. In that state of mind, he wrote (in Polish) a treatise which dealt with the problem of "Consolation"³⁴. During the next 50 years, he was to return to his treatise, adding to it but never finishing the work which remained in manuscript form. In this treatise which took the form of "Letters to mother written while mourning the death of a beloved daughter", he tried to analyse the essence of sorrow, to solve the secret of death, and to solve the tragic dilemma of despair and faith. Handelsman pointed out that Czartoryski's traditional Catholicism, acquired in the parental home, was receiving now a philosophical tinge in the spirit of his previous talks with Joseph de Maistre. We find the same longing for

34 "O pocieszeniu" .

idealistic rationalism, longing for reason imbued with faith as a basis to understand temporal things and to feel eternal ³⁵.

The sudden death of Paul and the accession to the throne of Alexander I completely changed the position of Czartoryski. The young monarch and his young friends tried to put into effect their plans concerning the reconstruction of Russia along liberal lines. To that purpose a secret and informal committee was formed, composed of Stroganov, Kochubey, and Novosiltzov. Place was also reserved in that committee for La Harpe, and for Prince Adam Czartoryski. Summoned by Alexander, Prince Adam was back in Petersburg in July, 1801. Alexander received him with kindness and amiability; however, Czartoryski realized that his personal position had changed. A friend of the Grand Duke could not be in the same degree a friend of the Emperor, and the status of Emperor's favorite he would never accept. Czartoryski was now waiting for an opportunity to leave Petersburg and return to Poland. If, however, under Alexander's pressure he accepted some important positions in Russian administration, he did so because of his personal friendship for Alexander, and also because he hoped to be able to do something for his country and for his compatriots. Years afterwards, in his Memoirs,

35 M. Handelsman, ibid., vol. 1, p. 37.

Prince Adam wrote that at that time, he felt in the position of a soldier who by friendship and by chance, had to fight in the ranks of a foreign army, but he fought eagerly and well, prompted by personal honour and loyalty for a comrade, friend, and master ³⁶.

In those circumstances, Czartoryski, as a member of the secret committee, took part in the works which aimed at the modernization of the Russian political and social structure. It is curious that, in spite of Russian dislike for everything relating to contemporary France, the problems of reform were approached from the standpoint which was prevailing in Napoleonic France ³⁷. At first, following the project of the Worontzov brothers, the position of the Russian senate was strengthened. On January 22nd, 1802, Prince Adam presented to the secret committee his project for reconstruction of the highest administrative offices. Following this project, an order of the Emperor, dated 20 September, 1802, created 8 departments (Foreign Affairs, Interior and Police, Education, War, Navy, Justice, Finances, Commerce) each headed by a minister responsible to the Emperor. Each minister was assisted by a deputy minister. The ministers formed a committee of ministers, presided over

36 A. Czartoryski, ibid., vol. 1, p. 370.

37 M. Handelsman, ibid., vol. 1, p. 55.

by the Emperor, which was the highest organ of executive power. All the Emperor's orders also had to be signed by the minister of the department concerned.

In this reorganized government all the "young men" around Alexander assumed the highest positions - except Czartoryski. Alexander pressed him to accept the position of Deputy Minister of Foreign Affairs, and Czartoryski's friends wanted him to take some other important positions in administration. Prince Adam was reluctant to yield to this pressure. He knew only too well that, being a Pole, he was viewed with suspicion by certain circles at the court; also, he thought of the conflicts which might follow as the result of his patriotism as a Pole and his duties as a Russian minister. Alexander assured him that if such eventualities should occur - which he personally doubted - Czartoryski might resign his position. In these circumstances, Prince Adam became, on 20th September, 1802, Deputy Minister to Worontzov in the Department of Foreign Affairs. On 21st November, 1802, he also assumed membership in the "Committee for Jewish Affairs" and on 5th January, 1803, he became curator (controller and chief administrator) of the educational district of Wilno, one of the six educational districts into which contemporary Russia was divided ³⁸.

³⁸ M. Handelsman, ibid., vol. 1, p. 56-58.

In his Memoirs, Czartoryski described the line of foreign policy of the new administration as follows:

La politique du cabinet russe sous le chancelier comte de Worontzow resta pour le fond ce qu'elle avait été sous le ministère du comte Kotchoubey; mais elle acquit plus de dignité et de force, quant à la forme. Fort bien adapté au caractère et aux desseins de l'empereur Alexandre, c'était le même principe, qui se résumait ainsi: être en bonne intelligence avec tout le monde, ne se point mêler aux affaires d'Europe pour ne pas être entraîné plus loin qu'on ne voudrait; en un mot, éviter soigneusement les embarras sans avoir l'air de les craindre. Le fond n'était pas changé; les apparences seules étaient autres. Le cabinet russe prit un air de hauteur qui donnait le change sur sa véritable pensée et rappelait un peu l'esprit de la diplomatie de Catherine 39.

Meantime, the difficulties between France and England concerning Malta were increasing. Alexander's effort to improve the relations between the two countries in conflict by acceptance of Bonaparte's idea of arbitration⁴⁰ were unsuccessful. Bonaparte requested Alexander to act as arbiter on the question of Malta only. The British cabinet was ready to accept Russian arbitration only on condition that the arbiter should solve not only the problem of Malta but also that of all the territories occupied by France, since the treaty of Amiens⁴¹. Napoleon did not accept such

39 A. Czartoryski, *ibid.*, vol. 1, p. 332.

40 F. Martens, *ibid.*, vol. 13, p. 279 - Alexander's letter to Napoleon dated 10/22 April, 1803.

41 F. Martens, *ibid.*, vol. 13, p. 282.
Also - Russian Historical Society, Archives, *ibid.*, vol. 77, p. 228.

a proposition.

Meantime, England declared war on France on 18th May, 1803. Alexander then offered his mediation. His proposals of the 19th of July, 1803 were the following: 1. Malta to be given to the Order of St. John of Jerusalem with a Russian garrison for 10 years; 2. Lampedousa to be given to England; 3. compensation for the King of Sardinia in Italy for the loss of Piedmont; 4. the recognition of independence and neutrality in case of war of the Batavian, Swiss, Italian, Ligurian, and Ionian republics; 5. after having fixed the frontiers of the possessions of the kings of Sardinia, Etruria and the Two Sicilies, to guarantee their independence and complete neutrality. "En conséquence de quoi aucune troupe étrangère ne pourra pénétrer, sous aucun prétexte dans les limites des états mentionnés dans cet article et le précédent, sans agir en contravention directe au présent acte, et sans donner à toutes les puissances qui y prendront part le droit de s'y opposer et venir au secours de l'état dont l'indépendance aura été lésée"; 6. the integrity of the Ottoman Empire; 7. the guarantee of the projected arrangement by the Emperor of Russia, Emperor of Germany, King of Spain and King of Prussia; 9. "quoique le présent acte fixe déjà les points principaux sur lesquels doit être basée la pacification future de l'Europe, et que le traité définitif qui s'en suivra pourra compléter ceux qui

se rapportent aux deux puissances belligérantes en particulier; cependant, pour pouvoir discuter et traiter avec plus de détail des intérêts de tous les états et consolider de plus en plus la sûreté et la tranquillité de l'Europe, on conviendra de la tenue d'un congrès général dont le lieu sera choisi hors de frontières d'aucune des puissances mentionnées dans l'article 7, et les ministres de tous les gouvernements pourront s'y rendre" 42.

Further elaboration to the last paragraph was given in supplementary instruction of the same date (July 19, 1803):

Malgré que dans le projet d'articles annexé au rescrit de l'empereur les points principaux pour une pacification de l'Europe soient déjà en grande partie contenus, cependant il n'en sera pas moins convenables de donner cours à l'idée qu'a eue le premier consul de traiter dans un congrès général de tout ce qui pourrait contribuer à fixer d'une manière stable la tranquillité de toute l'Europe et l'indépendance de chaque état en particulier. Un tel congrès ne pourrait dans tous les cas, que produire beaucoup de bien, en réunissant davantage les différentes puissances, en accoutumant les gouvernements à agir avec plus d'ensemble contre toute vue dominatrice et en faisant envisager la politique sur une échelle moins rétrécie et plus noble 43.

The most interesting feature in this proposal from our point of view was the insistence on the barrier of

42 Russian Historical Society, Archives, ibid., vol. 77, p. 282-284.

43 Russian Historical Society, Archives, ibid., vol. 77, p. 285.

neutral states between France and Germany, stretching from Holland to Italy, and the idea of collective security and international co-operation on a larger scale than hitherto. For the stressing of these points, we may hold Czartoryski responsible, who, acting as the assistant to Worontzov in the conduct of foreign affairs, was responsible for the preparation of instructions to the Russian representatives abroad ⁴⁴.

Talleyrand wrote to Hedouville, French ambassador in St. Petersburg, on the 29th of August, 1803: "dans le projet du cabinet russe on ne voit pas la trace des droits, des griefs, des intérêts de la France. Tout y est anglais . . .", and the French government rejected Russian mediation as "incertaine dans son objet, illusoire dans ses résultats" ⁴⁵.

Meantime, the relations between Morkoff, Russian ambassador in Paris, and Bonaparte and Talleyrand, became strained. The arrest in Paris of Christine, a Swiss citizen, in the Russian service, the affair of Colonel Vernègue, who had been arrested in Rome and later deported to France, finally that of d'Antraigues, a French émigré in the Russian service, embittered the relations between the Russian and

⁴⁴ A. Czartoryski, *ibid.*, vol. 1, p. 331, 332.

⁴⁵ F. Martens, *ibid.*, vol. 13, p. 283 - also - Russian Historical Society, Archives, *ibid.*, vol. 77, p. 321-325.

French governments. A similar scene to that which took place between Napoleon and Lord Whitworth was repeated between Morkoff and Napoleon on the 25th September, 1803. In November, 1803, Count Morkoff left Paris, leaving Mr. d'Oubril as chargé d'affaires.

Meanwhile, we observe further changes in the Russian government. Owing to the illness of Chancellor Worontzov, Prince Adam Czartoryski, until then second to Worontzov, in the conduct of foreign affairs, became on 28th of January, 1804, minister of foreign affairs of Russia ⁴⁶.

Czartoryski's "Mémoires" throw light upon the line of policy that he adopted and according to which he endeavoured to steer the course of Russian diplomacy.

Je me flattais de voir inauguré un système de politique qui, basé sur des principes d'équité, aurait, avec le temps, influé heureusement sur les destinées de la Pologne. Déjà, je prévoyais une rupture avec la France. Les Russes m'ont toujours soupçonné de vouloir faire pencher la politique de la Russie vers un lien intime avec Napoléon; cela était bien loin de ma pensée, car il m'était évident que toute entente entre les deux empires, ne pouvait manquer d'être funeste aux intérêts de la Pologne. Rien, par conséquent, ne m'arrêtait dans la marche préparée par les circonstances . . .⁴⁷.

Sa (Alexander's) confiance sans bornes me faisait un devoir de loyauté de le servir de mon mieux et m'inspirait le désir de donner autant que possible du lustre à ses affaires, pendant qu'elles

⁴⁶ M. Handelsman, *ibid.*, vol. 1, p. 60.

⁴⁷ A. Czartoryski, *ibid.*, vol. 1, p. 361.

m'étaient confiées. Je croyais fermement, d'ailleurs qu'il me serait possible de concilier la tendance russe avec les idées généreuses, faisant servir ainsi au bien général de l'humanité le besoin avide qu'ont les Russes de gloire et de suprématie. C'était un but grand, mais éloigné, vers lequel il fallait marcher avec suite et persévérance; c'était aussi un plan vaste qu'il fallait concevoir et exécuter avec patience et habilité. Je m'imaginai qu'il y avait là de quoi satisfaire l'orgueil national des Russes. J'aurais voulu qu'Alexandre devînt, en quelque sorte, un arbitre de paix pour le monde civilisé; qu'il fût le protecteur du faible et de l'opprimé, le gardien de la justice parmi les nations; que son règne, enfin, commençât une ère nouvelle dans la politique européenne, politique désormais basée sur le bien général, et le droit de chacun. Cette idée une fois conçue, ne m'abandonna plus; je m'en occupai sans cesse et je tâchai de la réduire à des formes pratiques. Je rédigeai à cet effet un plan de politique que j'envoyai, sous la forme de circulaire à tous les ministres près des cours étrangères. Cette pièce, devant servir d'introduction au nouveau système prescrivait une conduite pleine de modération, de justice, de loyauté et de dignité impartiale 48.

Mon système, par son principe fondamental de réparer toutes les injustices conduisait nécessairement au rétablissement graduel de la Pologne. Mais, afin de ne pas heurter de front les difficultés que devait rencontrer une diplomatie si contraire aux idées reçues, j'avais évité de prononcer le nom de Pologne. L'idée de son rétablissement se trouvait implicitement comprise dans l'esprit même de mon travail, dans la tendance que je voulais donner à la politique russe; je parlai seulement de l'émancipation progressive des peuples injustement privés de leur existence politique, je ne craignis pas de nommer les Grecs et les Slaves; c'était tout ce qui pouvait être plus conforme aux vœux et aux opinions des Russes; mais cela même, par l'induction, devait aussi s'appliquer à la Pologne 49.

48 A. Czartoryski, *ibid.*, vol. 1, p. 370, 371.

49 A. Czartoryski, *ibid.*, vol. 1, p. 372.

Czartoryski viewed the rôle of Russia in European politics primarily as a Slavonic power. That assumption led to another one, namely that Austria and Prussia - Catherine's accomplices in the partition of Poland - were Russia's rivals and natural enemies. Therefore, the aim of Russian policy should be to re-unite the partitioned parts of Polish lands and to restore Poland under the sceptre of Alexander. Only such a solution to the Polish problem - considering the actual situation - appeared to Czartoryski to be reasonably practical⁵⁰. He considered that the pacification of Europe should be based on agreement and cooperation between Russia and England, and on recognition of Napoleonic France. He strongly opposed any bilateral agreement between Napoleon and Alexander. Such agreement - in his opinion - would solve the Polish problem in a negative sense, and restoration of Poland was the starting point of all his policies ⁵¹.

Preparing his vast projects, Czartoryski found help in the Abbé Piattoli, an Italian, and old acquaintance of his.

Scipione Piattoli was brought to Poland by Princess Lubomirska, Czartoryski's aunt, and was put in charge of the

⁵⁰ K. Waliszewski, Le règle d'Alexandre I, ibid., vol. 1, p. 132.

⁵¹ M. Handelsman, ibid., vol. 1, p. 62, 63.

education of Prince Henry Lubomirski. During his first visit to Paris in 1787, Prince Adam stayed with Princess Lubomirska and there he met Abbé Piattoli, who impressed him very much. Later Abbé Piattoli became secretary to the last King of Poland, Stanislas Augustus Poniatowski, and espoused with enthusiasm the idea of reforms which the Polish Diet of 1788-92 aimed to achieve. He played an important rôle in winning the support of influential Polish personalities and of public opinion for the reforms projected by Polish patriots. Also he wrote political pamphlets in Polish and French under the nom de plume "Syrach" which reflected his devotion to the cause of Poland ⁵².

Prince Adam met Abbé Piattoli again in Petersburg and was delighted to renew this acquaintance. He made him his secretary and greatly appreciated his abilities. In his "Mémoires", Czartoryski defended Piattoli against scorn and disdain shown to him by Thiers ⁵³ and described Piattoli's abilities as follows:

Il ne fallait qu'indiquer les points principaux d'une négociation ou d'un système pour qu'il développât toute les conséquences; il était ordinairement trop abondant dans les moyens qu'il proposait,

52 "Stary Kosmopolita Syrach do Konwencji Narodowej" - "Épître du vieux cosmopolite Syrach".

53 A. Thiers, Histoire du consulat et de l'empire, faisant suite à l'histoire de la révolution française, Paris, Paulin, 1845-74, vol. 5 (published 1849) p. 321.

mais en revanche parfaitement préparé à les réduire ou à les modifier selon les observations qui lui étaient faites ⁵⁴.

In February, 1804, Czartoryski advised a concerted action with England against the eventual French attempt to land in Greece and Albania invoking the previous Russian initiative in this connection ⁵⁵; but Russia trying to preserve the integrity of the Turkish empire, could not forget that she was the sole protector of the Greeks and of the orthodox religion in the Balkans as a whole; that her special interest in the Balkans and in Constantinople was the established tradition of Russian policy. Therefore, Czartoryski wrote:

On pourrait répéter au cabinet de St. James que le désir sincère et prononcé de V.M.I. est de préserver l'empire ottomane, autant que cela se pourra, dans son état actuel; que c'est dans ce but que nous avons cru indispensable de redonner plus d'activité à notre influence sur les sujets grecs et esclavons de cet empire; qu'en outre V.I. a fait prendre des arrangements nécessaires pour que les Sept-Iles soient à l'abri d'une attaque inopinée et qu'elle va s'occuper à mettre dans un état de défense respectable la forteresse de Corfou, qui peut être regardée comme le boulevard de la Grèce . . . V.M. exprimera de plus son désir que la cour de Londres, lorsqu'il en sera temps, parle avec nous le même langage vis-à-vis des grecs et du gouvernement ottoman et agisse à cet égard sur le même principe, en s'efforçant de laisser à cet empire son existence, mais en stipulant en même temps, de concert avec la cour de Russie, une amélioration marquante du sort des grecs, sur le genre de laquelle les deux gouvernements

-----54- A. Czartoryski, ibid., vol. 1, p. 394.

55 J.H. Rose, Napoleonic Studies, London, G. Bell and Sons, 1904, Appendix IV, Dispatch of Chancellor Alexander Worontzov to Simon Worontzov, Russian ambassador in London, dated November 20, 1803, p. 365-367.

pourront alors s'entendre . . . La cour de Londres . . . acquiescera sans peine à un arrangement éventuel avec nous, par lequel les deux gouvernements se garantiront, en cas de l'anéantissement de l'Empire ottoman, l'exclusion de toute autre puissance de ses domaines ⁵⁶.

The execution of the Duke D'Enghien (20 March, 1804) put an end to diplomatic relations between France and Russia. On the 17th of April, 1804, in an exposé to the imperial council, Czartoryski pointed to the desirability of breaking relations with the French government. "S.M.I. indignée d'une infraction aussi criante de tout ce que l'équité et les droits des nations peuvent prescrire de plus obligatoire, répugne de conserver plus longtemps des rapports avec le gouvernement, qui ne connaît ni frein . . . Il faut s'attendre que la conduite énergique de la Russie dans ce moment sera capable plus que tout autre chose à donner de l'essor à une opposition générale parmi les états de l'Europe qu'il est si nécessaire de faire naître, afin de mettre une fois des bornes à l'ambition et aux violences de Bonaparte . . . Suspendre toute relation, n'est pas encore entrer en guerre, et la France ne peut pas nous attaquer directement . . . Au reste S.M.I. ne peut avoir aucun doute de trouver, quand il le faudra, dans l'Angleterre un allié sûr et toujours prêt à se concerter et à unir avec elle . . ."

⁵⁶ Russian Historical Society, Archives, ibid., vol. 77, p. 486 and following.

And Czartoryski envisaged the eventuality of war only "après avoir épuisé les moyens qu'une négociation commune de toutes les puissances de l'Europe entamée à Paris aurait pu fournir" 57.

Consequently D'Oubril was ordered to present a note to Talleyrand (12 May, 1804) which stressed that the Ettenheim episode and the execution of the Duke d'Enghien which followed were contrary to international law and to France's obligations with relation to Germany 58. A similar note of protest was sent by the Russian government to the German Diet at Ratisbone.

Talleyrand's reply of 16th May, 1804 in unconventional form repudiated the Russian note of the 12th May and Hedouville, the French representative in Petersburg, was ordered to leave the Russian capital 59.

57 Russian Historical Society, Archives, ibid., vol. 77, p. 547-563.

58 Russian Historical Society, Archives, ibid., vol. 77, p. 593. . . . Les regrets que l'Empereur en ressent sont d'autant plus vifs qu'ils a cherché vainement à concilier l'infraction commise dans les états de l'Electeur de Bade avec les principes de justice et de droit généralement consacrés parmi les nations et qui font la base de leurs rapports réciproques. S.M.I. n'y trouve malheureusement qu'une violation pour le moins, aussi gratuite qu'elle est manifeste, du droit des gens et d'un territoire neutre, violation dont il est difficile de calculer les conséquences, et qui, si l'on venait à la regarder comme permise, réduirait à rien la sûreté et l'indépendance des états souverains de l'Empire germanique . . .

59 Russian Historical Society, Archives, ibid., vol. 77, p. 606 and following.

D'Oubril, in a note to Talleyrand on the 21st July, 1804, declared that the essential condition for the prolongation of his stay in Paris was primarily the acceptance by the French government of the following demands: 1. the evacuation by the French forces of the Kingdom of Naples and the guarantee of her neutrality; 2. immediate negotiations for the definite solution of Italian affairs; 3. compensations for the King of Sardinia; 4. the evacuation by France of the North of Germany and the resolve to respect her neutrality ⁶⁰.

These conditions being refused, d'Oubril left Paris in August, 1804, which caused a complete rupture between France and Russia.

Henceforth the aim of Russian policy was to form a coalition, and under the threat of war, to force France to accept the conditions of the coalesced powers. This was the conception of "médiation armée". In Czartoryski's conception, an alliance with England was essential as a nucleus of the great European alliance against Bonaparte. To negotiate this alliance, Novosiltzov, a member of the secret cabinet, well familiar with Czartoryski's and Alexander's ideas, was sent

⁶⁰ Russian Historical Society, Archives, ibid., vol. 77, p. 668-678.

to London, accompanied by the Abbé Piattoli ⁶¹. He received secret instructions dated 11th September, 1804, signed by Alexander and Prince Adam Czartoryski. These instructions were the logical conclusion of the ideas of international justice and equity, which can be traced in Alexander's plan of mediation between England and France (19th July, 1803) in the note of 12th May, 1804, and in that of 21st July, 1804.

The following are details of these instructions ⁶².
The Russian cabinet was inclined to combine the resources and

61 J.H. Rose, Select Despatches from the British Foreign Office Archives, relating to the formation of the third coalition against France, 1804-1805, London, Royal Historical Society, 1904, p. 60 - Despatch of J.B. Warren to Lord Harrowby, dated November 5, 1804. . . . He (Czartoryski) considered it however as a very necessary and indispensable measure that a regular system and convention should be finished between this country and Great Britain and Sweden; which should be on a liberal plan to insure the independence of the rest of Europe from the ambition of Bonaparte and to oblige him to evacuate the countries already stated in the Russian ultimatum and that with this view and to explain the Emperor's real sentiments and intentions to his Majesty as well as to finish and conclude any such arrangement and convention, M. de Novosilsoff had been sent from hence with full powers to state these particulars to the British Ministry and to act with Count Woronzow that no further time might be lost in so important an affair, and that our government might have it in their power to come to a full explanation and conclusion upon these several points without which every state would be preparing a system of defence for itself and of private interest, and Europe be entirely lost in detail . . .

62 A. Czartoryski, ibid., vol. 2, p. 27-45.

forces of Russia with those of Great Britain, on the condition that they would be employed for a really useful and beneficial object. The first object of an understanding, and an absolute condition of intimate and cordial union between Russia and England, was to deprive France of the monopoly on the idea, which France managed to promulgate, that her cause was the cause of national liberty and prosperity of all the nations.

Il serait honteux pour l'humanité qu'une cause aussi belle dût être considérée comme le propre d'un gouvernement qui ne mérite sous aucun rapport d'en être le défenseur; il serait dangereux pour tous les états de laisser plus longtemps aux Français l'avantage marquant d'en conserver l'apparence. Le bien de l'humanité, l'intérêt véritable des autorités légales, et la réussite de l'entreprise que se proposeraient les deux puissances, exigent qu'elles arrachent aux Français cette arme formidable, et qu'en se l'appropriant elles la fassent servir contre eux-mêmes . . . Répugnant à faire rétrograder l'humanité, je voudrais que les deux gouvernements convinssent entre eux que loin de prétendre rétablir dans les pays qu'il faudra affranchir du joug de Bonaparte, d'anciens abus, et un état de choses auquel des esprits qui ont goûté des formes de l'indépendance ne pourraient se faire, on s'efforcera au contraire de leur assurer la liberté fondée sur ses véritables bases. C'est sur ce principe qu'il faut, selon mon idée, que les deux puissances agissent, et leur conduite, leur langage, leurs proclamations devraient y être constamment conformes.

Before the liberation of France, Czartoryski wrote, the countries oppressed by her should be liberated first, and their future should first be considered. The safety of Europe requires that the King of Sardinia should be restored to the throne and to his possessions, and his share of

territories in the rearrangement of Italian affairs should be as large as possible. But by restoring him and increasing his dominations, the two powers would be justified in jointly urging him to give his people a free and wise constitution. By making this promise, and carrying it out, the King of Sardinia would help himself and would be useful to the common cause.

Another essential interest for the safety of Europe is the existence of Switzerland. This country should be given a defensive frontier, and its position strengthened with regard to other powers, in order that its neutrality would be respected. The Swiss government ought to be based on local requirements and on the wishes of the people.

The same principles should be applied to Holland, where, before a form of government is decided upon, the national character and wishes of the people should be impartially considered. "Si le rétablissement d'un stathouderat héréditaire est trouvé nécessaire avec un pouvoir convenablement limité, les deux puissances s'entendront sur le choix de la famille que l'on y destinerait, lequel pourrait tomber sur quelque prince d'Allemagne, qui aurait droit à notre intérêt particulier, et sur les sentiments duquel on pourrait compter, - ou bien servir d'offre à l'un des membres des maisons de Prusse ou de Danemark, afin d'engager l'une ou l'autre de ces puissances suivant les

circonstances à agir de concert avec nous, - ou bien enfin deviendrait une compensation pour des cessions faites autre part dans l'arrangement des affaires générales". (The suggestion of compensation for Prussia for eventual loss of the Polish territories).

With regard to France, - England and Russia, after their successes abroad, and by professing just and liberal principles to inspire general respect and confidence, should declare to the French nation that their efforts were not directed against her, but only against her government, which was tyrannical for France and for the rest of Europe; that the object of the allies would be to deliver the countries oppressed now by France, to emancipate France from despotism and to make her free to choose any government she herself might prefer. Even considering that, for the good of Europe and of France, the constitution should be monarchical, any proposal to that effect should be made by the nation itself, and the rôle of the allied powers should be confined only to suggesting it. The two cabinets (Russia and England) would have to come to an understanding as to the individual and the family who might be called upon to reign in France, and to the conditions to which this person should subscribe, the most essential of which would be the submission to the constitution adopted by the nation.

Regarding the different forms of governments which should be established in those various liberated countries "les principes sans doute devront être partout les mêmes, et c'est de quoi il faudrait avant tout convenir. Partout ils doivent être fondés sur les droits sacrés de l'humanité, produire l'ordre qui en est la suite nécessaire; partout le même esprit de sagesse et de bienveillance doit diriger les institutions. Mais l'application des mêmes principes pourra varier selon les localités, et les deux puissances, pour s'entendre à cet égard, aviseront aux moyens de se procurer sur les lieux des données justes, impartiales et détaillées, auxquelles on puisse ajouter foi".

Following such a line of conduct, by tearing off the masks worn by governments which for their selfish aims alternately have recourse to despotism and to anarchy; and by carefully separating their aims from those of the people over whom they tyrannise, Russia and England may hope for the sincere assistance and cooperation of these peoples, and create a general enthusiasm for the good cause which they are supporting.

Outre que les principes sur lesquels je propose à l'Angleterre un concert intime doivent être considérés comme étant le véritable et peut-être le seul moyen pour parvenir à restreindre la puissance française dans ses justes limites, ils contribueront aussi singulièrement à fixer sur des bases solides et durables la tranquillité future de l'Europe. Il me semble évident que ce grand but ne pourra être regardé comme atteint que lorsqu'on parviendrait

d'une part à attacher les nations à leurs gouvernements, en rendant ces derniers capables de ne se conduire que pour le plus grand bien des peuples qui leur sont soumis, tandis que de l'autre on fixerait les rapports des Etats entre eux sur des règles plus précises, et qu'il serait de leur intérêt de respecter.

These objects, of attaching the nations to their governments and of fixing the relations of the various states on more precise rules, could be attained when the interior social order in the states would be based on reasonable liberty; and when the law of nations, which regulated the relations of the European community, would be established upon its veritable principles.

Au moment où l'influence des deux gouvernements, qui deviendraient les sauveurs de l'Europe, serait parvenue au plus haut degré de consistance et de force, faudrait-il ne pas s'en servir pour affermir et perfectionner l'ouvrage, que je suppose alors presque achevé? L'union sans doute qui aura rendu du possibles de si grands avantages, doit durer pour les conserver et les augmenter, s'il est possible. Rien n'empêcherait qu'à la suite de la paix on ne s'occupât d'un traité qui devienne la base des relations réciproques des Etats européens. C'est ce qui doit même nécessairement arriver au moment de la pacification générale, si l'on réussit à ne pas permettre les paix partielles, objet auquel les deux puissances seront éminemment intéressées à employer leurs soins les plus suivis.

At the time when the treaty of Westphalia was negotiated, the aim of the negotiators was more or less similar, but time was not enough advanced, and that treaty - though considered for a long time as the code of modern diplomacy - failed to satisfy the hopes and expectations of humanity.

Ce n'est point le rêve de la paix perpétuelle qu'il s'agit de réaliser; cependant on se rapprocherait sous plus d'un rapport des résultats qu'il annonce, si dans le traité qui terminerait la guerre générale on parvenait à fixer sur des principes clairs et précis les prescriptions du droit des gens. Pourquoi ne pourrait-on pas y soumettre le droit positif des nations, assurer privilège de la neutralité, insérer l'obligation de ne jamais commencer la guerre qu'après épuisé les moyens qu'une médiation tierce peut offrir, avoir de cette façon mis au jour les griefs respectifs, et tâché de les aplanir? - C'est sur de semblables principes que l'on pourrait procéder à la pacification générale, et donner naissance à une ligue dont les stipulations formeraient, pour ainsi dire, un nouveau code du droit des gens, qui, sanctionné par la plus grande partie des Etats de l'Europe, deviendrait sans peine la règle immuable des cabinets, d'autant que ceux qui prétendraient l'enfreindre risqueraient d'attirer sur eux les forces de la nouvelle union.

Après tant d'alarmes, après avoir ressenti les inconvénients d'une indépendance précaire ou illusoire, la plupart des gouvernements voudront probablement appartenir à une ligue qui leur garantirait au plus haut point leur tranquillité et leur sûreté; les Etats surtout du second ordre s'y rattacheraient de coeur et d'âme. Si l'on considère en outre que plusieurs d'entre eux porteraient dans leur propre régime le germe de la tranquillité, et un remède contre la marche violente du pouvoir arbitraire, que les lumières, l'exemple et la pente qu'y donneraient la Russie et l'Angleterre, répandraient de plus en plus cet esprit de sagesse et de justice, on peut raisonnablement espérer que l'Europe jouirait alors pour longtemps d'un état de paix et de prospérité comme elle ne l'a jamais éprouvé; mais c'est surtout le lien intime des cours de saint-Petersbourg et de Londres qui garantirait la durée de cet état de choses. Ces deux puissances sont les seules en Europe qui pour maintes années ne sauraient avoir aucune jalousie, aucun intérêt contraire, et leur union pouvant être durable, sera par là même la plus propre pour empêcher que la paix ne soit troublée à l'avenir.

To consolidate such an arrangement and to assure the well-being of the states, and particularly the happiness of

every nation, the most appropriate frontiers should be given to the different countries. First, they should be as nature herself indicated; either the chains of mountains, the seas, or the openings given to each country for the products of the soil and industry. It would be necessary to compose every state of the homogeneous populations which could agree among themselves and with their governments. By these means, the natural balance in Europe, the absence of which was the cause of the continual upheavals, would be restored. How far that aim could be realized after the general pacification, it is difficult to say. The issue in this respect depends on many factors. "Cependant on peut dès à présent convenir qu'il est nécessaire de renforcer autant que possible les Etats du second ordre, afin qu'ils soient capables de soutenir un premier choc, et d'attendre les secours que les puissances protectrices et les autres membres de la ligue, dont ils feraient partie, pourraient leur donner".

It is clear, Czartoryski continued, that the existence of the very small states would not be in accordance with the proposed aim. Not having any intrinsic force, they would be the object of bait and ambition, without helping the general well-being. It would be possible to find a remedy for this inconvenience by uniting them with the greater states, or by forming federal unions among the small states. The necessity of containing France and of creating the counter-weight

against Austria and Prussia required that these considerations should not be forgotten with regard to Italy and especially Germany.

The actual position of Germany is not compatible either with the welfare of the German nation or of Europe. Should then, Czartoryski queried, Austria and Prussia be permitted to absorb part of Germany, and, from what would be left, to create a third great state in the midst of Germany? Such a measure would involve too much injustice towards the princes of the Empire. Could then a more intimate union be established in the form of a more centralized federal government among the various states of the German empire, and, if so, could the Austrian and Prussian monarchies, whose two unequal forces destroyed the balance, be excluded? Those are questions that should be considered when deciding the settlement of Germany.

Having reached agreement regarding the main principles, Czartoryski continued, Russia and England would be able to influence the others, who would co-operate in common military action. With regard to Austria, her dependence upon the subsidies from England and the aid of Russia in the approaching war would facilitate the task. It would be more difficult to induce Prussia to enter into the concert against France. Perhaps it would be preferable to force her to act either for or against rather than to remain neutral.

Where the Turkish empire is concerned, the destiny of which would influence the rest of Europe, the two powers should take into consideration its weakness, its anarchy, and the discontent of its Christian subjects, which elements are contrary to the above-mentioned principles, and consequently they should make arrangements in conformity to the well-being of humanity and to the precepts of sound policy. How far these arrangements should go would depend on the actual situation. However, if Turkey joined France in the coming struggle and, as a consequence, the existence of the Turkish empire in Europe was found to be impossible, both powers would agree as to the future of its different parts. As long as the Turkish government could be preserved in Europe, it would be necessary to retain its confidence, but, even so, the above-mentioned considerations should be kept in mind, especially before deciding upon the renewal of the treaty of alliance which Turkey already proposed to both powers. In consenting to this, there should at least be secured a better existence for the Christian population suffering under Turkish domination. And accepting as a principle the existence of this effete empire, both powers should endeavour to derive at least some advantages for the common cause, such as the breaking of relations between Turkey and France, which would affect seriously the actual position of France. The arrangement concerning Turkey should dovetail into the plan to be adopted.

It would also be appropriate, Czartoryski continued, to foresee certain advantages for both powers as recompense for this expensive struggle and as proof to their respective nations that their national interests had not been forgotten. Russia, especially, would have the right to such recompense as an equivalent for the gains which her neighbours - Austria, Prussia, and Sweden - would obtain as recompense for their part in the common struggle. Another reason for such provision is that the tranquillity of Europe could be conserved only by means of a league, formed under the auspices of Russia and England, which would be joined by the secondary powers and by all who really would desire to remain in peace. This league of states would keep in order those who might wish to infringe upon it. Therefore, to give this league a real consistency, both protecting powers - Russia and England, ought to conserve some degree of preponderance in European affairs, for they would be the only ones invariably interested in order and justice in Europe, and by their union would be able to maintain them. Being free from desires and cross interests, they would never disturb this tranquillity ⁶³.

63 A. Czartoryski, *ibid.*, vol. 2, p. 41. Une dernière considération vient à l'appui de ce raisonnement, c'est que la tranquillité de l'Europe ne pourra être conservée qu'au moyen de la ligue qui se formera sous les auspices de la Russie et de l'Angleterre, à laquelle se rattacheront tous les états du second ordre et tous ceux qui désireront réellement rester en paix. Cette ligue tiendra en respect ceux qui prétendraient la troubler. Or, pour qu'elle ait une consistance réelle, et qu'elle ne trompe pas dans ses résultats, il faut que les deux puissances protectrices conservent un certain degré de prépondérance dans les affaires de l'Europe, car elles sont les seules qui par leur position sont invariablement intéressées à ce que l'ordre et la justice y règnent, les seules qui par leur union peuvent les maintenir, et qui, étant libres de désirs et d'intérêts croisés, ne troubleront jamais cette heureuse tranquillité.

Among the important points of this negotiation, Czartoryski further pointed out, the most difficult would be the acceptance by England, after the reestablishment of order and justice in Europe, of the convenience of, and necessity for, making some change in her maritime code. Some concession on this point, without really damaging the commerce of England or her preponderance on the seas, would allay the fears and mistrust of the neutral states and attach them to Great Britain.

Such is the résumé of the essential points of this secret instruction. The other details, concerning the technique of the projected negotiation, were left to Novosiltzov's judgment as was the choice of the manner of presenting the Russian aims to the British government and the conduct of negotiation.

As a first comment on this scheme, one should say that it was the combination of Czartoryski's idea of a harmonious structure of Europe based on justice and equity, where Poland could find again her place, - with the Russian desire to increase Russia's influence in Europe by protecting this new international structure jointly with England, but also, by procuring Russia's preponderance in the Balkans and by the eventual destruction of the Turkish empire, and by forcing England to change her maritime practices, to assure exclusively for Russia the dominating influence in Europe.

This second aspect was accentuated in a memorandum drawn up by Prince Adam Czartoryski in 1804 presenting a plan for the rearrangement of Europe in the event of the coalition which was then projected against Napoleon proving successful. This document was entitled: "Article pour l'arrangement des affaires de l'Europe à la suite d'une guerre heureuse (1804)"⁶⁴.

The details of this plan were as follows:

Austria would obtain Bavaria, Tyrol and a new frontier adjacent to Venetia and Dalmatia.

Le Piémont sera rendu au roi de Sardagne avec Gênes et une partie de la Lombardie, ce qui formera une puissance intermédiaire et respectable, qu'il est de l'intérêt de la Russie de consolider autant que possible; le même intérêt existe pour le royaume des Deux-Siciles rendu à son souverain légitime.

Prussia would obtain in the North of Germany the territory of the Grand-Duchy of Berg, the Duchy of Mecklenburg, Fulda, and Anspach; Sweden would also receive a new principality in Germany. France would retain as frontier the Alps and the Rhine up to a certain point to be specified later. Holland with a part of the Austrian Netherlands returned to her would again become a Republic with a hereditary stathouder. The independence of Switzerland would be guaranteed.

64 A. Czartoryski, *ibid.*, vol. 2, p. 62-66.

Tous les pays de l'Allemagne qui n'auront pas été englobés par l'Autriche et la Prusse, formeront l'empire germanique, masse intermédiaire entre la France, l'Autriche et la Prusse, et à laquelle fédération de la Suisse et la Hollande prendront part. L'empereur de Russie, prenant le titre de roi de Pologne, aura tous les pays qui appartenaient à la Pologne avant le premier partage, avec le pays appelé royaume de la Prusse, de manière que cette nouvelle frontière ira depuis Danzig jusque vers les sources de la Vistule et de là en longeant les karpacks jusqu'aux sources du Dniester.

In a note regarding the preceding part of the memorandum, Czartoryski explained that the above-mentioned compensations regarding Austria and Prussia would be sufficient to compensate those powers for the cessions of the Polish territory they would make to Russia. If necessary, Austria could find additional compensations in Italy; and Prussia (if England consented) could be offered the Kingdom of Holland. However, Czartoryski added, it is desirable for the general good, that these additional compensations should be avoided.

Si l'on y parvenait, nous aurions après la paix cinq grandes puissances en Europe: la Russie, l'Angleterre, la France, l'Autriche et la Prusse, entre lesquelles la Russie et l'Angleterre ayant les mêmes intérêts et les mêmes vues resteraient probablement unies; les trois autres pourraient difficilement s'allier ensemble pour rompre l'équilibre établi, mais leur politique demanderait à être surveillée et tenue en respect.

En outre, il y aurait trois masses considérables de contre-poids intermédiaires dont chacune aurait sa fédération particulière, savoir: l'Espagne et le Portugal, - l'Italie, - l'Allemagne proprement dite. Ces trois masses auraient le plus grand intérêt à s'attacher à la Russie et à l'Angleterre et à

soutenir leur influence, comme aussi il serait de l'intérêt de ces deux puissances de les défendre et de les consolider. Dans un arrangement de l'Europe comme nous le concevons, la Russie aurait donc une prépondérance marquée dans les affaires, et qui serait d'autant plus sûre que la France et l'Angleterre se disputeraient alors son amitié.

Regarding Turkey, Czartoryski continued, that it would, perhaps, be best to leave her for the time being in her present condition, except with regard to the proposed changes in Serbia, the reunion of Cattaro to Montenegro, and the Ionian Republic.

S'il était jamais question de décider définitivement du sort de l'empire ottoman en Europe, les puissances qu'il faudrait contenter ne devraient obtenir que des établissements, des postes, des arrondissements, qui pourraient leur convenir; mais la masse des pays turcs en Europe devrait être partagée en Etats séparés, gouvernés d'après les localités et liés par une fédération commune, sur laquelle la Russie pourrait s'assurer une influence décisive et légale au moyen du titre d'empereur ou de protecteur des Slaves et d'Orient qui serait décerné à Sa Majesté Impériale . . . Au reste, la part que les Russes auraient prise à la délivrance de ces pays, une même religion, une même origine, le choix habile des postes qui seraient occupés par nos troupes et une politique bien entendue établiraient de soi-même cette influence.

L'Autriche, s'il fallait obtenir son assentiment, pourrait avoir la Croatie, une partie de la Bosnie, et de la Valachie, Belgrade, Raguse, etc. La Russie aurait la Moldavie, Cattaro, Corfu et surtout Constantinople et les Dardanelles avec des ports rapprochés qui nous y fassent dominer. On offrirait à la France et à l'Angleterre quelques îles dans l'Archipel ou des établissements en Asie et en Afrique.

Analysing the secret instructions given to M. Novosiltzov and the "Article pour l'arrangement des affaires de l'Europe", we can see the skeleton of the international

structure projected by Czartoryski.

The principal aim of the whole scheme was to restrict the French power within its just limits and to establish the future peace of Europe on a solid and permanent basis.

The realization of this aim was projected by the following means:

- I. The internal consistence of states.
 1. The states restored to independence should be assured of social order, well-being, and harmony between governments and subjects by means of constitutions, which would guarantee national liberties and public institutions based on the wise liberties and rights of humanity.
 2. The states should be composed of homogeneous populations which would harmonize amongst themselves and their governments.
- II. The external position of states in the system of equilibrium.
 1. The eventual aggressors (France, Prussia, Austria,) should be separated and isolated from each other and counterbalanced by strong and peace-loving states such as the Iberic Federation, Federation of Italy, and Federation of Germany proper, which would eventually be federated with Switzerland and Holland.
 2. The states, apart from internal consistence, should be assured of adequate external strength (to sustain the first shock of the aggressor when waiting for the help

of the league and of the two allied powers, Russia and England) by:

- a. strategical frontiers, such as rivers, chains of mountains, seas, and openings for the products of their soil and industry;
- b. the enlargement of their territories and the eventual creation of the federative unions among the small states connected with each other by national and cultural affinities, or geographical position;
- c. close political co-operation with England and Russia.

III. The international organization; the league of states and the code of international law.

1. At the end of general war, the treaty of peace should fix the prescriptions of international law on clear and precise principles, such as, the submission of the positive law of the particular countries to international law, the respect of neutrality, the obligation to accept the mediation of the third states before starting hostilities.

2. The creation of a league of states, which would guarantee to its members peace and security, and whose stipulations would form a new code of international law based upon the principles enumerated above. The state

which would intend to infringe upon this code would have against it the forces of all the members of the league.

IV. The close alliance and co-operation between Russia and England as a protection for the whole European structure.

1. To assure to the league of states, created under the auspices of Russia and England, a real consistency, these two powers as protectors should conserve a degree of preponderance in European affairs.

The striking characteristic of the whole scheme was the combination of the internal consistency of states with the external system of the balance of power, in conjunction with a system of international organization in the form of the league of states, in addition to the specific rôle of Anglo-Russian alliance.

The whole plan was not directed against the system of balance of power, but was based on it. The internal structure of states was to form the organic part of the international structure. The political system of balance and the close alliance between England and Russia were the essential factors to assure respect for the projected international organization, international law, and peace and order. Starting from the old system of balance of power and basing his plans on it, Czartoryski intended to promote international co-operation in the frame of a league of states,

which could better fulfil its obligation backed by balance of powers and especially by cooperation between England and Russia.

The weakness of the proposed plan of European reconstruction was that, in order to make his scheme acceptable to the Russians, Czartoryski had been obliged to make concessions to Russian nationalism. In short, Czartoryski was trying to conciliate two conflicting ideas: a harmonious structure of Europe composed of independent states and cooperating in the league of states under the supremacy of international law with the Russian desire to possess an exclusive preponderance in European affairs. Such a combination was best suited to Alexander: to profess generosity and liberalism while at the same time to increase the weight of Russia in Europe. Alexander proposed to England to share with her the rôle of ultimate arbiter in Europe. While intending to increase Russia's power by acquisitions in the Balkans and by her dominating influence there, and by taking the title of King of the restored Kingdom of Poland, he simultaneously intended to weaken England by inducing her to accept changes in her maritime code. In this way England, being formally with Russia, the ultimate protector of the European organization, might in reality merely have to follow the Russian lead. The acceptance of such position by England was hardly to be expected.

CHAPTER V

PITT'S PROPOSALS

The declaration of war by England against France on 18th May, 1803, brought to an end Addington's administration. It became obvious that William Pitt was the only man to lead England in this renewed struggle against Napoleon. On 23rd May, 1803, in a speech in the House of Commons, Pitt thought to inspire Parliament and the nation and gave the government his support for the war policy ¹. However, it took one year of negotiations between Pitt, King George III, and the Whig opposition leaders before Pitt, faced with the King's refusal to approve a coalition government which would include Fox and Grenville, renounced his idea of forming such a coalition government and eventually replaced Addington to lead the Tory administration. On May 10th, 1804, Wm. Pitt, after an interval of 3 years, became Prime Minister of England ².

The fact that the destinies of England were entrusted again to the son of Lord Chatham invigorated the opposition

1. J.H. Rose, William Pitt and the Great War, London, G. Bell and Sons, Ltd., 1911, p. 487, 488.

2. Earl Stanhope, Life of the Right. Hon. William Pitt, London, John Murray, 1862, vol. 4, p. 176.

of main European courts to Napoleon's policy of aggrandizement³. English foreign policy under Pitt's direction became more firm and active and it was natural that sooner or later it would have to search actively for continental alliances to be able to face Napoleon on European battlefields. As a similar tendency animated Russian policy led by Alexander I and his foreign minister Czartoryski, the political alignment of these two countries became only a matter of time.

The initiative in this respect came from the Russian cabinet. On June 26th, 1804, Count Simon Worontzov, Russian ambassador in London, made oral overtures to the British government "respecting a general concert of the European Powers". Following that interview, Pitt's minister of Foreign affairs, Lord Harrowby, sent the same day (June 26, 1804) a long despatch to Admiral J.B. Warren, British ambassador in St. Petersburg, stating the unlimited trust of George III in Tsar Alexander and urging that steps be taken at once to come to understanding with Austria and, if possible, with Prussia⁴. Also, Lord Harrowby promised pecuniary aid to Austria, Prussia and Russia, if they would enter into alliance. He suggested two and a half millions

³ Armand Lefebvre, Histoire des cabinets de l'Europe pendant le Consulat et l'Empire, 1800-1815, Paris, Amyot, 1866-69, vol. 2, p. 176.

⁴ John Holland Rose, Napoleonic Studies, London, G. Bell and Sons, 1904, p. 65, 65.

sterling for Austria, a million for Prussia and a million for
Russia⁵ .

Admiral J.B. Warren, in his despatch to Lord Harrowby, dated 24th July, 1804, reported Czartoryski's comments regarding the British proposals of 26th June, 1804. He mentioned Czartoryski's opinion that, in forming such an extensive alignment of powers, "it would be necessary to define the objects and points on which a solid peace might be established". Also viewing the eventuality of war, Czartoryski pointed out that the details of the military campaign and the future political arrangements, particularly regarding various parts of Italy and the interests of the Emperor of Germany, the King of Sardinia, and the King of Naples might be considered beforehand⁶ .

On the night of October 24, 1804, Sir Horace Rumbold, the British ambassador at Hamburg, was seized by French troops in the territory of Lower Saxony of which Frederick William, King of Prussia, was Director. Rumbold was taken to

5 Sir Arthur Paget, The Paget Papers; Diplomatic and other correspondence of the Right Hon. Sir Arthur Paget, G.C.B., 1794-1807, edited by Sir Augustus B. Paget, London, W. Heinemann, 1896, vol. 2, p. 135.

6 John Holland Rose, Select Despatches from the British Foreign Office Archives, relating to the Formation of the Third Coalition against France, 1804-1805, London, Royal Historical Society, 1904, p. 24.

France ⁷. This incident, recalling to a certain extent the incident of the Duc d'Enghien, served Pitt as an opportunity to press the matter of an offensive alliance with Russia.

On November 5th, 1804, Lord Harrowby sent a despatch to Lord G.L. Gower, who replaced Admiral Warren as British ambassador in St. Petersburg, in which he urged the necessity of coming to a definite arrangement with Russia. He wrote:

It is not however by any means the will of his Majesty to induce the Court of Petersburg to abandon at once its system of moderation, and to bring its armies into action at a season of the year ill-calculated for exertion, and before any plan has been arranged, by which the co-operation of either of the great German Powers has been secured. But you cannot press too earnestly the absolute and urgent necessity of employing the interval of winter, in endeavouring by more precise explanation and more distinct overtures, to procure at least a defensive concert, and particularly in bringing the negotiations with the Court of Vienna to a point . . . ⁸

Also Lord Harrowby stressed the importance of bringing Prussia into a projected coalition against France, and he pointed out that, without the cooperation of Prussia, the liberation of North Germany and Holland from the French armies would present a most difficult task.

It is interesting to note that the Russian government also desired at that time to come as soon as possible into

⁷ John Holland Rose, The Life of Napoleon I, New York, the Macmillan Co., 1902, vol. 2, p. 3.

⁸ J.H. Rose, Select Despatches, *ibid.*, p. 56.

definite alliance with England. In August, 1804, a decision was made to send Mr. Novosiltzov to London to negotiate such alliance. The secret instructions which he received and which contained Czartoryski's plans of coalition against Napoleon and of the reconstruction of Europe were dated September 11th, 1804⁹. On the November 5th, 1804, (the same date as Lord Harrowby's despatch mentioned above) Admiral Warren, in his last despatch from St. Petersburg, before being replaced by Lord Gower, reported his talks with Czartoryski in which the latter stressed the necessity to conclude a regular treaty between Russia, England and Sweden, and at the same time he announced Novosiltzov's mission to London to negotiate the treaty of alliance¹⁰. Two days later in his first despatch, Lord Gower reported to Lord Harrowby the following:

No official communication could pass between his excellency (Czartoryski) and myself till I had been presented to the Emperor, but I had a great satisfaction in finding from the confidential conversation which took place between us, that the disposition of the Court of Petersburg to enter into a vigorous system of active co-operation against the power of France seemed to be still stronger than there was any reason to expect, from what had been communicated to the Court of London by the Russian Government. . . 11

9 See pages 169 and following.

10 See the despatch of Admiral Warren quoted on page 168.

11 J.H. Rose, Selected Despatches, ibid., p. 62, Lord G.L. Gower to Lord Harrowby - St. Petersburg, November 7, 1804.

Novosiltzov arrived in London by the end of 1804, provided with secret instructions of 11th September, 1804 to negotiate the alliance with Pitt. His report on the negotiations with Pitt can be found in Czartoryski's Memoirs ¹².

At first, in his conversations with Pitt, Novosiltzov wanted to find out the general opinion of Pitt regarding "les principes que dans l'état présent de l'Europe une coalition (au cas qu'il soit possible de la former) aurait à suivre pour qu'elle puisse . . . parvenir à rétablir l'équilibre, faire rentrer la France dans ses anciennes limites et asseoir la tranquillité générale de l'Europe sur des bases solides et stables . . ."

After having found a similarity of opinion between Alexander I and Pitt on this subject, Novosiltzov proposed to review the whole problem in a more systematic and orderly way. Following this course, Novosiltzov presented Czartoryski's plan in the following way:

The aim of the contemplated agreement would be the restoration of equilibrium in Europe and the establishment of Europe's safety and tranquillity on a more solid basis.

This general aim might be divided into three distinct objects, which would be also the periods through which the

12 Adam Jerzy Czartoryski, Mémoires du prince Adam Czartoryski et correspondance avec l'empereur Alexandre Ier, Paris, E. Plon, Nourrit et Cie, 1887, vol. 2, p. 45-56. Papiers relatifs à la mission de M. de Novosiltzov à Londres.

coalition, formed as a consequence of the projected convention between England and Russia, should pass in order to achieve the above-mentioned aim. These objects Novosiltzov described as follows:

. . . Le premier objet . . . est celui de faire entrer la France dans ses anciennes limites, ou toutes autres qui paraîtront convenir le mieux pour la tranquillité de l'Europe.

Le second, celui de mettre les barrières naturelles à l'ambition de Bonaparte, lesquelles maintenant la France dans ses limites, s'opposeraient à son aggrandissement futur.

Le dernier est celui de consolider l'ordre des choses, qu'on établirait à cet égard par une alliance de plus intime, faite à perpétuité entre la Russie et la Grande-Bretagne, par un pacte qui serait formé entre ces deux puissances, les pays qu'elles délivreraient du joug de la France, et tous autres qui voudraient se joindre à elles, pour le maintien de cet état de choses, que la conservation de l'équilibre rend aussi indispensable.

Afterward, Novosiltzov proposed the following means for attaining these objects.

As to the first object: a) to oppose against the common enemy as large a force as possible; b) to employ that armed force in the most advantageous manner; c) to reduce the enemy's strength to the utmost possible extent.

Regarding the employment of large forces, Novosiltzov elaborated, this might be the result of a coalition against Napoleon, formed after the previous agreement relating to the principles of action between England and Russia had been concluded. Once such an agreement was concluded, both powers would endeavour to make Austria and Prussia join the

coalition. If such an effort should prove futile, England and Russia would try to secure the accession of at least one of them, as well as the accession of Turkey, Sweden and eventually Denmark. The condition sine qua non of that coalition should be that neither of the coalesced powers could make a separate peace. Great Britain, besides pecuniary subsidies, would provide the means of sea transport and also a land army.

Regarding the employment of these large forces in the most advantageous manner, Novosiltzov continued, it would be necessary to make an agreement between both cabinets as to the points of attack, the best plan of military operation, and the means of preserving amongst the combined armies the unity of purpose and the best possible harmony in all military operations.

Regarding the reduction of the enemy's strength to the utmost possible extent, this would lie chiefly in the liberation of Holland, Switzerland, and Italy from their enslavement by France, and their employment for their own defence as part of the coalition. The conduct of the coalesced powers should be such as would inspire the confidence of the above-mentioned countries that England's and Russia's intentions were pure and without personal profit. It should also be such as to gain the confidence of the French people, who, as a consequence, might introduce salutary changes in their government, thus making the task

of coalition easier.

At this point, according to Novosiltzov, Pitt emphasized the necessity of Prussia's participation in the projected coalition. He mentioned various means to induce Prussia to join the coalition. Novosiltzov in his turn pointed out "que le principe auquel Sa Majesté Impériale (Alexander) croyait devoir se tenir dans les offres que l'on ferait était celui de n'accorder que ce que l'on ne saurait éviter à faire, afin de ne pas retomber dans le défaut des premiers temps, où tous les efforts que l'on faisaient étaient attribués uniquement au désir de profiter d'un démembrement général".

Afterwards, Novosiltzov proceeded with the explanation of the means to achieve the second object, that of placing natural barriers against the ambitions of Bonaparte, which would contain France within her limits and prevent her aggrandizement. In this regard he said that the Emperor of Russia thought "que le moyen qui paraît mériter le plus de confiance, le seul sur lequel on puisse compter", might be the surrounding of France with states at least strong enough not to fear the first onslaught of invasion, and thus their independence could, to a degree, be respected. Therefore, the conditions of Holland, Switzerland, and Italy should be improved and their territories augmented. Special attention should be given to Germany.

. . . L'Allemagne, l'ancienne association germanique, qui dans sa situation présente, divisée en tant de petits états qui n'ont presque plus d'union, faisant un contraste aussi frappant avec ce but, est un objet qui, sous le même rapport, doit également attirer l'attention la plus sérieuse des deux cours . . .

The strength and the respect of these countries, thus restored to independence, would be increased by introducing a good government "fondé sur des principes justes et équitables, qui, attachant les individus à leurs pays et aux autorités légales dissipent en même temps les partis qui les déchirent". These principles should be the same everywhere, but the mode of their application might vary according to localities, circumstances and the particular desires of nations.

Finally, Novosiltzov continued, the third object (the consolidation of the established order) would be achieved by the beneficial influence exercised through the permanent alliance between Russia and England and by a pact formed by England and Russia and other nations to maintain the reestablished equilibrium; then international law could be fixed on clear and precise principles, and it could be considered to what extent the particular laws of the various states could be submitted to international law ¹³.

¹³ A. Czartoryski, Mémoires, *ibid.*, vol. 2, p. 54. . . .
 . Enfin, pour atteindre le dernier objet, qui est celui de consolider cet ordre de choses par l'influence heureuse que peut avoir une alliance sans terme entre la Russie et l'Angleterre, une alliance que rien ne saurait rompre, qu'un changement total de système et de principes de part ou d'autre, Sa Majesté croit qu'une fois qu'on parviendrait au point dont il est question, les moyens se trouveraient d'eux-mêmes. Le pacte dont il a été question plus haut serait provoqué par l'intérêt et la sûreté des nations mêmes qui se trouveraient libérées. Il ne resterait donc alors qu'à fixer sur des principes clairs et précis les prescriptions du droit des gens, et à voir jusqu'à quel point on pourrait y soumettre le droit positif des nations.

In a supplementary memorandum handed to Pitt, the question of the eventual reestablishment of the Bourbons in France, and the conditions which they would be obliged to accept, were treated according to instructions received¹⁴.

In Novosiltzov's presentation of Czartoryski's plan to Wm. Pitt, there could be noticed an essential difference by comparison with the instructions he had received. For Czartoryski, the eventual fighting of Napoleon and the reestablishment of political equilibrium were the means of achieving the main aim, which was the establishment of future peace and international relations on a new, solid and permanent basis. Reestablished equilibrium in Europe should help to secure the creation of a new international spirit in the framework of a league of states. According to the manner in which Novosiltzov presented this idea, the main aim of the agreement would be to defeat Napoleon and to reestablish the balance in Europe; there was no mention made of the league of states as conceived by Czartoryski. The idea of the league of states with its own stipulations and with special obligations of the members towards each other, was replaced by Novosiltzov by a conception of a pact formed by Russia and England (apart from their mutual alliance), and the countries liberated from the yoke of France, and any others

14 See page 171.

who might join them, - with a view to maintaining the re-established European equilibrium. Novosiltzov reduced the more general aspect of the plan to the problem of fighting and defeating Napoleon and of returning to the old system of balance with some eventual guarantees for the maintenance of the reestablished equilibrium.

Czartoryski was disappointed with the way in which Novosiltzov accomplished his mission. In his Memoirs, commenting on that mission, Czartoryski wrote:

M. de Novosiltzow ne s'acquitta pas d'une manière convenable de cette importante mission; elle exigeait beaucoup de prudence, de réserve, mais aussi une grande fermeté à suivre les instructions qui lui avaient été données. Il balbuta à peine les conditions auxquelles nous attachions la plus grande importance, ne prononça pas le nom de la Pologne et ne fit aucune mention de l'état précaire de l'Europe, état causé par des iniquités qu'il fallait redresser¹⁵.

Incidental to the conversation between Pitt and Novosiltzov, we would like to draw attention to one interesting detail. Earl Stanhope in his *Life of Wm. Pitt*, vol. 4, reproducing some personal notes left by Wm. Pitt regarding problems of Europe, was of the opinion that Pitt, in 1803, during a brief interval of leisure, put on paper some thoughts on this subject for further consideration. However, at least one of these notes entitled by Earl Stanhope "Germany (Papermark 1803)" bears a striking resemblance to the corresponding

15 A. Czartoryski, *ibid.*, vol. 1, p. 376, 377.

part of Czartoryski's instructions. To compare them, we shall quote both documents. In Pitt's handwriting as reproduced by Earl Stanhope:

The present situation of the German body neither good for the countries themselves nor for Europe.

Should a part of it be "englobé" by the two great Powers, or a third great State formed in the middle of Germany? This can scarce be thought of, from its injustice to so many Princes of the Empire.

Could a more concentrated Federative Government be formed out of the different states; and should not in that case both Austria and Prussia be separated from it? 16

The corresponding passage in Czartoryski's instructions:

La situation actuelle de l'association germanique est assurément peu compatible avec le bien de ses peuples et celui de l'Europe.

Faudra-t-il laisser englober une partie de cette masse par les deux puissances qui la convoitent depuis longtemps et former tout au plus au milieu de l'Allemagne un troisième grand Etat? Cette mesure serait accompagnée de tant d'injustice envers les princes de l'Empire que l'on devrait déposséder, qu'il est difficile d'y penser. Pourra-t-on jamais réussir à établir une union plus intime, une espèce de gouvernement fédératif plus concentré entre les divers Etats qui composent l'Empire germanique, et dans cette supposition ne serait-il pas désirable d'en séparer les monarchies autrichienne et prussienne, dont les forces trop disparates y détruisent tout équilibre et tout esprit de corps et de patriotisme?

Comparing these two texts we may assume that at least some of the personal notes of Pitt, which Earl Stanhope placed at 1803, were written at the end of 1804 during the talks with Novosiltzov or immediately after they took place.

16 Earl Stanhope, *ibid.*, vol. 4, p. 224, 225.

Besides the conversations Pitt had at that time with Novosiltzov, he did not neglect Count Simon Worontzov, the Russian ambassador in London. Pitt had great respect for Count Worontzov and in their conversations at that time he expressed freely his opinion about the actual European situation. As reported by Worontzov, Pitt was of the opinion that at the beginning of the 19th century, Europe lived through a similar crisis to that at the end of the 17th century. The saviour of Europe at that time was William of Orange, whose stand against Louis XIV inspired all other courts. And, Pitt continued, a new William of Orange should rise on the European continent and, looking around and considering various monarchs, he could see that only Alexander might become a second William to save Europe. He pointed out the necessity of reducing France to her ancient frontiers and surrounding her by powerful states. Also, he expressed the opinion that Napoleon by his actions, had destroyed the public law of nations. The rule of this law, he said, should be restored and protected by an association of states which might be put under the special protection of Russia and England as the treaty of Westphalia had been guaranteed by France and Sweden. A permanent alliance of England and Russia should guarantee the tranquillity of the entire world ¹⁷.

17 Despatch of Count Worontzov of January 11, 1805, referred to in F. Martens, Recueil des traités et conventions conclus par la Russie avec les puissances étrangères, St. Petersburg, A. Böhnke, 1874-1909, vol.11, p. 104.

An interesting point in this report of Worontzov is that Pitt's thoughts lingered on two great European settlements: Utrecht and Westphalia.

However, it was Novosiltzov and not Worontzov who was in charge of negotiations, and Pitt had to state His Majesty's views and sentiments as the result of the negotiations with Novosiltzov.

The official reply of the British government to the proposals of the Russian cabinet was given in a communication handed by Wm. Pitt to the Russian ambassador in London on 19th January, 1805. Before analysing in detail this important document, we might review two other documents in which Pitt had previously stated in official communications His Majesty's government's opinion regarding the problems of peace and European settlement. The actual despatches were drawn up by the ministers holding the portfolio of foreign affairs, but there is no doubt that these despatches represented Pitt's ideas, because Pitt actually steered the course of British foreign policy during the years of his premiership¹⁸.

The first of these despatches, signed by Lord Grenville on December 22, 1795, and sent to Sir Morton Eden

¹⁸ J.H. Rose, Pitt's plans for the settlement of Europe, in Napoleonic Studies, *ibid.*, p. 42, 43.

the British ambassador in Vienna, outlined the conditions of peace with France¹⁹. The first condition of peace on which the British government laid stress was a general amnesty for the royalists in the interior of France with the option either to remain in France or to settle in some other country. Secondly, Great Britain would retain certain French colonial possessions which she conquered during the war, but on the other hand she was ready to restore some of them to France to facilitate peace and general tranquillity in Europe. The third condition of peace was the settlement of the problem of the Netherlands. The conquest of the Austrian Netherlands (Belgium) by France and the abrogation of the rights of the Dutch over the navigation of the river Scheldt were the fundamental causes of the war of 1793. The cardinal point of British foreign policy since the accession of William III was to prevent France from domination over the Netherlands. Consequently, since the creation of the Batavian Republic, subservient to France, Pitt's first aim was the expulsion of the French and the creation of some barrier against eventual French expansion. The Austrian government was not very anxious to keep Belgian provinces and Joseph II wanted to exchange them for the Electorate of Bavaria. However, such a desire had met with the opposition

19 J.H. Rose, *Napoleonic Studies*, ibid., p. 44-49.

of England and Prussia. Consequently, as Prussia had deserted the coalition in 1795, Pitt, in the note of 22nd December, 1795, insisted that the Netherlands (Belgium) should be restored to Austria. And, the note continued:

. . . His Majesty is further of opinion that no other equally effectual mode could be devised of rendering those Provinces as barrier against the progress of France in that quarter, and thereby securing the general repose of Europe . . .

. . . The restoration therefore of the Netherlands to Austria and the possession of them by that Power will, it is hoped, be considered as the first object in any plan of pacification with France in Europe, to be concerted by the three Allied Powers . . . 20

Also Pitt suggested the eventual increase of that territory by adding the district of Liege and on the Dutch side the district of Maestricht ceded to France by the treaty of the Hague (May 16th, 1795). Furthermore, Austria would annex certain German lands to connect her Belgian provinces with those of Swabia and to form a barrier with a view to defending German lands against France. The Kingdom of Sardinia should be reconstructed by the recovery of Savoy from the French Republic.

Generally speaking the British peace aims that time were based on the restoration of the status quo ante bellum, except with regard to the Habsburgs' acquisition in Germany and the English acquisitions in the colonies. Those peace

20 J.H. Rose, *Napoleonic Studies*, *ibid.*, p. 47, 48.

proposals were rejected by the French Directory. By the treaty of Campo Formio (October 17, 1797), Austria ceded Belgian provinces to France and shared with France the spoils of the partitioned Venetian Republic.

The second of those despatches in which Pitt stated officially His Majesty's government's opinion regarding British aims in Europe was a despatch of November 16th, 1798, sent by Lord Grenville to Lord Whitworth, the British ambassador in St. Petersburg²¹. This despatch suggested the terms and ultimate objects of a new coalition (second coalition against France) which should be drawn up by Russia and England and submitted by the Emperor of Russia to Austria and Prussia for their acceptance. The proposals contained in this despatch were the following: 1) the conclusion of the treaty of alliance between Russia, England, Austria, and Prussia with the aim of reducing France within her ancient limits; 2) the avoiding of mutual jealousy of Austria and Prussia by limiting and defining their respective acquisitions. Consequently, Austria's views should be directed towards Italy, where she should recover her former possessions. As to Prussia, her interest in the restoration of the House of Orange had been noted and she also should be invited to explain on what territorial advantages she was

21 J.H. Rose, Napoleonic Studies, ibid., p. 54-58.

counting by joining the projected coalition; 3) the independence of Switzerland and Holland; 4) the compelling of France to renounce Savoy, the Netherlands, and to restore to the German empire those parts of Germany ceded to France by the negotiations of Rastadt; 5) in case the Belgian Netherlands could not be restored to Austria, the suggestion was to unite those provinces to the Dutch Republic under the administration of a Stadtholder, with provisions to maintain their respective civil and religious constitutions ²².

Once the agreement had been made regarding the principal features of a future arrangement, the whole plan should be guaranteed by all the four powers to each other, and they should enter into most solemn engagements not to lay down their arms until the stipulated objects of the coalition were attained ²³.

Prussia, however, did not join the Second Coalition, which collapsed by the end of 1800 owing to the jealousies of Austria and Russia and to the victories of Massena, Bonaparte and Moreau.

After having commented on those two diplomatic documents we shall proceed with the detailed analysis of the

²² Measure adopted by the Vienna settlement of 1815, however without adequate constitutional safeguards.

²³ Stipulation laid down by the treaty of Chaumont, 1814.

note of 19th January, 1805, handed by Pitt to the Russian ambassador in London; a copy of it dated January 21, 1805, was sent by Lord Mulgrave (who replaced in January, 1805, Lord Harrowby at the head of the Foreign Office) to Lord Gower, British ambassador in St. Petersburg.

John Holland Rose²⁴ was of the opinion that Pitt was entirely responsible for the ideas contained in that document and his Minister of Foreign Affairs, Lord Mulgrave, did not collaborate in it. But it is probable that he sounded out the opinion of his chief collaborators. In this respect we have evidence that at least Lord Castlereagh who held the position of Minister of War and Colonies in Pitt's cabinet was consulted by Pitt and played an important part in determining Pitt's attitude regarding the ideas expressed in the note of 19th January, 1805. To support this statement, we shall quote the following extract from a despatch sent by Lord Castlereagh in his capacity as minister of Foreign Affairs to Lord Cathcart, his representative at the headquarters of the advancing allied armies towards the French frontier in 1813²⁵.

24 John Holland Rose, William Pitt and the Great War, London, G. Bell and Sons, Ltd., 1911, p. 523.

25 Charles Kingsley Webster, British Diplomacy, 1813-1815; Select Documents dealing with the Reconstruction of Europe, London, G. Bell and Sons, Ltd., 1921, p. 2.

Foreign Office, April 8th, 1813.

. . . the main features we are agreed, upon - that, to keep France in order, we require great masses - that Prussia, Austria, and Russia ought to be as great and powerful as they have ever been - and that the inferior states must be summoned to assist, or pay the forfeit of resistance . . .

. . . As an outline to reason from, I send you, as a private communication, a despatch on which the confederacy in 1805 was founded; the Emperor of Russia probably has not this interesting document at head-quarters: (interesting it is to my recollections, as I well remember having more than one conversation with Mr. Pitt on its details, before he wrote it). Some of the suggestions may now be inapplicable, but it is so masterly an outline for the restoration of Europe that I should be glad your lordship would reduce it into distinct propositions, and learn the bearings of his Imperial Majesty's mind upon its contents.

There is no doubt that Castlereagh is referring to the note of 19th January, 1805. Also it proves that the British policy of 1814-1815 based, to a great extent, the settlement of European affairs on the premises outlined by Pitt in January, 1805.

The details of the essential points of the note of 19th January, 1805, are as follows: ²⁶

At the beginning Pitt stated that, regarding the general ideas concerning the delivrance and security of Europe and its future independence, the King and Emperor agreed entirely. In consequence, it would be desirable to

²⁶ Harold William Vazeille Temperley, and Lillian M. Penson, Foundations of British Foreign Policy from Pitt (1792) to Salisbury (1902), or Documents, Old and New, Cambridge, The University Press, 1938, p. 10-21.

C.F. Webster, ibid., appendix, p. 389-394.

enter into the "fullest and most unreserved explanations" as to form the closest union with the Emperor in order that, by their united efforts, they may secure the aid and cooperation of the other powers of the continent in proportions corresponding to their ability to take part in the great and important enterprise on which the future safety of Europe is entirely dependent". The objects of the coalesced powers, explained as the intentions of the Emperor, with which the King entirely agreed, might be:

1. to rescue from French domination the countries which that power has conquered since the commencement of the Revolution; and to reduce it to the limits by which it was bounded before the Revolution.

2. to make, in regard to the territories so taken from France, such arrangements as may at once provide for their own tranquillity and happiness and establish a barrier against the future projects of aggrandizement of that power.

3. to establish, on the restoration of peace, a system of mutual convention and guarantee for the security of the different powers, and establish in Europe a general system of public rights.

The first object should be accomplished "in its fullest extent, without any modification or exception" by uniting to Great Britain and Russia the two other Powers of the continent: Austria and Prussia. However, if Prussia were unwilling to join with them, in that case it was doubtful whether it would be possible to carry on in all parts of Europe the necessary operations for accomplishing the proposed object. This consideration would apply especially to "the entire recovery of the Netherlands and the countries

occupied by France on the left bank of the Rhine". Presupposing Prussia's absence from the coalition, the note continued, the allies would insist upon "the evacuation of the North of Germany and Italy, the reestablishment of the independence of the United Provinces and of Switzerland, the restoration of the dominions of the King of Sardinia and the security of Naples"; but "on the side of the Netherlands, it might be perhaps more prudent in this case to confine the views of the allies to obtaining for the United Provinces some moderate acquisitions calculated to form an additional barrier for that country".

Regarding the second object (the territorial rearrangements) the note said:

The views and sentiments of His Majesty and the Emperor of Russia striving to bring about this concert, are pure and disinterested. The insular situation and extensive resources of Great Britain, aided by its military exertions and naval superiority; and the immense power, the established continental ascendancy and remote distance of Russia already give to the territories of the two Sovereigns a security against the attacks of France - even after all her acquisitions of influence, power and dominion - which cannot be the lot of any country. They have therefore no separate objects of their own in the arrangements which are in question, no personal interest to consult in this concert but that which grows out of the general interest and security of Europe, and is inseparably connected with it . . .

Their chief object is to reestablish, in the countries reconquered from France, as much as possible of "their ancient rights and to secure the well-being of their

inhabitants". However, in pursuing that object, the general security of Europe on which this well-being depends should be considered. In consequence, the reestablishment of ancient independence and rights should be applied only to those states which would be capable of regaining their own independence and which are placed in a situation where they would be capable of defending it. To some of the states now oppressed by France, this system could not be applied, owing to the fact that their ancient relations had been so utterly destroyed as to be incapable of reestablishment, or because they were so situated that their independence would be only nominal and incompatible with their own security or that of Europe in general. If the arms of the allies should despoil France of all the conquests made since the Revolution, it would be necessary to reestablish the United Provinces, Switzerland, the territories of the King of Sardinia, of Naples, and of the Duke of Modena and Tuscany. The second alternative should be applied to Genoa, the Italian Republic (with the three Legations) Parma, Placentia, the Austrian Low Countries, and the German Provinces on the left bank of the Rhine. This would apply especially to the Italian Provinces above mentioned which had neither the disposition nor the resources to resist the aggression of France. Those little sovereignties have no means of maintaining their independence and they should be concentrated

in the hands of the chief powers of Italy.

It would be impossible to restore the Low Countries to the House of Austria, and a new arrangement should be made in regard to that country, as it is evident that it could never exist as an independent power. The same consideration should be applied to the States on the left bank of the Rhine. After being detached from the Empire and their owners being given indemnities, they could be disposed of according to the interests of Europe. Further, Pitt continued:

It is certainly a matter of the highest importance, if not of absolute necessity, to secure the efficacious and vigorous co-operation of Austria and Prussia; but there is little reason to hope that either of these powers will embark in the common cause, unless they have the prospect of an advantage to indemnify them for their exertions. For these reasons, His Majesty is clearly of opinion, that nothing could so much contribute to the general security as by giving Austria additional strength to resist the designs of France on the side of Italy, and putting Prussia in a similar situation in the Low Countries. In Italy, reasons of policy require that the strength of the King of sardinia should be increased, and that Austria should be placed in a situation to furnish him with prompt assistance in case of attack. With this view, it is indispensable that the territories now forming the Republic of Italy should be given to other Sovereigns. In making the distributions, a proper augmentation must be given to the King of Sardinia; and his possessions, as well as those of the Grand Duchy of Tuscany, which it is proposed to revive, be brought in contact with those of Austria; on this principle the part of the Milanese to the south west of the Adda, and the whole of the territories which now compose the Ligurian Republic, as well as perhaps Parma and Placentia, might, it is conceived, be annexed to Piedmont; and for those the Ligurian Republic, to

all appearance, must be united to Piedmont.

The three Legations might be annexed by Austria, while Modena, placed between Sardinian territory and Tuscany (virtually an Austrian possession) might be restored to its former possessors.

Regarding the security of Holland, Pitt put forward following proposals:

The observations which have been stated respecting the situation of Sardinia in Italy seem, in a great measure, to apply to that of Holland and Prussia, in relation to the Low Countries; with this difference, however, that the Piedmontese dominions, affording in themselves considerable means of defence, they may be perhaps sufficiently secure in the possession of the King of Sardinia, supported by Austria, whereas the Netherlands being more open and exposed seem scarcely capable of being secure unless by annexing a considerable part of them to Prussia, and placing Holland in a second line of defence. With this view, (supposing France to be reduced within its ancient limits), it might be proposed to annex to the United Provinces as an additional Barrier, the part of Flanders lying within a military line to be drawn from Antwerp to the Meuse at Maestricht, and the remainder of the Netherlands together with the Duchies of Luxembourg and Juliers, and the other territories between the Meuse and the Moselle to Prussia.

His Majesty indeed feels so strongly the importance both of augmenting the inducements to Prussia to take part and of rendering it a powerful and effectual Barrier for the defence not only of Holland but of the North of Germany against France, that he should even consider it as advisable in addition to what has been already proposed, to put into possession of that Power the territories which may be recovered from France on the left bank of the Rhine, eastward of the Moselle, and His Majesty entertains a strong conviction that this arrangement (if it not in other respects be thought liable to insuperable objections) would be infinitely more effective for

the protection of the North of Europe than any other that can be devised.

Considering, however, the mutual jealousy between Austria and Prussia, great difficulties may arise in regulating the proportionate acquisitions of both powers. To make Austria willing to agree to Prussia's new acquisitions, she would be offered additional territorial inducement in Italy. There was also, in Pitt's opinion, another reason besides the security of Europe for offering Prussia such great increase of territory. He thought that France would not fail to offer also to Prussia great increase of territory to secure her cooperation. France's offer would be no doubt on a great scale and in the North of Germany which might be injurious to the interests of the allied powers. Therefore, it would be better in Pitt's opinion to divert Prussia's ambitions from the North of Germany and the Baltic and to compensate her at the expense of France.

But if, notwithstanding these powerful considerations, it should still be thought by His Imperial Majesty that the augmentation here proposed to the territories of Prussia is greater than ought to be admitted, His Majesty will, (though not without reluctance) concur in any other arrangement that may be thought preferable by which a larger portion of the Netherlands may be allotted to the United Provinces, and the acquisitions of Prussia confined within narrower limits; but he trusts that at any rate, it will not be necessary to reduce them to anything less than the territories on the left bank of the Rhine between the Meuse and the Moselle, and it will in this case, require much consideration, in what hands the territories on the left bank of the Rhine, east of the Moselle, can best be placed or

whether they may safely be left in the possession of France . . .

In the case where Prussia's cooperation would not be secured and she would not enter into the projected coalition, the aims of the allied powers regarding the territory adjacent to Holland would have to be more limited. In that eventuality the allies might reasonably expect only the complete evacuation of the North of Germany by the French forces, and the reestablishment of an independent Holland with an additional barrier - a part of Flanders lying within the line drawn from Antwerp to Maestricht - leaving the rest of the Low Countries and other territories on the left bank of the Rhine in the possession of France.

Supposing the efforts of the allies to have been completely successful and the two objects already discussed to have been fully obtained, His Majesty would nevertheless consider this salutary work as still imperfect if the restoration of peace were not accompanied by the most effectual measures for giving solidity and permanence to the system which shall thus have been established. Much will undoubtedly be effected for the future repose of Europe by these territorial arrangements, which will furnish a more effectual Barrier than has before existed against the ambition of France. But in order to render this security as complete as possible, it seems necessary at the period of general pacification, to form a treaty to which all the principal powers of Europe should be parties, by which their respective rights and possessions, as they then would have been established, shall be fixed and recognized; and they should all bind themselves mutually to protect and support each other, against any attempt to infringe them; - it should reestablish a general and comprehensive system of public law in Europe and provide, as far as possible, for repressing future attempts to disturb the general tranquillity; and

above all, for restraining any projects of aggrandisement and ambition similar to those which have produced all the calamities inflicted on Europe since the disastrous era of the French Revolution.

This Treaty should be put under the special guarantee of Great Britain and Russia, and the two powers should, by a separate engagement, bind themselves to each other jointly to take an active part in preventing its being infringed. Such a treaty might also be accompanied by more particular and specific provisions, by which the several powers of Italy might be united in a closer alliance for their own defence. How far any similar system could be adopted for giving additional security for the Germanic Body is well deserving of consideration. Their present state is certainly very unsatisfactory with a view either to their own immediate interests, or to safety of Europe. At the same time it appears to His Majesty very doubtful whether from local circumstances and other causes it would ever be possible to consolidate them into any effectual system. Should this be found to be the case, the evils to be apprehended from their weak and exposed state might (as far as relates to the danger from France) perhaps be remedied by adopting a system (but on a larger scale) similar to that formerly established by the Barrier Treaty for the protection of the Netherlands. It might not be difficult to settle some general plan for maintaining at the joint expense of the different Powers of the Empire, fortresses of sufficient strength, and properly garrisoned, along the course of the Rhine from Basle to Ehrenbreiten, commanding the principal approaches from France to the most exposed parts of Germany, and the military custody of these fortresses (without infringing in other respect on the territorial rights of the power in whose dominions they might be placed) might be confided to the two great Powers of Germany, according to their respective means of occupying them . . .

It would be also desirable, the note continued, that for the further security of Holland she should enter into an agreement jointly with Great Britain and Russia to maintain at all times an army strong enough to provide for her defence

in case of sudden attack on the part of France. Also, the King of England in his capacity of Elector of Hanover could be induced to keep in his possession a considerable force ready to be used immediately in case of alarm for the defence of Holland. The king of England would also be ready to enter into agreement with other powers for defraying the expenses of maintaining at all times strong garrisons of German troops to hold the fortresses along the Dutch frontier.

Regarding France and the eventual restoration of the Bourbon family, the note contained the following remarks:

Having thus stated what more immediately relates to the specific objects of the concert and of the means to be employed to give it effect, there still remains one great and important question for consideration, and that is how far, either now or hereafter, the views of the Allies ought to be directed towards the reestablishment of the Monarchy in France, and the restoration of the Bourbon family on the throne. His Majesty agrees entirely with the Emperor of Russia in thinking that such a settlement is in itself highly desirable for the future both of France and Europe, and that no fair occasion ought to be neglected of promoting it. But he at the same time thinks, that it ought to be considered only as a secondary object in the Concert now to be established and one which could in no case justify the prolongation of the war if a peace could be obtained on the principles which have been stated. It is one with a view to which no active or decided measures can be taken, unless a series of great and signal successes shall previously have been obtained by the Allies, and a strong and prevailing disposition for the return of the Monarch shall then manifest itself in the interior of France. In the meantime in order to afford every reasonable chance for the attainment of this object, His Majesty entirely agrees with the Emperor of Russia, that it is highly important that in the conduct of the war, and in the public declarations and language of the

Allied Courts the greatest care should be taken to prevent any apprehension in minds of any part of the French nation of any design either to dictate to them by force any particular form of government, or to attempt to dismember the ancient territory of France . . .

The note ended stressing His Majesty's government's willingness to consider other suggestions and opinions of the Court of St. Petersburg, and their anxiety to conclude as soon as possible a treaty of alliance with Russia.

Under the British proposals European reconstruction and security were to be accomplished in three phases:

- 1) a victorious war against Napoleon,
- 2) formation of a barrier against the future aggrandizement of France,
- 3) the establishment of a system of mutual guarantee and the reestablishment in Europe "of the general system of public rights".

Ad 1) As to the war, in the projected campaign against Napoleon, the participation of Prussia as well as of England, Russia and Austria, was to be considered as a crucial point. On Prussia's participation would depend the complete confinement of France within the limits by which she was bound before the Revolution. This especially would apply to the Low Countries and to the countries on the left bank of the Rhine.

Ad 2) Concerning the formation of a barrier against the aggrandizement of France, two considerations would have to be kept in mind: a) the restoration to independence of the countries reconquered by France, b) the consideration of the general security of Europe.

Consequently, those countries capable of reestablishing and defending their independence should be given back their independence (United Provinces, Switzerland, territories of the King of Sardinia, of the King of Naples, of the Dukes of Modena and Tuscany). On the contrary, the independence of the countries whose ancient relations were completely destroyed or so situated that their independence could only be nominal, or without the will to resist France's aggression, could not be restored for the sake of their own and Europe's security (Genoa, Italian Republic with Legations, Parma, Placentia, Austrian Low Countries, the German Provinces on the left bank of the Rhine).

With regard to the barrier proper against France, it should be formed in the North by the United Provinces and Prussia; in the South by the King of Sardinia supported by Austria; and in the centre by the range of fortresses near the French border guarded by Prussia and Austria. Consequently, the rivalry of Prussia and Austria in Germany proper might be avoided, and the former's interests directed towards the Low Countries and left bank of the Rhine, and

the latter's towards Italy.

To increase the strength of the United Provinces and the interests of Prussia in this part of Europe, the following measures should be adopted: to place the United Provinces in the second line of defence and to annex to them as an additional barrier a part of Flanders from Antwerp to the Meuse at Maestricht. The rest of the Netherlands with the Duchies of Luxembourg and Juliers and other territories between the Meuse and Moselle, and eventually the territories to the east of Moselle on the left bank of the Rhine, to be annexed to Prussia, so as to place her in the first line of defence against eventual French aggression, against the North of Germany. If Prussia would not participate in the coalition, the aim of the coalesced powers might be restricted in this part of Europe to restoring the independence of Holland, to providing her with a Barrier from Antwerp to Maestricht; and to leaving the rest of the Low Countries and the territories on the left bank of the Rhine in France's possession. There was also the possibility that England would agree, although with reluctance, to diminishing the Prussian acquisitions in Flanders and on the left bank of the Rhine. Then the larger portion of the Low Countries would be allotted to the United Provinces and the acquisitions of Prussia reduced to not less than those territories on the left bank of the Rhine between the Meuse and the Moselle.

Other provisions for strengthening the United Provinces: a) an agreement between England, Russia, and the United Provinces for the maintenance, by the United Provinces, of an adequate army to repel eventual sudden attack; b) the maintenance in Hanover by the King of England in his electoral capacity, of an adequate army to be employed in the event of need for the defence of the United Provinces; c) the eventual participation of England in defraying the expenses of the garrisoning by German troops of the fortresses bordering on the Dutch frontier.

Regarding the barrier in the south, the territories of the King of Sardinia should be increased and Austria placed in such a position as to be able to furnish him with prompt assistance; the Duchy of Tuscany should be increased and brought into contact with Austrian possessions. In this part of Europe, the territories of the King of Sardinia would be placed in the first line of defence, and those of Austria in the second line of defence.

The strength of the King of Sardinia should be increased by uniting to Piedmont a part of the Milanese to the south west of the Adda river, the Ligurian Republic, and perhaps Parma and Placentia.

Austria might annex the three Legations and, as the Duchy of Tuscany would be under Austrian influence, the Duchy of Modena could be restored to its previous possessors.

The eventual uniting of the several powers of Italy in a closer alliance for their own defence could be considered.

On the point of forming a barrier in the centre, Pitt considered the possibility of the alliance between different states of the Germanic Body, to provide for their mutual defence, as doubtful. Therefore, he suggested the system of fortresses along the course of the Rhine from Basle to Ehrenbreiten, commanding the principal approaches from France, the military custody of these fortresses to be confined to Austria and Prussia. Ad 3) For the system of mutual guarantee and security there were the following proposals:

a) A general treaty of the principal European powers at the time of general pacification, recognizing and fixing the rights and possessions of the respective powers with the mutual obligation to protect and support each other against any attempt to infringe on these respective rights and possessions. This treaty should reestablish a general and comprehensive system of public law and provide, as far as possible, for the repression of future attempts to disturb the general tranquillity; and above all, to provide for the restraining of any projects of aggrandizement and ambition on the part of any power aiming at supremacy.

b) This treaty, containing mutual guarantees of rights and possessions and reestablishing a general system of

public law, should be put under the special guarantee of Great Britain and Russia. These two powers should, by a separate engagement, bind themselves to each other and take jointly an active part in preventing its infringement.

How do Pitt's proposals of 1805 compare with those framed by him in 1795 and in 1798?

In 1795, regarding the territorial problem, Pitt was concerned mainly with Holland. Her independence should, in his opinion at that time be protected by restoring to Austria the Belgian Low Countries and in this way a solid barrier against France would be formed. To strengthen the position of Austria as a bulwark of Germany, he also suggested increasing Austrian possessions in the Low Countries, and, by adding new German territories to Austria, linking her possessions in the Low Countries with those in the south of Germany.

In 1798, Pitt's chief concern was again the independence of Holland. But as to the problem who should be the guardian of that independence, Pitt, considering that the Austrian interest in the Low Countries was waning, put forward tentatively Prussia as the bulwark of Holland and of the North of Germany. As to the Austrian Low Countries, Pitt suggested that they might be united to Holland. Regarding Austria, Pitt was inclined to offer to her territorial

advantages in Italy with a view, not so much to blocking the French encroachment in Italy, but to making her amenable to eventual acquisitions by Prussia in the Low Countries.

In the proposals of 1805, in Pitt's opinion a solid barrier against French encroachments should stretch from the North Sea to the Adriatic. To insure Holland's independence and to bar the French from the North of Germany, Pitt wanted to put Prussia in the Low Countries and on the left bank of the Rhine. The approaches to the middle and south of Germany should be guarded by the range of fortresses garrisoned by Austria and Prussia, and by independent Switzerland. The French approaches towards Italy should be guarded by the Kingdom of Sardinia and Austria. In this way, the belt of security containing France within her limits would be completed.

Outside these practical measures of security, the proposals of 1805 dealt with the system of mutual guarantee of rights and possessions and the future security of Europe. In this respect Pitt followed the initiative taken by Czartoryski in his secret instructions as interpreted to Pitt by Novosiltzov. In Czartoryski's conception regarding the future security of Europe, there should be three stages:

- 1) a general peace treaty that would fix also the prescriptions of international law,
- 2) the formation of a league of states, which would

guarantee to its members peace and security,

3) the alliance between Russia and England to guarantee peace and protect the whole European structure.

According to the way in which Novosiltzov presented to Pitt this part of the instructions the future security of Europe should be achieved by two measures:

- 1) permanent alliance between Russia and England,
- 2) an agreement (pact) formed by England, Russia, and other nations to maintain the reestablished equilibrium.

Pitt, in his proposal regarding the future security of Europe, followed to a certain extent Novosiltzov's interpretation of Czartoryski's instructions. He proposed:

- 1) a general treaty of the principal European powers fixing and guaranteeing rights and possession, which treaty should be put under the special guarantee of Russia and England (similar to that of the treaty of Westphalia which was expressly put under the guarantee of France and Sweden),
- 2) separate mutual engagement of Russia and England to prevent any infringement of that treaty.

As we compare Czartoryski's instructions with Pitt's proposals, we notice that, on the whole, the detailed political measures to be taken with regard to various territories are less abundant in Czartoryski's instructions. But in both schemes the political balance was the basis of the stability of Europe. However, we may note that in Pitt's

proposals, the barrier system was principally directed against France; in Czartoryski's instructions the system of federation and counterpoises was conceived as a security measure, not only against France, but also against other possible aggressors, for example Austria and Prussia.

Pitt's plan for European reconstruction and security, as conceived in the note of 19th January, 1805, can be considered as a perfect synthesis of the main features of the two great treaties, which modelled the 17th and 18th centuries, namely those of Westphalia and Utrecht.

The treaty of Westphalia put an end to the medieval conception of European order based on the doctrine of supremacy of the Pope and Emperor, and established a formal basis for a new doctrine of international relations based since then on the sovereignty and independence of states (or at least of the great monarchies) and equilibrium amongst them. This new order and equilibrium were put under the guarantee of France and Sweden. The weak point was that Sweden, being away from the mainland of Europe and with her strength soon in decline, ceased to exercise her rights, as one of the guarantors. In fact France alone remained as the actual guarantor, and, profiting by her superiority of power, attempted to destroy the system of equilibrium and impose her supremacy in Europe. This attempt was frustrated. In the Treaty of Utrecht, the doctrine of the sovereignty of

states and that of the balance of power were expressly confirmed. To avoid the weak point of the Treaty of Westphalia, the treaty of Utrecht did not put any particular power in a marked pre-eminence, but tried to reinforce the states on the borders of France, and especially the United Provinces, by putting Austria in the Low Countries and by giving to the United Provinces a range of fortresses in the Austrian Low Countries near the French border. This treaty further strengthened the states bordering France by placing the House of Austria in Italy and by increasing the possessions of the Duke of Savoy. The stress was put on the system of Barriers. This new system of security proved inadequate; Revolutionary France destroyed the intended barriers and invaded Holland, Germany, and Italy.

Actually Pitt's proposals, in view of the restoration and maintenance of equilibrium in Europe, intended to combine both features - the marked pre-eminence of Great Britain and Russia as the guarantors of the new treaty restoring equilibrium and independence to Europe, with the system of the strong barriers against France; with the additional feature, namely equilibrium inside Germany between Austria and Prussia.

England, owing to her maritime supremacy, would have no cause to fear eclipse by Russia who could be blockaded in Europe by a strong Prussia and Austria. Thus, England

would be able to maintain equilibrium in relation to Russia and avoid the fate of Sweden following the Treaty of Westphalia. On the other hand, the extended system of barriers from Holland to Italy could keep France within her limits. The increased strength of Austria in Italy, and of Prussia in the Low Countries and on the left bank of the Rhine, would help to frustrate any French attempt to break the barrier; and on the other hand would help to improve the collaboration of these powers inside Germany and so prevent any Russian attempt at expansion.

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The diplomatic negotiations, started in London between Novosiltzov and Pitt, were continued in St. Petersburg between Lord G.L. Gower and Czartoryski. The differences between Russia and England regarding Malta and the maritime code made the negotiations difficult ²⁷. Eventually the

27 J.H. Rose, Selected Despatches, *ibid.*, p. 127, Lord Gower reported to Lord Mulgrave on April 7th, 1805, . . . The concurrence of sentiment, and union of views which appeared in the discussions with M. Novosiltzov at London will lead I fear, His Majesty's Government almost to distrust my account of the difficulties I have had to encounter in the negotiation with Prince Czartoryski. The variety of new matter brought forward by the Russian minister, and the tenacity with which he adhered to many of his propositions, had nearly made me despair of being able to agree upon any terms, and I must intreat your lordship not to consider whether it would have been desirable that many of the articles should have been omitted, but whether the whole, such as it is, is not preferable to no treaty at all . . .

treaty of alliance between England and Russia was signed on April 11, 1805. The main provisions of that treaty were the following: ²⁸

1) a European league should be formed with the aim of restoring peace and the balance of power. The aims of this league (coalition) would be: a) the evacuation of Hanover and of the North of Germany by French forces, b) the independence of Holland and Switzerland, c) the reestablishment of the King of Sardinia in Piedmont with aggrandizement of his territory, d) the security of the Kingdom of Naples and the evacuation of the whole of Italy by French forces, e) the establishment in Europe of order to guarantee the security and independence of various states and to form a barrier against expansion.

2) England would provide land and sea forces and pay an annual subsidy of 1,250,000 pounds sterling for every 100,000 men employed by continental powers against France.

3) the coalition would not conclude peace with France unless the consent of all coalesced powers could be secured.

The treaty of 11th April, 1805, contained also

²⁸ G.F. de Martens, Recueil des principaux traités d'alliance depuis 1761 jusqu'à présent, Gottingue, Dieterich, 1826-1835, vol. 8.

F. Martens, Recueil des traités et conventions . . ., ibid., vol. 11, vol. 2, p. 448 and following.

several secret articles which dealt with various problems referred to in Czartoryski's instructions of September, 1804 and in Pitt's note of January, 1805. These separate and secret articles provided for the aggrandizement of Holland (by adding to her territory the whole or part of the Austrian Low Countries), of Switzerland (by adding Geneva and Savoy), of Austria, and of Prussia (on the left bank of the Rhine and eventually in the Low Countries), with the object of forming solid barriers against France. Also there was emphasized the wish of both allied powers to establish in Europe a solid peace based on the principles of justice and equity and the law of nations. The allied powers would not impose on France or on any liberated countries a form of government contrary to the will of the nations concerned. At the end of the war they would convene a congress of European states to discuss and to fix on a more solid basis the prescriptions of the law of nations. The observance of this law of nations would be guaranteed by establishment in Europe of a federative system, which would secure the independence of the weak states and form a barrier against the ambitions of the stronger states. Both allied powers would agree as to how to accomplish those objects and would form an intimate union to reach the above-mentioned aims.

One of the articles provided for common action against any power which, by close collaboration with France, might impede the aims of the proposed coalition. That

clause in Czartoryski's mind was probably directed against Prussia in case she might refuse to join the coalition 29.

The treaty provided also for the surrender of Malta by Great Britain if Napoleon made it a sine qua non condition of peace, and also provided for the revision of the maritime code as practiced by England.

The ratification of the treaty was delayed for more than three months because Pitt resisted the Russian demands regarding Malta and the maritime code ³⁰. However, Napoleon's action in Italy clinched the coalition. In March, 1805,

29 J.H. Rose, Selected Despatches . . ., ibid., p. 80. Despatch of Lord Gower of December 24, 1804, in which he reported Czartoryski's opinion that Prussia should be made understand that her refusal to join the coalition might result in hostilities against her on the part of Russia, Austria and England.

Wilhelm Oncken, Das Zeitalter der Revolution, des Kaiserreiches und der Befreiungskriege, Berlin, G. Grote, 1884-86, vol. 2, p. 158, pointing to the fact that an attack against Prussia would fit Czartoryski's plan of re-uniting Polish lands and restoring the Polish Kingdom with Alexander assuming the title of King of Poland.

30 Earl Stanhope, ibid., vol. 4, p. 306, Extract from letter of Pitt to Novosiltzov, dated June 7, 1805.

A.J. Czartoryski, Memoirs of Prince Adam Czartoryski and his correspondence with Alexander I, edited by Adam Gielgud, London, Remington and Co., 1888, vol. 2, p. 74, Novorontzov's despatch, May 10, 1805.

F. Martens, Recueil des traités et conventions . . ., ibid., vol. 11, p. 114.

J.H. Rose, Selected Despatches, ibid., p. 155-165, Lord Mulgrave to Count Novorontzov, June 5, 1805 - Lord Mulgrave to Lord Gower, June 7, 1805.

Napoleon decided to transform the Italian Republic into a Monarchy and on May 20th, 1805, he crowned himself in Milan as King of Italy. On June 4, 1805, the Ligurian Republic was annexed by France. A little later, Lukka was given as a principality to Napoleon's sister, Princess Elise Baciocchi, and Parma and Piacenza were annexed to the French Empire ³¹.

This activity prompted Alexander to break off the negotiations with Napoleon. He recalled from Berlin Novosiltzov who was on the way to Paris to present the terms on which England and Russia would consider reconciliation with France.

In July, 1805, Alexander ratified the treaty of April 11th, 1805, without the articles to which England objected ³².

Napoleon's activities in Italy, and Austria's fear that Russia, disappointed in her endeavour to build a coalition, might change her political system and bind herself with France and Prussia and start expansionist policy in the Balkans ³³, prompted the Austrian cabinet to accede to the Anglo-Russian treaty of April, 1805. On August 9th, 1805,

31 Cambridge Modern History, ibid., vol. 9, p. 247.

32 F. Martens, Recueil des traités et conventions.., ibid., vol. 2, p. 469 (Protocol de ratification).

33 Adolf Beer, Osterreich und Russland in den Jahren, 1804-1805, Wien, Karl Gerold's Sohn, 1875, p. 52, 53.

Austria made a formal accession to this treaty³⁴ and undertook to put 315,000 men into the field. On November 3rd, 1805, at Potsdam, Russia and Prussia concluded an alliance to which Austria acceded on the same day. The King of Prussia was charged with "médiation armée" between the belligerents and, in case of Napoleon's refusal to accept the conditions of the allies, Prussia was to join within one month the allies in war against France³⁵.

The surrender of the Austrian Army at Ulm (17th October, 1805) and the defeat of the Russo-Austrian army at Austerlitz (December 2, 1805) followed by the armistice between Napoleon and Emperor Francis signed on 6th December, 1805, and the treaty of Pressburg signed on December, 26th, 1805, between Austria and France - ended the Third Coalition. The plans of European reconstruction which the negotiations between England and Russia brought forward had to be shelved for another ten years to vindicate their usefulness at the time when the Vienna settlement was negotiated.

34 Alfred Francis Pribram, Osterreichische Staatsverträge, England, Wien, A. Holzhausen, 1913, vol. 2, p. 407.

F. Schoell, Histoire abrégée de traités de paix entre les puissances de l'Europe depuis la Paix de Westphalie, Paris, 1817, vol. 7, p. 342-361.

F. Martens, Recueil des traités et conventions . . ., ibid., vol. 2, p. 404.

35 F. Martens, Recueil des traités et conventions . . ., ibid., vol. 2, p. 479-494.

For the time being the initiative rested with Napoleon. After Nelson's victory at Trafalgar (October 21st, 1805) Napoleon realized that there was no prospect of defeating England by direct invasion. The most plausible prospect for subduing England was to seal hermetically the coast of Europe, and by banning England's industrial products from the whole of the continent, to bring about her industrial strangulation ³⁶.

To put the "continental system" into effect, Napoleon needed the alliance or subservience of Prussia, and the alliance of Russia. He did not accept Talleyrand's advice to build on the Franco-Austrian alliance the security of the French Empire and durable peace in Europe ³⁷; his ambition and animosity towards England led him through Jena to Tilsitt.

36 J.H. Rose, *Life of Napoleon I*, *ibid.*, vol. 2, p. 25.

37 Pierre Bertrand, Talleyrand Périgord, Prince de Bénévent. Lettres inédites à Napoléon, 1800-1809, Paris, Perrin and Cie, 1889, p. 156-165 (Talleyrand's letter to Napoleon dated Strasburg, 24 vendémiaire an XIV (October 17th, 1805)).

Artand de Montor, Histoire de la vie et travaux politiques du comte d'Hauterive, Paris, 1839, p. 119 (Talleyrand's letter to Hauterive, dated October 11th, 1805).

CONCLUSIONS

In the course of this dissertation we have analysed three conceptions of European structure and politics.

One conception was that of Hauterive who, at the command of his master Napoleon, made known to Europe Napoleon's approach to the problem of European relations.

The European structure presented by Hauterive aimed at justifying the supremacy of France, or rather of Napoleon, in Europe and consequently in the world, with, at the end of this road, the glittering mirage of universal monarchy before him.

In this conception there was no place for the legal equality of sovereign states. There was a master, a conqueror who, using the resources of a great nation as a basis, aspired to impose his will, at first on neighbouring states, and expanding this supremacy over all of Europe, to attempt to dominate the world. In pursuing this dream, he had, for the time being, to use the stratagem of diplomacy. Therefore as stepping stones towards this ultimate aim, Hauterive envisaged, besides the center of equilibrium dominated by France, two other centers namely that of Germany and that the North of Europe. However there was no doubt that these other centers, dominated respectively by Prussia and Russia and allied with France, should act as great satellites to

carry out the will of the master in their respective centers of supremacy. But the number of satellite centers could be reduced and Hauterive already offered to Russia to share with France (or rather with Napoleon) world domination but always with the implied condition that Russia would follow the lead of the master. The prospects of sharing world domination are always seducing. Alexander at Tilsitt (1807) accepted the position of partner to share with Napoleon world domination reminiscent of the Roman Empire of the West and of the East.

The agreement in Tilsitt between Napoleon and Alexander was the fulfilment of this ambitious plan insofar as it was outlined in Hauterive's "De l'état de la France". Napoleon's France, "pays de Gaulles", rightful descendant of the Roman Empire, adhering to that Empire's conceptions of international relations, and improving on the expansionist tendencies of the French monarchy, was to reestablish the Empire of the West. With Alexander as proconsul in the East, Napoleon planned to crush England and to rule the world.

But a partnership with an ambitious conqueror could not be of long duration, and the alliance of Tilsitt was followed by the invasion of Russia in 1812¹.

¹ As happened in another similar situation when the Ribbentrop-Molotov pact of 1939 was followed by the invasion of Russia of 1941.

This dream of universal monarchy, conceived by Napoleon and barely camouflaged by Hauterive in his pamphlet, followed what might be called an egotistic tendency in international relations. This tendency reflects the rudiments of international law and relations as practiced in the pre-Christian era. The conception of world supremacy imposed by force and based on the doctrine of superiority of one ruler or one nation over others denies all progress made in the field of international law and international relations and turns back the wheels of history. All the great conquerors of history have followed a similar pattern, but sooner or later, they failed in their designs. Universal domination, accomplished by force and based on force, cannot endure since it is opposed to man's natural desire to govern his own destiny by his own free will.

Another conception of European structure which we analyzed was that of Wm. Pitt. In his empirical mind, Pitt was not inclined to invent new things. Regarding the history of international relations of the preceding two centuries, he thought that the stipulations of the treaties of Westphalia and Utrecht were good enough bases for the pattern of European relations. One had only to avoid their weak points, strengthen the good ones, and adopt them to the actual European situation.

The medieval doctrine of restricted sovereignty by

the supremacy of the Emperor in the political sphere, and of the Pope in the spiritual sphere, was the natural consequence of the whole accepted system of hierarchic society. In that system the Pope and the Emperor were not so much ultimate guarantors as invoked arbitrators in the conflicts amongst the particular members of the undivided Christian society.

The disintegration of the medieval order was a long process and had many causes. Jean Bodin in the 16th century put forward the doctrine of sovereignty of states against the imperial and pontifical claims, but he placed the sovereign state under the supremacy of law. However, the Renaissance movement in the sphere of international relations adopted Machiavelli's pagan doctrine of unlimited and unrestrained sovereignty of states, which gained the enthusiastic support of European rulers.

The treaty of Westphalia marked the end of the medieval and the beginning of the modern system of international relations, and gave rise to modern public international law based on sovereignty and legal equality of states with the principle of balance of power as a political remedy to prevent the supremacy of one state over others. The rôle allotted by the treaty of Westphalia to France and Sweden was not analogous to the rôle of the Emperor and of the Pope in the medieval system. France and Sweden were not presumed to be ultimate arbitrators who could claim supremacy

over other states, but, being equal with other states in legal status, they were supposed to guarantee and eventually enforce the new doctrine of public law against any attempts by the Emperor or the Pope to restore supremacy in either the political or the spiritual sphere.

The French attempt at supremacy in European politics under Louis XIV was the consequence of the generally accepted doctrine of unlimited sovereignty of states. The spiritual unity of Christendom having been broken and with new stress being put on the glories and achievements of the ancient classical world, the sovereignty of a state (or of a ruler), theoretically unrestricted by any consideration of law, naturally led an ambitious sovereign on a path of conquest which only opposing physical force could block. It became obvious that modern international law, designed to regulate relations among the states in modern Europe, had to be implemented by a political doctrine of balance of power, otherwise it would lead to anarchy and the abuse of force.

The treaty of Utrecht, putting stress on the political principle of equilibrium, supplemented the modern system of public international law and relations set down by the treaty of Westphalia. After the treaty of Utrecht, international law, based on equality and sovereignty of states with the principle of balance of power as a necessary corollary, seemed to be the right basis for European

relations.

However, this system began to show signs of degeneration. The doctrine of balance of power, originally meant as a subsidiary means of upholding modern international law, took ascendancy over that law and became the foremost consideration in European politics. Instead of serving international law, the principle of balance made that law subservient to its aims. In this way the principle of equilibrium had, by the end of the 18th century, degenerated into a lawless "co-partitioning system" and became the chief factor in European politics. The partition of Poland - the apogee of that system - was a heavy blow to the whole system of European relations, theoretically based on independence and equality of sovereign states, from which Europe never entirely recovered.

Pitt, in his proposal of 1805, aimed first of all to restore balance of power in Europe. In this respect he wanted to improve on the treaty of Utrecht. A powerful barrier stretching from Holland to Italy was meant to keep France within her limits. Increased strength of Prussia and Austria should prevent any French attempt at expansion. Also, the balanced forces of Austria and Prussia in Germany should keep equilibrium inside Germany and block Russian expansion into Central Europe.

Pitt's conception of a general treaty, fixing the rights and possessions of European powers and put under the

guarantee of Russia and England, followed the pattern set out by the treaty of Westphalia.

Besides following the pattern set out by the treaties of Westphalia and Utrecht, Pitt also borrowed from Czartoryski. Besides the general treaty of European powers guaranteed by Russia and England, Pitt proposed a separate alliance and engagement between Russia and England with a view to preventing any infringement on the general treaty.

On the point of the doctrine of international law and relations, Pitt's proposals of 1805 maintained the doctrinal conception of European relations as conceived at the time of the treaty of Westphalia. Pitt considered as fundamental the system based upon the doctrine of equality and sovereignty of states and equilibrium amongst them. He did not intend to initiate a new system. England's pre-eminence, shared with Russia, was not to imply any kind of doctrinal supremacy over other states. England did not intend to be the ultimate arbitrator or ultimate legislator of Europe. She restricted her rôle and that of Russia to guaranteeing and eventually to enforcing the re-established system of public law, and of mutual rights and possessions. England wanted to stabilise once for all the results of the Reformation and the Renaissance in a peaceful and balanced Europe. Consequently, from the point of view of the development of the doctrine of international law and relations,

Pitt's proposals did not offer any definite progress.

The pattern set out by Pitt in 1805 served British statesmen as the basis for remodelling Europe in 1815.

The two treaties of Paris (30 May, 1814, and 20 November, 1815) settled the problem of France and confined her within the frontiers of 1789. The final Act of Vienna of June 9th, 1815, reminiscent of the treaty of Westphalia, set the pattern for 19th century Europe, and, in its main features, followed Pitt's proposals of 1805.

Pitt's idea of a special alliance between Russia and England was followed on an enlarged basis by Castlereagh. On March 1st, 1814, by the treaty of Chaumont, the allied powers - Austria, Prussia, Russia and England - bound themselves to continue vigorously the war against France and to procure for Europe peace and security. The treaty of Chaumont, called by Castlereagh "my treaty", was confirmed by the treaty of alliance between Austria, Great Britain, Russia and Prussia on November 20, 1815, which resolved to guarantee and maintain the reestablished European system as conceived by final Act of Vienna and the second peace treaty with France. This treaty of alliance established European "tetrarchy" (transformed later by the admission of France in 1818 into European "pentarchy") and provided for periodical congresses of the four and later five main European powers to settle problems arising regarding peace

and stability of Europe. This so-called "European Directory" evolved later under British influence into the "European Concert" of Great Powers, which dominated European relations up till the First World War.

The European settlement of 1815 reaffirmed the doctrinal basis of European relations based on the sovereignty of states and balance of power. The Concert of Europe watched European relations and did not allow the principle of equilibrium to degenerate into another "co-partitioning system"; however, that system was amply employed in the colonial rivalry of the 19th century.

However, Pitt in his proposals of 1805 disregarded the national feelings aroused by the French Revolution. Castlereagh followed the same line and the Vienna settlement disregarded the national aspirations of Poles, Italians, Germans, and based European reconstruction on the principle of legitimacy. During the entire 19th century the principle of nationality was to battle against the principle of legitimacy and eventually to triumph in the European settlement accomplished by the treaty of Versailles after the First World War.

The third conception of European structure and politics we have analysed was that of Czartoryski.

In this conception Czartoryski showed three qualities:

- 1) his realistic appreciation of the contemporary

European situation;

2) his realisation of the importance of the national feelings aroused by the French Revolution, and of liberalism;

3) his idealistic approach to the future of European relations by launching the project of a league of states conceived as an organic body which would contribute to the restoration of the spiritual unity of Europe and assure peace and security.

Czartoryski, in his conception of European structure as conceived in his secret instructions of 1804, combined harmoniously all three above-mentioned elements.

In his conception, the restoration of political balance was the basis of stability in Europe. Political equilibrium should be restored in such a way as to avoid any political vacuum in Europe. France should be restricted into "just limits". By "just limits" Czartoryski did not mean necessarily the frontiers of "ancien régime", but rather the frontiers of 1792 (which later the first treaty of Paris of May 30, 1814 gave to France) which would include within France the territories with French-speaking populations and annexed by France during the French Revolution, for instance Avignon, Nice, part of Belgium, and part of Savoy. Czartoryski considered all main European powers as potential aggressors, therefore, in his opinion France, Prussia, and Austria should be counter-balanced by peaceful

but strong states separating and isolating these three powers from each other. To increase the strength of these states, they ought to form regional federations like an Iberic Federation, Federation of Italy, and Federation of Germany proper which could be federated with Switzerland and Holland. These federations should be prompted by national and cultural affinities or by geographical considerations.

Czartoryski realised the importance of the growing national consciousness and national feelings aroused by the French Revolution. We may venture the assumption that he found in the humanitarian, liberal, and national watchwords of the French Revolution, new elements for the spiritual unity of Europe which had been disrupted by the Reformation. He thought to uphold the same ideas, but to avoid the excesses of the French Revolution and Napoleon's ambitions. Therefore, humanitarian liberalism and respect for national aspirations play an important part in his conception of Europe. The states restored to independence, whether federated among themselves or not, should be composed of homogeneous populations which would harmonize with their respective governments. These states should be governed by constitutions which would guarantee political and social order, harmony between governments and subjects, and individual liberty of citizens. In such a Europe, reconstructed Poland should regain her rightful place.

Once European equilibrium was assured and the national feelings of various European nations satisfied, Czartoryski thought that it would not be enough to return to the doctrine of unlimited sovereignty of states and of precarious balance of power. Europe, after having achieved unity once more, although not on a religious basis, could strive for something new and better. Therefore, Czartoryski launched the idea of the new system of international relations centred within the League of States conceived as an organic body. In the framework of this League of States, the new system of international relations would grow and develop. This League would promote the new code of international law based on the three principles: a) the submission of the positive law of particular countries to international law; b) the obligation to accept the mediation of a third state before resorting to hostilities; c) the respect for neutrality. The acceptance of a new system of international law based on these principles would mean the complete change of the doctrinal basis of public relations and of public international law. It would mean the rejection of the doctrine of unlimited sovereignty, and that would lead consequently to the acceptance of the doctrine of collective security within the framework of an international organization. The pre-eminent position of England and Russia, in this scheme conceived by Czartoryski, was that of

ultimate arbiters and protectors of the new system of public relations. Their position could be compared rather to the positions of supremacy of the Pope and of the Emperor in the medieval order, than to that of France and Sweden in the system sanctioned by the treaty of Westphalia. Czartoryski intended to give Russia and England the first rank in the recreated hierarchy of European states within the framework of international organization. His project marked progress in the history of the development of the doctrine of international law and relations. It marked the return from the doctrine of unlimited sovereignty of states to the doctrine of limited sovereignty and collective security within the framework of international organization.

The Vienna settlement, based on the principle of legitimacy and without much consideration for the national aspirations of various national groups, soon had to face the growing opposition of national forces in Europe. Against the endeavour of the Holy Alliance and particularly of Metternich, the Principle of Nationalities registered growing successes in its struggle against legitimacy. The separation of Belgium from Holland in 1830, the national revolutions of 1848, and the unification of Italy in 1860, were stepping stones in this victorious movement which led eventually to the First World War.

The reconstruction of Europe by the treaties of Versailles, Saint-Germain, Trianon and Neuilly, was based on the principle of national self-determination, constitutional democracy, and collective security within the framework of the League of Nations. One might suppose that Europe, reconstructed on such a basis, vindicated Czartoryski's conception which postulated a similar basis. But similarity was only apparent. The triumph of national self-determination, instead of being the basis for European spiritual unity, led quite often to exaggerated nationalistic tendencies and consequently to the denial of such unity. Liberal parliamentary democracy often proved to be a too-advanced form of government, and broke down under the strain of internal political rivalries and led to dictatorial or semi-dictatorial regimes. The League of Nations was not an organic body but an association of independent and sovereign states², with the emphasis put on the legal equality and unrestrained sovereignty of its members. The League of Nations, so conceived was not able to prevent the second World War.

The end of the second World War brought again the attempt to form an international organization, which would secure peace and stability not only for Europe but for the

² J.L. Brierly, The Law of Nations, 4th edition, Oxford, Clarendon Press, 1949, p. 97.

world. The Charter of the United Nations, although mentioning the legal equality and sovereignty of its members, gave to the Security Council principal responsibility for the maintenance of international peace and security. The members of the United Nations by accepting the United Nations Charter agreed to accept and to carry out the decisions of the Security Council and in this respect they accepted the limitation of their sovereignty. Such provision seems to give to the United Nations more of an organic than a co-operative basis, and consequently may lead to doctrinal changes in the conception of sovereignty. On the other hand, the Charter granted to the five permanent members of the Security Council the right to veto the decisions of the Security Council, thus reserving to those states the doctrinal conception of unlimited and unrestricted sovereignty. In this way the Charter of the United Nations may lead towards the restoration of the conception of hierarchy of states in the international order. However, it is also essential for any international society to have ideological unity as a main basis for its proper functioning. Actually the doctrinal and practical tendency towards the hierarchical system of international relations is already degenerating into a satellite system because of the lack of spiritual unity among the leading powers. Consequently the world of today is divided into two opposite ideological blocks

drifting towards disaster.

To build an effective system of international peace and security the principles which Czartoryski postulated would have to be applied, namely:

- 1) supremacy of international law which would mean the acceptance of the doctrine of limited sovereignty;
- 2) collective security within the framework of an international organization;
- 3) respect for the national aspirations of the small nations;
- 4) respect for the individual freedoms of citizens;
- 5) restoration of the spiritual unity among the nations.

As long as these principles are not generally accepted and applied, there is not much hope for real peace, security and human progress. -

The three conceptions discussed in this dissertation are perennial throughout the history of international relations. Now and then in their practical application, they undergo changes and modifications to suit particular interests, to arrive at acceptable compromises, or to fit into the ideological spirit of the particular epoch of history, but in their basic ideas they have remained the same and the only principles all through the history of international relations up to the present day.

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APPENDIX I

NOTE FROM LORD HAWKESBURY TO GENERAL ANDREOSSY
DATED MARCH 15, 1803

He (Lord Hawkesbury) can have no difficulty in assuring the French ambassador, that His Majesty has entertained a most sincere desire that the treaty of Amiens might be executed in a full and complete manner; but it has not been possible for him to consider this treaty as having been founded on principles different from those which have been invariably applied to every other antecedent treaty or convention, namely, that they were negotiated with reference to the actual state of possession of the different parties, and to the treaties and public engagements by which they were bound at the time of its conclusion; and that if that state of possession and of engagements was so materially altered by the act of either of the parties as to effect the nature of the compact itself, the other party has a right, according to the law of nations, to interfere for the purpose of obtaining satisfaction or compensation for any essential difference which such acts may have subsequently made in their relative situation; that if there ever was a case to which this principle might be applied with peculiar propriety, it was that of the late treaty of peace: for the negotiation was conducted on a basis not merely proposed by

His Majesty, but specially agreed to, in an official note by the French government, namely, that His Majesty should keep a compensation out of his conquests for the important acquisition of territory made by France upon the continent. That is sufficient proof that the compact was understood to have been concluded in relation to the then existing state of things; for the measure of His Majesty's compensation was to be calculated with reference to the acquisitions of France at that time; and if the interference of the French government in the general affairs of Europe since that period; if their interposition with respect to Switzerland and Holland, whose independence was guaranteed by them at the time of the conclusion of the treaty of peace; if the acquisitions which have been made by France in various quarters, but particularly those in Italy, have extended the territory and increased the power of France, His Majesty would be warranted, consistently with the spirit of the treaty of peace, in claiming equivalents for these acquisitions, as a counterpoise to the augmentation of the power of France . . .

APPENDIX 2

AN ABSTRACT OF

Three Conceptions of European Structure and Politics: Hauterive, Czartoryski, Pitt

The treaty of Westphalia was a turning point in the history of European relations. It marked the dissolution of the medieval order which up till now was theoretically based on the supremacy of the Pope and of the Emperor, and marked the beginning of European relations based on the doctrine of unrestricted sovereignty of states with the emergence of the principle of balance of power as a necessary corollary to this newly accepted doctrine of international relations. As the result of the treaty of Westphalia, France emerged as a leading European power and during the reign of Louis XIV attempted to impose on Europe her supremacy. This attempt was frustrated, the treaty of Utrecht (1713) put an end to French supremacy in Europe, and the doctrine of independence of sovereign states and equilibrium amongst them became generally accepted principles in European relations. However some French political writers were not inclined to accept this new political situation in Europe and considered means for the re-establishment of the French supremacy of the 17th century. Among them was Favier, who under the direction of the Duke de Broglie, wrote in 1773 "Conjectures raisonnées

sur la situation actuelle de la France dans le système politique de l'Europe" where he elaborated the doctrine and system of French diplomacy with a view to re-establishing French supremacy in Europe. From the theoretical point of view Favier did not accept the doctrine of equality of states. To restore the pre-eminent position of France in Europe, Favier suggested the destruction of the "co-partitioning system" by breaking the alliance with Austria and by creating two leagues in Europe under the leadership of France: in the North the alliance of France with Prussia and Sweden, and in the South the alliance of France with Spain and Turkey. By these two leagues, according to Favier, the French supremacy in Germany would be restored, Russia's expansion towards central Europe would be contained, and the traditional allies of France - Sweden, Poland, and Turkey - would be saved from partitioning. Favier's work made a deep impression upon the French writers and politicians of the time of the French Revolution.

In October 1799, Napoleon Bonaparte assumed power in France as First Consul. Soon he asked for somebody capable of writing a political pamphlet, a kind of manifesto of French political aims. He was advised to use for this purpose Alexander Hauterive, an official from the French Ministry of Foreign Affairs. Napoleon explained to Hauterive his views, and in October, 1800, a pamphlet entitled: "De l'état de la

France à la fin de l'an VIII" was published anonymously. Hauterive's pamphlet was at once considered by the rest of Europe as an unofficial publication of the new French regime. According to Hauterive the treaty of Westphalia established a system of public (international) law in Europe by forming a hierarchy of states, with France at the top of that hierarchy. This system of European relations had been broken by the treaty of Utrecht (1713) which put emphasis on the balance of powers, and on the legal equality of states. This new system of public relations degenerated into a lawless system of partitions. Revolutionary France put an end to this 18th century anarchy. According to Hauterive, hierarchy among the European states should be re-established and there should be solidarity of the European continent as a political and commercial unit against England. Under French supremacy the general equilibrium of Europe could be re-established by the creation of three circles of partial equilibrium, namely: of the North, of Germany, and of Italy and the south of Europe. France had already acquired the leading position in the circle of equilibrium of Italy and the south of Europe. The powers aspiring to the position of predominance in other circles of equilibrium should gain first the friendship of France and her support. Particularly Russia, by her alliance with France, could gain a pre-eminent position in the North of Europe, and the co-operation of both

powers could curb England's maritime and colonial expansion and assure the peace of the world.

Contemporary Europe reacted strongly against Hauterive's ideas and F. Gentz wrote a direct reply to Hauterive's pamphlet, in which he contested Hauterive's assertions and explained to Europe the dilemma which she faced, namely to accept French supremacy as formulated by Bonaparte in Hauterive's pamphlet or to unite herself and to fight for restoration of the balance of power, which, in spite of all its abuses in the 18th century, was, according to him, the only effective means of preserving the independence of European states.

Meantime the peace of Amiens had been broken and in May, 1803, England declared war on France. Also, relations between France and Russia started to deteriorate. In January, 1804, Prince Adam Czartoryski, a Pole, and close friend of Alexander I, assumed the responsibility for the conduct of Russia's foreign policy. In sending Novosiltzov to London to negotiate the alliance between England and Russia, which eventually led to the Third Coalition against Napoleon, Czartoryski gave Novosiltzov the secret instructions of September, 1804 in which he explained his conception of European structure and politics. In Czartoryski's opinion, in restoring independence to the states of Europe, the national feelings of populations and the constitutional

liberties of citizens should be considered. The states close to each other by cultural affinities or by geographical factors should form federations, - for example an Iberic Federation, a Federation of Italy, a Federation of Germany (with the exclusion of Austria and Prussia),- separating and counterbalancing eventual aggressors and thus assuring the political equilibrium of Europe. A general treaty should fix the principles of international law and particularly establish the supremacy of international law over the internal laws of particular states. A League of States should be created which would guarantee to its members peace and security. The close alliance between Russia and England should protect the whole European structure. Basing his scheme on the system of balance of power, Czartoryski intended to promote international co-operation, peace, and security within the framework of a League of States conceived as an organic body, which could better fulfil its functions being backed by political equilibrium in Europe and by a close alliance between Russia and England.

As the result of the negotiations with Novosiltzov, Wm. Pitt presented his plan for European reconstruction in a diplomatic note handed to the Russian ambassador in London in January, 1805. Pitt's proposals combined the main features of the two treaties which modelled the 17th and 18th centuries, namely those of Westphalia and Utrecht. The

barrier containing France within her limits should be reinforced and should stretch from Holland to the Adriatic. This barrier should be formed by the United Provinces and Prussia in the North, and by the King of Sardinia supported by Austria in the South; and, in the centre, by a range of fortresses near the French borders, garrisoned by Austria and Prussia. A general treaty of the principal European powers at the time of general pacification should recognize and fix the rights and possessions of the respective powers and re-establish a general and comprehensive system of public (international) law. This treaty, according to Pitt, should be put under the special guarantee of England and Russia. Also, these two powers should by a separate agreement bind themselves to each other to take an active part in preventing any infringement of the general treaty.

Negotiations started by Novosiltzov in London were continued in St. Petersburg and led to the conclusion in April, 1805, of the treaty of alliance between Russia and England which formed the basis for the Third Coalition against Napoleon.

These three conceptions of European structure and politics reflect the main currents of ideas regarding European relations throughout the history of Europe.

Hauterive's conception denied sovereign equality to states and endeavoured to justify Napoleon's supremacy in

Europe. From the point of view of the doctrine of public international law it reflected the rudiments of that law as practiced in the pre-Christian era.

Pitt's conception advocated the system based upon the doctrine of equality and sovereignty of states and equilibrium amongst them. This conception reflected the doctrine of public international law which resulted from the dissolution of the medieval system and was confirmed by the treaties of Westphalia and Utrecht.

In Czartoryski's conception the restoration of political balance was the basis of the stability of Europe. But the system of federations and counter-poise, and the Russo-English alliance, in Czartoryski's view, should serve to promote a new system of international relations within a League of States conceived as an organic body. Czartoryski postulated the doctrine of limited sovereignty and collective security within the framework of an international organisation. His conception marked progress in the field of public international law and international relations.