FRANKFURT

FO 30/104: Frederick Doveton Orme to Viscount Palmerston, No 12, Frankfurt, 2 March 1848

Effects of the French February Revolution in Germany; measures of the Federal Diet

Several Meetings of the Diet have lately taken place to consider the measures rendered necessary by events now occurring in France,[1] with a view to the protection of the Frontier of the Confederation, and providing against contingencies which these events might give rise to.

I have the honour to inclose herewith to Your Lordship a 'Proclamation' which was issued after yesterday's Sitting and inserted in all the Public Journals.[2]

Orders have been given to the 8th Corps d'Armée to form an Army of Observation on the Upper Rhine, but as this Corps is composed of the Contingents of Wirtemburg, Baden and Darmstadt, any great movement of Troops which might be construed into an offensive one towards France, will be avoided.

It has been the policy of that Country on occasions like the present, to make a demonstration in this direction, more perhaps from precautionary, than with aggressive motives. Should any such demonstration take place, the Federal Fortresses[3] will immediately be put in a state of defence and receive a considerable augmentation of Troops.

It is in its moral effects however that the present Revolution in France seems to be most dreaded in this country, influencing as it is now doing the political spirit of Southern Germany, and giving rise to demands which it will be difficult for the German Government to withstand.

[1] French February Revolution.

[2] Enclosure: *Journal de Francfort, Article Officiel*. In its proclamation to the German governments of 1 March 1848, the Federal Diet described itself as the 'legal organ of Germany's national and political unity', called for order, and expressed its confidence in the law-abidingness and insight of the German people.

[3] These permanent military installations of the German Confederation were located in Mainz, Luxemburg, Landau, Ulm, and Rastatt.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/104: Frederick Doveton Orme to Viscount Palmerston, No 19, Frankfurt, 10 March 1848

Federal Diet engaged in deliberating the question of a national parliament; influence of Austria and Prussia

I am credibly informed that the Diet, has within the last day or two, been seriously engaged in deliberation on the question of a National Parliament, with a view to the drawing up of an outline of such an assembly for the consideration of their respective Governments.

Its Sittings have been kept strictly secret so that nothing has transpired to throw a light on this subject, but I have every reason to believe that the information I am transmitting to Your Lordship is accurate.

It would no doubt be sound policy on the part of the Diet to place itself as it were at the head of a movement which is becoming irresistible, and by submitting a Proposition of its own, prevent the adoption of any other of a more liberal nature, such in fact as is likely to emanate from the Assembly at Heidelberg.[4]

It may equally be the policy of the Diet, while it allows an indistinct rumour of its intentions to get abroad, to withhold its decision on this subject for a time, until the present excitement abates, because men's minds are hardly disposed to listen to Propositions of a moderate nature, from whatever quarter they may come; and there is moreover a want of confidence felt in the sincerity, not to say capability of the Diet (as at present constituted) to adopt any measures advantageous to the Nation at large.

The influence of Austria and Prussia is here so paramount, and the deference paid to them is such, that any proposition at variance with their interests, is either so procrastinated, or so shorn of its original features, that when it is at last resolved upon, it is comparatively useless. This has been amply proved of late in the question of the Press.[5] The determined opposition which it is said that Austria and Prussia are about to offer to the present movement, contributes not a little to the general distrust falling on the Diet, and it is therefore likely that the Proposition emanating from Heidelberg, being more liberal, will be taken up as a popular question, in direct Antagonism to the Diet, and considerable agitation ensue on it.

[4] *Heidelberger Versammlung*, at which fifty-one representatives of south-western Germany's liberal and democratic groups met on 5 March 1848 to discuss the question of a German parliament. A committee of seven was set up to organize the Pre-Parliament.

[5] On condition that freedom of the press would not be misused against other federal states or against the German Confederation, the Federal Diet on 3 March 1848 gave the individual states the right to abolish censorship.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/104: Frederick Doveton Orme to Viscount Palmerston, No 28, Frankfurt, 23 March 1848

Question of a national parliament; preparations for the Pre-Parliament in Frankfurt

No new feature has presented itself in the Diet, or in the relative position of parties, since I last had the Honour of addressing Your Lordship.

The extraordinary events which have just occurred in Vienna and Berlin,[6] will no doubt have a great effect in determining the Question of a National Parliament, and of averting the opposition to that measure on the part of the larger German States, which was looked to with so much apprehension.

It is remarkable that notwithstanding all the agitation which has been going on for some time on this subject, and the success which has attended it, no project should have yet appeared before the Public conveying any idea of the probable Construction of the National Assembly, or embodying views of any large portion of the people.

The Journals throw no light on the subject. One Pamphlet[7] only has appeared at Heidelberg written by D^{r} Zöpfl, Professor of Political Law at that University, drawing in a more connected form, an outline of such a Parliament, but as it only expresses the sentiments of the Author himself, has no connexion with the Heidelberg Committee,[8] and is moreover moderate in its views, it is not likely to be adopted as a basis by the liberal party.

As far as I can collect, the object of the latter party will be to keep in view as much as possible the conformation of the English Parliament, taking as a pattern for the second Chamber, (or People's Representation) the English House of Commons, with a form of election somewhat similar, though more liberal. But I mention this with great diffidence and reservation, for my information must necessarily be imperfect, when the plan of the parties themselves is probably not matured, or if so, kept profoundly secret.

The Meeting[9] appointed to take place in this Town on the 31st ins^{t} to discuss this important Question, is likely to be much more numerous than was at first anticipated, for the Committee have extended their invitations to all municipal Bodies throughout Germany.

A large Church[10] in the centre of the town, capable of holding several thousand persons, has been fixed upon as the place of meeting, and

[6] Cf. pp. 105–113 and 400–404.
[7] *Bundes-Reform, deutsches Parlament und Bundesgericht* (1848).
[8] Cf. n. 4 in this section.
[9] For the Frankfurt Pre-Parliament cf. n. 11 in this section.
[10] Paulskirche, built between 1783 and 1830.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

from the preparations which are making, it promises to be a most imposing as well as formidable Demonstration.

FO 30/106: William Thomas Horner Fox-Strangways to Viscount Palmerston, No 10, Frankfurt, 8 April 1848

Present affairs at Frankfurt and neighbouring countries; political bodies at Frankfurt; government weakened in Frankfurt; refugees assembling near Strasbourg; danger of principles of radical party

The present state of this part of Germany is so singular and the effects of a continued suspension of Government in the presence of a turbulent population are likely to prove so dangerous an example to countries as yet removed from anarchy that I beg Your Lordship's attention to some of the occurrences of the last few days as bearing on the general prospect of peace or war in Europe.

The Diet, weak before the late events, is now absolutely powerless: its Members only remain in place upon sufferance, and are overridden by an equal number of Coadjutors of different views and principles from themselves. These again, though respectable and honest individuals, are themselves mastered by the Committee of Fifty, who sit in Permanence, for the purpose of watching the Diet, keeping it in harmony with the views of the lately dissolved Preparatory Assembly, and forming a link between that Assembly and the great German Parliament about to be chosen.[11]

By the side of these anomalous and dangerous, though not ill intentioned Bodies, is another, small in number but desperate in character, and unscrupulous in its views, headed by the notorious demagogue Struve – who daily holds forth to the rabble that follow him, the most violent and revolutionary doctrines.[12]

This party was fortunately in a minority in the late Assembly, and none of them have found their way into the Committee, but they are only more disposed to disturb the public tranquillity for that reason. A large mob, with five hundred torches made a procession in honour of M. Struve a few nights ago – but did not commit any damage.

[11] 574 participants – present and former deputies from the German states as well as a few prominent members of oppositional groups – met in the Pre-Parliament, held in the Paulskirche in Frankfurt from 31 March to 3 April 1848. Its main task was to prepare the election of a German parliament. The Committee of Fifty was elected on 3 April by members of the Pre-Parliament.

[12] The minority around Gustav von Struve presented a proposal for a radical democratic constitution to the Pre-Parliament. Among other things, it provided for hereditary monarchies to be replaced by freely elected parliaments, and the creation of a federal constitution on the American model.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

The Government of this City is of course greatly weakened by these events and can barely keep order in the streets; still less can it attempt to clear the town of foreigners and vagabonds who flock into it. The Police are concealed, and the military scarcely appear, but it is due to the citizens to say that they have shewn themselves most ready to cooperate with the Government in keeping order, patrolling the town, employing the poor, and thus creating a feeling of present security which hardly existed a short time ago.

It is hardly possible for these small Governments however well disposed the citizens of their own capitals may be, to insulate themselves from their populous and lawless neighbours. Frankfort and Wiesbaden may be peaceable, but when Mayence, Hanau, Baden, and other places pour out the refuse of their population to attack them, while the greater Powers are in no condition to support them, resistance is out of the question.

In the meantime all the neighbouring Countries are even worse off than Frankfort. There is a general relaxation of Government and the behaviour of the peasantry, apathetic where not interested, but regardless of law and property where they find they can pillage with impunity, shows already what may be expected if the present interregnum be not shortly put an end to.

Great alarm is beginning to be felt at the assembling of refugee Germans and others to the number of fifteen thousand near Strasbourg. If they cross the frontier they are sure to be joined by the adherents of the Republican or Struve Party in Baden where they are numerous, Struve himself being a deputy from Manheim.

The French Party in Mayence and other towns beyond the Rhine would join them if they advanced into this neighbourhood. A few nights ago the rails were taken up for a considerable distance on the Mayence railroad and carried away. This would prevent the quick passage of troops to or from the Fortress, where an Austrian reinforcement is expected to arrive and is much wanted.

Unfortunately at this particular moment arises a prospect of war in the North,[13] which takes off a large part of perhaps the soundest and best disposed military force in Germany, in a cause the perfect justice of which is doubted by many. There is however a force gradually assembling on the Upper Rhine composed of two corps d'armée under the Command of Prince Charles[14] of Bavaria, the presence of which it is hoped will be productive of benefit.

One of the circumstances which has lately awakened the eyes of the public to the danger of the principles and the course

[13] On the Schleswig-Holstein crisis cf. pp. 188–190.
[14] Karl Theodor.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

pursued by the Struve Party, is that the more honest though violent Liberals, the theorists and Professors who strive to make the German Parliament popular to the verge of democracy, but yet not independent of a supreme Chief, are now denounced by the Republicans as Conservatives and are almost generally regarded as such. Among these it is most remarkable that three men who have been from ten to fifteen years in prison for opinion, are now noted among the most moderate and reasonable speakers of the Assembly, namely Jordan, Eisenmann and Venedey.

This is perhaps the course of all revolutions, but the present interval is not the less critical, as an unlucky accident may give affairs a bad turn, while the mere effect of tranquillity may produce a good one.

FO 30/106: William Thomas Horner Fox-Strangways to Viscount Palmerston, No 44, Frankfurt, 9 May 1848

Diversity of views on the reconstitution of Germany

The number and diversity of the opinions in circulation respecting the future state of Germany is so great that it is impossible to report them all to Your Lordship. Many of them though having a certain interest here, would be quite devoid of any in England.

Among the persons most free to speak their opinions at present in proportion to the restraint imposed upon them before, are the Exmembers of the Diet[15] who still remain in Frankfort. Being well acquainted with them, while the new Members are as yet quite unknown to me, I hear more of the opinions formed during the late constitution of the Diet than of the ideas brought into it by its new Members.

The ideas of German unity, concentrated Federal Government, revival of the Imperial dignity, and other like notions, have by no means been confined to the People and Journalists of this Country. At the close of the last war there were many plans and speculations afloat for the reconstitution of Germany, as may be seen in the Papers published by Baron Hormayer,[16] that were afterwards overruled by the united influence of Austria and Prussia.

These plans unknown to the generality of European politicians, have been without noise discussed during the last twenty years in

[15] As the result of government reshuffles in many of the German states, almost all envoys to the Diet of the German Confederation were replaced in March and April.

[16] Hormayr's twenty-volume collection *Oesterreichischer Plutarch* was published in Vienna between 1807 and 1812. It made a considerable contribution to the patriotic movement during the Napoleonic wars.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

the private circles of many of the Governments of Germany, and the result is that the ideas both of Territorial changes, Forms of Government and adaptation of Laws and administration thereto, which now strike Europe with such startling novelty, are already familiar to the Statesmen and official persons who are likely to be called on to carry them into effect. They were well known also to the other set of statesmen now retiring, who have done everything to prevent their being carried into effect, and who succeeded in silencing all such speculations as long as they remained in power.

This slow and silent growth of the opinion of men more or less qualified to judge of such subjects, is an encouraging feature in the political condition of Germany. To it we may look for some Statesmanlike views, some experienced counsels in the Constituent Assembly. To it we already owe the little countenance the Extreme Party have met with, which has forced that Party prematurely into civil war and thus cut off its chance of greater success by giving a salutary alarm to the shade of Party somewhat less Republican than itself.

FO 30/106: William Thomas Horner Fox-Strangways to Viscount Palmerston, No 45, Frankfurt, 10 May 1848

Proposal for the incorporation of Denmark into the German Confederation

There is one possible solution of the present disastrous state of things between Denmark and Germany[17] – disastrous not only from the evils it inflicts, but also from the bad feeling it is likely to leave behind – that may not have suggested itself to Her Majesty's Government. I should offer it with hesitation as coming from myself, but since I have found that the idea has struck others whose authority must be superior to mine, I submit it to Your Lordship with a greater degree of Confidence than I should otherwise venture to assume for it.

This solution would, I conceive, be found in the proposal that in lieu of wasting her strength in internal strife, or in unequal contests with a powerful Confederation which might be her best Ally, – contests which may end in leaving her no alternative but that of becoming for the sake of protection the tool of a great maritime

[17] The military conflict between Denmark and the German Confederation began in April 1848 with Prussia's invasion of Schleswig. At issue were Denmark's incorporation of Schleswig and the legality of Schleswig-Holstein's provisional government. While the German troops under Prussian leadership largely held Schleswig by land, the Danish fleet controlled the North German coast.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

neighbour, – Denmark should frankly and at once accede for her entire continental and Baltic dominions to the Germanic Confederation.

There can be no doubt of the welcome she would receive from Germany, wild as it is at present with ideas of maritime power: a power which would probably in the first instance be directed, however inefficiently, against Denmark herself, if things remain as they are: but which would receive its most natural completion in a geographical as well as in a political sense, if the respectable and long established Naval Forces of Denmark were amicably united with those, yet to be created, of the Confederation.

This plan has its advantages, but it has also some difficulties.

The advantages, upon which I need hardly dilate to Your Lordship, would be those of adding a most useful support to the North of Germany, while Denmark would gain more in real importance and security than in the present state of Europe it is probable she could attain in any other manner. I might say of real independence also, for with only a divided rule over Holstein, and the prospect of Schleswig being soon in the same condition,[18] or worse, in a continual struggle towards that condition, Denmark Proper would speedily dwindle into the weaker member of a Scandinavian League, which has already many advocates in the North. And even as a member of such League, still more therefore if weak and separate, would she be liable to become an instrument for closing the Sound in favour of Russia and of her means of controlling the Prussian and other coasts of the Baltic: where it is probable that the Russian Squadron would have shown itself already, had not the season been unfavourable.

On the other hand the difficulties which would present themselves to the plan proposed, seem few. The difference of language is one, but that is not so great a difference as exists already between the mass of the Germans and the natives of Bohemia and other Slavonic Countries, old members of the Empire, the Italians of the Tyrol, or the Dutchy of Limburg. The difference of feeling between the Danish and German people is from the unhappy course of events now at its height; and though that be rather a temporary than a permanent obstacle to an union of Denmark, in her integrity, with the Confederation, it will of course not fail to embitter any other objection that might be urged against it.

These two difficulties would be made the most of by the Party at the bottom of all the Danish policy, namely the Scandinavian, who, in despair of recovering Norway for Denmark, or Finland for Sweden,

[18] The provisional government of the duchies wanted Schleswig, which was also bound to Denmark in a personal union, to become part of the German Confederation, like the Duchy of Holstein.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

wish to encrease the local power of both Kingdoms by an Union which should give them the Keys of the Baltic.

Both shores of the Sound would in that case be virtually under command of a League, one member of which is an old Ally of Russia,[19] while the other[20] is never without cause of apprehension from her.

I have no more to add upon this subject, except to state that an Ex Member of the Diet having told me that the idea of an Incorporation of Denmark with Germany as an integral State of the Confederation had in latter years occupied him and some of his Colleagues as a feasible and advisable scheme of policy, I do not scruple to lay my views, so supported, before Your Lordship.

FO 30/106: William Thomas Horner Fox-Strangways to Viscount Palmerston, No 74, Frankfurt, 12 June 1848

Dahlmann's proposal for the formation of a central government in the hands of three directors

A plan has been at last proposed for the formation of a Central Government for Germany. Its Author is Professor Dahlmann Member of the Assembly, who had a principal share in drawing up the Project of Constitution submitted by the Men of Confidence to the Diet.[21]

I am not able to send Your Lordship this Paper officially, but I can state that its principal feature is to place the supreme Government of the Empire, as it is termed, in the hands of Three Directors to be named by Austria, Prussia, and Bavaria on behalf of the smaller States.

I have not lately had an opportunity of speaking to the President Baron Gagern, but I am told that he favours this plan in preference to any scheme of governing by a more numerous Body, because it will give a fair opportunity to some of the Sovereign Houses to come forward in their proper place without any apparent opposition to the will of the People. When I last saw him, he said that the Assembly was more easily regulated than he expected, but that as to its composition, the Nobles and Proprietors, the Military and men who had experience in administration, were not in sufficient number to represent fairly their respective classes, or to give the practical tone to the discussions and resolutions that he could have wished.

[19] Denmark.

[20] Sweden.

[21] The plan referred to here was presented by Dahlmann on 17 June on behalf of the Committee of Fifteen set up by the Frankfurt National Assembly.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

The Princes who, it is expected, will be named to the Triple Power, provisionally at least, are the Arch Duke John, the Prince of Prussia,[22] and Prince Charles of Bavaria; and Baron Gagern may be Minister.

FO 30/104: Frederick Doveton Orme to Viscount Palmerston, No 46, Frankfurt, 18 July 1848

Official dissolution of the Federal Diet and establishment of the Provisional Central Power; request for new instructions and powers to enter diplomatic relations

I have the honour to transmit herewith to Your Lordship, Copies (with translation) of two Communications which have been made to me by Monsieur de Schmerling, Minister for Foreign Affairs, announcing to me the dissolution of the Diet, the establishment of a Central Power under the Arch Duke John, and the formation of a Ministry, and desiring that the same friendly relations may be continued between the Government of Her Majesty and that of the Central Power, as heretofore with the Diet.[23]

In transmitting this notification with the Documents accompanying it, I beg to request that Your Lordship will furnish me with Instructions as to the language I should hold, or any steps I should take in the name of Her Majesty's Government, in acknowledgment of the Provisional Government now established.

The functions of the Body to which Her Majesty's Minister has hitherto been accredited having ceased, it becomes, I presume, necessary that Your Lordship should supply me with fresh Powers to enter upon Diplomatic relations with this Government as Chargé d'Affaires.[24]

[22] Wilhelm.

[23] With the law of 28 June 1848 on the introduction of the provisional central power for Germany the National Assembly made the Federal Diet obsolete. The Diet resolved to suspend its activities and transferred its powers to Archduke Johann as Vicar of the Empire on 12 July 1848. This procedure was directed against the National Assembly's claim to sovereignty, and left open – in principle – the possibility of resuming its activities.

[24] Enclosures (copies and translations): Notification of the dissolution of the Diet and the election of the Archduke Johann as Imperial Vicar, 12 July 1848; Appointment of Schmerling as minister for foreign affairs, 16 July 1848; *Stenographischer Bericht über die Verhandlungen der deutschen constituirenden Nationalversammlung*, No 28, 30 June 1848 and No 38, 13 July 1848; *Protokoll der Plenar-Versammlung*, 12 July 1848; Law on the introduction of a Provisional Central Government, 28 June 1848.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/109: Baron Cowley to Viscount Palmerston, No 45, Frankfurt, 20 August 1848

Observations on state of affairs in Germany; causes for present disorganization; characterization of the National Assembly; state of the Frankfurt imperial government; position of Austria, Prussia, and the smaller German states with regard to the central power; conflicting interests; position of Archduke Johann

I propose in the following dispatch giving Your Lordship the result of such observations as I have been enabled to make upon the state of affairs here. A few preliminary remarks, even if they repeat what is known, may not altogether be out of place.

It would be difficult to arrive exactly at the causes which have led to the present disorganization of Germany. When the first regular outbreak occurred in March last, Germany laboured under no grievances which could really justify such violence. With the exception of Austria, there seemed to be a sincere desire among the Sovereigns of the different states to grant such free institutions as they thought would be for the benefit of their subjects. No country was, in general, more lightly taxed – civil and religious liberty was every where guaranteed – Commerce and manufactures were flourishing, yet on a sudden we find Government after Government laid prostrate, whole armies paralysed – the middle classes who perhaps above all are interested in the maintenance of order, obeying the dictates of an armed mob without a struggle – public credit every where shaken. At this moment, there is not a corner of Germany that is not in a state of Confusion and demoralization, from which it may require years to recover.

The facilities and economy which the improvements of the age have introduced in traveling must be early taken into account as having rendered easy the dissemination of those doctrines under the influence of which Germany is now suffering. Ever since the peace[25] a strong democratic spirit has been at work. As long as Ports were a suspected channel of communication, and traveling was slow and expensive, the spread of democratic opinion was restrained and retarded, but since men have been enabled to meet and interchange their ideas, without too great a sacrifice of time and money, the propagation of the principles which they advocate has been rapid.

I am much mistaken if wounded susceptibilities and a perhaps not unnatural vanity have not a larger share in the matter than most people would be willing to allow. There has been for years a feeling growing up among the smaller states that their voice was not sufficiently heard in the great Council of Europe, and there has been a sentiment prevailing among the many men of talent and acquirements, whom those states

[25] After Napoleon's defeat in 1815.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

have produced, that there was no sufficient field for them at home, in which to turn their abilities and learning to account. They became dissatisfied with a Government and system which kept them in the background. When, therefore, the King of Prussia endeavoured to assuage the storm that was raging in his own dominions by putting himself at the head of a movement which was to unite the whole of Germany under one banner,[26] we find these men emerging from their comparative obscurity, dispossessing that Monarch of the ideal scepter, which he had grasped, and gathering strength as they went along, expand, from a small band of individuals, into so formidable a body, that they have been enabled, by the mere strength of public opinion, to obtain of the ancient federal Diet, with the consent of the Princes who formed it, an acknowledgement of its own dissolution, and to erect in its place a Government, whose avowed object is to unite within its own hands, powers, patronage, and authority that have hitherto been vested in 38 different independent States.[27]

It is true that this change is denominated by some a restoration, but whether produced by a revolution or a restoration, we find ourselves in face of a scheme, which, if successful, must materially alter the relations on which the Great European Family has, of late years, held together.

The National Constituent assembly is composed of above 600 Members (it is not yet complete) elected by universal suffrage, in the ratio of one deputy for every 50,000 electors, but as the number of electors is based on an old Census, it is calculated that their amount is reckoned at one third less than their real number.

The elections took place with the knowledge and consent of the Sovereigns whose states are represented. The Assembly, therefore, is, to all intents and purposes, a legal body.

Its first act was to declare the future form of Government monarchical and as is well known, the Arch Duke John was chosen to represent the monarch until what is now but a provisional state of things should be consolidated.[28] After the manner of all constitutional Governments a responsible Ministry was appointed, and in a few words this may be said to be the present state of the executive Central Government: there is a Chief of the State, with responsible Advisers.

The National Assembly, in the transaction of business, has taken that of France as its model, and the members have adopted the french expressions of centre, right and left centre &c to express the different grades of opinion in which the Assembly is divided.

[26] Cf. pp. 107–108.
[27] Cf. n. 23 in this section.
[28] Archduke Johann was elected Vicar of the Empire on 29 June 1848.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

A stranger, however, would not be far wrong in limiting the parties to three, one representing the adherents of the Empire, from which the present Government is taken, a second, the republican party, and the third, those persons who shield themselves, as much as possible, from the expression of their opinions, and who are waiting for events to decide their future course. As at the present moment, the first and third party, generally vote together: the majority in the Assembly is assured to them, and in the language of the day may be considered Conservative.

As has been observed before, this Assembly is constitutive, and ought to be constitutive only. But like all irresponsible public Assemblies it has a tendency to usurp more power than properly belongs to it, and is constantly interfering with questions that appertain to the executive Government. It seems, in fact, after having created a Central Government to be distrustful of its own progeny.

To counteract this pernicious propensity, a Ministry composed of men, who had weight, character, influence, courage, and independence, was necessary – men, who would have courage sufficient to draw the line that was to separate the Executive from the Constitutive for the future, and independence enough to retire from Power, if these limits, without which no Government could be carried on, should be transgressed.

Let us see if such men are to be found in the bosom of the Assembly. Taken as a whole the composition of the Frankfort Chamber is far superior to that of its sister Parliaments at Berlin and Vienna. There is a greater number of persons in it of talent as well as of rank and respectability. But men that would be possible as Ministers under the present system are confined chiefly to such classes, as advocates, professors, and men of letters and science. Now, no country in the World can produce brighter ornaments in these spheres of life than Germany. But such persons are necessarily mere theorists – the practical working of a constitution, the machinery of State Government they are entirely unacquainted with.

This, perhaps, was a necessary evil to be encountered, since all those who had held the reins of power under the old system, and so acquired experience, were, for the moment, impossible. It was an evil, also, that time might cure, and therefore was of less consequence. But, to judge from the present appearances, this desireable and necessary amelioration is far from accomplished. I may say indeed, that no progress whatever has been made in that direction.

The Members of the present administration have shewn as yet a subserviency to the Assembly, which, if not checked, must paralyze all their duties as a Government, nor are there supposed to be men available at this moment likely to take a bolder course. It is another

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disadvantage that, the greater part of the members are but little known out of their own circles, or to each other, and therefore, if chosen as Ministers, do not inspire that confidence in the General Assembly, which is so necessary to the success of public men. Mr. Heksher, for instance, had a great reputation as a lawyer at Hamburgh, Mr. Duckwitz as a senator and writer on commercial policy at Vienna, but neither one nor the other are known to the majority of their colleagues in the Assembly and to the Empire – and mutatis mutandis, the same observation is true of the other Ministers.

Time, and opportunity are, again, the great remedies here. It is worth while to enquire whether time, and opportunity are likely to be given.

The consideration of this point opens so wide a field of doubt and difficulty, that, did I not feel it a duty to state what I can upon the matter, I should shrink from the task as beyond my strength.

Look, in the first place, at the Central Powers. We have a Prince at the head of it – whose reputation alone has placed him where he is. Of unblemished character, of liberal opinions, of patriarchal simplicity of manner, he has been called by the almost unanimous voice of Germany to preside over its new institutions. It must not be forgotten, however, that he is no longer young, and that he has to deal with men unknown to him, and who cannot have that attachment for him, which ought to be felt by subjects towards their Sovereign. Then we have a Ministry formed no one knows how, the members of which have no fixed principle that binds them together, beyond that of the Unity of Germany. If we descend to particulars we find a Minister for Foreign Affairs[29] without Agents to correspond with, a Minister of the Interior,[30] who has not even power in Frankfort, a Minister of Finance[31] with no treasury to superintend, a Minister of Justice[32] with no laws to guide him. The Minister of War[33] may be considered as the member of the Government, who has the greatest authority, and even his has been set at nought on more than one occasion lately. The Minister of Commerce[34] can of course do nothing until some scheme of commerce has obtained the consent of the Central Parliament. Such is the state of the Frankfort Government. Add to it that neither the Arch Duke nor any of its members receive any Stipend from the State, and the picture is complete.

[29] Johann Gustav Heckscher.
[30] Anton Ritter von Schmerling.
[31] Hermann von Beckerath.
[32] Robert von Mohl.
[33] Eduard von Peucker.
[34] Arnold Duckwitz.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

It may still be argued that every thing must have a beginning, and that these necessary accompaniments which are now wanting to the Ministry, will be acquired by degrees.

And so indeed they would, if Germany was really united in opinion, and this brings me to the most difficult part of the inquiry; namely, to what extent Germany as a body is willing to invest power in the Central Government?

Without going into details we are met at the outset by this question. Is it possible to invent such a Code of Laws, such a system of Commerce, or such a scheme of education, as will satisfy the wants, and meet the interests of so many different states? For the National Assembly at this moment, aims at nothing less. The arrangements respecting the Army, and Foreign Representation would be of easier solution, though they also have their difficulties. I purposely omit the subject of religion, because I believe that as yet no one has had the courage to confront it. It is a question that stands for early discussion in the National Assembly, but will, I understand, be postponed.

But admitting that these matters allow of a settlement, are the Princes of Germany willing to part with as much power as will infallibly be demanded of them? Are their subjects ready to obliterate the marks which distinguished them as separate States and fuse into one Great Nationality? If the Princes resist, while their subjects assent, are the latter strong enough to force the former to obey their will?

There can, I think, be no doubt that the Sovereigns, if they can, will unite in repudiating the sacrifices which they are called upon to make. With regard to the larger Powers, Austria seems to pay but little attention to what is going on here. Whether she has been too much occupied at home, or whether she thinks that the interests of Germany are small in comparison with those at stake in other parts of her dominions, certain it is, that no one seems to know what her intentions are, in regard to the Central Power. It is a curious fact also, that Bohemia, though a member of the Confederation, has sent no deputies to the Assembly.[35] While surmising on the future steps of Austria we ought not perhaps to overlook the movement that is going on among the Sclavonic [sic] populations of the East. Is it not possible that she may be more interested in the struggle that is preparing there, than in that which is shaking Germany to its foundations?

On the side of Prussia there is less doubt, and far more danger to the incipient power at Frankfort. When the King of Prussia first

[35] Because of their fundamental hostility to the National Assembly, forty-eight of the sixty-eight constituencies of Bohemia and Moravia sent no deputies to Frankfurt.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

pronounced the words 'Unity of Germany',[36] it may reasonably be doubted whether he was aware of the import of what he uttered, or of the consequences, to which it would give rise. His object, at the moment, was, probably, to turn the excited passions of his own people into another channel, and thus to preserve himself, and his own dynasty. But the word thus spoken, became the Watchword of the German Race. It ran like wildfire through every state. If the King of Prussia, after the first burst of enthusiasm was over, had any hope of obtaining the Supreme Authority, he must have been quickly undeceived, and it is not unlikely that he may find himself engaged in a struggle for his own crown with the Power which he has helped to call into existence.

Never was a man placed in so false a position. Bound by the words which he has uttered, and which he cannot recall, but which he endeavours to explain, he is mistrusted on both sides. His own Subjects in the North of Prussia see their nationality threatened, and are beginning to awake from the dream of Unity which once charmed them. He himself is aware of the danger which threatens his own authority, while the Central Government watches his proceedings with the declared intention of summoning him to an explanation upon the first favorable opportunity. As long as no question presents itself which trenches upon the authority of the Sovereigns, or as long as there is a hope that the Chief Power of Germany may eventually fall into the hands of Prussia, the present calm may last – but let the Assembly proclaim the Arch Duke John Emperor with the succession to his Son, (the count de Meran, a scheme that has many partizans) and I venture to assert that the rupture with Prussia will be complete.

And who shall say, if the struggle begins, what will be the issue? The Southern States, I mean Wurtemberg, Baden, Hesse Darmstadt, Cassel and Nassau, with the Rhenish Povinces, and, perhaps, Westphalia, would join the Central Power to a man. It may be doubted whether Austria would not favor the cause of one of her own Princes, when Bavaria could not stand aloof. Even if the Northern States league with Prussia, all the disaffected within them would give what aid they could to the double Eagle of the Empire.[37]

If, My Lord, I saw among the patriots assembled at Frankfort, men, of tact, moderation, and firmness, into whose hands the Government was likely to fall, I should have better hopes for the future. Far be it

[36] For the proclamation 'To my people and the German nation' of 21 March 1848 cf. p. 108.

[37] Austria.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

from me to say, that they do not exist, but it is certain that they have not appeared in the Political arena as yet. He, who has decidedly the most influence at this moment, who has shewn consummate tact in a very critical post, is M. de Gagern, but he is too necessary in his present place to be removed. That the future depends mainly upon him, no one seems to doubt, and he is particularly cautious in expressing any opinion that might interfere with his free action hereafter.

A solution that is looked to by many is the peaceable separation of the North and South of Germany into distinct Powers. If I dared venture a prediction when all is so dark and uncertain, it would be that this arrangement is the most probable. Whether it is to be obtained peaceably or not, is another question.

But while these conflicting interests, these hopes and fears, are in array against each other, the fire of democracy is smouldering beneath them. Let Princes and Senators look to it, as it may yet destroy them all!

One question more, and I have done. Does the Arch Duke John thoroughly understand the position in which he is placed, and has he strength and capacity to go through with the task which he has undertaken? To the first part of the question I should be inclined to answer, Yes. To the second, I will not hazard a surmise. His Imperial Highness has gained great credit for the administration of the province of the Austrian dominions[38] which was confided to his care, but it must be remembered that he had few difficulties to contend against. He has made himself popular and beloved by all who knew him, but in these critical times amiability of disposition will not be the only shield on which its possessor can rely.

I have thus endeavoured to place before Your Lordship such information relative to the state of political parties as I have been enabled to obtain since my arrival here, in order that you may compare it with what you hear from other quarters. I have seen and conversed with most of the leading men now resident at Frankfort. I have endeavoured to make myself master of their views, their hopes, and their doubts. I am not arrogant enough to suppose that all I have stated must be correct. But no one will deny this much, that the Stability of the Central Power is a problem yet to be worked out. If declarations are to be trusted to, there are those here who are determined to carry it through, let the cost be what it will. I should be sorry to raise apprehensions without due foundation, but I confess that I look to the future with the greatest anxiety.

[38] Styria.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/110: Baron Cowley to Viscount Palmerston, No 101, Frankfurt, 17 September 1848

Observations on the debates in the National Assembly on the Armistice of Malmö; laxity of political morality among the Germans; future prospects of the Central Power

It would, I conceive, be a great error to consider what has been passing lately in the National Assembly at Frankfort with reference to the Schleswig Holstein question alone. I am, for my own part, thoroughly convinced that the adviseableness of accepting the armistice of Malmoe or not, has had very little to do with the matter, and that we must look to other sources for much of the opposition that has been manifested, as well as for the violent language that has been employed during the discussion of the lamentable affair.[39]

It has, in the first place, been made a party question. The late Government, during the short time it was in office, had done nothing whatever to raise itself in public opinion. It had taken no decided step in any one direction. It had temporised with the few questions with which it could not avoid dealing. It had satisfied no party. On the contrary, there was a general feeling abroad that the persons composing it were totally unfit for the crisis which every one foresaw coming. There was no feeling, therefore, in the Assembly of any necessity for having them, even among those who were generally considered to be favorable to them. On the other hand, the liberal and democratic parties each saw, or fancied it saw, a chance of getting into power, and provided they could attain their object, they were not likely to be over scrupulous as to the means.

This has been one principal source of opposition. Another may be traced to a jealousy, amounting, in a large section of the Assembly, to almost an antipathy of Prussia. The wish of marking this aversion, the hope of humiliating that country, has, I have no doubt, influenced many votes even of sensible persons.

The third and most dangerous opponents of the Armistice were to be found in those, who, having nothing but a republic in view, oppose any measure that is likely to consolidate the present monarchical System, and to restore order and tranquillity.

I have already had occasion, in my despatch No. 90 to call Your Lordship's attention to the uncourteous manner in which the Negotiations at Malmoe were terminated without any Communication

[39] On 5 September the Frankfurt National Assembly had at first opposed the Armistice of Malmö concluded between Prussia and Denmark on 26 August 1848 (cf. n. 16 in Hanse Towns section), thus triggering the resignation of Leiningen's cabinet. On 14 September this blocking resolution was revised, and the armistice was ratified.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

having been made to the Central Power.[40] This conduct, it has been impossible for the friends of Prussia to defend, and has put into the hands of the opposition arms that it has turned to good account.

From first to last, this Schleswig Holstein transaction has shewn a laxity of political morality among the Germans, which, if repeated, must destroy all confidence in them as a Nation.

Whether we look to its origin, to the different phases through which it has passed, or to its end, we are met at every turn by a looseness of principle which ill accords with the flourishing phrases concerning German honor, in which the press, the parliament, and the public have so largely indulged.

I cannot even exempt the Arch Duke John, or his Ministers, who now support the Armistice, from all blame. If the former had shewn a little more energy, and the latter a little less selfishness, this matter, I firmly believe, might have been settled long ago. But the one has let things take their course without remonstrance, and the others have thought too much of their places and too little of their Country. The consequence has been that instead of treating the question fairly when the Central Power was established, and when its settlement might have been ensured they had recourse to big words and vain threats in order to create a little popularity, and they are now paying the penalty of the excitement which their words and promises tended to kindle. They have acted throughout this business as if their dictum was law, and that Denmark had no voice, and no right to be heard in the matter. I warned both Prince Leiningen and Mr Hekscher, from the beginning of my sojourn here, of what would be the inevitable consequence of their half measures, that Prussia would be forced to act without their concurrence, and that the Central Power would be perilled by it.

I can hardly describe to Your Lordship, with what feelings of concern for the future welfare of Germany I returned home from the last debates in this question. I did not hear during the three days of their duration, a single speech, which could be called that of a Statesman, with the exception, perhaps, of that of Mr Heckscher. The rest appeared to me like special pleadings of persons who felt that they were in the wrong, that they must give way, but that they would give as little as possible. There was a want of honesty and integrity that was really painful to witness. I am convinced that there was not a man who opposed the armistice who had the least intention of really carrying on the war with Denmark. During the whole of the debate, troops were arriving in town on their return home from Schleswig without calling forth a remark.

[40] Denmark and Prussia concluded the Armistice of Malmö without ratification proviso, which the provisional central power at Frankfurt claimed for itself.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

The scene during the last day as the opposition began to lose all hope of success, was very disgraceful, and some of the speeches of the opposition members exceedingly violent, but displaying great oratorial powers.

The question, My Lord, which one naturally now asks oneself is, what is to be done for the future? What chance is there of a Government being formed, strong enough, and willing enough, to meet the crisis which becomes day after day more imminent. The formation of such a Government, with the men that are now at the Arch Duke's disposal, would be little short of a miracle. There is not a statesman in the Assembly. Take the men, whom His Imperial Highness consulted in the late dilemma. Hear Mr Dahlmann when asked what office he would himself take, if he succeeded in forming a Government, answer, 'I take an office? I am a professor, and when the Government is formed, shall go back to my Professorship', or follow Mr. Hermann in his wanderings first to the right and then to the left section, basing his negociations upon his acceptance as a Minister, of the Armistice, which he had rejected as a deputy, and then listen to him justifying his conduct to the Assembly, and winding up his speech by declaring that as he had not been able to form a Government on the basis of the acceptance of the Armistice, he should return to his former opposition, and vote for its rejection.

And such is the stamp of the men on whom the future success of the Central Power depends!

FO 30/110: Baron Cowley to Viscount Palmerston, No 108, Frankfurt, 18 September 1848

Revolt at Frankfurt in consequence of the acceptance of the Armistice of Malmö; murder of Prince Lichnowsky and Colonel Auerswald

Since the vote of the National Assembly on the armistice[41] the town of Frankfort has been in a state of great excitement. Meetings of the adherents of the democratic and republican systems were immediately convened which were attended by people for many miles round and at which the most violent and extravagant resolutions were passed. It was generally supposed that an outbreak would have occurred yesterday (Sunday) but the day passed over in comparative tranquillity. Enough however had transpired to cause serious uneasiness in the minds of the Frankfort Magistrates for the safety of the Members of the National Assembly, who had voted for the armistice, and at twelve last night

[41] Cf. n. 39 in this section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

an intimation was addressed by the Senate of the town to the Central Government to the effect that it would hold itself no longer responsible for the safety of the deputies.

Energetic measures were immediately taken. Some Austrian and Prussian troops were brought by Railway from Mayence, and others ordered from the contingents of Bavaria, Darmstadt, and Hesse Cassel.

An attempt was made to break into the National Assembly this morning, but was prevented with the loss of one or two lives. The people instantly began raising barricades in every direction, and unfortunately they were allowed to finish them without interruption, the troops standing by the whole time.

Towards evening however the people becoming more audacious the troops were ordered to fire, artillery was brought in, and the barricades regularly attacked. At the hour at which I am writing, the conflict is going on, it is said to the advantage of the troops, though they have suffered severely, particularly in officers.

The events of the day have been marked by a most atrocious murder, which shews but too plainly what were the infamous designs of the conspirators.

Prince Lichnowsky had made himself particularly obnoxious to the members of the extreme left, and his death had been openly talked of among them. About four this afternoon he most imprudently got on horseback with Colonel Auerswald, brother of the late Prime Minister in Prussia, with whom he rode towards one of the gates of the town. Being recognised on the way he was fired at, and was seen soon after to get off his horse, and with his companion attempt to conceal himself. They were both dragged from their hiding place and inhumanely murdered.

If there is any faith in public reports the outbreak is the work of the members of the extreme left. It is said that their plan was to destroy the whole of the members of the right during this mornings sitting and then to proclaim a republic, and that their project was frustrated by the arrival of the Austrian and Prussian troops. I trust for the sake of humanity that these reports are exaggerated, though the murder of Prince Lichnowsky and Colonel Auerswald give great colour to the supposition.

I am told this evening that the Government has determined on the arrest of several members of the left as soon as quiet shall have been restored to the town.

It is much to be feared that what is passing at Frankfort will be the signal for excesses in other parts of Southern Germany, and certainly what has happened proves that the apprehensions of the Central Government in regard to the consequences of accepting the armistice

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

were not exaggerated. Still My Lord, I do not depart from what I had the honour of stating in a former despatch, that the armistice has been made a pretext for covering the designs of the republican party, and I am equally convinced that if the armistice had been rejected some other occasion would have been found for making the attempt, the issue of which is still in the balance but which I humbly trust it may please Almighty Providence to fail.

FO 30/111: Baron Cowley to Viscount Palmerston, No 182, Frankfurt, 15 October 1848

Project to amalgamate smaller states with the larger states of Germany

The project which I mentioned to Your Lordship in my Despatch No 161 of amalgamating the smaller states of Germany with the larger appears to gain strength daily and would I conceive receive a commencement of execution at once, if the Central Power knew exactly how to begin. I understand that it has been intimated to the Duke of Nassau[42] that such is the state of the Duchy,[43] that if he does not ask assistance from the Central Government the latter will be forced to send Imperial commissioners to govern in its name.

This appears to me the course that the Central Power intends to pursue, for I thought it right to enquire what was to happen if the minor sovereigns refuse to come into the wishes of the Government of Frankfort. There seems to be no intention of adopting violent measures, the Central Power feels that it cannot decree the forfeiture by a Sovereign of his throne, and that all that it can do is, in cases of presumed necessity, to take the Government of the state into its own hands.

Having heard that some of the smaller states of the North of Germany were by no means desirous of losing their Princes, but were still willing to remain under their rule, I expressed a hope to Mr Max Gagern, who has the principal direction of foreign Affairs in the absence of a Minister, that the wishes of the people would be consulted in any reconstruction of the German States; Without exactly combating the principle, Mr Gagern said, that from the accounts which had reached the Central Government, there would be no opposition among the people anywhere, and that he was much afraid that if measures of some sort were not shortly taken the people would begin refusing to pay the taxes.

[42] Adolf.

[43] In July 1848 the government of Hesse-Nassau requested an imperial intervention by Austrian and Prussian troops in response to a revolt by the radical democratic opposition.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

I am well aware My Lord, that any one living in a place is apt to fall into the language and sentiments which he is there in the habit of constantly hearing, and I certainly do not exempt myself from that failing. Nevertheless I fear that in the South of Germany it will not be possible to leave the states as at present composed. There is no inherent strength in any one of them. If left to themselves they would become the theatre of continual outbreaks which could only be controlled by the bayonets of the North.

Uniting them under one sceptre might perhaps turn their overwrought imaginations into another channel, and satisfy their exuberant demands for nationality. The choice lies, I fear, between this and a struggle for a Republic. If the supposition is correct, it follows that the safest and wisest course for the Sovereigns to follow is to take the initiative themselves, and to make such terms now as they certainly will not be able to obtain, if the struggle once commences. The Central Government which feels the immense difficulty that attends the whole question would be too happy to escape from it by securing good terms for those whose resistance would endanger the whole fabric, and I cannot but earnestly hope that some Prince will be found patriotic, or if not patriotic, prudent enough to make the experiment.

There are those who suppose that the financial and recruiting measures to which Your Lordship will find allusion made in other Despatches of this date, are taken with a view of embarrassing the Governments of the smaller states and thus giving the Central Power a pretext to interfere.[44] Although I do not agree in the motive assigned, I believe that the consequence will be that the Central Power must interfere.

I feel most deeply the serious responsibility that attaches to expressing a conviction that such changes have become necessary as will alter the whole territorial arrangement of Germany. But such is my conviction and it is a duty I owe to Your Lordship and to Her Majesty's Government to state it without reserve. To replace Germany as it was in the beginning of the year I look upon as an impossibility. There may be districts in which the necessity of amalmagamation [sic] is less felt than in others. It might indeed be possible to keep the whole machine moving as it is for some time longer, but the word has gone forth that the existence of the smaller states is incompatible with German Unity and Central Government and unless it pleases Divine Providence to overrule human speculations, that word will become the fiat of the people.

[44] The authorities of the cities near Frankfurt were forced to quarter soldiers of the imperial troops among the inhabitants.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/113: Baron Cowley to Viscount Palmerston, No 236, Frankfurt, 4 November 1848

On the influence and power possessed by the imperial government; differences of opinion on question of German unity; position and tactics of the King of Prussia; incompetence and vanity of the new political leaders; present system cannot last long

Inclosing for Your Lordships information translations of a semi-official article which appeared on the 28th Ultimo in the Gazette des Postes,[45] but which may be looked upon as a justification emanating from the Central Government, against certain attacks which have lately been made upon its impotence and nonentity, both by the Press and in the National Assembly; I conceive that a few accompanying remarks may not be out of place.

Four months have now elapsed, as is observed in the enclosed document, since the constitution of the Central Power,[46] four months, one may add, of as eventful a nature as these eventful times can well produce. Although it would be going too far to adopt the journal's estimate of the force which the Central Power has gained, or the good which it has done, I consider it would be unfair not to allow that it possesses a certain portion of the former, or to deny that its action on the whole has been productive of some benefit. Whether this force might not have been augmented by a more judicious line of conduct, whether more real and lasting good might not have been effected, are questions which may be fairly asked, and would probably not bear a very searching enquiry. What may be regarded as certain, is, that no party is satisfied with what has been done, not even the immediate friends of the ministers themselves.

If your Lordship will strike a balance, according to the statements contained in the annexed document, between what has been effected, and what is promised, the Central Power will be found to owe a heavy debt to the Nation, nor is it quite fair to lay so great a stress, as is there attempted, upon the difficulties which the Central Power has had to encounter, because it was supposed to be labouring in a cause which all had at heart, which Sovereigns, nobles, middle and working classes, had proclaimed with one voice, the unity of Germany. Either then the difficulties to arrive at this unity ought to have been few, or unity bears in the modern German language a very different meaning from what has until now been affixed to it.

I might perhaps, with more propriety say, many different meanings, for in the debates of the National Assembly, unity means differences of opinions and principles, which degenerate into the most disgraceful

[45] Enclosure: *La Gazette des Postes, Francfort, 29 October, Sur les travaux du pouvoir central provisoire.*
[46] Cf. n. 23 in this section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

squabbles and have led to riot and murder. Unity, according to the understanding of the Central Government, implies keeping the administration in the hands of a certain set, who promulgate ordinances and issue commissions which receive but uncertain execution, or unwilling reverence. Unity in Austria signifies, having nothing to do with the Central Power, unity in Prussia expresses submission to Prussian interests, if not to Prussian dominion, unity in the smaller States imports abolition of the rights of the Sovereigns, while unity throughout Germany may be construed by the words, confusion, anarchy, and misery.

This is the difficulty with which the Central Government has to contend that no two countries or classes comprehend alike what that unity is which the Central Power has the mission to bring about. If to this is added that the Ministers are not agreed among themselves, that there is an Austrian, a Prussian, and what may be termed a central party in the Council, the wonder is that any force should be acquired or any Government maintained at all.

This force, however, though paraded to the utmost in the article on which I have the honor to comment, is, I continue to think more nominal than real. The statement there made would insinuate that 900,000 men stand at the disposal of the Central Government. I am disposed to think that the Government of Frankfort may do pretty much what they please for the moment with the troops of Wurtemberg, Baden, and the smaller states, that Prussia will not object to a limited number of her's being employed as the Central Minister of War desires, and that perhaps the same may be said of the Austrian regiments in garrison at Mayence and Bregenz. Beyond this not a man would stir at its bidding. The same may be predicated of the other branches of the national service. The edicts of the Vicar General[47] will be acted upon in the smaller states, in the larger they will be apparently received with respect, but eluded in the execution.

Nevertheless, weak as is the Central Power, it is the only one that at this moment meets with any respect at all in Germany, without it, I am convinced that the greater part of Southern Germany would at this moment be in a complete state of anarchy. In fact, the National Assembly, which is the organ of the revolution is less revolutionary than any of the other German parliamentary assemblies. But to continue in this course, it must be supported. It cannot stand still, and if it does not find at the hands of Prussia particularly that material support which will enable it to make head against the democratical party, it will naturally fall back on that party, and the consequences will be felt

[47] Archduke Johann.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

by the whole of Germany. When, therefore, I venture to intrude the same opinion over and over again upon Your Lordship, that Prussia should come to an understanding with the Central Power, I do so, because I see in it, a material advantage for them both, and a hope of safety for Germany. Prussia has a well disciplined military force (though, it is said, not wholly uncontaminated), but it is not backed by public opinion. The Central Power has no material force, properly so called, but has a considerable moral weight. These two united may do much good, separated they are useless. This state of uncertainty, it is felt, cannot long continue. If the King of Prussia thinks himself strong enough to reestablish entirely his independence of the Central Power, and tries it, he must be prepared not only for such a struggle as is going on at this moment with his own subjects, but for one in which the whole of Southern Germany will be united against him, and it is impossible not to foresee that perilous as is His Majesty's position now, it will then become doubly so.

But, if it is necessary that the King of Prussia should change his tactics, it is equally necessary that the members of the Central Power should change theirs'. The exclusion of men of talent and experience from all affairs of the government merely because they served under the old system, ought not to be longer tolerated. The men whom the revolution has brought forward are totally unfit for the task which they have undertaken. It is generally supposed that extraordinary times produce great men. Such has not been the case in Germany. It has been said to me that the time has as yet been too short. Be it so, I have answered, but, in the mean time, make use of those whose experience in affairs will help you through your difficulties, and inspire more confidence in Europe, which is almost as necessary to you as confidence at home. Mix them, if you will, with some of the new school. Speak your mind fairly. Hold not one language in the Assembly and another in private. Meet your difficulties firmly and honestly, and be prepared to stand or fall by the advice you conscientiously offer. I do not say that in these times you will not fall, but at all events, you will fall respected.

Such, however, is the overwhelming vanity of these gentlemen, that I have but faint hopes of any improvement in this respect. There is not one of them that does not consider himself far more able to steer the vessel of the State, than the greatest statesman that ever lived. If they came within the licence of a despatch I could recount to Your Lordship, anecdotes of their self sufficiency which appear almost incredible.

In the mean time, the Government has been six weeks in an incomplete state, and this administration which is to take the legislation and representation out of the hands of the whole of

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Germany, cannot find a President, or a Minister for Foreign Affairs. And yet it is angry that it is not acknowledged by the Foreign States!

It seems almost a contradiction after having criticised with no lenient hand the defects of the Government system, to return to the point from which I started, and to repeat that the Central Power possesses some force and has done some good. But Your Lordship will, I think, consider my assertion correct. It has that force which prevents either Austria or Prussia, though both are inclined to do so, from openly disavowing it. It has done that good, that it has successfully opposed the republican demonstrations which have been attempted at Frankfort, in Wurtemberg and Baden, and prevented their spreading further.[48]

With regard to the future, it must, I think, be clear to every one, that the present system cannot last long. Either the idea of a Central Power must be abandoned, or all elective assemblies for other than local purposes, with the exception of the Frankfort Parliament, must be abolished. This truth is beginning to be felt here, and must, ere long, become a rooted conviction. To have several chambers in Germany which may publicly pass laws of totally opposite tendencies to those enacted by the Central Power, is an incongruity too great to be tolerated. One assembly elected by universal suffrage must be a trial for any country, but eight and thirty such assemblies with a right of debate on every question that may concern the Empire as a whole, must in the end, produce such confusion as must paralyse all hope of steady impartial government. Unity of military force, of foreign Representation, even of a commercial system admits of grades and modifications, but if the same laws are to govern the whole Empire, as is pretended, there can be but one legislative power, whether confined to one, or extended to two or three estates.

I ought to apologyze to Your Lordship for the lengthened call which I have made upon your attention. The interest of the subject will, I trust, plead my excuse.

FO 30/113: Baron Cowley to Viscount Palmerston, No 241, Frankfurt, 5 November 1848

Plans for a German navy

I understand that Prince Adalbert of Prussia, whose arrival on business relating to the future German Navy I had the honour to announce to Your Lordship in my Despatch No 211 is not a little astonished at the

[48] Cf. pp. 38–40 and p. 317.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

off hand manner in which a subject of so much importance is treated here.

The gentlemen of the Assembly seem to think, that all that is necessary to equip a fleet, is to name a Commission for the purpose and to vote certain supplies of money.

Prince Adalbert stated to me the other day, that he had some idea of paying a visit to England, for the purpose of seeing the dockyards and other public naval establishments, and he asked me whether there would be any difficulty about his doing so. I assured His Royal Highness, as I felt convinced I might, that he would be received with every respect in England, and every facility afforded him for visiting whatever establishments he pleased.

I took the opportunity also of alluding to the ridiculous reports which had been circulated here, when first the idea of a National Fleet was broached, that Great Britain would throw every obstacle in the way of such a project through jealousy.

I observed to His Royal Highness, that without disparaging any efforts that might be made, it was obvious that years must elapse before a German Navy would be in a state to give cause of jealousy to England; and that moreover I thought it so much more likely, that in the event of a war, British and German interests would be united, that we never could view with anxiety the development of a force which I trusted would always be found defending the same cause as the ships of Her Majesty.

FO 30/114: Baron Cowley to Viscount Palmerston, No 266, Frankfurt, 19 November 1848

Resolution of the National Assembly with regard to the arrest and execution of Robert Blum in Vienna

Since I have had the honour of serving Her Majesty, I do not recollect ever having taken up my pen with so much reluctance. To expose the faults, to animadvert even on the errors of others, is not an agreeable employment, but to denounce what I conceive to be a dishonour and a crime in a Government and in a Parliament, is a task from which I should shrink did not my duty impose it on me.

Your Lordship is aware that on the breaking out of the disturbances at Vienna, the members of the Left in the National Assembly sent a deputation to assure the insurgents of their sympathy. The members of this deputation, Mssrs Blum and Fröbel, not content with fulfilling their mission, enrolled themselves in the insurgent bands, fought against the Imperial troops, were taken, tried and condemned

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

to death. The former was shot, the latter, from some extenuating circumstances pardoned.[49]

On the news of the arrest of these individuals reaching Frankfort, the Ministers were asked what they had done to ensure the safety of two members of the National Assembly. The Minister of Justice[50] answered that he had sent to claim them, for Your Lordship is aware that the National Assembly has passed a law[51] declaring the inviolability of the persons of all its members except under especial permission to the contrary from itself.

As soon as the execution of Mr Blum was known, the excitement of the members of the Left knew no bounds. The punishment of his murderers, as they were called, was demanded, a committee was appointed to make a report, and they proposed to the Assembly to 'decree the judgment and punishment of all persons directly or indirectly concerned in the arrest and execution' of their late colleague.

The Assembly adopted the proposition unanimously and without discussion.[52]

I stop not, My Lord, to examine how far an Assembly such as that of Frankfort, has the right to make a law which might allow six hundred assassins or incendiaries to stalk with impunity throughout Germany, whether Austria is bound by a law which she has not formally recognised, or whether military law being proclaimed does not supersede all other law. Neither do I stop to enquire how far it was politic, or not, in Prince Windischgrätz to enforce this execution.

I do not wonder at the members of the Left pursuing their system of anarchy, or while they stretch out the right hand of fellowship to the murderers of Lichnowsky, Auerswald, Lambert [sic] and Latour,[53] at their calling for vengeance on the heads of those who have, with an appearance of legality at least, condemned their friend and comrade to death. But what is to be said of the Central Government, what of those members of the Assembly, who have supported that Government in its efforts to restore order here.

Will your Lordship believe it? There was not found one who had the courage to mount into the tribune and demand at least that the Assembly should wait until they heard the justification of Austria, still less was there found one bold enough to say that if a member forgot his duty as a member, and wantonly engaged in a quarrel that concerned

[49] For the events at Vienna cf. pp. 419–423.

[50] Robert Mohl.

[51] Imperial law of 29–30 September 1848.

[52] The proposition was adopted on 16 November 1848.

[53] On the murder of Lichnowsky and Auerswald cf. p. 39; on the murder of Latour cf. n. 54 in Austria section; Franz von Lamberg was murdered in Pest on 28 September 1848.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

him not, he must take the consequences. One and all adopted a resolution which proclaimed in fact, if not in words, the members of the military court at Vienna, murderers, and ordered their judgment and punishment. If anything was wanting to enhance the egregious folly of the proceedings, it is, that five hundred men should be found to agree in a vote which each of them knew the Assembly had not the power to put in execution. Would indeed that it were folly only of which the Assembly has been guilty! I venture however to say, that four hundred members at the least felt that Blum's execution was a just one, I could name several, who, while his fate was in suspense, declared that he ought to be executed, but who now voted the contrary way. Members of the Government went round the better disposed clubs the night before, to request that the resolution might not be opposed, in order that they might avoid a discussion, and thus partly from fear, and partly to suit the convenience of the Government, a resolution has been passed that has rendered the Assembly which was to purify and regenerate Germany, a fraterniser with the Aula of Vienna,[54] a vindicator of barricades, and an assertor of the rights of its members to combat with impunity wherever the red flag of the Republic is raised against the Sovereigns of Germany.

The same indignation which I have now ventured to express to your Lordship, I have not concealed from any here with whom I have conversed on the subject.

Neither from the Arch-Duke,[55] nor from his Ministers, nor from the President,[56] or such members of the Assembly as I have seen, have I refrained from stating my opinion soundly. There are moments when such determined language has its effect, and Germany is now in that critical position when every attempt must be made to shame away the baser feelings to foster and encourage what remains of good. If I have seen that some of my observations have given pain, I have found that none of them could be answered, but I cannot conceal from myself that among the generality of those to whom I have addressed myself, expediency goes before honour, or rather that they really do not see the dishonour, nor the fatal consequences which, in my humble opinion, attaches to the vote which they have given.

It is said that the Authorities of Vienna should have waited, and asked the permission of the Assembly before arresting one of its members. In the first place, such a proceeding would have been a direct recognition by Austria of the superior power of the Frankfort

[54] In 1848 the *Aula*, one of the university buildings in Vienna, became synonymous with student radicalism and the radical party.

[55] Johann.

[56] Heinrich Freiherr von Gagern.

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Parliament, upon which she has hitherto avoided pronouncing herself; and secondly it may well be asked, supposing such a permission to have been demanded, what chance there would have been of the Assembly granting it, or what member would have been bold enough to propose the ratification of a sentence of death passed on a deputy of the Left.

If the Assembly had simply declared that it considered the arrest, trial, and execution of Mr. Blum, as tantamount to a refusal on the part of Austria to form part of the Germanic Empire, and that it should act for the future without reference to Austrian interests, such a declaration must have produced what is desired, a distinct avowal on the part of Austria of what her further intentions are, and would at least have been a resolution that the Assembly could have carried out. I do not say that it would have been prudent, but it would have been comprehensible. The course now adopted can have no other result than that of irritating the Austrian Government while it excites the bad passions of Germany, and places the Central Government in a most humiliating position in the eyes of all Europe.

The Prince of Leiningen has declined proceeding on the Mission which had been offered him to Vienna.[57]

FO 30/115: Baron Cowley to Viscount Palmerston, No 325, Frankfurt, 10 December 1848

Difficulties and errors of the Central Power with regard to the German question; remarks on the three different plans for the executive power of Germany; opposition to Prussian supremacy; position of the smaller German states

The events which have occurred since the commencement of this month in Austria and Prussia have awakened the Central Power from the dream of self confidence, in which it was indulging to the reality of facts, and have proved to it, that if the work which it has undertaken is to produce any result, no further time is to be lost, no more extraneous delays can be allowed to thwart its accomplishment.[58]

The errors of the past are easily discovered, but not so easily remedied. The Central Government acknowledges its want of foresight, it recognizes the mistakes which it has committed, but neither the avowal of the one, nor regret for the other, can now give it

[57] Enclosure: Translation of resolution respecting the execution of Mr. Blum (not dated).

[58] Cowley is referring to the Prussian constitution, imposed on 5 December and to the accession of Franz Joseph to the imperial throne on 2 December 1848. On 27 November Schwarzenberg rejected, in the Kremsier Declaration, the *großdeutsche* plans of the National Assembly which provided for Austria to be split into German and non-German regions.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

the position, which a different system of proceeding would probably have allowed it to assert and to maintain.

Six months ago, the Assembly of Frankfort had incontestably within its hands the fate of the greater part of Germany. Such was then the madness or enthusiasm of the people for the success of the Central Power, that there was no resolution which that power could have taken, which would not have been blindly carried out by both Sovereigns and their Subjects. When the Assembly installed itself, it should at once have declared the meeting of any other of the German Chambers to be incompatible with its own existence, it should have proceeded boldly but steadily and unpartially towards the elaboration of the general constitution of the Empire, it should have avoided those questions of foreign policy, which have embroiled it with almost every country in Europe;[59] it should, in the true spirit of patriotism have endeavoured to promote the welfare of all classes, assuring the Sovereigns and nobles those rights, which fairly belonged to them, while it summarily attacked the abuses under which the inferior orders were labouring. It should have proclaimed by its acts, that while it desired to give Germany as a whole that weight in the scale of nations, of which it thought she had by bad organization been deprived, it had no thought or intention of attaining its end by aggressions on its neighbours, or by violence at home.

The opportunity was lost whether for the weal or woe of Germany remains yet to be seen. The spell which bound Kings, Governments, and people to the ideal authority of the Central Power is broken, and unless some vigorous measures are speedily and resolutely adopted by the National Assembly, measures calculated to restore confidence to the majority of the Nation, a few weeks may see the partially raised walls of the temple of German Unity a heap of ruins, a monument indeed of the honest ambition of a few, but of the deplorable inaptitude, rashness, and arrogance of all who designed it.

This truth is universally felt by those who are interested in the success of the movement. They have consequently determined, as I have already had the honor of informing Your Lordship, on pushing forward the second readings of the Fundamental Law[60] and three first chapters of the Constitution with the utmost vigour, and they are now engaged in earnest consultation among each other, in what manner the future executive Power of the United Empire shall be composed.

Three ways present themselves;

By a remodeling of the ancient Germanic Diet.

[59] Cf. n. 39 in this section.

[60] For the Frankfurt Basic Rights cf. n. 62 in this section.

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By a reconstruction of the ancient German Empire under a chosen head, governing through a Constitution.

By a reconstruction of the Empire in the same way, but to the exclusion of Austria.

With regard to the first of these plans, Your Lordship will no doubt recollect that the primary resolutions of the authors of the movement went no further than to insist on the necessity of a German National Parliament to assist or partake, in the deliberations of the Diet. There are many sensible and moderate men, who tired of the struggle which is going on, and dismayed at the excesses to which that struggle has given rise, would be satisfied with the advantage which such a combination would give for the present, and trust to the future for more. I fear, however, that such an arrangement could not be looked upon as permanent.

The second plan would be a literal fulfilment of the more matured object of the movement. Every day tends to prove its absolute impossibility.

I have alluded in another dispatch which accompanies the present, to the necessity which is felt in Austria for the reconstruction of that Empire apart from Germany. If this idea is carried out, if the various component parts of that diversified Empire, the German Provinces with the rest are united under one federal bond, it is clear that the same provinces cannot enter into another league with Germany, nor does it appear possible, as it has been proposed by some, to admit the non-German, as well as the German Provinces within the German federal State. Even if those provinces were inclined to it themselves, and there were no practical objections to such an union, Your Lordship may perhaps be disposed to think that many of the Governments of Europe would not consent to see such an overwhelming Power established in its very centre.

There remains then the third plan, the construction of a federal Germanic Empire without the Austrian German provinces. This plan, which as a general thesis, unites no doubt the greatest number of suffrages in its favor, gives rise to much difference of opinion, when the manner of executing it is discussed. Some would resort to an improved and enlarged Diet; allowing the independent States their own Constitutions and Chambers, and demanding of them no further sacrifices than the concentration at the central point of Government of the foreign representation of the Empire, of the command of the military resources, and if possible, a general commercial system. Others would wish to see all the states united in one Empire, under one monarchical Chief, that Chief being the King of Prussia. According to this project, the independent states would be little more than provinces of the Empire so constructed. They would send deputies

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to the National Assembly at the Seat of Government, but their own chambers would be nothing more than provincial states. A third party would agree to the latter part of this project but instead of placing the supreme authority in the hands of one Sovereign, would delegate it to a triumvirate of which Prussia would be the permanent President, and the two other members would be named for a limited period, and by rotation, from the remaining four crowned heads.

Of these projects, I should say that the last would encounter the smallest opposition. It would satisfy the middle and lower classes, at the same time that it would disarm the opposition, such as it is of many of the Sovereigns. But I cannot bring myself to think that it would be a good expedient, or that a constitution, consisting of two Chambers, and a responsible Ministry, with the Chief Power exercised by three Persons could ever work well. If such a constitutional form is adopted, the Chief Power would surely be more profitably confided to the hands of one Person. That this person should be, in the first instance at least, the King of Prussia would hardly be disputed by any one. It might be a question whether the honor should be hereditary or by election, but the benefits of a permanent system are so great, that if this project is adopted, the Chief Power will probably be made hereditary.

I have already had occasion to corroborate what I believe Your Lordship will have heard from other quarters, that in many countries there are deep-rooted objections to giving Prussia so powerful a position. Religious feelings in some, and jealousy in others render them formidable opponents to Prussian supremacy. Bavaria is probably swayed by both, Hanover and Saxony by the latter of these sentiments. If, however, they could divest themselves of these feelings and weigh the proposition fairly by its own merits, it is not improbable that reason would point out to them that the best means of rendering Germany strong and respected, and that for the Sovereigns the best hopes of reinstating themselves in some degree in their former power, is by seeking the protection of Prussia, and making their cause hers.

What, in truth, is the present position of the smaller countries of Germany? They are no better than so many republics. Neither Sovereigns nor Governments have any power. Both are under the sway of the popular assemblies. I hold then that the wisest thing the Sovereigns can do is to call on Prussia to take the reins of the Central Government. They may make their conditions in so doing, but I fear that if they hesitate much longer, their subjects will forestall them, and their position will become still more humiliating than it is now. The King of Prussia has declared[61] indeed that he will not accept the rulership of the Empire except at the demand of the Sovereigns,

[61] Cf. pp. 136–137.

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but events may be stronger than His Majesty's resolutions, and if the National Assembly declare in his favor, the ambition of His Majesty's own subjects may force him on even against his own inclination.

His Majesty, as I informed Your Lordship in my dispatch No 277 wishes the Central Power to delay the communication of its work and to continue its provisional form. He repeated this wish to the President Gagern. I can, however, conceive nothing more dangerous than adopting such a course. The fundamental Law and the three first chapters of the constitution were so thoroughly discussed during their first reading that a few days more will accomplish the Second. Nothing will then remain but to fix the future Sovereign Power. It would surely be most imprudent to delay this, and to allow such an Assembly as that of Frankfort to remain together with no real business to transact. The King of Prussia must not imagine that the same military resources are at the disposal of the Sovereigns of the South of Germany that His Majesty has in Prussia. Hesitation in the Central Power would give fresh spirits to the republican party, and renewed disorders would probably be the consequence. Neither, I conceive, can there be a doubt that it is the duty of the Central Power to put an end to the uncertainty which is paralysing Germany, and from which neither Sovereigns, Governments, nor people, derive the slightest benefit.

FO 30/116: Baron Cowley to Viscount Palmerston, No 348, Frankfurt, 23 December 1848

Adoption of the Frankfurt Basic Rights; question of their enforcement

The discussions on the Fundamental Law of the Empire have closed, and the law has been adopted.[62] I shall have the honour of sending Your Lordship by the next opportunity a translation of it. In the meantime I have the honour to observe, that all amendments tending to make any of the Articles less democratic have been rejected.

Further, a Proposition, a translation of which I have the honour to enclose, put forward by the members of the 'Right' and requiring that the fundamental law should be submitted to the independent States for their acceptation was rejected by 334 voices against 69, and a preamble, a translation of which is likewise enclosed, was adopted,

[62] The *Reichsgesetz betreffend die Grundrechte des deutschen Volkes* was adopted by the National Assembly on 20 December and promulgated on 27 December 1848. Formally a part of the future constitution, the law among other things guaranteed basic individual, civil, and political rights. Its validity for the whole of Germany amounted to an attack on the autonomy of the individual German states.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

by which the fundamental law is guaranteed to the German People.[63] A further proposition was also carried, that 100,000 copies should be printed and distributed gratis throughout the Empire.

There is at the same time hardly a member of the Assembly who does not feel that the enforcement of this law is an impossibility.

Hanover has already declared, as Your Lordship will no doubt have heard from thence, that she cannot adopt or publish it.[64] On the Hanoverian Plenipotentiary making this declaration officially here, Mr. de Gagern summoned a meeting of all the Plenipotentiaries of the German States, when it was decided that as the preamble stated that the law was to serve as a model for the Constitutions of the different States, time must be allowed those States to introduce the necessary changes, and that there was no necessity therefore for any immediate decision of the question.

In other words, Mr. de Gagern and the Plenipotentiaries know that no independent State can accept the law, but they know also that no reasoning will prevail with the National Assembly, and that the most prudent course is to allow the Assembly to die a natural or unnatural death, and endeavour to remedy afterwards the enormous blunders which its self sufficiency and obstinacy determine it to maintain in all their grossness.

FO 30/123: Baron Cowley to Viscount Palmerston, No 73, Frankfurt, 17 February 1849

Effect of Austrian and Prussian manifestos on future constitution of Germany; composition and strength of Austrian and Prussian parties in the National Assembly; impracticability of Gagern's plan; Austrian policy will further complicate German question; no unity of opinion among the German states or in the National Assembly

The Austrian and Prussian Manifestos[65] with regard to the future constitution of Germany continue to engross public attention in this town. However vague and uncertain the terms employed in both, the object of each can hardly be doubted, that of Prussia being to feel the pulse of public opinion as to her chances of arriving at the Sovereignty of Germany; that of Austria being to publish her protest against any

[63] Enclosures: Proposition in the National Assembly of members of the Right; Preamble of the Frankfurt Basic Rights.

[64] Note by the Hanoverian plenipotentiary von Lenthe to the Frankfurt imperial government, 20 December 1848.

[65] Cf. notes 79 and 80 in Austria section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

scheme of the kind, at the same time that she shews her desire to return as nearly as possible to the old federal arrangements.[66]

Each accuses the other of bad faith in the negociations which were pursuing between the two Governments before the publication of these documents. It certainly appears that the Prussian note was sent to the German Courts without any intimation being given to Austria, but the Prussian Party declares that this proceeding was forced upon its Government by the impossibility of its coming to any agreement with that of Austria. Be this as it may, the most strenuous adherents of Austria condemn the publicity that has been given in the Austrian declaration to the divergence of opinion which exist [sic] between the two Governments, and regret in general the unconciliatory tone which pervades that paper.

The immediate effect of the publication of the two documents has been to prove, that there is not a vestige of real unity either among the Countries of Germany, or even in the bosom of the National Assembly. The Countries, which desire to retain Austria, as a member of the federal State, desire it, each of them on very different grounds, while the Austrian party in the National Assembly is made up of men, who represent among them every shade of political opinion, from the highest limits of constitutional monarchy, to the lowest license of red republicanism.

If such have been the immediate effects, it is to be hoped that the more remote will prove more satisfactory, that men, seeing they have been in pursuit of a shadow, will condescend to seek for a substance, and that they will turn from imaginary theories, to what is practicable, honest and just.

Progress in this direction has already been made. The majority of both the Prussian and Austrian parties recognize the necessity of revising both the fundamental Law and the Constitution.[67] But here the agreement ends, for nothing can be wider apart than the different opinions as to the alterations which ought to be made.

The National Assembly, may for the moment be said, to be divided into these two parties. In numbers they are nearly balanced, but in composition they are essentially different.

The Prussian Party is formed entirely of what is called the conservative part of the Assembly. In its ranks are to be found the greater part of the Prussian deputies, and of the deputies from the North of Germany and the smallest States of the South. The Austrian

[66] Federal arrangements as resolved in the Act of the Confederation of 1815 and the Vienna Final Act of 1820.

[67] For the Frankfurt Basic Rights and the Imperial Constitution cf. notes 62 and 81 in this section.

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Party is less compact, and is composed of more heterogenous elements. By the side of the Austrian Deputies are to be found the Ultra-Mountanists from Prussia, the Bavarians, and the Members of the Extreme Left, who come chiefly from Wurtemburg, Baden, and the Rhine.

It would appear that out of the National Assembly, the two parties are less equally balanced, and that the idea of forming an inner federal state without Austria is viewed with less satisfaction, though this is not admitted by the Prussian Party at Frankfort.

In the course of my correspondence with Your Lordship, I have more than once taken the liberty of expressing my individual opinion, that the plan of M. de Gagern[68] was generally speaking, that best calculated to satisfy the exigencies of the times. It appeared to me to be simple and comprehensible, and to be the most likely to produce a strong Central Government, without which I am convinced, that there will be no permanent tranquillity in Germany. But I have never had any great hopes that it could be carried out. The want of understanding among the Sovereigns themselves, the difference of interests supposed to exist between the North and South of Germany, the dislike of the Roman Catholics to see a protestant Sovereign at their head, the dearth of men of practical worth and conciliatory intentions at Frankfort, all combined to make the scheme difficult of execution, for it was clear that it could not be effected without the consent of the independent States, as well as of Austria herself. That Austria had the same views some short time back, is, I think, undeniable. She would not otherwise have permitted M. de Gagern's plan to have been developed to the National Assembly without some sort of protest immediately afterwards, She would not have made the declaration she did with regard to Germany in the Ministerial Program of the 28th November,[69] She would not have desired her Plenipotentiary here to communicate solely with the Minister for Foreign Affairs, nor would She have made a proposition for the amalgamation of her Consular Agents with those of Germany.[70] It is now known also that the Baron de

[68] On 18 December 1848 the new minister president of the central power, Heinrich von Gagern, presented his plan for a narrower and a wider alliance to the Frankfurt National Assembly. A federal state comprising all the German states except Austria with the King of Prussia as emperor constituted the narrower alliance. Austria would merely be part of the wider alliance. This government programme was accepted by the National Assembly on 13 January with a small majority.

[69] For the Kremsier Declaration of 27 November 1848 cf. n. 58 in this section.

[70] The proposal goes back to a resolution of the Austrian ministerial council of 19 December 1848, by which the Austrian consulates in the Levant were to represent all German trade interests. In return, Austria was to be represented by the planned imperial consulates in North America.

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Menshengen, who succeeded M. de Bruck as Austrian Plenipotentiary, drew up a Memorandum[71] advising the adoption of a plan similar to that of M. de Gagern, which he sent to his Government, and which was not disavowed. I can also affirm that the Vicar General[72] and M. de Schmerling entertained the same opinion, though the latter, when he was forced to quit the Government, changed his, and now boasts that he induced the Austrian Government to change theirs'.[73]

I am induced to trouble Your Lordship with a statement of these particulars, because I fear that this change of policy on the part of the Austrian Government, will lead to further complications of the German question. If Austria had declared firmly her intention of reconstructing herself apart from Germany, and of demanding no more of Germany than the observance of the federal obligations of 1815,[74] in whatever way the remaining States might have united themselves, there would have been a greater hope of their agreeing in their internal administration. As it is, we shall have Thirty Seven States possessing constitutions more than liberal, sitting in deliberation with one, who, for the sake of its' own existence, is obliged to oppose as far as it can, the development of liberal institutions. As long as the deliberations of these thirty eight States were kept Secret, such a state of things might exist, but whatever may be the future organisation of Germany, secrecy in its Central Government will be no longer possible, and either Austria will be forced to concede to Germany in general, what she cannot grant to her own Subjects, or what is more probable, she and Prussia will be forced into Parliamentary collision, the one as the opponent, the other as the champion of constitutional liberties. On which side Germany will rally there can be but little doubt, and the day may yet come when United Germany, finding the impossibility of bringing Austria within its constitutional pale, will itself pronounce the sentence of her expulsion.

As an argument in support of these views, I would request Your Lordship to look to the motives of those who object to the Separation of Austria from federal Germany. Take, for instance, Bavaria, the Country that has shewn the most determined and the most unanimous

[71] *Memorandum über die Stellung Österreichs zu der neuen Gestaltung eines deutschen Bundesstaates*, 4 October 1848.

[72] Archduke Johann.

[73] Schmerling resigned from his post as minister president and foreign minister on 15 December 1848. He was Austrian plenipotentiary to the central power at Frankfurt from 29 December 1848 to 22 March 1849.

[74] The Act of the Confederation of 1815 defined the purpose of the German Confederation as maintaining the external and internal security of Germany, and the independence and inviolability of the individual German states.

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opposition to any scheme of the kind. The majority in the Bavarian Chambers, the best criterion that exists of the feeling of the Country, is ultra-liberal. It insists on the submission of Bavaria to the Central Power. It insists equally on the non-separation of Austria from Germany. But to be consistent, it must also insist on the submission of Austria to the Central Power. So also with the States of Saxony and Wurtemberg. They are non-separatists, not from any love to Austria, but because they want to include the Austro German Provinces in their own designs of unity, and to make them, equally with themselves, subservient to the Central Government. But can Austria continue a member of the German Empire upon such conditions? and if she cannot, and will not, how long will she find support in the liberal sections of the States of Germany?

These, however, are questions which time alone can decide. All that can be said for the moment is, that with the decided opposition shewn to it, M. de Gagern's plan appears impracticable. In justice to him, however, I ought to say, that it has been completely misunderstood, and misrepresented. The basis of it is always said to be the exclusion of Austria from Germany, while the real purport of it is to unite Germany more closely with Austria, though under a different arrangement from that previously existing.

It seems but reasonable to expect that Austria, having expressed her dissent to the two plans which have been submitted to her consideration, having discerned the indistinct vision of a German Crown, which looms through the hazy atmosphere of the Prussian Circular, as well as the bolder relief given to the same idea in M. de Gagern's proposition, and having declared that she intends to retain the place which treaties give her, as the first of the States of Germany, should without delay expound her views with regard to the creation of that Central Power, which she avows her determination to recognise and support. There are those who think, that spite of her declarations, she would not be unwilling to reassume the Imperial diadem of Germany, there are those, who maintain that she has sounded some of the more influential States with this view. Such ideas, if she really entertains them, might have been realized a short time back, but after the occurrences of the last few weeks, can now be hardly attainable. But what can scarcely be doubted, is that the intention of the Austrian Cabinet is to weaken, as far as possible, the influence of Prussia. Your Lordship will have seen from the sketch which I had the honor to send you of Prince Schwartzenberg's secret proposal of the 17th Ultimo, that Austria would mediatize the whole of the smaller States for the benefit of the crowned heads of Germany; for His Highness's scheme, if carried into execution, would have that

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effect.[75] The scheme was well devised, for it was sure to obtain the approbation of those who were to be benefited by it, and it was hoped that the King of Prussia, being known to be personally inclined to the division of Germany into circles, would have found it difficult to refuse his assent to a plan that embraced that idea. But the object was too clear. The Kings who would have owed the aggrandisement of their territories to Austria, might become formidable opponents to Prussian supremacy. The scheme was divulged, and a reaction has taken place in another direction, which renders any arrangement still more difficult.

The smaller Princes (I refer to those in the more immediate neighbourhood of Frankfort, for of the others I have not the power to be able to speak with so much accuracy.) are indignant at the unceremonious manner in which Austria intended to dispose of them. Advantage has no doubt been taken of the circumstance to work upon them, and upon their Governments. The consequence is that they cling more closely than ever to Prussia. They say if they are to make a sacrifice of their Sovereign Rights, it shall be for the unity of Germany, and not for the aggrandisement of Sovereigns, but now little more powerful than some of themselves. They place themselves and their future destinies under the safeguard of Prussia, and they declare themselves ready to follow in her wake.

Such, My Lord, I believe to be a pretty accurate description of the state of affairs here. To make matters easier of solution, it is calculated that there are about five thousand deputies and Senators now discussing the affairs of Germany in the different Chambers, upper and lower, of the Empire. By what process this confusion is to be put an end to, how the discordant elements, which rage with greater intensity, though perhaps with less outward violence, are to be reconciled, nobody ventures to guess. Even among the opponents of a single Chief, there is no unity of opinion. Some are for a directory, others for an alternate presidency of Austria and Prussia – a few would not object to the old federal Diet on an enlarged basis. 'Believe me', Prince Schwartzenberg is reported to have said, in one of his conversations with Count Bernstorff, the Prussian Minister at Vienna. 'Believe me, the best Government for Germany would be a few well

[75] In a secret proposal to the Prussian government, dated 17 January 1849, Schwarzenberg, ignoring the deliberations of the Frankfurt National Assembly, suggested dividing Germany into six circles: i.e. Austria, Prussia, Bavaria, Württemberg, Saxony, and Hanover. The remaining German states were to be assigned to the five Kingdoms and thus, in effect, mediatized. Concerning the organization of Germany's central power, Schwarzenberg suggested briefly that pending a final settlement, the Vicar General was to have provisional authority along with the plenipotentiaries of the six kings (including the Austrian Emperor).

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

organized, well equipped battalions.' Whichever of these means may be chosen, whether a directory, alternate presidency, enlarged Diet, or well-organized battalions, may, if Austria and Prussia can agree, be made to supersede the present Provisional Government, but the duration of such a Power would, I conceive, be very ephemeral. There can be no real tranquillity in Germany, until people are satisfied to return to the natural protection of their own Governments, giving at the same time those Governments strength to protect them, or until a Central Power is formed, that shall be respected on all sides, able to coerce the wild and discordant spirits that now spread terror and dismay throughout the land. But if this Power is confided to more hands than one, I fear that the same intrigues, the same jealousies, the same obstinacy, which have hitherto been the curse of Germany will but be renewed, and will pave the way to future scenes of bloodshed and disorder, perhaps to a division of the Empire.

FO 30/124: Baron Cowley to Viscount Palmerston, No 137, Frankfurt, 24 March 1849

Remarks on rejection of Welcker's motion to offer the crown of Germany to the King of Prussia

The result of the debate on Mr. Welcker's proposition[76] was unexpected by all parties. Although there was some difference of opinion up to the last moment on which side the majority would declare itself, the general supposition was that M. Welcker would have a small majority. It is surmised that a speech which M. de Gagern made upon the question the preceding evening did great harm to the cause which he espoused. He declared in it that since the first meeting of himself and his friends this time last year at Heidelberg,[77] he had never considered any other solution of the revolution possible, than an hereditary Empire in the hands of the King of Prussia, and he took occasion to express his distrust of that party which was endeavouring to establish a republic. It seems that this declaration determined some thirty or forty members of the left who were wavering, to vote against Mr. Welcker's motion.

The idea of carrying such a motion as this by storm was a rash one in the first instance and must have been persisted in at once to have been successful. The moment that latitude was given for reflection the question was sure to be made a handle for party tactics. It is

[76] Welcker's proposition, dated 12 March 1849, that the Frankfurt Imperial Constitution should be adopted immediately and that the King of Prussia should be elected hereditary emperor was rejected by the National Assembly on 21 March.

[77] On the Heidelberg Assembly see n. 4 in this section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

a curious fact that among all the amendments proposed by what is called the Austrian party there is not one that could be accepted by the Austrian Government. They all implied the recognition by Austria of the constitution and fundamental law of Germany as they should be finally voted by the National Assembly. They all implied therefore that to which Austria never can consent; let the chief Power be vested in the hands of one or of several. M. de Gagern made a great mistake for the success of his own cause in not preferring to the original motion the amendment proposed by Mr Heckscher and his party,[78] the purport of which was to send a deputation of the National Assembly to Vienna, to require of the Austrian Government to answer whether she would accept the fundamental law and constitution or not, and in case of a negative answer or of no answer at all after the lapse of a month, to declare the King of Prussia Provisional Chief of Germany. By waiting this month the Prussian party would necessarily have gained the votes of all those who supported Mr. Heckscher's proposition, and of those who by this step would have been convinced of the impossibility of Austria ever giving a favorable answer to their demands. But the party thought itself strong enough to carry the day at once. They have made the attempt and failed signally.

Much stress is laid by the beaten party on the majority having been obtained by Austrian votes. The Austrians have as much right to protest against the Prussian votes. If both Austrians and Prussians had abstained from voting, the majority against M. Welcker would have been still greater. Some half dozen Austrian deputies sent in their resignation to the President[79] before the discussion commenced, feeling it impossible to vote either way, and some halfdozen more entered a protest upon the protocol against the new Austrian Constitution,[80] considering that they qualified themselves to vote by so doing.

The day after the vote there was some discussion among the Prussian members whether they should not retire from Frankfort in a body. It was however represented to them that the rejection of M. de Welcker's motion which was a series of resolutions proposed by an individual member, did not express the final resolution of the Assembly. That the question of the Chief of the State must again come under discussion, when another effort in the King of Prussia's favor might be made with more success. There are persons who still count upon this eventuality, and with an Assembly that contradicts itself so

[78] The *Großdeutsche Partei*, which opposed the exclusion of Austria and favoured a directory as head of the empire. Heckscher's proposed amendment referred to here was dealt with by the Frankfurt National Assembly on 21 March 1849.

[79] Eduard Simson.

[80] For Austria's constitution imposed on 4 March 1849 cf. n. 75 in Austria section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

often as does that of Frankfort, any change is possible, but there can be no doubt whatever at present that the vote of Wednesday last was directed against Prussian supremacy.

I cannot however help again calling Your Lordship's attention to the coalition which has brought about this result. Almost the whole of the extreme left, above a hundred members, voted with the real Austrian party and Your Lordship may well conceive that the only object of these gentlemen is to prevent the formation of any central Government that will have power to repress the popular movements, to which they no doubt look forward in furtherance of their future plans.

FO 30/125: Baron Cowley to Viscount Palmerston, No 183, Frankfurt, 14 April 1849

Observations on National Assembly's attitude towards the states of Germany with regard to the constitution; Camphausen's plan for a separate league; impossibility of governing with the Frankfurt Imperial Constitution

The attitude assumed by the National Assembly towards the different states of Germany in regard to the constitution which it has voted,[81] and the complications which are likely to ensue from that attitude, render it incumbent on me to offer a few observations on the subject to Your Lordship.

The party which has brought about this state of things is unquestionably the republican or extreme left. Although numerically inferior to any other party in the chamber, it is sufficiently strong to turn the scale on any question on which the different adherents to a monarchical system may be divided. Hence it has held the balance between the Austrian and Prussian parties upon the question of the Supreme Sovereignty of the Empire. As long as the Austrian party agreed to their terms, they were in favour of a directory, as the form of Government least calculated in their opinion, to give strength to the Central Power. But after the publication of the Austrian

[81] The National Assembly accepted the Imperial Constitution on 27 March 1849. It was officially proclaimed on 28 March, and thus, in the opinion of the National Assembly, came into force for the whole of Germany. The King of Prussia, Friedrich Wilhelm IV, was elected emperor on the same day. The Imperial Constitution provided for a government (appointed by the emperor), and two chambers, the *Staatenhaus* representing the German states, and *Volkshaus* or people's chamber elected on the basis of a direct and universal franchise. The empire's jurisdiction included foreign policy and the military, transport and customs policy. The Frankfurt Basic Rights of December 1848 (cf. n. 62 in this section) also formed part of the constitution.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

constitution,[82] they saw the impossibility of Austria ever consenting to such a constitution as they desired to have established here, and they immediately endeavoured to make terms with the Prussian or Imperial party, and in this they have unfortunately too well succeeded.

They direct all their energies and will enter into any compromise to obtain one object, the acceptance by Germany of the constitution, as it has been decreed by the National Assembly. To them it is immaterial whether the Emperor of Austria, the King of Prussia, or a directory represents the supreme authority, provided they have their constitution. 'Give us,' they say, 'the constitution and the electoral law, as voted by the National Assembly, and we will answer for the rest.'

It is greatly to be regretted that M. de Gagern and his friends should have favored the designs of these persons. The coalition formed between them and the latter is dishonest disgraceful and dangerous. It is dishonest because it is not sincere, it is disgraceful because it is dishonest, it is dangerous because it is a virtual acknowledgement of the complete Sovereignty of the people.

M. de Gagern's defence is, as I have already had the honor to inform Your Lordship, the impossibility of coming to a result in any other way. Without the concessions made to the left, the twelvemonths deliberations of the National Assembly would have led to nothing. Fresh disorders would ensue, which might end in the establishment of a republic. He holds it therefore to be more prudent to abide by the constitution voted, to get rid of the National Assembly, and to trust to a future Diet to consent to such amendments as he admits are absolutely necessary.

Mr. Camphausen's plan[83] differs materially from that of M. de Gagern. He is of opinion that it is not adviseable to accept the constitution as decreed and promulgated by the National Assembly.

He holds that as in all probability the federal Empire cannot be carried out to the extent contemplated by the National Assembly, that as possibly neither Austria nor any of the Kingdoms will consent to form part of it, the constitution contains many conditions which are impractible and do not correspond with this state of things. He maintains that the Governments of the States that do consent to form a federal Empire have so much the more right to introduce such modifications into the constitution as they deem necessary, because the constitution has been partly framed by deputies from countries which will not now join them. His idea is that Prussia should invite those States which agree to recognize her as the possessor

[82] Cf. n. 75 in Austria Section.

[83] The plan outlined here was based on the views and instructions of the Prussian government and resulted in the creation of the Erfurt Union. Cf. n. 115 in Prussia section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

of Sovereign Power, to withdraw their deputies from Frankfort, to summon a parliament consisting of two houses (the upper to be elected according to the new electoral law,[84] the lower to consist of the deputies withdrawn from hence) to meet at some place in the middle of Germany say Gotha or Weimar, and then deliberate on a constitution. He would have commissioners sent by the individual states to watch the proceedings of the parliament, and the decisions of the latter subjected to revision and acceptation by the different Governments. The relations of the new federal state with the rest of Germany he would reserve for future negociation. The nucleus of a federal State would thus be formed which it might be hoped the dissentient states would sooner or later find it their interest to join.

But this plan, in reality so reasonable, in appearance so practible [sic], would be attended with great, perhaps insuperable difficulties in the execution. I have in my previous correspondence had an opportunity of calling Your Lordship's attention to the influence exercised by the National Assembly over the smaller States. In all probability those States, if invited by Prussia, would decline removing their deputies from hence. The greater part of them have already at the bidding no doubt of the National Assembly, declared their adherence to the Constitution as voted in St Paul's church,[85] and urged on the King of Prussia its acceptance together with that of the Imperial crown unconditionally. Supposing however this obstacle to be overcome and that a separate Diet were to meet, another presents itself scarcely less difficult to set aside, namely the validity of the acts of an Assembly so constituted. It is a curious fact that all parties, Sovereigns, National Assembly and people, are exceedingly anxious to preserve the appearance of legality in whatever is done by the Nation at large. Hence they are all in favor of keeping the Arch Duke John to whom the ancient power of the Diet had been entrusted by both Princes and people, at Frankfort.[86] But a separate league such as is contemplated by Mr. Camphausen would be to all intents and purposes an interruption of those legal Powers which have existed partly in the Diet partly in the Arch Duke John for the whole of Germany, since 1815. If this however were the only difficulty, it may be presumed that in critical times like the present, it would not stop an arrangement.

Whatever course may be determined upon has its danger. If Prussia accepts purely and simply, conjointly with such States as will go with

[84] Imperial electoral law of 12 April 1849.
[85] The Paulskirche in Frankfurt served as the seat of the National Assembly.
[86] Cf. n. 23 in this section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

her, the constitution of the National Assembly, although those States may secure to themselves momentary tranquillity by so doing, the signal would be given for a struggle of party, probably a bloody one, in the dissentient States. But the impossibility of governing with such a constitution is fully recognised and it can hardly be doubted that ere long the struggle would spread throughout the whole of Germany, unless indeed such a miracle should happen, as that of an Imperial Diet elected by universal suffrage and secret voting, consenting to modify the work of the National Assembly and restricting the exuberant liberties given by it to the people.

On the other hand a rejection or modified acceptance of the Constitution by Prussia, might cause an immediate explosion. The people would be taught to believe that the only difficulty at arriving at unity lay with the Sovereigns, and there is no calculating to what excesses such a feeling, if produced, might lead.

Nevertheless the latter course upon the whole appears the safer. A pure and simple acceptation of the constitution would be an abandonment of every Sovereign right, with a probable struggle at no very distant period to retract what would now be solemnly promised. To insist on modifications may, it is true, be attended with more immediate peril, but the combat would be engaged on grounds that would ensure the sympathy of all wellthinking persons, and at a moment when the Prussian army can be depended upon, and when there is good reason to think that the example set lately by the Austrian and Prussian troops in defence of order,[87] has had a most excellent effect upon their brethren in arms of the smaller States. Germany likewise is worn out by the disasters of last year, and is, accounts agree in stating, anxious for tranquillity. A year or two later the troops may be less well disposed, and the people have recovered from their present losses. There is moreover the chance that if such modifications as are judged necessary, are demanded with firmness, but with evident proofs that there is no intention of defrauding the people of their true constitutional liberties, a salutary reaction may take place in the National Assembly, but this chance is but small, as is another on which some persons are disposed to rely, namely that the excitement of the last year is a great bubble which will burst and disappear with the dissolution, either forced or natural, of the Assembly which was created under its influence.

[87] Cowley refers to the role played by the military in the Vienna and Berlin counter-revolutions of October and November 1848 and in putting down the revolts in Frankfurt and Baden in September 1848.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/125: Baron Cowley to Viscount Palmerston, No 207, Frankfurt, 25 April 1849

Impossibility of the imperial government accepting the terms proposed by Denmark for a suspension of hostilities in the Duchies of Schleswig and Holstein

On the day after I last had the honor of addressing Your Lordship by the Messenger I received from Sir Henry Wynn a copy of his Despatch No 77 to Your Lordship with its enclosure. The terms proposed by Denmark for a suspension of hostilities appeared to me to be so impossible of acceptance by the Central Power, that I was afraid of influencing any favorable determination that might be taken on Your Lordship's proposition for a general armistice, by shewing the Danish memorandum to M. de Gagern.[88] How it was possible to suppose that the central Government would forego all the advantages it had obtained for an uncertain suspension of the blockade of the German ports, I am quite at a loss to conceive, the more particularly as in the same document which makes this proposition the independence of the Duchy of Schleswig quo ad Germany is regarded as the basis of peace, without any mention being made of its administrative separation from Denmark.

The Prussian Government has however communicated Count Moltke's memorandum to the central Power, and accompanied it by one of those incomprehensible notes which I must be permitted to say characterise all the communications of the Prussian Cabinet on this question. It recommends that the Danish propositions should be taken into consideration. It advises in one passage that the frontier of Jutland should not be crossed by the German troops, and in another that the war should be pushed with vigour, the only place where it can be pushed with vigour being Jutland.

This state of things however has given me the opportunity of again conversing with M. de Gagern, and his principal Assistant M de Biegeleben. I have again urged upon both these gentlemen the policy of making peace with Denmark almost upon any terms. I have again appealed to the state of Germany, to the danger of fresh complications with other Powers, and lastly to feelings of humanity, as superabundant reasons for an immediate suspension of hostilities.

[88] The memorandum referred to was a verbal note of 17 April 1849 from the Danish prime minister Moltke to the Russian and British envoys in Copenhagen. It gave assurances that the Danish army had adopted a defensive stance. As a condition for lifting its sea blockade and agreeing to an armistice, Denmark demanded a guarantee that the independence of Schleswig would be respected in a final settlement. It further demanded that negotiations should be conducted by Prussia on behalf of the Frankfurt central power.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

I obtain the same answer, that the Central Power is desirous of peace and ready to agree to any suspension of hostilities that is based on fair terms, but that it cannot and will not consent to any arrangement which will leave it optional to Denmark to renew hostilities, whenever she may think that she can profit by the present critical juncture of affairs in Germany, while Germany is obliged to keep her troops on the same expensive footing, and while her commerce is not practically set free.

Your Lordship must not think because I make no mention of it that I have abandoned the ground which the second article of the new German constitution[89] has enabled me under Your Lordship's direction to take, but M. de Gagern persists in his view that it cannot at this moment be applied to Schleswig.

A council of Ministers is to be held tonight to take into consideration Your Lordship's note of the 17th Inst.[90] and Count Moltke's memorandum of the same date. I hope to know the result of its deliberations in time to forward them by Mr Barnley, the bearer of these Despatches.

FO 30/126: Baron Cowley to Viscount Palmerston, No 231, Frankfurt, 6 May 1849

Effects of Prussian King's rejection of the imperial crown and the Imperial Constitution; tactics of the constitutional and republican parties

The die is cast. The second act of the revolutionary Drama has commenced. The gauntlet thrown down by the Crowned heads of Germany against the constitution of the National Assembly[91] has been taken up by the people. Every thing denotes a bloody struggle.

The atmosphere of Frankfort is not one in which a fair calculation can be made of the relative strength of the two parties. I shall confine myself therefore in this Despatch to informing Your Lordship of what I believe to be the tactics of the adherents of the constitution.

[89] Paragraph 2 of the Imperial Constitution of 28 March 1849 provided for a German state with a non-German head of state to have its own constitution, government, and administration, separate from the non-German state under the same ruler.

[90] In his note to Bunsen and Reventlow of 17 April 1849, Viscount Palmerston appealed to Denmark and Prussia to conclude an armistice and to continue peace negotiations under Britain's mediation.

[91] In addition to the two main powers, Austria and Prussia, the Kingdoms of Bavaria, Saxony, and Hanover refused to recognize the Imperial Constitution. However, twenty-eight middling and small states, including Baden, Hesse-Cassel, and Hesse-Darmstadt, accepted it.

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In the first place neither M. de Gagern nor any one else with whom I have by chance conversed will believe in the sincerity of the King of Prussia's declaration of the 28th Ultmo.[92] They say that it is at last clear to them, that it is not against the constitution or against any particular part of it, that the King of Prussia and his Government have taken their stand, but against the national feeling altogether – in fact that the King has not the courage to accept the crown which is offered him, or the boldness to face the difficulties which its acceptance must occasion. The thoughts therefore of this party are now turned towards the Prince of Prussia.[93] Their object is to see him on the Prussian throne – they trust that the popular excitement will be so great as not only to force the dissentient Sovereigns to accept the constitution themselves, but to engage them to call upon the King of Prussia to accept it likewise, as it stands, or with such slight modifications as the National Assembly can consistently adopt, and they hope that the King having no other alternative will abdicate in favour of his brother.

Should this scheme fail, my belief is, that an attempt will be made to form a federal State of such States as have accepted the constitution. The hopes the national party entertains of success are founded on the idea that the troops, whether Prussian or others, will not act against the declared will of the people. The same support in favour of the constitution that has been displayed by the people of Wurtemberg,[94] is looked for in the people of Prussia. The Prussian 'landwehr'[95] therefore being part of the people is counted upon as favorable to the movement.

Such may be considered to be the hopes and wishes of M. de Gagern and his friends. The republican party are for far stronger measures. The least with which that party will be satisfied is calling upon the federal troops to swear fidelity to the constitution, and an encrease of the armies of the independent States to defend the people, as they pretend, against the war that is about to be waged against their liberties. The first of these points is resisted and will continue to be resisted by the more moderate fractions of the Assembly, probably with success. The second point the Central Government has been obliged to cede, and the independent States have been called upon to place the full amount of their contingents on foot. I believe however obedience on their part to be an utter impossibility from the impoverished state of all their finances.

[92] In the Prussian ministry's letter of 28 April 1849 to Camphausen, the Prussian plenipotentiary to the Frankfurt central power, the King of Prussia rejected both the Imperial Constitution and the crown offered to him by the National Assembly.

[93] Wilhelm.

[94] Cf. pp. 327–328.

[95] Territorial reserve.

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Your Lordship knows of the triumph of the people in Wurtemberg, and You will have heard of the bloody struggle in Dresden,[96] the result of which is not yet known here. The whole of the German Rhenish provinces are in a most excited state, those of the Palatinate being in open revolution.[97] A commissary from the Central Government has been sent to the latter to calm the effervescence of the people, and if necessary to disavow their proceedings, but the gentleman sent (Mr. Eisenstuck) being a violent democrat, I fear that his mission may do more harm than good.

An attempt will be made by the extreme left tomorrow in the National Assembly to pass some violent resolutions, and that party threatens to secede from the Assembly and form themselves into a convention to support the rights of the people, should its propositions be rejected. On the other hand M. de Gagern is determined to quit the Government should the left be in a majority.

I do not attempt to describe to Your Lordship the anxiety and alarm under which the better disposed are laboring, but it is generally admitted that there is no hope of a return to order without a crisis, and that the longer the crisis is delayed, the more dangerous it will become.

FO 30/126: Baron Cowley to Viscount Palmerston, No 261, Frankfurt, 16 May 1849

Position of the Vicar General Archduke Johann

The position of the Vicar General[98] is becoming daily more precarious, and it seems impossible that His Imperial Highness should remain much longer at Frankfort. I had some conversation with him at an interview with which he honoured me a few days ago, and during which he entered fully into the difficulties of his situation.

Mr. de Gagern's program for enforcing the Constitution to which I alluded in my Despatch No 242, had, His Imperial Highness said, driven him to the wall.[99] Accept it he could not, as he must put himself

[96] For the Dresden uprising cf. pp. 287–292.

[97] Cf. pp. 322–325 and pp. 377–380.

[98] Archduke Johann.

[99] On 4 May 1849 the Frankfurt National Assembly, in agreement with Gagern's ministry, resolved to instruct all German governments, parliaments, and communities to recognize the Imperial Constitution of March 1849. Elections to the lower chamber of the *Reichstag* were to be held on 15 July 1849 and the *Reichstag* was to be convened on 22 August in Frankfurt. In addition, an ultimatum was issued to Prussia. If it refused, the head of the next biggest state represented in the *Staatenhaus* (upper chamber) was to take over the office of the Vicar of the Empire.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

at the head of the revolution if he did so. He must therefore either find another Ministry, or resign his functions.

He was unwilling to have recourse to the latter extremity until he had exhausted all conciliatory measures, but if the National Assembly forced him to it, he would he said, assemble the Plenipotentiaries of the different Governments, and resign into their hands the office which he held.

This step appears to be inevitable in the course of a few days. The Ministry just appointed the names of the members of which Your Lordship will find in another Despatch, does not contain one that can inspire the slightest confidence.[100] Its program will be infallibly rejected by the Assembly, and nothing will be left to the Archduke but a retreat.

All parties in fact are aiming at this. The Prussians to obtain the power for Prussia, the Gagern party to recover it for themselves, the extreme left to profit by the disorder it may occasion.

Certain it is that the Archduke is not up to the difficulties that environ him, and he is moreover extremely sensitive about his popularity, and anxious to retire with it unimpaired. Popularity however he never enjoyed here. His name was popular and gave him the unenviable position which he occupies, but from the moment of his arrival he has gradually sunk into oblivion.

Count Rechberg has complained to me confidentially of the demoralising influence which this sensitiveness has upon His Imperial Highness' conduct. Count Rechberg wished him to form a Ministry which would have been bold enough to have taken decisive measures to restore order, but such a Ministry would have brought the Arch Duke into collision with the National Assembly, and His Imperial Highness could not make up his mind to such an alternative.

FO 30/126: Baron Cowley to Viscount Palmerston, No 277, Frankfurt, 20 May 1849

Intention of Gagern and friends to retire from the National Assembly; remarks on Gagern's character and his policy

From the moment that the Arch Duke John's new Ministry was announced to the National Assembly,[101] the friends of M. de Gagern have been most anxious that he should retire from the National Assembly. I saw him the night before last, when he told me that he was only waiting a favorable opportunity to send in his resignation,

[100] Cf. the following note.

[101] The new government, under the provisional leadership of Maximilian Grävell, was appointed on 16 May 1849.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

that he thought about sixty of his party would follow his example, and that they would issue a declaration stating the reasons of their retirement.

The opportunity sought by M. de Gagern has been given by the vote of yesterday, which implies the withdrawal of the Regency of the Empire from the Vicar General,[102] and I have reason to believe that the retreat of M. de Gagern and his friends will be announced tomorrow morning to the Assembly.

I cannot, My Lord, close my relations with this gentleman without again expressing my conviction of the honesty and purity of his intentions. Many and serious as are the errors which he has committed, they have been errors of judgement, for which he is now paying a severe penalty. In making a coalition with the left in order to obtain the Imperial Crown for the King of Prussia, he neither saw the danger nor understood the discredit of such a transaction. Convinced that there was but that chance of safety left for his Country, he thought all means fair to arrive at it.

That his plan for the future Government of Germany is good,[103] few will deny, who see the state of confusion which exists in the great majority of the smaller States. If he had been listened to, three or four months ago, much of the present danger might have been avoided. The Sovereigns, who looked upon him, perhaps naturally enough, as their great enemy, were blind to their still greater enemy which stood in arms behind him. That enemy is now arrayed against them, and I much doubt their overcoming it finally and effectually by any other means than the foundation of such a federal State as M. de Gagern advocated.

I ought to add that the most persevering efforts have been made during the last ten days to induce M. de Gagern to allow himself to be named Chief of the Central Power. His enemies have always supposed this to have been the object of his ambition, and, although I am not disposed to see any great virtue in the refusal of a power that would probably have been very ephemeral, and could only have been sustained by torrents of blood, I am not sorry that M. de Gagern has been put in the position of declining such overtures.

P.S. 21 May: Sixty eight Deputies with M. de Gagern at their head, have announced their resignation to the Assembly. It is probable that they will be followed by some thirty more in the course of the day.

[102]The National Assembly resolved that an imperial governor (*Statthalter*) should be elected. This governor was to exercise the rights and duties of the head of the Reich temporarily.

[103]Cf. n. 68 in this section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/128: Baron Cowley to Viscount Palmerston, No 395, Frankfurt, 8 July 1849

State of public opinion in Germany on realization of German unity and Prussia's conduct; relations between Austria and Prussia

As far as I have the means of feeling the pulse of popular opinion from hence, I should say that each day, the necessity of submitting to the supremacy of Prussia is felt more strongly. But in proportion as this necessity is felt, a sentiment in favor of Austria is aroused. This is no doubt to be attributed in great measure to the conduct of Prussia. The adherents of Prussia begin to suspect that she is playing a Prussian and not a German game, and if Austria could now come forward with any plan which ensured a central representation both at home and abroad, her chance of recovering peaceably her antient position in Germany would not be entirely lost. At present she seems to have no other intention than to gain time, and so dangerous does this dilatory system appear to the adherents of German unity, that they are willing to make every sacrifice in order to obtain the convocation of a central Assembly. Hence the unanimity of the proceedings at Gotha;[104] but this must not be construed into an approval of the conduct of Prussia, nor into any sympathy in favor of Prussian ambition.

The great fear now entertained is that the Sovereigns, having recovered a portion of their power by the virtual dissolution of the Central Government,[105] may enter into a system of reaction against the people. However unpracticable the realisation of German unity may be found to be in the end, there can be no doubt that it is an idea which pervades the whole of the middle classes of Germany, and which all the sufferings and losses undergone last year have not served to turn aside, and if something is not now done in that direction, the fault, whether justly or not, will be thrown upon the Sovereigns, and if the people again get the power in their hands, a heavy penalty will be exacted for it. The people of Germany are not like those of France, easily excited and almost as easily appeased. They may yield to superior force for the moment, but I much doubt whether, when that force is withdrawn, the same scenes of disorder will not recur, unless

[104]Deputies of the *Erbkasierliche Partei* of the Frankfurt National Assembly called for a post-assembly meeting in Gotha to discuss their attitude towards the union constitution propagated by Prussia. At the meeting, held from 25 to 28 June with 150 participants, the *Gothaer* declared their support for Prussia's union plan.

[105]The imperial government continued to exist in Frankfurt, unaffected by the end of the Frankfurt National Assembly and Prussia's formal note of 18 May 1849, in which it declared all further actions of the government void.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

some central authority is established which the people will be willing to respect. And this in my humble opinion is the fault that Prussia is committing. She is acting, as the military pacificator of Germany in her own name, and not in the name of a central Authority.

All the accounts received from the neighbouring countries shew that the Prussian forces are submitted to as a matter of necessity, but that except by the higher classes, they have been no where received as deliverers. On the contrary the poorer classes are taught to believe that it is the presence of foreign troops which has caused the late disorders, and that without foreign interference everything would have gone on prosperously. So lamentably ignorant is this class that I have been credibly informed that in many districts they attribute the promising harvest, with which it has pleased Providence to bless these countries, to the abolition of the game laws, while on the Rhine they are convinced that there can be no prosperity at all until steam boats and machinery of all kinds are entirely done away with.

I have thrown these remarks together in order that Your Lordship may have some idea of the present state of public opinion here. It results from them, if correct, that so long as Prussia can keep an imposing force on foot, tranquillity may be preserved, but that as soon as these countries are again abandoned to their own Governments the same disorders are likely to recur, until a central authority is formed capable of satisfying the dominant wish of the people to be considered a great and united nation.

There is one other point to which I venture to address Your Lordships attention as of still more serious import, namely the state of the relations between Austria and Prussia. If the feelings of the two Governments are to be judged by the language of their Agents, it would seem as if an open rupture between them were inevitable. The instructions sent to the Austrian Commander in Chief in the Vorarlberg[106] prescribe to him to obey the Central Power, but to take care not to confound that power with the usurped authority of Prussia. Your Lordship knows on the other hand with what contempt Prussia now treats the pretentions of Austria. The Austrian party here proclaims war to be preferable to Prussian supremacy. With such exasperated feelings on both sides the least accident may bring on a collision which probably would end in a war as bloody as people fighting for their religion faith and political principles could make it.

[106]Ignaz Legeditsch.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/128: Baron Cowley to Viscount Palmerston, No 413, Frankfurt, 24 July 1849

Effects of the armistice and preliminary peace with Denmark; conciliatory conduct of central government

Your Lordship will have been informed that as soon as the terms on which Prussia had concluded an armistice and preliminary peace[107] with Denmark became known to the Government of Schleswig, a protest[108] was addressed by the latter to the Central Government and to the Governments of Germany, against the terms of the convention, and demands were addressed to them to continue the war without reference to Prussia.

Some doubt was evinced in the first instance by the Central Government as to the line it should take. The opportunity of decrying the conduct of Prussia and raising its own popularity was tempting. Fortunately however a better spirit eventually prevailed. A note, a copy and translation of which are enclosed herewith, was yesterday addressed by Prince Wittgenstein to the Schleswig Plenipotentiary ad interim,[109] in which Your Lordship will see that although the rights of the confederation are expressly reserved, Schleswig is given distinctly to understand that no assistance will be given from hence towards a prosecution of the war with Denmark.

Prince Wittgenstein is not without hopes that this language from the Central Government will have a decided influence on the people of Schleswig. He said, in informing me of it, that he was sincerely rejoiced at the termination of the war, and that although he must protest against the conduct of Prussia, he would do nothing to prevent the realisation of peace. I took upon myself to assure him of the satisfaction with which his conciliatory conduct would be learnt by Her Majesty's Government.

The Prince further told me that the Bavarian Government intended to follow the same line of conduct as that adopted by the Central Power, and that while it equally protested against the behaviour

[107]The armistice agreement concluded on 10 July 1849 between Denmark and Prussia, initially limited to six months, provided for Schleswig to have its own state administration and to be divided into two parts, the north under neutral Swedish occupation, the south under Prussian occupation. All other troops were to leave the Duchy of Schleswig, and the Danish sea blockade was to be lifted. The preliminary articles for a future peace treaty, which was to be guaranteed by the Great Powers, provided among other things for Schleswig to have its own constitution, without being united with Holstein. The question of the succession remained open.

[108]Communication from the governorship (*Statthalterschaft*) of the Duchies of Schleswig and Holstein to the Governments of the German states, 18 July 1849.

[109]Christian von Stemann. Enclosure (copy and translation): Letter to the *Statthalterschaft* of the Duchies of Schleswig and Holstein, 23 July 1849.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

of Prussia, as contrary to the fundamental laws of the German Confederation,[110] it had sent orders for the immediate return of the Bavarian Contingent.

I cannot conclude this Despatch without congratulating Your Lordship on the success which has at length attended your constant and unwearied efforts to settle a question sufficiently intricate in itself, but which the spirit of the times had rendered doubly difficult of solution.

FO 30/129: Baron Cowley to Viscount Palmerston, No 461, Frankfurt, 23 August 1849

Reports by Biegeleben; proposed arrangement between Austria and Prussia for establishment of a central power

Since writing to Your Lordship yesterday, further reports have been received from M. de Biegeleben, dated Berlin the 20th Instant. The Prussian Ministers, although adhering in the main to the basis of an arrangement with Austria, as I have already had the honor to detail it, have drawn up the Seven Articles embodying it in such a manner that the recognition of the Prussian Separate League[111] is virtually assented to by Austria, if she agrees to adopt them. Prussia, moreover, insists that the authority of the new Provisional Government shall be exceedingly limited, and that the 6th Article of the Federal Act of 1815,[112] which settles the order and manner of the voting of the individual States, in case of any proposed change in the organisation of the Confederation shall be suspended.

The seat proposed for the new Provisional Government is Mayence.

I have had some conversation with Count Rechberg on the subject of these Negotiations at Berlin. He is of opinion that they will lead to nothing, and that Austria will never consent to make propositions founded on the Seven Articles above mentioned. He characterizes the whole proceeding as a trick of the Prussian Government to entrap Austria into a recognition of the separate league put forward by Prussia, and to destroy the authority of the Central Power.

[110] Act of the German Confederation of 8 June 1815.

[111] For the Erfurt Union cf. n. 115 in Prussia section. The topic of the negotiations between Austria and Prussia was the creation of an interim government.

[112] Article 6 of the Federal Act of 1815 regulated the responsibilities of the *Plenum* of the Diet of the Confederation where, in contrast to the usual meeting of the *Engere Rat* (consisting of seventeen representatives), each member state had at least one vote. The *Plenum* decided about changes to, or interpretations of, the Federal Act, the Confederation's institutions and arrangements, military matters, war or peace within the confederation, and on the acceptance of new members.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

There is, no doubt, a considerable difference between the Seven Articles originally submitted by Mr. Biegeleben,[113] (and, as he thought, accepted by the Prussian Government), and those now emanating from the latter. I am in hopes of being able to communicate both to Your Lordship by the next Messenger.

FO 30/131: Baron Cowley to Viscount Palmerston, Confidential, No 547, Frankfurt, 10 November 1849

Proceedings of the Gotha party

Your Lordship will perhaps recollect that at the meeting at Gotha in June last of certain of the members of the late German National Assembly, a resolution was adopted to establish a permanent committee at Frankfort,[114] the members of which were to further by all legitimate means in their power the development of the Prussian plan for the reconstitution of Germany. Among other means the press was resorted to, and a paper called the 'Deutsche Zeitung'[115] was advertised as being for the future under the direction of the brothers Gagern, Reh, Mathy, Bassermann, and other distinguished members of that party. Whether from neglect of the Editor,[116] or from want of understanding among the persons interested, certain articles have appeared in this paper which would make the Gotha party appear more democratic in its views and in its advice to the German people, than at all events the more prudent and reasonable members of it really feel. On the other hand those who are sincerely working for German grandeur and unity think that they perceive in the later acts of the Prussian Government and legislature[117] an intention rather to benefit Prussia by the difficulties which enthral Germany at the present moment, than a desire to extricate Germany from those difficulties – and such views they are by no means willing to countenance.

[113] Biegeleben submitted his original proposal on 9 August 1849. The Prussian government's changed version explicitly mentioned a closer union (without Austria) as a possible solution to the constitutional question. Cf. pp. 149–150.

[114] The five-member *Zentralausschuß* was appointed as a co-ordinating committee at the meeting in Gotha on 28 June 1849. Cf. n. 104 in this section.

[115] The *Deutsche Zeitung* was first published in Heidelberg in July 1847; from October 1848 to December 1850 it was published in Frankfurt am Main. It was made the official organ of the Gotha party in August 1849.

[116] Friedrich Daniel Bassermann.

[117] Cowley is referring to reactionary developments in Prussia, including the revision of the Prussian constitution in the Prussian chambers, which were elected according to the new three-class franchise.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

Under these circumstances the committee has addressed a letter to the most influential members of the Berlin Chambers, who attended the meeting at Gotha, in which after setting forth, in terms as courteous as possible towards Prussia, the difficulties by which the Committee is encompassed, those members are requested to state what in their opinion are the future intentions of the Prussian Government. A meeting of the Committee, it is said in the letter, is convened at Frankfort for the 20th Inst when the question of its further usefulness and consequently of its dissolution or not, will be discussed, and the results will probably depend on the answer received from Berlin. There can be no doubt, I think, but that the intention is that this letter should be laid before the members of the Prussian Government in order that they may see with what suspicion the conduct of Prussia in regard to German unity is viewed by what may be termed the Gagern party.

FO 30/131: Baron Cowley to Viscount Palmerston, No 572, Frankfurt, 16 December 1849

Course adopted by Cowley with regard to his attendance at the ceremony of the installation of the federal commission

It having been casually indicated to me that the Diplomatic body resident at Frankfort would be invited to witness the ceremony of transferring the powers of the Central Government from the hands of the Arch Duke John to those of the Federal commissioners appointed under the Austro Prussian convention of the 30th September[118] – it became a matter of doubt to me what course I should pursue in case I was invited, as it seemed to me that assisting at such a ceremony would more or less imply a recognition both of the Government of the last year, and of that which is about to succeed it.[119] At the same time I did not like to do so uncourteous an act as that of refusing to appear, nor did it seem to me proper to raise the question in any way before I was invited. I had nearly made up my mind to absent myself for a short time from Frankfort, as the best means of avoiding the dilemma, when Mr. de Tallenay, who is in the same position as myself, and with whom I had communicated upon the subject, informed me that he had intimated to the Arch Duke's Ministers the position in

[118] The commissioners appointed were Karl Friedrich Freiherr Kübeck von Kübau, Karl Freiherr von Schönhals, and Karl von Boetticher. For the Austro–Prussian convention of 30 September 1849 cf. n. 137 in Prussia section.

[119] For the problem of diplomatic relations with the Frankfurt central power in 1848 cf. pp. 7–8.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

which we stood, recommending them to confine their invitations for the ensuing ceremony to such of the members of the Diplomatic body as were officially accredited to the Arch Duke. I have reason to believe that this course will be adopted, and that I shall escape the awkward position in which an invitation would have placed me.

FO 30/131: Baron Cowley to Viscount Palmerston, No 573, Frankfurt, 22 December 1849

Observations on the present state of German affairs; remarks on the federal commission as new interim power; dangers of disunion between Prussia and Austria; perils of internal disturbances; question of German unity; understanding between Prussia and Austria necessary; general anxiety for the future

The installation of a new Central Provisional Government[120] to direct the affairs of the German Confederation renders it almost incumbent upon me to offer a few observations to Your Lordship upon the present aspect of German affairs, but I do so with a diffidence that those who have followed the extraordinary and varied events of the last two years in these countries will well understand and believe in.

The object of the present Despatch being solely to place before Her Majesty's Government some account of the actual state of Germany, as far as my limited means allow of my so doing, I purposely refrain from attempting any recapitulation of the Causes which have led to so curious a change as is exhibited between last year and this. To attempt an analysis of the numerous errors that have been committed by all political parties, whether considered as affecting the individual views of those parties, or the welfare of Germany in general, would be a useless labor. The entire consequences of those errors are not yet developed – the errors themselves cannot be recalled, and all that can be hoped is that future Statesmen may profit by them.

The Austro–Prussian convention of the 30th September can only be regarded as an act of necessity; equally so, the adherence to it of the smaller States. The arrangement of which it is the sanction pleases no State, contents no party. Neither the antient rights of Austria, nor the ambitions, but perhaps natural pretensions of Prussia are satisfied by it, while, by placing the affairs of the German Confederation, although provisionally, solely in the hands of those two larger Powers, the independence of the smaller States is to a certain degree compromised without any solution of the definitive question being obtained. The latter cannot therefore be expected to look upon such an arrangement

[120] The federal commission officially succeeded Archduke Johann and his ministry on 20 December 1849. For the Austro–Prussian convention of 30 September 1849 cf. n. 137 in Prussia section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

with favor. No arguments can be necessary to prove that the advocates for a United Empire, for a tripartite division, for a directory with the six circles, or lastly, for a Republic, can approve what is in direct contradiction to each of these theories.[121]

The necessity however of creating some central administration which should be recognized by all the German States was overwhelming, and as Prussia persisted in her refusal to acknowledge that existing under the Arch Duke John, the Convention of the 30th September has come into life.

It should be remarked, as is often the case in a reaction after excesses, that there is even less regard paid under the present arrangement to the rights of the nation at large than was the case under the old Diet. There, at all events the different States had the power of voting. Here they have none. They may send Plenipotentiaries to the seat of the Central Government, but those Plenipotentiaries are not to have any deliberative functions. It may well be imagined then that some of the smaller States, as is the case, would have preferred a return to the old Diet. They think that, under present circumstances, a large majority of the members of that body, would declare in favor of remodelling the federal Constitution of Germany in the manner proposed by the Three Kings League.[122]

It is perhaps not to be regretted that a fair trial should be made of the practibility [sic] of a joint Central administration under Austria and Prussia, in other words that what is called in German parlance, the duality, should be essayed. As long as the functions of a Government formed in this way are confined to mere federal purposes, such as the regulation of the Fortresses, of the contingents, of the Fleet, of the federal chest, of a federal tribunal and so forth, its action may continue uninterrupted, but if it is to interfere further either in the internal or external affairs of the Nation, the views of the two parties composing it are apparently so much at variance, that a cordial understanding and cooperation between them, for any length of time, can hardly be expected. Indeed the commencement of this joint administration has been preceded by the publication of certain notes[123] which have passed between the two Governments, and which exhibit as much divergence of opinion upon the reconstruction of the federal institutions as would appear to render all agreement between them impossible. Without venturing to pronounce any opinion as to the merits of the question

[121] For the idea of a *Trias* cf. p. 27. For the plan of a directory with the six circles cf. n. 75 in this section.

[122] For the Three Kings' Alliance and the constitution of the Erfurt Union cf. n. 115 in Prussia section.

[123] Cf. p. 75.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

raised between the two, I may perhaps remark here that if Austria is right in declaring the contemplated Prussian League to be at variance with the rights of the Confederation, she can hardly escape from the counter accusation of acting illegally herself while including her German Provinces within the action of the constitution which is for the future to govern the whole Austrian Empire,[124] nor must it be forgotten that the late Central Government of Germany has solemnly declared that such an inner Confederation as was contemplated by the three Kings Convention of the 28th May[125] is not in contravention of the rights of the Confederation at large.

But great as are the dangers which attend this disunion between the two most powerful States of Germany, they are nothing in comparison with those which arise from the social position of the Empire at large. The revolution of 1848 is checked but it is not stopped. The democratic party is held at bay, but is not crushed. We have but to look at the internal condition of Saxony, Wurtemberg, and the Grand Duchy of Baden, of the Palatinate and Rhenish Provinces, to hear what persons well worthy of credit and equally competent to judge say of the state of Austria and Prussia themselves, to call to mind Vienna still under martial law,[126] to see the result of the elections for the Wurtemberg and Darmstadt Chambers,[127] and it must be clear that tranquillity is alone maintained by the enormous forces of which Austria and Prussia are enabled to dispose. But although armies may be very well to restore order, where it has been troubled, countries cannot for any length of time be governed through them. Even if financial difficulties did not stand in the way of it, public opinion nowadays would protest so strongly that armies would melt away before its voice.

In addition to the perils of internal disturbances which menace afresh every State in Germany from the democratic party, the finances of most of them are suffering seriously from the events of the last year and a half, a fact which is not calculated to disarm rebellion or to restore confidence.

If such is granted to be the state of Germany, it follows that some determined and combined effort must be made if she is to be rescued

[124] For the constitution of 4 March 1849 cf. n. 75 in Austria section.

[125] The Three Kings' Alliance was dated 26 May 1849; on 28 May 1849 the constitution of the Erfurt Union was agreed upon.

[126] Martial law was announced on 23 October 1848 and regulated by proclamation of 1 November 1848.

[127] The democratic *Volkspartei* had a strong majority in the new Württemberg *Landesversammlung*, which assembled on 1 December 1849; in the Hesse-Darmstadt elections of December 1849, the democratic opposition won two-thirds of the seats in the second chamber.

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from it. The installation of a new Provisional Central Administration,[128] which it has taken months to concoct, and which at last has only been accepted because its attributes are cut down to the lowest possible minimum, and its duration limited, is not likely to effect a cure. The revolution of 1848 was, right or wrong, the expression of public discontent, discontent of the system under which the people were governed. But the revolution was made by men who differed widely among themselves in their views as to what its ultimate object should be. The dissensions which thus arose so divided the forces of the revolutionists that the Sovereigns and Governments have recovered a certain degree of strength, – they should turn this strength to a good account while they possess it.

Nobody dreams of the possibility of a return to the old system. The difficulty now is to decide in what way that system is to be replaced. To go the length of what is required by the democratic party would be an absurdity, and would in the end prove an impractibility. But there is a large and influential class compromised in the revolution, which has hitherto, partly from terror, partly from necessity (it being the only way to obtain its ends) sided with the democratic party. The first object of those who have the power should be to detach these men from their dangerous companions, but this can only be effected by giving them something tangible, which it will be worth their while to defend against those who would pursue the revolution further. As it is, they see in the events of the last eighteen months nothing but abortive hopes and broken promises, and they look to a second revolution to give them greater success. If however such liberal institutions were now granted, as contained the germs of free Constitutional Government, it might be reasonably hoped that they would be the first to defend so valuable an acquisition and with all their notion of constitutional freedom as render it a sine qua non to any future arrangement?

This is a point which I approach with great caution, for without better means of judging, I hesitate at forming an opinion. Few however will deny that the cry of unity has lost all the charm with which the glorious anticipations, of the different German races speaking to Europe with one voice, and that mighty from its numbers and resources, surrounded it; and it follows therefore that the majority of those who still make it their watchword, do so because they are convinced of the necessity of its realisation.

Again I turn to the other side, and I find that there is not a Government in Germany whose political program is not ostensibly founded upon it, which does not declare that unity and a national representation are matters of vital importance to the nation. Even

[128]Cf. n. 137 in Prussia section.

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Austria is afraid to make any declaration in a contrary sense. No doubt there are many different shades of opinion as to how far this unity and national representation are to be carried, still it seems to me but fair to inform that there is a feeling throughout the nation in favor of them, which no Government is strong enough to disavow.

How this unity is to be brought about is another question. Certain it is that if Austria and Prussia are to partake it, it is unattainable as long as the one holds to her constitution of the 4th of March, and the other to the Convention of 28th of May, and yet I cannot think that Germany will remain quiet as long as no step is made in that direction. Temporary tranquillity may be maintained, but whenever an opportunity offers, the cry will be raised afresh.

And this state of things I fear, My Lord, is likely to continue until the present generation of Princes and Statesmen is passed away. The former are, naturally enough perhaps, too much occupied by their own particular interests to care much for the welfare or the wishes of the nation at large. The latter dwell too much on theories, and too little on what is practicable, to be of much use at present to the cause which they advocate. A future Generation educated in the school of reflection, which the events of yesterday, today, and tomorrow can hardly fail of producing, will it is to be hoped undo the knot, that it would now probably require the sword to sever. Nor are the people at large as yet sufficiently recovered from the intoxication of last year to enable them to form a sane opinion on their own state.

One of the greatest misfortunes of the present day to Germany is, that the arena of politics having been shut to all her talented men, and nobody can deny their number, they have been forced into the pursuits of science and philosophy, until, each wishing to outstrip the other, they have pushed their doctrines to the verge of infidelity, to which much of the demoralisation which pervades the nation may fairly be traced.

I fear likewise that the weal of Germany at large enters but little into the consideration of either Austria or Prussia. Both Governments indeed profess to have nothing but the welfare of Germany at heart, but the spirit of rivality which characterises all their proceedings shews but too plainly the selfishness of their policy.

That a cordial understanding between the two is necessary, before any final settlement of the affairs of Germany can be hoped for, few will deny. The smaller States must follow in the wake of whatever policy the two larger ones agree on. It is the rivalry of the two latter which has emboldened Bavaria to attempt a line for herself and the three other Kings,[129] and which gives strength to the democratic party.

[129] For the Four Kings' Alliance cf. n. 85 in Bavaria section.

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How the two are to be brought together is a problem which M. de Gagern has alone attempted to solve,[130] and I am free to confess that I as yet see no other basis of understanding possible, suggesting always a Central National representation to be the unalterable desire of the German nation.

In a Despatch written some short time back No. 523 I had the honor to call Your Lordship's attention to a memoir written by M. de Biegeleben[131] and put into Prince Schwarzenberg's hands during the mission of the former to Vienna, suggesting a means of bringing the Austrian and Prussian Governments together. I have since had occasion to hear M. de Biegeleben develop his plan, and I find that the ground work of it is, that Austria should favor the supremacy of Prussia in all matters relating to the military and internal administration of Germany, and should place herself at the head of the commercial and material interests. For this purpose M. de Biegeleben would establish a commercial administration under the presidency of Austria at Vienna, and would convoke there a sort of Chamber for commercial business only. M. de Biegeleben considered that if Austria could obtain this concession, she might safely abandon all other interests to Prussia, and that she would be recovering that influence in Germany which she lost to Prussia when the Zollverein[132] was established. From recent acts of the Vienna Government and from feelers thrown out lately in some of the Vienna journals, it would almost appear that the Austrian Cabinet had some idea of acting on this suggestion.

There are many persons whose judgments are not without value who are convinced that this crisis in the affairs of Germany is not to be finished without war. Their opinions are founded on the supposition that Austria backed by Russia will never allow Germany to grown strong. Much probably will depend upon the position assumed by the Erfurt Diet.[133] As long as its proceedings do no violence to the treaties of 1814 and 1815[134] it seems hardly probable that with her finances embarrassed as they are, and the uncertain state of her own provinces, Austria would wish to risk the chances of a war. I am much more inclined to fear the consequences of religious dissensions. The Roman Catholic element is that with which Prussian supremacy will have the greatest difficulty to contend in Germany. The material

[130] Cf. n. 68 in this section.

[131] Memorandum: *Welche Rücksichten muß unter den gegenwärtigen Verhältnissen ein Vorschlag in der deutschen Verfassungsfrage in sich vereinigen, um sicheren und heilsamen Erfolg zu versprechen?*, presented by Biegeleben on 15 September 1849.

[132] German Customs Union of 1834.

[133] Cf. n. 156 in Prussia section.

[134] Treaty of Chaumont (1 March 1814), Act of the Vienna Congress (9 June 1815), and the Treaty of the Quadruple Alliance in 1815 (20 November 1815).

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

interests of the Southern States have been much talked about as put in peril, but I am greatly mistaken if this cry ever really spread beyond a few manufacturing towns, though it was adroitly fastened upon and put forward as irresistible by the Governments of the States inimical to Prussia.

To sum up all in a few words, I have met with no one in Germany, let his rank be what it will, who is not filled with anxiety for the future. I have met with no one, whatever his political opinions, who has the slightest confidence in any Sovereign, or Government or individual. Exaggerated as this statement may appear it is the simple truth. Many of those whom I now cite, I have known or heard of in former days as the representatives or Ministers of those Sovereigns whom they now condemn, nay whose continued existence as Sovereigns they now proclaim to be an impossibility. During my residence here I have made acquaintance with others of almost I may say every rank in life. The same depression pervades them all. There is no real Government any where. It is either military rule; or Sovereigns and their Chambers at variance, each afraid to make the final move that must lead to inevitable rupture. And these anxieties are to be dissipated, this broken confidence is to be restored, these Sovereigns are to be maintained on their thrones, by a Central Administration such as I venture to think I have faithfully described it to be at the beginning of this Despatch. On the other side a fresh element, in the shape of the Erfurt Parliament is coming into action, which may have a considerable share in modifying events. Under such circumstances who will undertake to predict them?

If I have abstained until now from making any allusion to the influence which occurrences abroad and more particularly in France may have over German affairs, it is not that I underrate them, but I have already trespassed too long on Your Lordship's time and will not pursue the subject further.

FO 30/137: Baron Cowley to Viscount Palmerston, No 118, Frankfurt, 25 March 1850

Remarks on the crisis of affairs in Germany; powerless position of the federal commission; importance of Four Kings' Alliance; strong democratic spirit in Germany

In the absence of any intelligence of political importance to convey to Your Lordship I venture to make a few remarks upon the actual crisis of affairs in Germany.

The Federal Commission[135] has turned out, as was to be foreseen, a perfect delusion. It has no weight, importance, or consideration any

[135] Cf. n. 137 in Prussia section.

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where. Its members are heartily tired of their position, and make no scruple of saying as much. They have no information afforded them by their Governments on any one of the questions which occupy the attention of Germany, nor are they consulted upon such points as may be considered purely federal.

To give Your Lordship an instance of this. No change was made formerly in the garrisons of the Federal fortresses without the knowledge and consent of the military commission of the Diet. Within the last few days for some reason or other Austria has recalled her artillerymen from Mayence, but General Schönhals learnt this fact through the newspapers.

It is supposed however that negociations are pending between Austria and Prussia for a prolongation of this interim Government.

The Erfurt Parliament[136] does not appear likely to call forth much observation at present. The tactics of the Gotha party[137] are evidently not to give any umbrage to Prussia, nor any pretext for getting rid of or dissolving the Assembly. Their main object is to ensure a second session. If they succeed in their views, it is difficult to foresee the influence that this body may have over the future.

The Bavarian project,[138] which people were at first inclined to decry, has become a most important question from the support given to it by Austria. It is blamed by many people who wish well to an Austro–Bavarian alliance, on account of its preciseness, and the umbrage that the exclusive nature of the directory must give to the smaller Powers. Such persons wish that the terms had been more vague, in order to allow of a better chance of negociating with Prussia. On the other hand Your Lordship will have remarked that the act of accession of Austria contains conditions[139] which may yet throw difficulties in the way of a final arrangement. One of the chief objects of this project appears to have been to detach the two Hesses from the Prussian League, by giving them a more prominent position in the directory. It is not unlikely that this stratagem may prove successful. The Government of Hesse Cassel, by dissolving the Chambers, has already placed itself in a position to act as circumstances may dictate, and the elections for the Erfurt Parliament have not yet taken place in Hesse Darmstadt.

It was supposed here some weeks back that some of the Northern States, and particularly the Free Towns were desirous of detaching

[136] Cf. n. 156 in Prussia section.

[137] Cf. n. 104 in this section.

[138] For the Four Kings' Alliance cf. n. 85 in Bavaria section.

[139] Austria joined the alliance on condition that the principles agreed on would be retained in the future constitution, that basic rights would not be incorporated in the constitution, and that Austria could join the alliance with the entire empire.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

themselves from the Prussian league, but I have seen persons lately arrived from those parts, and who are by no means well inclined towards Prussia, who represent the tide to be again turned, and set in the opposite direction.

The democratic spirit in this part of Germany is as strong as ever, and the party looks with confidence to another chance of getting the upper hand. It is the knowledge of this that makes many persons desirous of having a fresh outbreak now while the numerous troops under arms would secure a certain and easy victory to the friends of order. To judge from the language of the Austrian Agents, such also is the desire of the Austrian Cabinet.

FO 30/138: Baron Cowley to Viscount Palmerston, No 154, Frankfurt, 30 April 1850

Convocation of the old Federal Diet by Austria for the purpose of organising a new provisional central power

In the uncertainty whether Your Lordship will have learnt from any other source the decisive step taken by the Cabinet of Vienna in the affairs of Germany, I hasten to inform you that an Austrian Messenger arrived last night at Frankfort with dispatches dated the 26th Instant for the Austrian Commissioners,[140] and for the Austrian Minister[141] to the Town of Frankfort. If I am rightly informed, the tenor of these Despatches is as follows.

All the attempts of the Austrian Government to come to an understanding with Prussia and the other States of Germany for a renewal of the Interim Government[142] having failed, and the powers of the present Federal Commission being about to expire, the Cabinet of Vienna trusts that the different Governments of Germany will not object to the continuance of the present Commission for the regulation of those affairs which demand immediate attention. But, in order to put a stop to this irregularity, Austria, in her capacity of President of the ancient Diet, convokes a full meeting (Plenarversammlung)[143] of that body for the 10th of May next, with the view of organising a new Provisional Central Power, and of proceeding to a revision of the Federal Acts 'in a manner suited to the spirit of the age'.

[140] Karl Friedrich Freiherr Kübeck von Kübau and Karl Freiherr von Schönhals.

[141] Johann Bernhard Graf von Rechberg-Rothenlöwen.

[142] Cf. n. 137 in Prussia section.

[143] On 26 April the Austrian government sent out invitations for a congress to be held in Frankfurt, where the future of the German Confederation was to be discussed. For *Plenarversammlung* cf. n. 112 in this section.

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The Austrian Government looks with confidence to the immediate nomination of Plenipotentiaries on the part of the members of the Confederation, inasmuch as the summons made upon them is in perfect conformity with the Treaties of 1815,[144] and any non-complying Member must be looked upon as desirous of quitting the Confederation. The choice of the Plenipotentiary[145] of the Austrian Government has been made, and as soon as it has been ratified by the Emperor, he will proceed to Frankfort.

Austria regrets that she shall be obliged to take this step alone and that Prussia should not have joined with her in making a proposition of so much importance to Germany.

As I am myself the bearer of this Despatch, I abstain from any comments on the consequences which may result from the step now taken by Austria.

FO 30/139: Baron Cowley to Viscount Palmerston, No 224, Frankfurt, 29 July 1850

Public feeling with regard to the affairs of Schleswig and Holstein

The public mind in this part of Germany has been much excited since the receipt of the news of the occupation of the North of Schleswig by the forces of the King of Denmark, and still more so since intelligence has been received of the defeat of the Schleswig Holstein army by the Danes on the 24th and 25th Inst.[146]

It would be difficult to exaggerate the ill will which Prussia has brought upon herself by her conduct in this business. All parties fall upon her; the Union party because she has deserted a cause which that party had so much at heart, the Austrian party because it is not satisfied with the wording or with some of the stipulations of the treaty of Peace;[147] the republican party lastly, because it is a blow struck at the revolution in the settlement of the Schleswig Holstein question.

The accounts which have reached this place from the seat of war are so vague, that it is impossible to decide on which side hostilities began. But whether the attack commenced on the part of the Danes or of the Schleswig Holsteiners, I fear that this fresh bloodshed

[144] Act of the German Confederation of 8 June 1815 and Act of the Vienna Congress, 9 June 1815.

[145] Friedrich Graf von Thun-Hohenstein.

[146] The military conflict between Danish troops and the troops of the governorship of Schleswig-Holstein broke out again on 13 July 1850. Denmark's victory at Idstedt on 25 July was the military turning point.

[147] On the Peace of Berlin, 2 July 1850, cf. n. 176 in Prussia section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

will not only tend to retard a formal settlement between the two parties but will render the Danish name so hateful to the Duchies, that it is impossible to foresee what the ultimate consequences of it may be.

Your Lordship will not understand me as venturing to offer any opinion upon the conduct of the Danish Government but as simply expressing an apprehension of the effect which that conduct may have in the Duchies.

I am informed that numbers of persons pass through Frankfort daily, going towards the North with the intention of enrolling themselves in the Schleswig Holstein Army. They are chiefly refugees returning from France and Switzerland. Your Lordship will also have heard that subscriptions are opening in different parts of Germany for the support of the Schleswig Holstein Cause.

FO 30/139: Baron Cowley to Viscount Palmerston, No 243, Confidential, Frankfurt, 12 August 1850

Precarious state of relations between Austria and Prussia; persistence in their policies with regard to the German question; collision likely to occur at Mainz and Frankfurt; great irritation of both parties

Although I should be very sorry to cause any unnecessary anxiety to Her Majesty's Government, I cannot help calling Your Lordship's attention to the very precarious state of the relations now existing between Austria and Prussia, at least so far as they come under my observation.

To judge from the language of their Agents here, each Government seems determined to persist in the policy which it has adopted in the German question; and if this determination is carried out to the full, it seems almost impossible that a collision of some sort should not occur between them. There can be no doubt that, as far as the sympathies of Germany can be ascertained through the Governments, Austria has the advantage for the moment, and she appears inclined to profit by this advantage to force her rival into some overt act, which shall compromise her duty as a member of the German Confederation. It will be the more easy to accomplish this, because Austria has the means of wounding Prussia on two most important points in the places where a collision is most likely to occur namely at Mayence and Frankfort.

At Mayence the Governor is Austrian,[148] and the Prussian troops composing its garrison are under his orders. Should therefore anything

[148] Archduke Albrecht.

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occur to induce the latter to disobey his commands, a real or apparent breach of the Federal Military law[149] will be established. This might have happened recently at the passage of the Baden troops through the Fortress, had not the prudence of the Federal Commission, whose authority is still recognized in military matters, prevented it, but I am confidentially informed (though I hardly dare vouch for the truth of my information) that the Austrian Government has disapproved the proceedings of its Commissioners[150] in this matter and the subsequent conduct of the Governor of Mayence, and has ordered the latter to prevent the passage of any more troops should they present themselves before the fortress. Should then the Prussian Government persist in its intentions of sending the whole of the Baden troops into Prussia, either they must be marched by some other route, or a collision may take place at Mayence.[151]

Again at Frankfort it is more than probable that within a very short time the reestablishment of the Ancient Diet will be declared by the Plenipotentiaries of the Plenum,[152] and the Austrian members of the Federal Commission will be recalled, while Austria being in occupation from antient right of the palace of the Diet, in which the Archives and the Federal Treasure are kept, will take possession of them. But this will hardly be allowed to pass quietly.

In fact I am enabled to inform Your lordship that General Peucker, the chief Prussian Commissioner, has been endeavouring to impress upon some of the Plenipotentiaries of those Courts which side with Austria, the peril that would result from any proceedings such as I have mentioned. He has said that if any seizure of the Federal property is tried, Prussia will not permit it, and that a collision will ensue.

In either of these cases the object imputed to Austria, of forcing Prussia to place herself in hostility to the Authorities of the Confederation recognized by the Austrian Government and by its confederates would be obtained.

[149] *Bundeskriegsverfassung* of 9 April 1821 and its regulations of 12 April 1821 and 11 July 1822.

[150] Karl Friedrich Freiherr Kübeck von Kübau and Karl Freiherr von Schönhals. For the federal commission cf. n. 137 in Prussia section.

[151] The transfer of Baden troops to Prussian territory, which had been agreed between Baden and Prussia on 25 May 1850, began on 15 July 1850. The Austrian government reacted to the fact that the federal commissioners and the governor of Mainz had approved passage through the fortress of Mainz by issuing an instruction on 28 July 1850 denying the transit, and requesting Baden to halt further troop movements.

[152] For *Plenum* cf. n. 112 in this section.

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What the exact intentions of Prussia may be I cannot pretend to guess. Probably she herself does not quite know. But a supposition is gaining ground, that she would not be sorry to get entire possession of the Fortress of Mayence, and that she is concentrating troops in the neighbourhood with that eventuality in view. Your Lordship will find this subject adverted in two other of my Despatches of this day's date.

No doubt should hostilities unfortunately break out, the situation of the Austrian garrison within that fortress would be very precarious, for it would cost the Prussians but little trouble to surround it. On the other hand, the friends of Austria say that Prussia has not at this moment 100,000 men ready to take the field; while Austria and her allies could enter Northern Prussia from Hanover, Saxony and Bohemia, attacking at the same time the Prussian troops in Baden by the Austrian forces now stationed in the Vorarlberg, supported by the armies of Bavaria and Wurtemberg. If an objection is raised as to the danger of removing the troops from some of the Austrian provinces, the objection is met by a proposition to occupy those provinces if necessary by Russian troops.

I have mentioned these arguments pro and con., in order to shew Your Lordship how much the question of hostilities between the two great States occupies the public mind here at this instant.

That the moment is critical no one can deny. The irritation of both parties is very great. Here at Frankfort it has been found necessary to divide the town into districts among the different troops in order to keep them as separate as possible. I am much afraid also, from all I hear, that the Austrian party is disposed to push matters to extremities. I can only earnestly hope that these dangerous symptoms may be confined to this immediate neighbourhood, and that Your Lordship may receive more satisfactory intelligence as to the feelings existing between the two great German Powers from quarters where they are better known.

The language held by the General Peucker is that Prussia, happen what may, will never have anything to do with an Assembly calling itself the Diet. She is willing to meet the Princes of Germany in conference, but some other term must be found to designate the Assembly. He proposes moreover that in order to avoid the dangers of a conflict, some sort of mixed commission should be established to take possession of the Federal property. At this moment there is not above 50,000 florins (something above £4,000) in the Federal treasury, but it is said that Austria has lately paid a considerable sum owing by her to the Confederation into the hands of Rothschild, reserving however to herself the power of disposing of it.

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FO 30/140: Baron Cowley to Viscount Palmerston, No 274, Frankfurt, 2 September 1850

Cowley has endeavoured to impress upon the members of the federal commission and the plenipotentiaries of the Diet the need to prevent a renewal of hostilities in the Duchies of Schleswig and Holstein

Your Lordship's Instructions desire me to urge upon the Frankfort Government the vital importance of preventing the Holstein Troops from any aggressive movement against the Danish Army. As there is no actual Government in existence here, my efforts have been directed to impress upon the Members of the Federal Commission[153] and upon the Plenipotentiaries to the Diet the disinterested advice of Her Majesty's Government. I am happy to inform Your Lordship that the value of that advice is universally admitted, but unfortunately the Danish question is lost sight of as an external affair, and is regarded too much in the light of a battlefield for the two Great German Parties. If the Diet attempts any measures for the pacification of Holstein without previous concert with Prussia, it is to be feared that the latter will, tacitly at all events, encourage the Statthaltershaft[154] to resist any orders sent from hence, and should the Diet attempt to enforce its orders by the employment of troops, it is probable that Prussia would object to allowing an army under the control of the Diet to establish itself in the north of Germany. Austria sees an advantage in declaring this question to be within the competence of the Diet alone, and Prussia desires that it should be settled by herself acting under the Authority of the federal Commission.[155]

Count Thun informed me this morning that he is in daily expectation of instructions which have been promised him from Vienna in order to bring the whole question of the Duchies before the Diet.

FO 30/140: Baron Cowley to Viscount Palmerston, No 294, Frankfurt, 18 September 1850

Details about the affairs of Hesse-Cassel; difficulty experienced by the Rump Diet in coming to a decision on this subject; conduct of Elector and his government unwarrantable

In continuation of the details which I had the honor to give Your Lordship in my Despatch No. 288 respecting the affairs of Hesse Cassel,

[153] Cf. n. 137 in Prussia section.

[154] Cf. n. 55 in Hanse Towns section.

[155] Austria derived the right for a federal intervention in Holstein from the provisions of the Peace of Berlin of 2 July 1850. Cf. n. 176 in Prussia section.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

I have now to add that the Elector's Ministers, upon being called upon by the Commission of the Diet to declare what they wanted that body to do, answered, that they did not require or wish for military assistance, but simply that the Diet should record its concurrence in and approval of the conduct of the Elector and his Government. They hoped that such a declaration would carry such moral weight with it, as would restore the Elector's Authority.[156]

The Commission has not yet made its report, and I learn that its members are very much embarrassed to know what to advise. To approve the conduct of the Electoral Government would raise a storm of indignation against the half resuscitated Diet, while a declaration in a contrary sense would probably give a greater triumph to the democratical party than would suit Austria and her allies. Your Lordship will therefore understand the abuse with which the Elector and his Government meet on all sides.

Their conduct is certainly most unwarrantable. To declare a whole country under martial law, where no disorder of any kind had occurred, (for be it observed there has been no refusal on the part of the people as yet to pay the taxes, but only a refusal on the part of the taxgatherers to collect them) to allow the ordinary tribunals to continue their functions after martial law had been proclaimed,[157] and then to abandon the capital, without even informing the military authorities of their intention so to do; – to attempt to carry on the Government of the country from a small village[158] on the frontier, are facts that shew the incapacity of those who have advised these measures. Perhaps the best thing that could happen would be that Mr Hassenflug [sic], the prime Minister and prime mover of these, what may be termed ridiculous, if they do not prove unfortunate measures, should resign his post, an act which might put an end to the strife between the Elector and his Chambers, but, at the best, His Royal Highness will find it difficult to recover the confidence or the respect of his people.

[156]The conflicts in Electoral Hesse went back to the refusal of its estates (*Landstände*) to grant supply. Friedrich Wilhelm dissolved the assembly of the estates on 2 September 1850, then issued an emergency tax decree on 4 September and, in order to impose it, declared martial law on 7 September. On 12 September the Prince Elector and minister Hassenpflug went to Frankfurt to ask for the Federal Diet's support against the resistance of his subjects. The Frankfurt Rump Diet set up a three-member commission on 17 September to examine the circumstances of the case.

[157]Cowley refers to the decision, taken by the supreme court of appeal in Cassel on 12 September 1850, that the emergency tax decree of 4 September was unconstitutional and thus invalid.

[158]Wilhelmsbad (near Hanau).

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It will be well indeed if this peaceable struggle between the Sovereigns and the people is confined to the Electorate of Hesse, for it will be found exceedingly difficult to resist any continued effort of the German Chambers to come to terms with their Sovereigns by a refusal to vote the supplies for carrying on the service of the State.

FO 30/140: Baron Cowley to Viscount Palmerston, No 302, Frankfurt, 23 September 1850

Resolution of the Rump Diet to sanction the conduct of the government of Hesse-Cassel; conduct of both Prussia and the Diet very regrettable

I informed Your Lordship in my Despatch No. 294 that the general impression among the Plenipotentiaries to the Diet was that it was not possible to countenance the late proceedings of the Elector of Hesse and his Ministers. I have reason to know that the Commission named to report upon these transactions intended to express itself in this sense. But on Friday last M. de Thiele, the Prussian Minister at Cassel arrived here, and informed the Electoral Government that Prussia would not permit any interference on the part of the Assembly calling itself the Diet[159] with the affairs of Hesse Cassel. No sooner was this declaration of Prussia communicated to the Diet than, I am informed, it took the resolution, at a meeting held yesterday, to sanction in general terms the conduct of the Electoral Government. It refers to the 25th – 26th 56th and 57th articles of the final Act of Vienna and to the 1st and 2^{d} articles of the 'conclusium' of the 28th June 1832 (the latter explanatory of the former) as justifying the late proceedings of the Cassel Ministry, and it expresses the intention of aiding the Electoral Authorities in the collection of the taxes of the State, should such aid become necessary.[160] The proceedings of both parties in this matter appear to be very regrettable. It surely would have been wiser in Prussia to have waited a little to see the intentions of the Diet, or to have addressed herself to the Austrian Cabinet in a friendly manner to prevent any interference of that Assembly with the affairs of Cassel.

[159]For the Diet of the German Confederation reconvened on 2 September cf. n. 163 in this section.

[160]For the conflict in Electoral Hesse cf. n. 156 in this section. The Frankfurt Rump Diet's resolution of 21 September 1850 to which Cowley is referring called on the government of Electoral Hesse to use all legitimate means to re-establish its authority, while reserving the right to take steps itself to secure law and order in Electoral Hesse. In analogy with the argument used by the Hessian government, the Rump Diet referred to article 2 of the Six Articles of 28 June 1832, which stated that *Landtage* were not permitted to refuse taxes. Thus, in the view of the Rump Diet, the conditions for federal intervention as stated in articles 25 and 26 of the Vienna Final Act of 1820 were met.

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Still less is the Diet justified in openly approving the conduct of a Government which the Plenipotentiaries to that Assembly (I believe I may say one and all) utterly condemn among themselves and to their friends.

I hope however that I may safely assure Your Lordship that there is no intention on the part of the Diet to interfere further for the present. As I have had the honor to state before, orders have been sent by the Diet to concentrate some Bavarian and Hanoverian troops on the frontiers of the Electorate, and I am informed further that the King of Hanover has been requested to place his troops under a general officer of experience and character, who may take the command also of the Hessian troops in case of necessity. But to judge from the language held here there is a decided repugnance on the part of the Elector to receive, and on the part of the Diet to give military assistance.

FO 30/141: Baron Cowley to Viscount Palmerston, No 323, Frankfurt, 7 October 1850

Reflections on the state of affairs of Germany; Austria's warlike attitude; remarks on the reconvened Federal Diet; Prussian policy vacillating; blameworthy conduct of Hanover, Saxony and the two Hesses with regard to the Prussian Union

I know not whether proximity to the scene of action prompts me to give undue importance to the events which are passing around me, but I confess that I cannot contemplate them without many forebodings for the future. Every step whether taken by great or small, appears pointed in the wrong direction; for every step estranges more and more the two great German Powers from each other, and yet on their agreement depends the tranquillity, the happiness, the prosperity of all the German States.

Various are the surmises entertained, various the reasons given for the warlike attitude suddenly assumed by Austria. The necessity of obviating the distrust which was making itself perceptible among her allies as to her real views and intentions, the nomination of General Radowitz to be Minister of Foreign Affairs in Prussia, the feeling that if war was to come, she was better prepared for it now than she might be hereafter; the desire of turning popular attention at home towards external rather than internal polities; the hope of combating constitutional liberty in Germany by a return to the ancient order of things; the desire of humiliating her too ambitious rival, and the secret advice of Russia, such are the motives assigned for inducing Austria to quit the field of negociation, and to intimate that she is ready if driven to it to appeal to the decision of force. I fear also that the Austrian

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Government does not listen to the best advice it could obtain from hence; that the virile impatience of Count Thun is more in unison with the youthful feeling of the Emperor, and with the aristocratic pride of the first Minister,[161] than the calmer and more conciliatory counsels of Baron Kubeck and General Schönhals.

It is to be hoped for however that the present attitude of Austria may be considered in the light of a demonstration rather than an intention. Surely she must feel that the first cannon fired in Germany will be the prelude to a war of principles, which it is far easier to excite than to allay, and for which she is anything but prepared in her own provinces, not to mention her pecuniary difficulties. Still the powder is there and a spark blown from a distance may at any moment set it on fire.

The forebodings however which I ventured at the beginning of this Despatch to express for the future arise from a very different source viz. the fixed determination which appears to animate the more considerable of the Sovereigns to return to the antient Diet. I am convinced that so long as that intention is persisted in there will be no tranquillity in Germany. It is a handle of discontent for all the disaffected to lay hold of, and will I fear be turned to account. In three several countries at this moment it is the pretext for refusing the supplies, for it must not be supposed that because the people of Darmstadt do not profit by the decree of their Chambers they approve therefore the policy of the Government.[162] Whether Chambers are sitting in countries that have not joined the Diet, approbation and sympathy is expressed for those engaged in the struggle, and the Sovereigns may dissolve their Chambers as often as they please, and may arbitrarily change their electoral laws as much as they like, I do not believe that they will overcome the repugnance that is felt to that hated name of the Frankfort Diet. And if such is to be the system in the German States, dissolution after dissolution, and an arbitrary taxation, consequently upon such a system, it does not require the voice of a prophet to foretell what must be the result.

Far be it from me to assert that monarchical Government is possible with such constitutions as the greater part of the German States are burdened with at this moment. But I venture to call Your Lordship's recollection to the fact that the Diet was condemned by the Chambers that existed before 1848, and that even supposing the Sovereigns can recover the power and restore the constitutions that then existed, they

[161] Felix Fürst zu Schwarzenberg.

[162] The Hessian *Landtag* was dissolved on 27 September after it refused to pass the budget. Thereupon the government issued a decree on 29 September permitting it to continue collecting taxes until the end of the year.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

cannot reasonably hope that an institution that was condemned as obsolete then, will be received as a boon now. The Diet such as it is has been sitting since the beginning of May.[163] It was summoned for the sole purpose of reforming itself, and spite of the non adherence of Prussia and other States, if there had been wisdom in the Plenipotentiaries assembled they would have given some indication of a sincere desire to consult the wishes, while they discouraged the errors of the German People. Then indeed it might have reconciled to its existence those who taking a lesson from the events of the last two years had learned to distinguish national liberty from popular excess, and, in my humble opinion, would have been more dangerous to the Prussian Union[164] than the united Armies now arranged against it. Indeed it remains yet to be seen, if unfortunately put to the proof, whether all those armies will be as enthusiastic as their Sovereigns in aiding to prop up an edifice, the foundations of which, authority based on respect, are wanting.

On the other hand the policy of Prussia has been to vacillating, her actions have been so often at variance with her promises and engagements, while circumstances have almost forced her to strengthen herself by the aid of the revolutionary party, that it is no wonder she should be an object of suspicion and dislike to those who hope for a successful reaction.

Those however who are the most to blame are they who sought assistance and support from Prussia in the hours of danger and difficulty and who would now humiliate her to the utmost. Admitting that Hanover, Saxony and the two Hesses saw good reasons for retreating from the Prussian Union,[165] they ought to remember that it was through their instrumentality and with their concurrence that that Union was originally formed, and they should take care that such terms are now offered to their former ally as she can honorably and consistently accept.

I ought perhaps to apologise to Your Lordship for intruding upon you with reflections instead of confining myself entirely to facts, but as I live in an atmosphere of contentious dispute it is difficult to avoid at times noting to Your Lordship the impression which this jangling expression of different opinions leaves upon my mind.

[163]At Austria's invitation, opponents of the Erfurt Union assembled for the Frankfurt Conferences on 10 May 1850. The Diet of the German Confederation, which was suspended in July 1848, was officially re-opened on 2 September 1850; only twelve of the then thirty-six German states were represented in the so-called Frankfurt Rump Diet.

[164]Cf. n. 115 in Prussia section.

[165]Hanover withdrew from the Erfurt Union on 21 February 1850, Saxony on 24 May, Hesse-Cassel on 22 June, and Hesse-Darmstadt on 4 July.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/141: Baron Cowley to Viscount Palmerston, No 350, Frankfurt, 21 October 1850

Arrival of Count Rechberg from the meeting of Sovereigns at Bregenz; Rump Diet's decision that federal troops should occupy Hesse-Cassel

Count Rechberg, who, Your Lordship may recollect, was for some time accredited by the Austrian Government as its Plenipotentiary to the Central Power, arrived here on the 15th inst. from Bregenz. Although not ostensibly the bearer of any instructions, there is no doubt that he was sent to communicate to Count Thun the substance of what had occurred at the meeting of Sovereigns in that town, and, I fear, to urge on him and on the members of the Diet to be prepared to act with greater vigor and decision. From all I can learn, the language held both in public and private by the Sovereigns and Ministers assembled at Bregenz was violent and warlike and certainly the language held here by the Agents of Austria and her Allies since Count Rechberg's arrival is equally vehement and unpacific. Still I have reason to believe that the decisions taken at Bregenz[166] were sent to Warsaw for the Emperor of Russia's consideration and that no positive step will be taken until an answer is received from thence.

On the day subsequent to Count Rechberg's arrival a secret sitting of the Diet was held, when the decision was taken to occupy the Electorate of Hesse by federal troops.[167] This decision was to have been cosigned to a protocol at a regular sitting on the 18th inst. but, I believe that this design was not carried into execution. There is much more mystery observed in regard to this matter by the Plenipotentiaries to the Diet, then has yet been the case, and I am not therefore able to speak with as much confidence as usual in the truth of my statements, but there are many reasons to account for the hesitation of the Assembly, spite of the resolution which it had taken on the 16th inst. The promise mentioned in my previous Despatch, as having been given by the Hessian Ministers to General Peucker not to press for the immediate interference of the Diet, the expectation of advices from Warsaw, and the uncertainty as to the decision that will eventually be taken by Hanover (whose Plenipotentiary[168] still remains without instructions) would all explain the delay in signing the protocol.

[166]On 12 October 1850 Austria, Bavaria, and Württemberg concluded the *Bregenzer Schutz- und Trutzbündnis*. They committed themselves to uphold the German Confederation, to acknowledge the restored Diet, and to follow its resolutions.

[167]On 16 October 1850 the Frankfurt Rump Diet ordered federal intervention in Electoral Hesse. Bavarian and Hanoverian troops were to be put on the alert.

[168]Johann Hermann Detmold.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

FO 30/142: Baron Cowley to Viscount Palmerston, No 395, Frankfurt, 14 November 1850

State of affairs regarding Prussia's opposition to the federal troops in Hesse-Cassel; effects of the Bronzell affair; impediments to a declaration of war by the Federal Diet against Prussia

Mr. Magenis mentions in one of his Despatches forwarded by this opportunity to Your Lordship, that some apprehension had been felt at Vienna lest the affair of Bronzel[169] to which reference is made in my Despatch No 386 should have induced the Diet to declare war against Prussia, and he adds that orders had been sent to Count Thun to prevent any hurried proceedings of the kind. Mr. Magenis infers from this that the question of peace or war is made, apparently at least, to depend upon the resolutions of the Diet. It is perhaps therefore as well that I should inform Your Lordship how the matter really stands.[170]

As soon as it became known in the beginning of the summer that Prussia and those States which remained true to the Prussian Union[171] would not recognize the Diet,[172] it became a question among the members of that Assembly what steps to take in order to put an end to this opposition on the part of Prussia and her Allies. The Plenipotentiaries from Hanover[173] and Limburg[174] and some of the smaller principalities were desirous of opening negociations with Prussia, and, in case of their failure to declare the Diet as existing for those States only which were represented in it, and then to proceed to a fresh organisation of the federal pact without Prussia &c. A proposition made to this effect was opposed by Austria, Bavaria and Wurtemberg and eventually overruled, the policy of these States being to force Prussia to commit some overt act, which should bring her under the operation of the federal law, an aggressor against it, for they argued, that although Prussia refused to send a Plenipotentiary to the Diet, she nevertheless still called herself a member of the Germanic Confederation. The affairs of Holstein and Hesse Cassel gave an early opportunity of putting this policy into execution. General Peucker was

[169] On 8 November federal (Bavarian and Austrian) and Prussian troops exchanged shots near Bronzell in Electoral Hesse. The intervention of officers on both sides prevented this skirmish from turning into a serious battle. Cf. pp. 451–452.

[170] On the basis of its resolutions of 21 September and 16 October (cf. n. 160 and n. 167 in this section) the Frankfurt Rump Diet ordered federal troops to enter Electoral Hesse on 26 October 1850. Immediately after the beginning of the occupation on 1 November, Prussian troops also crossed the electoral border in order to secure the right of Prussian troops to march through the territory.

[171] Cf. n. 115 in Prussia section.

[172] For the Diet reconvened on 2 September cf. n. 163 in this section.

[173] Johann Hermann Detmold.

[174] Jonkheer Friedrich van Scherff.

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warned by a friend of what was going on in the Diet. Nevertheless the Prussian Government fell into the snare, if it is fair to call it so, which had been laid for it, and has been eventually brought into open collision with the federal troops in Hesse Cassel.

Thus far then the policy of Austria has succeeded. A Member of the Confederation has opposed forcible resistance to the execution of orders emanating from the Diet, and of course in the eyes of that Assembly, subjects itself to the penalties resulting from such conduct.

But the Diet cannot properly declare war against any member of the Confederation. One of its first duties is to prevent war between any of the Confederate States. The case of coercing a recusant State has not yet occurred. Of course if coercion were employed towards so powerful a State as Prussia, and that coercion were resisted, hostilities would ensue, but there would be no declaration of war.

There is I believe no doubt that it is to this point that Austria wishes to push matters, if she and Prussia cannot come to an understanding. But there are preliminary forms to be fulfilled, which is what is now actually taking place.

Prince Taxis and Count Rechberg have formally announced to the Diet, that they have met with resistance from Prussia in the execution of its orders in regard to Hesse Cassel, that they cannot proceed further without engaging in hostilities against a member of the Confederation which is forbidden by the Federal Law, and that they are consequently obliged to refer to Frankfort for further instructions.

It is hardly worth while stopping to enquire whether General Gröben's letter to Prince Taxis of the 6th inst. of which mention was made in my Despatch No 386 and of which a translation is enclosed herewith[175] was not sufficient to establish a breach of the federal law, or whether it was necessary for the federal Authorities to provoke an actual conflict. If I am rightly informed, Count Rechberg's conduct has not been approved at Vienna, and the strongest injunctions have been received from thence by Count Thun to prevent for the present any further advance of the federal troops.

The next preliminary step has however been taken here, that of referring the reports of Prince Taxis and Count Rechberg to what is called an Executive Committee, which is always chosen by a secret scrutiny of the Diet. The members chosen are the Austrian Bavarian,

[175] *Enclosure: Letter from General de Gröben to Prince Taxis, 6 November 1850* [from the *Jornal de Francfort*]. In his letter General Groeben accused Prince Thurn und Taxis of having opened hostilities and stated that Prussian troops had orders not to allow federal troops through the Prussian-occupied territories. Groeben condemned Prince Thurn und Taxis's conduct, as a conciliatory settlement of the affairs seemed to be imminent.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

Saxon, Hanoverian and Lichtenstein Plenipotentiaries,[176] the latter being reporter.

It is to be hoped that before this Committee can make its report matters will have been so far arranged between the Austrian and Prussian Governments as to render further proceedings unnecessary, but should that unfortunately not be the case, it is still doubtful whether a sufficient number of votes could be united among the actual members of the Diet so as to admit of coercive measures being taken against Prussia. At the present moment Hanover and Limburg would not sanction them, and probably such small principalities in the vicinity of Prussia, as are represented in the Diet, would be averse to the adoption of any violent measures which might engage them in open hostilities with so powerful a neighbour.

FO 30/143: Baron Cowley to Viscount Palmerston, No 432, Frankfurt, 9 December 1850

Dissatisfaction felt with the Punctation of Olmütz of 29 November

Neither Count Thun nor General Peucker have received any detailed information respecting the engagements contracted between Prince Schwartzenberg and M. de Manteuffel at the conferences lately held at Olmutz. On the 5th Instant Count Thun received by post from Vienna a copy of the Convention signed on the 29th Ultimo,[177] with a despatch, desiring him to communicate it to the Diet, and to express the hope that that body would receive it with favor, and, if its stipulations were not all that could be desired, recollect the difficulties with which Austria had had to contend in arriving at any understanding with Prussia, and at all events consider that the arrangement was most impartial. The Diet has, as yet, only taken cognisance of it at a confidential sitting, at which I understand very little unanimity was shewn as to the course which should now be pursued by that body, but as its members are as yet but imperfectly informed of the opinions of their respective Governments, no resolution was taken; nor will

[176] Friedrich Graf von Thun-Hohenstein, Joseph Ritter und Edler von Xylander, Julius Gottlob von Nostiz-Jänckendorf, Johann Hermann Detmold and Justin Timotheus Freiherr von Linde. The executive committee was elected on 15 October 1850.

[177] Olmütz Punctation, signed by Austria and Prussia on 29 November 1850. Here the dispatch of federal commissioners to Electoral Hesse and Holstein, the demobilization of the Prussian and Austrian armies, and the convening of conferences of ministers of all German governments in Dresden were agreed. This not only removed the threat of war, but also forced Prussia to abandon its Union-project in that it declared its readiness to find a common solution to the current problems on the basis of federal laws.

https://doi.org/10.1017/S0960116305002320 Published online by Cambridge University Press

probably be taken for the moment. Your Lordship will, however, see by other of my dispatches of this day's date, that it would still seem to be the intention of Austria to make the Diet appear to be the organ of action for herself and her Allies in the Affairs of Hesse Cassel and Schleswig Holstein.

With respect to the convention of the 29th Ultimo, neither party here is satisfied with it, the best proof perhaps that it is as impartial as circumstances would allow. Of the two, the Austrian party is much the most discontented, thinking that its interests have been sacrificed unnecessarily, and that had Austria remained firm, Prussia must have succumbed and acknowledged the Diet.

There can, I presume, be no doubt that much more was agreed to at Olmütz than was intended for the public eye, and it is therefore exceedingly difficult to form any correct opinion as to which side has been the real gainer. But it can hardly be supposed that Austria would have suddenly made such concessions as she apparently has done, without the certainty of having obtained an equivalent for them. Your Lordship has probably information on this head. But wherever I have heard disappointment expressed at the turn which affairs have taken, or violent language employed, by whichever party it may be, I have not thought it unbecoming the position in which I have the honor to be placed, to ask which is preferable, such a Convention as has been signed at Olmutz with peace, or the continued estrangement of the two great German Powers with the horrors, ruin, and misery of international war. I have said that the actors in these events are not fair judges of their own cause, that they must plead before the tribunal of public opinion, and that they may be sure that the verdict will be in favor of that party which has made the greatest concessions for the maintenance of peace.

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