

THE FOUNDING
OF THE
GERMAN EMPIRE

BY WILLIAM I.

BASED CHIEFLY UPON PRUSSIAN STATE DOCUMENTS

BY

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VOL. I.

"Rerum cognoscere causas"

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P R E F A C E.

AFTER having pictured in my "History of the Revolutionary Period from 1789 to 1800" the downfall of the Holy Roman Empire among the Germans, nothing could have more interest for me, in view of the great events of 1866 and 1870, than now to describe, with the aid of authentic documents, the re-birth of the German Empire. It was naturally, for a long time, impossible to carry out this plan, for political reasons; but after Prince Bismarck allowed the publication of his Frankfort reports and letters, I was so fortunate as to receive from him, March 19, 1881, the permission to make use of the contents of the Government Archives, as well as of the registry of the Department of Foreign Affairs, with a view to publishing a history of Prussia during the years 1850-1870.

Here I found an almost unlimited supply of most useful material: ministerial decrees, ambassadors' reports, minutes of Sessions and Conferences, telegrams, correspondence of all kinds, numerous diplomatic communications and despatches from foreign powers, important transactions of the Chambers, and newspaper clippings, — all well arranged in long rows of many hundred packages of State papers. These were supple-

mented by the papers of the State Department, and of the Staff of the Commander-in-Chief, by oral information obtained from persons who took part in the events, or were closely connected with them; also, as far as the antagonistic party was concerned, by the old Archives of Hanover, Hesse-Cassel, and Nassau. Thus it was possible, for the most part, to write the history of these decades from the very documents which had been issued during the course of Prussia's career or had determined the same. It was possible to follow very exactly every turn in Prussian politics during the decisive crises, often day by day, sometimes even hour by hour. I think I may be allowed to express my conviction that after so many incomplete, partly incorrect, and even untrue presentations of the subject, we have here an accurate and comprehensive picture of the Prussian aims and efforts. The reader will be surprised to see how many important facts and considerations appear in this connection for the first time, or, at least, in a new light.

I have not troubled myself about other archives, for the simple reason that there was not the slightest prospect that a petition to make use of them would be granted. I should gladly and thankfully accept any further information or correction in any special line, if, as was the case with my History of the Revolutionary Period, the appearance of this book should occasion, in other quarters, documentary investigation, and, at the same time, an extension of our historical knowledge.

! In no part of the book have I tried to conceal my

Prussian and National Liberal convictions; and yet I hope that the reader will not misjudge my endeavor to recognize, without palliation, faults and mistakes in my own camp, and to judge justly and fairly*the conduct of my opponents, that is to say, not to refer their motives to foolishness or baseness, but to explain them as the result of the traditional premises upon which their whole position is based. The struggles of 1866 did not arise from the arbitrariness of personal passions; they sprang rather from the inevitable conflict between old rights, which had been growing for centuries, and the national sentiment which made itself felt more and more. This caused an unhealthy condition of things, which became at last unendurable, and only a violent crisis could bring about a state of convalescence. Happily for Germany, the period of recovery was reached. The opponents of 1866 are not simply reconciled to one another, but united more firmly and lastingly in the bonds of friendship than ever before. The times of the old Bundestag are behind us, and they form a closed chapter of our past history. We are able to talk as dispassionately about Königgrätz as about Kollin and Leuthen.

My most earnest wish will be realized, if I shall have succeeded in making this way of looking at things clearly felt in every word of this book. Then the diagnosis of the disease and of the crisis cannot but serve to establish more firmly the newly acquired health and concord.

The two volumes now published bring the narration

to the commencement of the last war with Denmark ; those next following, which bring the history down to the formation of the North German Confederation, will appear in the course of the coming year. I cannot now definitely set a time for the completion of the entire work ; but I shall do all in my power to hasten it.

HEINRICH VON SYBEL.

BERLIN, October, 1869.

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BOOK I.

RETROSPECT.

FOUNDING OF THE GERMAN EMPIRE.

CHAPTER I.

THE EARLIEST TIMES.

WE know about when the Germans arrived in their present dwelling-place and entered the arena of European civilization, but it is by no means so easy to determine when there began to be a German nation, which exerted an influence as a political community.

In the very earliest times there seems to have been among the Germans no trace of a national consciousness. The small, isolated tribes are sometimes friendly to one another, and sometimes hostile; they break up into their component elements, or unite for the time with each other into larger groups, regardless of kinship, and then separate again, just as external circumstances may require. Only the most closely related hold together constantly, such as members of the same family, district, or retinue, where their common interest, the community of blood or fate, forces itself upon their material apprehension in their daily intercourse with one another. They are strong and self-reliant people, who can get along only with natures like their own,

and who feel as much repelled by the slightest dissimilarity as by the greatest. Whenever they hold together as a whole, no adversary can be a match for them; and all their later enemies have agreed with Tacitus in exclaiming, "How fortunate that they are always quarrelling among themselves!" Thus, then, they hold naturally to the individual. A national consciousness appears first as the outcome of an advance in civilization. So it was in the earliest times, and so it has been at every stage of our history. A long training in politics, in economics, and in mental discipline was necessary before the Germans succeeded in establishing a German national government.

Now, what form did this training of the German people take? What part did the state and religion, literature and political economy, play in developing them into a nation?

We cannot blind our eyes to the fact: their influence was as unfavorable as possible.

We shall entirely leave out of consideration the question whether the course of events was in other respects desirable, advantageous, or inevitable. We shall simply show conclusively that for long series of years the conditions were inimical to the establishment of a German nation upon a firm basis.

The step which was decisive in the advance of German civilization for a full thousand years was their admission into the Roman Empire and into the Roman Church. In connection with these they formed monarchies of considerable size, and learned to appreciate the

significance of large political and ecclesiastical bodies. But whereas their former combinations included only small portions of the German race, their connections now reached far out beyond the limits of any one people. The small provinces and clans of earlier times did not become elements of a national unit, but of a universal empire, and of a universal Church. Like Augustus Cæsar, Charlemagne was served by a heterogeneous body, composed of the most widely differing races. Not only all the Germans of the Continent, but also Romanized Gauls, Spaniards, Italians, and even countries of the Slavs and Avars, were subject to him. After its union with the Romish Papacy this sovereignty claimed even more: the right to force the whole world into the acceptance of the Christian faith, and to demand from all Christendom obedience to the Emperor and to the Pope. No common bond was to be formed, no common feeling to be created, between Franks and Saxons, Swabians and Bavarians; on the contrary, every national peculiarity was to be given up in view of the universal Christian idea.

It has been properly said that this Empire was not yet a State. It was at once more and less than a State: more, for it was State and Church combined, a hierarchy under two leaders, one monarch for war and one for peace; and less, inasmuch as, in the zeal for further conquest and for a more firmly established orthodoxy, all interest in the simplest questions of politics, and all means of settling the same, dwindled into nothing. It gave up, in ever increasing measure, to

local rulers or communities the most important duties of state, as well as all participation in matters concerning jurisprudence,—the executive, and the army.

So it came about, that in the midst of a dominion which sought to embrace the entire Occident, the old Germanic individualism, the exclusive interest in only those who were most nearly related, the devotion to the special interests of the community or of the feudal connection, sprang up again into a full and vigorous growth. The contrast could not have been more striking between their actual narrow life and their political and ecclesiastical ideals, which knew no bounds.

It is true that when the Carlovingian universal empire was broken up, the German duchies, whether owing to the accident of inheritance or to the unconscious influence of national relationship, united into a German monarchy. Hardly had this taken place before the Saxon Otto took up again the universal ideas of Charlemagne, the protectorship over the universal Roman Church, and, consequently, the seizure of the Roman imperial crown and the claim to the supreme authority throughout all Christendom. Three powerful imperial dynasties put their whole energy into the realization of this object, and the temporary successes of the first Otto, the third Henry, and the first Frederick, have fixed the wondering gaze of all succeeding generations upon the mighty forms of these iron conquerors. Yet each time the proud structure, built as it was on a loose foundation, fell to pieces even more precipitately than in the days of the Carlovingians. For these later

emperors also were obliged to purchase the assistance of their subordinate princes by granting them further privileges, thereby, of course, weakening still more the power of the monarchy. But just at this time, at the very central point of the system, broke out the ruinous quarrel between the two leaders, the Pope and the Emperor. The spiritual and secular potentates both north and south of the Alps took sides in the quarrel, and for two centuries the civil war which had been kindled by Rome devastated both Germany and Italy. No wonder that the Germans became gradually indifferent to the ambitious plans of their emperors, and that the last Staufens waged the war against the papacy almost wholly supported by Italian adherents. Their final and overwhelming downfall is well known. The victory of the universal spiritual and temporal sovereign was complete. It was at this time that the saying was uttered, "All great empires must be broken up into tetrarchates, that the crowned priest may rule over them all."

It is easily seen that during these long civil wars which finally split up into countless local quarrels, no conscious national feeling could be developed. North and South Germany were as foreign to each other as if they were people of different races. The great Swabian and Bavarian poems of chivalry and love were as incomprehensible to the Northern Germans as the fables of Low Germany were to the people of the South. The commerce of the Levant, which was increasing rapidly, lay exclusively in the hands of the

High Germans, while the growing power of the Hanseatic League was kept in the possession of the Low German cities. In only one important matter was there any successful co-operation of all the races, — in the great colonization of the East.

The Bavarian East Mark (afterwards the archduchy of Austria) had been Germanized long before; now followed German settlements in Bohemia and Moravia, in Silesia and Transylvania, invited and favored by the rulers, who were themselves foreigners, but often looked upon with envy and hatred by the natives. The German element spread even more thoroughly throughout the Baltic region, by means of conquests over the Slavs and the old inhabitants of Prussia,¹ and by constant accessions from all the German races. Flemings, Westphalians, and Low Saxons poured into the Marks of Brandenburg, into Mecklenburg and Pomerania. The German Order summoned Saxon and Swabian, Thuringian and Frankish nobles to the conquest of Prussia, and these were soon followed by the corresponding contingent of citizens and peasants. The natives were either destroyed in war, or outnumbered and absorbed by the new-comers. Here, then, there was no more distinction of races. They were simply Germans, and the country became German land. While in the old home political disintegration grew apace, constant dangers, both internal and external, forced large colonial territories to hold together, and to organize a stronger central government.

¹ Die Prutenen. — TRANS.

Yet, however significant was the progress in this direction, everything remained unsettled as long as the German people did not succeed in establishing a well-ordered constitution for the whole empire. But of this there seemed to be no hope. There was nothing more said about the old idea of imperial authority over all Christendom. Rudolph of Hapsburg and his two followers were German kings, without the vain show of the empty title of emperor, and this title remained almost meaningless when the later rulers assumed it again. Not only in Italy and Burgundy, in Hungary and Poland, was it all over with German rule; even in Germany itself the royal power had sunk into impotence, and no longer controlled the independent will of its vassal princes. The great houses of Hapsburg, Wittelsbach, and Luxemburg quarrelled for the supremacy. Every State sought to extend its rights and possessions at the expense of its neighbors or its subjects. The fourteenth and fifteenth centuries were for Germany a time of universal and almost uninterrupted anarchy. The strength and zeal of the nation spent itself in the establishment and extension of principalities and communities of various sizes, into which the German land gradually split up, and they were more than three hundred in number. Here was an instance of what it means to a great people when the central authority, the source of all strength and justice, is seen to be resting upon so slight a support. That the lords of these territories, by their constant quarrels, disturbed the general prosperity, was the least of the

resulting evils. In the interior of each country, by reason of the weakness of the imperial authority, might made right; the prince, the clergy, and the nobility divided among themselves the power and the possessions. The smaller cities lost their independence; throughout the Empire the free peasants sunk under the yoke of servitude. Externally, too, the Empire was unable to protect any one of its parts against its neighbors. East and West Prussia were yielded to the superior might of Poland; Schleswig-Holstein chose voluntarily to place itself under the Danish King; all the Netherland provinces fell into the power of the French house of Burgundy; and the Swiss Confederation no longer belonged to the Empire but in name. For many generations, under Charles IV. and his sons, as well as under their successors of the house of Hapsburg, no attempt to restrain the evil, and to reassert the power of the Empire, had any lasting effect. It was not until the time of the Emperor Maximilian I. that there seemed to be a promise of better things. After endless pains, and in spite of the persistent opposition of the Emperor, a number of Imperial institutions of wide-reaching importance were brought into existence in the States, — an Imperial court, the organization of Imperial districts, an Imperial revenue law, and a State contingent of the Imperial army. Upon this ground the definite political frame-work of a great national life might have been developed, especially since the fruitful basis of such a life was already provided. The efforts of the Humanists to refresh the

mental powers at the newly-opened springs of classical antiquity had started a movement which spread far and wide; and the bold demand of Luther for a reform of the too-worldly Church was filling all the German provinces with a harmonious religious enthusiasm, at the same time that he created for his translation of the Bible a language which was just as easily understood by the Low Germans as by the High, and which ever afterwards remained a tangible expression of the national unity. It is not our business to decide whether the mediæval or the remodelled Church offers its adherents the surest passport to heavenly bliss; but two quite earthly considerations bear incontrovertibly upon our subject: a great majority of the German people, according to Romish testimony over seven-tenths, joined the mighty reform; and secondly, until this time the Pope had not only been the highest judge in matters of faith, but he had received from Germany enormous revenues, had exerted an omnipresent judicial power, had decided the occupancy of the throne in many German principalities, and had had the right to exert a powerful influence on the election of the German monarch. Had it come at that time to a complete throwing off of his authority, the most important step towards national unity, and towards the political independence of Germany, would have been taken.

At this moment, however, the young King Charles of Spain and Naples, of the Netherlands and of America, obtained the throne of Germany. He had a German name, but a Spanish heart. In accordance with his

religious convictions, as well as with the extent of his possessions, upon which the sun never set, he fell once more into the ruts of the mediæval Church policy ; he consequently came into close relation with the Papal Chair, and became the most persistent and determined opponent of the German Reformation. To be sure, he was not able to carry out his purpose to its fullest extent, since his ambition, which did not stop short of the whole earth, called forth the resistance of every one, sometimes even the disfavor of the Curia, and finally opposition in his own family. He was unable to crush out the German Protestants ; but he did succeed in gathering about himself once more in the Empire a strong Catholic party. Thus was the nation torn by a bitter religious dissension ; for the Protestant princes could not be forced back into the old Church, and the Catholic States were quite as unwilling to grant to their subjects permission to join the new. The Augsburg Diet of 1555 granted to each secular State the right to choose a Confession for itself and its subjects ; so that the results of the strife which had begun so promisingly for a national unity, turned out to be exclusively favorable to individualism ; and such ambiguous decisions were made at Augsburg, and of such questionable validity, about spiritual princes and their subjects, that the dispute between the two religious parties continued uninterruptedly, and at last led to the explosion of 1618, which, spreading further, brought upon Germany the woes of the Thirty Years' War. In this war the last gasps of a national consciousness were smothered,

at first in religious hatred, and later in desperate self-defence, and in the relapse into barbarism. Against their own countrymen the one party led into the field Italians, Spaniards, and Poles, the other, Danes, Swedes, and Frenchmen. At last, German mercenaries and deserters were to be found in every branch of the army of either party. At the beginning, the Emperor and the Pope had every expectation of obtaining absolute sovereignty throughout all Germany; but then the fortune turned, and the end of it was the utter defeat of the Emperor, the recognition of each of the three contending Churches, and the increased sovereign rights of the German princes. The expenses of this horrible war were borne by all Germany in the shape of the fearful desolation of the country and of the wretched condition of the people, as well as in important cessions of territory to Sweden and France.

Imperial authority and national sentiment had sunk to zero. Individualism had taken entire possession of the German land and of the German spirit.

CHAPTER II.

AUSTRIA AND PRUSSIA.

IT is very evident that under such conditions as the Peace of Westphalia had brought about for Germany, the re-establishment of a successful imperial government could no longer be expected from the nominal central authorities, — the Emperor and the Imperial Diet (*Reichstag*).

The spirit of Individualism had torn the Empire into pieces. Only the further development of this very spirit in the special governments could produce a remedy.

Whenever any one State could so far extend its dominions and influence according to this traditional and selfish principle, as to overshadow all the others and force them to recognize its ascendancy, then, so far as this State was concerned, selfishness and national feeling would be once more united; then it would naturally become the representative of the common national interests.

In the same way, formerly, the kings of Wessex, by subduing the other Anglo-Saxon States, welded them into an English crown. In the same way the Capetian princes of France gradually forced all the West-Frankish princes and counts to recognize their royal supremacy, and thus created the French nation.

For the whole subsequent development of German politics, the circumstance is decisive that for the solution of this problem there arose not one power only, but two powers side by side. Both of these, Prussia and Austria, which had been founded in the old colonial region of the East, had as rivals risen to a height of power which enabled them to lay claim to the leadership of the entire nation.

Austria was the first to arise in the century succeeding the Peace of Westphalia.

To the old inherited lands of the House of Hapsburg, which had always been parts of the German Empire, were added as a result of the great victories of Prince Eugene, the whole of Hungary with its outlying provinces, Belgium and Lombardy; later followed the acquisition of Tuscany and Modena through younger sons of the imperial house, and finally of Galicia as the spoils of the first division of Poland. A dominion so extensive raised Austria to the first rank of the European powers, and made it seem to be far more than a match for the other German States, even when combined. Accordingly in Vienna they were conscious that they were in a position to reassert all the claims of the old Roman Empire of the Germans; and since the title of this highest of all honors in Christendom had been for centuries almost an inheritance of the House of Hapsburg, to take exception to this seemed to the leaders of Austrian politics to be a State crime. It was, to be sure, impossible to declare, as in the days of Charles V., that all the earth was subject to Austria;

but at least the nucleus of the old Empire, Germany and Italy, was to continue to recognize the imperial supremacy. Accordingly, from the inheritance of the old Empire, that cardinal principle, namely, the union with the Romish Church, was unswervingly maintained by its successor. From the first days of the Reformation, the House of Hapsburg had labored to root out Protestantism; and even the humane Maria Theresa was convinced that a Protestant was more dangerous than a Jew, and that a successful political organization could be established only on the basis of the Most Holy Church of Rome. So it happened that in Austria the Catholic clergy enjoyed the highest honors, enormous wealth, and a favored position in the assembly of the States; they controlled the secular instruction and exercised a strict literary censorship. In return for this they gladly allowed the State to secure the constant support of the Church by the assertion of far-reaching rights of supremacy and superintendence, and were pleased that the subordination of the people was assured by the concurrence of them both. This state of things reacted on the relations of the Emperor to the German people. The high dignitaries of the German bishoprics and monasteries were always ready at elections, and in the political affairs of their rulers, to listen to the wishes of a court so well disposed. A considerable number of Catholic free-towns eagerly followed their example. Likewise the high position which the secular nobility also held in Austria continually allured German counts and knights into the imperial service,

and in this way attached numerous noble families to the imperial interests. What of jurisdiction still remained to the Empire, as well as the remnants of feudal rights and reservations, influenced other classes of society. In short, dependents of Austria were to be found scattered through all Germany. Although it cannot be said that these represented the strongest and most promising elements of the Empire, yet they zealously and successfully strove to keep up the imperial power in Germany.

But there was another side of the picture. The inner strength of Austria did not at all correspond to the extent of its dominions and its ambitious schemes. The monarchy was a loose aggregation of a long series of individual States, in each of which the authority of the Crown was narrowly limited by State rights. Maria Theresa was the first to introduce into the German Bohemian section a supreme authority which rendered the nobility, until that time almost independent, submissive to the will of the Crown, and also freed the peasant from the burden of subjection to the lord of the soil. This was a very important step; of which, however, the results could not be complete, because the leading offices under this *régime*, in accordance with court practice, naturally fell to members of that very nobility whose power was to be checked; and because, by the quarrels of the Emperor Joseph II. and his mother during their co-regency, the dignity and unity of the imperial power were lost. In Belgium, as well as in Hungary and the adjoining provinces,

the old feudal constitution remained firm, and successfully resisted Joseph's attempts at reform. Thus it was true that in the greater part of the Empire, at every essential change of policy, either in laws or in administration, at every demand for money or recruits, the Government was obliged to divide itself up into forces which acted in different, and often along contradictory, lines.

The ratio of the races to each other, too, was unfavorable to Austria's relations to Germany. Even in the middle ages the German colonization of the old hereditary possessions had been far from being so complete as in the north-east of Germany. Of the inhabitants of these in the previous century, at a rough estimate, four out of seven were Germans. Afterwards the German element was so far out-numbered by the Slavs, Roumanians, Italians, and Magyars, in the acquisitions made since 1699, that these latter formed three-fourths of the population. To be sure, the advantage which the Germans gained by the alliance of the imperial forces in case of war was by no means impaired; but, on the other hand, the development of a community of material and moral interests was rendered more difficult. The exclusively Catholic policy of the Court at Vienna only increased this estrangement. The zeal of the ecclesiastical princes for the cause of Austria was fully equalled by the jealousy shown by the Protestant States in the interests of their Church; and, with like mistrust, the Austrian officials excluded from their borders every product of the German brain which

might appear suspicious to the censorship of the Church. The result of this was, that only isolated and faint echoes of the great spiritual movement which called forth the development of our classical literature in Germany reached Austria, and these were without effect. The paths of the two peoples became more and more divergent.

As far as foreign relations were concerned, Austria was indeed, by reason of her Swabian and Belgian provinces, more intimately connected with Germany a hundred years ago than to-day. It was in the nature of things that the attention of the rulers of Hungary, Lombardy, and Tuscany should turn towards the south and east, to Italy and Turkey, whereas the questions which arose there awakened but a minor interest in Germany. The latter was often to feel keenly this difference of interests. Whenever the imperial armies marched for the defence of Swabia and Belgium, and in so doing necessarily protected the western frontiers of Germany, the partiality of Austria for Italy was shown in the division of the spoils at Germany's expense. In the endeavor to increase its Italian possessions the court of Vienna gave up Strasburg; by the cession of Lorraine it paid for the acquisition of Tuscany; and to gain Venetia it sacrificed Belgium and the left bank of the Rhine. We see clearly that Germany had good reason to wish that other powers might rise by the side of Austria which should protect the northern and western borders of the German territory.

This task fell to Prussia.

Frederick William, the great Elector of Brandenburg, found his possessions after the conclusion of the Peace of Westphalia in a sad condition : scattered through all parts of Lower Germany, East Prussia under Polish supremacy, all under the control of an almost independent nobility, — this was the state of things which presented itself to his unbiassed eye and energetic will. He succeeded first in shaking off the Polish yoke ; then he turned his newly-acquired authority against the privileges of the estates, and got for himself the control of the military and the revenue in the Province. This took place also in Brandenburg, in Cleves, and in the county of Mark. His first and last object was to establish an ever-ready standing army ; for centuries no power of any importance had cared for the protection of northern Germany, and he had learned that in the first place one must make life secure, and afterwards plan to improve its conditions. He succeeded so far as to drive out from Brandenburg and Prussia the Swedes, whose nation since the days of Gustavus Adolphus had grown to be one of the great powers ; and he was able with an armed hand and a defiant brow, to confront even Louis XIV., at that time the disposer of the destinies of Europe. On the ground of these services, his son Frederick obtained, after great efforts, the royal crown of Prussia ; and his successor, Frederick William I., became after him the founder of the first modern State in Germany. His was a nature in which the repulsive and the imposing, the uncouth and the admirable, were closely united. In his manners a rough and unrefined

peasant, in his family a tyrant, in his government a despot, choleric almost to madness, his reign would have been a curse to the country, had he not united with his unlimited power a rare executive ability and an incorruptible fidelity to duty; and from first to last he consecrated all his powers to the common weal. By him effective limitations were put upon the independent action of the provinces, and upon the overgrown privileges of the estates. He did not do away with the guilds of the different orders, but placed them under the strict control of a strongly centralized superintendence, and compelled their members to make every necessary sacrifice for the sake of assisting him in his efforts for the prosperity and power of Prussia. It is astonishing to see with what practical judgment he recognized a needed measure both in general and in detail; how he trained a body of officials, suited in all grades to the requirements of their position; how he disciplined them in activity, prudence, and rectitude, by strict inspection, by encouraging instruction, and by brutal punishments; how he enforced order and economy in the public finances; how he improved the administration of his own domains, so that it became a fruitful example to all proprietors; and how, full of the desire to make the peasants free owners of the soil, although he did not yet venture on such a radical measure, he nevertheless constantly protected the poor against the arbitrariness and oppression of the higher classes. In matters connected with the Church, he held unswervingly to religion and to Christianity, but re-

pelled every tendency toward sectarian bigotry. The royal family had long been attached to the Calvinistic Church, and by far the larger part of the population were Lutheran; hence the King was naturally led to make the contending creeds subordinate to the unity of the State, and, in virtue of his patriarchal power, to stop the quarrels of the theologians. The number of his Catholic subjects was not large, but in Geldern and Lingen they also felt the beneficial effects of this course. When a Protestant zealot once asked him why he had in his army such dangerous subjects as Catholic chaplains, his reply was simple and significant: because there were Catholic soldiers. In short, there was no department of life to which he did not give encouragement and assistance; it is also true that there was none which he did not render subservient to his own will, and the products of which he did not make conducive to the one great end,—the independence and aggrandizement of the State. So that he who was the ruler of, at most, three million people, created, without exhausting the country, a standing army of eighty thousand men: a remarkably skilful and ready army, which he disciplined with barbarous severity on the slightest occasion, at the same time that he looked out for the welfare of every soldier even in the smallest detail, according to his saying, that “a king’s warrior must live better than a gentleman’s servant.” What he had in his mind, almost a hundred years before Scharnhorst, was the universal obligation of military service; but it fared with him in regard to this as in regard to the freedom of the peas-

ants: strong as he was, he could not turn the world he lived in upside down; he contented himself with bequeathing his best ideas to a more propitious future. The foundations of the government rested upon the estates in spite of all monarchical reforms.

Thus, beside the federative Empire of the Hapsburgs, arose the small, compact Prussian State, which, by reason of the concentration of its forces, was a match for its five-times-larger rival. The genius of Frederick the Great, the son of its founder, snatched from the Court of Vienna, in a bold attack, the noble province of Silesia, and then made good his claim to it in an unprecedented war of seven years duration, against a power ten times as numerous, but badly organized. This brought Prussia at once into the ranks of the great European Powers. It was all over with Austria's sole leadership of the German Empire; at every step she was obliged to take into account the operations of her feared and hated rival. We emphasize the fact that this conflict was by no means carried on in a national spirit, nor with a view to improve the constitution of the German people. Both Prussia and Austria worked only for their own ends. It has been supposed that in 1756, when Frederick was threatened by Austria and broke with France, thereby drawing upon himself the fearful dangers of the Seven Years' War, he did this in order to protect, with England's assistance, the German land from a French invasion; but we know now, from documents, that this is erroneous, and that Frederick would have preferred the French alliance

(and the consequent occupation of Hanover by French troops) to the English, if he could still have obtained the former. So much the more strikingly did the fact stand out at the end of the war, that Germany had more in common with Prussia than with the Court of Vienna. If Austria had gained the victory she would have delivered East Prussia to the Russians and placed Belgium under French protection ; and by the recovery of Silesia she would have lost nothing of her position as a European Power.

It is needless to say how dangerous these cessions would have been to Germany. The defeat of Prussia would have been a fatal blow to German liberty. The splendid resistance of Frederick warded off this calamity from Germany, although he had nothing else in mind than the independence and greatness of Prussia. The same was true when, at the end of his reign, he collected about himself the majority of the foremost German princes in a firm league against the threatened encroachments of the Emperor Joseph II. His object was not to form a definite nation, but confessedly to keep the imperial system in its weak condition. For any strengthening of this would be a strengthening of the imperial idea, and this would be a hindrance to the free movements of Prussia and to the formation, by the side of Austria's adherents, of a party devoted to the interests of Prussia.

His immortal services to Germany were these : he inspired by his own mighty personality a patriotic pride in the hearts of many thousand people ; he protected with

arms and bulwarks the German North, so long defenceless ; he set before the eyes of the multitude of German proprietors for encouragement and example his own management of affairs, conducted in his father's spirit ; and in place of the immorality, which prevailed at that time in so many courts, he filled these proprietors with an honest zeal for the welfare of the people intrusted to them. Thus the second half of the eighteenth century became for the German race, outside of Austria, a period of earnest aspiration and of joyous advancement. For the second time in our history there arose a great literature, which in science and poetry opened a new era for the civilization of our people and their standing in Europe. After a long period of insignificance and wretchedness, Germany found herself again in a position to take her place among cultivated nations. What other people could point to a Frederick ? What other nation could show achievements in poetry and philosophy which surpassed those of our great men ? When they saw the creations of Klopstock, Lessing, and Goethe, our people, though politically torn asunder, remembered and realized the bond of mental unity and affiliation which existed between them. Holsteiners and Swabians, Franks and Saxons, felt themselves associated with each other in the same mental struggle, in the same "*Sturm und Drang*," in the rejection of everything artificial and conventional, in the passionate endeavor after pure nature, — the source of all truth and beauty. However disdainfully Frederick, with his classical taste, branded the creations of the new

German era as flat and insipid: here his people left him in the lurch. It was in their midst that Lessing developed his power; the Prussian youth filled the lecture-rooms of Kant and Fr. August Wolf; and the Berlin public crowded with grateful enthusiasm to the representations of Götz, as they did somewhat later to those of Schiller's dramas. In these matters there were no longer any barriers between Prussia and the rest of Germany.

But out of this beautiful feeling of mental harmony there arose no thought of political unification.

Of course there was no lack of discontent with the existing political conditions; the helplessness of Germany among the European Powers, the hollowness of the imperial system, the wretched doings of the Diet at Ratisbon, the despotic influence of many a prince, the stupid arrogance of many of the nobility, — all this was painfully felt and jealously exposed in political tracts, in odes, and in the drama. The more the people became conscious of the inherent excellences of the German nation, the more unendurable seemed the conflict between the conditions necessary to the development of these qualities and the actual state of things. But however severely the critics of the *Illumination* (*Aufklärung*) denounced this state of things, they had no positive solution to offer. These critics were led by the French influence which affected also certain phases of our poetry. They found a remedy for the abuses of existing government only in the unconditional liberation of each individual, leaving it then to these to create for themselves, by their independent judgment

and wise deliberation, new institutions based on pure reason. By the side of this unlimited individualism there was no room in politics for a national idea. On the contrary, great minds were of the opinion that it was bigoted narrowness to confine political service to any one people, rather than in a spirit of truest philanthropy to set before one's self as an aim the welfare of the whole world.

At the same time, under the influence of the mighty growth of our poetry, the people everywhere utterly gave up their interest in political questions. It was a generation that did not care for material comforts; not rich, and yet possessing moderate means, careless in their morals, but enthusiastic for the beautiful, giving itself up entirely to ideal sentiment and intellectual revelry. They were ready in every particular to feel at home and contented in the narrow confines of the small States. They had often a feeling of personal devotion to their prince; they loved the old, sweet native land, and believed that they were better off at home than elsewhere. In spite of all their admiration for Frederick, they thanked Heaven they had lower taxes to pay and fewer soldiers to furnish than the unhappy Prussians. "We all admired Fritz," says Goethe, "but what had we to do with Prussia?" No one dreamed that this same Prussia could become an essential factor in the formation of a great German nation.

This then was the situation: in the minds of the people an increasing mixture of personal and cosmopolitan ideas; and in practical politics a dualism, the question of sovereignty between Prussia and Austria.

CHAPTER III.

FOREIGN RULE. — WAR OF INDEPENDENCE.

THERE came a time which set before the eyes of the German people a fearful *Mene Tekel*: a people that allows its unity to be destroyed is not worthy of existence.

The French Revolution broke out. In Germany, where not much was yet known about the deeds of Parisian Radicalism, the noblest men raved for a time over its high-sounding manifestoes, over the inalienable rights of man, over universal Liberty and Equality, and the fraternization of all nations. Cosmopolitan enthusiasm flared up once more with a brilliant blaze.

But bitter disappointment soon followed. This French freedom turned into the horrors of the Jacobin Reign of Terror. The Fraternization of the Nations became a pretext for a war of spoliation against all the neighboring countries. Borne aloft by the storms of the Revolution and by an unparalleled generalship, the first Napoleon became the master of all Europe. Nothing was more serviceable to him in this career than the fact that Germany was divided into small States. From the very first of his appearance on the scene, a large number of German princes hastened to be counted among his vassals. When he attacked Austria, Prussia

remained neutral; while he was crushing Prussia, Austria looked calmly on. When he had reached the height of his power, the German Empire had been already annihilated: there was no longer any Germany. In its place, one spoke of the Rhenish Confederation under the august protection of the Emperor of the French. Napoleon arranged the same according to the principles laid down ten years before by Talleyrand, so that Prussia and Austria were pushed to the eastward, the one beyond the Elbe, the other beyond the Inn, and both quite shut out from the new Confederation. In the rest of Germany were established a number of States of medium size, large enough to give rise to a definite national feeling within themselves, but not strong enough to arouse a feeling of independence with regard to others; or, in other words, strong enough to render permanent the disunion of Germany, and weak enough to assure the supremacy of France. To this end he created in the South the royal crowns of Bavaria and Würtemberg, the Grand Duchies of Baden, Hesse-Darmstadt, etc., and in the North the kingdoms of Westphalia and Saxony, as well as the Grand Duchy of Berg.

But there was a great difference between the methods of reconstruction in the North and in the South. The princes, who obtained power in South Germany by their voluntary adherence to Napoleon, belonged to native houses. A large majority of their subjects were descendants of old native families, and the inhabitants of the diminutive States which were annexed found

their condition rarely made worse, and, indeed, often improved. Napoleon, relying upon the trustworthiness of his vassals, left them undisturbed in their internal administration, provided they supplied punctually the required contingent of troops. These troops then fought against Prussia and Austria, and their enthusiasm over the victories of the Invincible One spread far and wide among their friends at home. So it came about, that wherever discontent arose in these countries over the arbitrariness of officials and the pressure of taxation, the complaints of the people were directed rather against their native governments than against Napoleon. In other respects, burghers and peasants lived on in the old traditional customs; there arose an ardent longing for liberal constitutional rights, but hardly for a national independence.

In North Germany, west of the Elbe, it was quite otherwise. Except in the case of a few unimportant small States, the native princes were driven out and the land became the spoils of the foreign conqueror. Bonaparte princes reigned in Westphalia and Berg; the left bank of the Rhine, Oldenburg, a part of Hanover, and the Hanse Towns fell directly under the control of the French; a crowd of French officials, officers, and garrisons oppressed the country; the Continental system brought poverty and wretchedness upon all classes; the French police kept up a suspicious and domineering surveillance over the schools, correspondence, and society. It was out of the question at once to forbid the use of the German language;

but the attempt was made, as far as possible to supplant it by the French. Napoleon planned a vigorous campaign to root out every German characteristic from these countries; and consequently a patriotic wrath boiled in the hearts of the oppressed. One conspiracy followed another, but there was no central idea which looked far ahead into the future. Every one hated the foreign rulers; but the people of Brunswick and Hesse-Cassel, of Hanover and Altmark, kept apart from each other. Among the masses this feeling was reduced to an intense desire to expel the French and then to live peaceably, each under his hereditary prince, after the manner of their fathers. In this way, hatred of the stranger and provincial patriotism went hand in hand.

The re-establishment of Germany depended in every way upon Austria and Prussia. Everything turned on what position these Powers would take in reference to their great task.

There was as much suffering in Prussia from material wretchedness and from foreign oppression as there was west of the Elbe. The country was desolated and impoverished, burdened with exorbitant war-contributions, and, until the payment of these, encumbered with French garrisons. In addition to this they felt the burning shame of the loss of their military glory and of the blotting out of their great past; all hearts were filled with sadness that the creation of Frederick the Great had fallen and that the honor of Prussia suffered disgrace. But, while in Westphalia under a foreign

government the patriotic sentiment could vent itself only in impotent tumults ; while in Saxony both king and people felt that they were associates of the great Napoleon ; while in the pygmy States of Thuringia any spontaneous uprising was inconceivable, there was still in Prussia an hereditary king reigning over from four to five million inhabitants ; there was in Prussia a government which was alone able, in spite of the French surveillance, to offer to the ambitious spirit of the people a live central idea, weapons for a rebellion, and ends worthy of a struggle. A gracious destiny had given at that time to the sorely-afflicted King, Frederick William III., two mighty helpers, — Stein and Scharnhorst, both gifted with strong powers of mind, invincible courage, and unlimited devotion. Both men understood that, after having fallen into such depths, the means at hand in the government of Frederick were not sufficient to bring about a restoration ; but that it was necessary to arouse, not by a blind sense of duty, but by free enthusiasm, the exertion of all the powers of the people. Thus the thought of political freedom was the first weapon put into the hands of the Hohenzollern State ; not freedom in the popular sense of an increase of the rights of the individual at the expense of the power of the State, but in the sense of positively strengthening the State through the patriotic co-operation of the people in every matter of public interest. On this principle all the productive powers of the nation should be allowed full swing, the people should universally receive instruction, and the consciousness

of their having a share in politics would make private and public interests identical.

The old aims of Frederick William I., the freeing of the peasants and the introduction of a universal obligation to serve in the army, were approaching realization. Differences of rank were forgotten in the thirst for martial glory, which was shared by all. By the side of the system of royal officials arose the beginnings of self-government on the part of the citizens themselves. Plans began to be laid for rearranging the provincial estates and for establishing an Imperial Parliament. Everything was directed toward making the cause of the Fatherland appear to each citizen his own, thus filling him with a ready spirit of self-devotion on the eve of this holy war. To be sure, it is but a caricature of the actual facts to assert, as has been often done since, that the volunteers and militia of 1813 rushed into arms because the King had promised them a liberal constitution; no man who risked life and limb in that struggle to throw off the foreign yoke thought of any such bargain. And yet it is no less certain that the interminable protraction in the preparation of the constitution was a deviation from the course entered upon by Stein and afterwards by Hardenberg, and also from the very spirit of that great period.

The current of ideal conceptions, which bore along the Prussian statesmen of that time, carried with it irresistibly the greater part of the people. But there was no lack of apprehensions and of opposition. Many a burgher grumbled over the new liberty of following

any trade, and over the trouble of municipal self-government; many a peasant on his farm found himself in no better condition as the result of freedom, but rather in a worse; and the abominably high rate of taxation oppressed all alike. There was no lack of small-hearted men who considered it madness to throw one's self with the diminutive power of Prussia in the path of the French Colossus.

Political differences, too, arose. A number of influential officers saw in Scharnhorst's projects the abandonment of all discipline in the army and the decay of the old Prussian military system. The declaration that the army should be "the people in arms" seemed to them to be the proclamation of an armed revolution.

No less offensive to a great part of the nobility of Kurmark, Pomerania, and Silesia were the popular reforms of Stein and Hardenberg. Indeed their ancestors had already in 1733 objected to the recruiting laws of Frederick William I., to even the first step toward universal obligation to serve, because in this way the peasants would be withdrawn from the dominion of the proprietors and placed under the control of the King. The removal of the hereditary subjection of the peasants meant in their eyes the overthrow of the entire social order. They thought that, at any rate, if the peasant was to be no longer subject to the proprietor, the land which had been formerly intrusted to him should now return into the hands of its owners; he might then, in the full enjoyment of his newly-found liberty, seek for himself elsewhere a shelter from wind

and weather. They were angry that, in the future, even burghers could purchase fine estates or become officers in the army, and that the further projects of the Reform party threatened even the privileges of the nobility in regard to taxation and patrimonial tribunals.

And what was finally to be expected, if new and powerful Imperial constituencies were to rise out of a state of society so indiscriminately levelled? The way would be opened to all the disorders of the great French Revolution, to the downfall of the monarchy and of the entire edifice of the State. The King himself was not always free from such apprehensions. For years he put off the proclamation of the universal obligation to serve, and felt a hesitancy especially about the establishment of Imperial constituencies. Meanwhile, Hardenberg gradually succeeded in gaining his approval of the plan for a constitution based on such constituencies, so that he publicly mentioned the same in 1810, in a law relating to the finances.

While Stein and Scharnhorst laid at the foundation of their projects the right of the people to have a voice in the government, they proposed, as the highest aim of the War of Independence, the creation of a firmly united Germany — a conception no less ideal. The lesson of the last few years had made too deep an impression; Germany had been ruined through its own disintegration, and had dragged Prussia with it into the abyss. It was well known that the wild fancies of the Conqueror hovered about the utter annihilation of Prussia; if this should take place, then east as well as

west of the Elbe not only political independence, but every trace of a German spirit, the German language and customs, German art and learning, — everything would be lost and wiped out by the foreigners.

But this fatal danger was perceived just at the time when every one had been looking up to Kant and Schiller, had been admiring Faust, the world-embracing masterpiece of Goethe, and had recognized that Alexander von Humboldt's cosmological studies and Niebuhr's Roman History had created a new era in European science and learning. In such intellectual attainments the Germans felt that they were far superior to the vanquisher of the world and his great nation; and so the political interests of Prussia and the salvation of the German nationality exactly coincided. Schleiermacher's patriotic sermons, Fichte's stirring addresses to the German people, Humboldt's glorious founding of the Berlin University, served to augment the resisting power of Prussia, while Scharnhorst's recruits and militia were devoted to the defence of German honor and German customs. Every one felt that German nationality was lost, if Prussia did not come to its rescue, and, too, that there was no safety possible for Prussia, unless all Germany were free.

What a remarkable providence it was that brought together, as in the Middle Ages, on this ancient colonial ground a throng of the most energetic men from all districts of Germany! For neither Stein nor his follower Hardenberg, nor the generals, Scharnhorst, Blücher, and Gneisenau, nor the authors, Niebuhr,

Fichte, and K. F. Eichhorn, nor many others who might be mentioned, were born in Prussia; yet because their thoughts centred in Germany, they had become loyal Prussians. The name Germany had been blotted from the political map of Europe, but never had so many hearts thrilled at the thought of being German.

Thus on the most eastern frontier of German life, in the midst of troubles which seemed hopeless, the idea of German unity, which had lain dormant for centuries, now sprang up in a new birth. At first this idea was held exclusively by the great men of the times, and remained the invaluable possession of the cultivated classes; but once started it spread far and wide among the younger generation, inspired the ranks of the Prussian army, and thence rapidly extending became the common property of numerous circles, even beyond the Prussian borders.

Out of the glowing desire to sweep off from German land the foreign tyrant, with all his vassals and his creatures, arose in the fancy of the valiant youth the image of a compact Empire, strong in itself and ruled by a strong hand, the united strength of which no adversary could endanger. Arndt sang:

“Das ganze Deutschland soll es sein.
So weit die deutsche Zunge klingt.”

It had been found by experience that neither Austria nor Prussia alone could be a match for the foreign oppressor, and that the sovereign smaller States were ready and eager to turn traitor. The thing to do, then,

was to rally them all, Styrians, Brandenburgers, Bavarians, and Lower-Saxons, about the old Imperial banner, and to set up again in renewed vigor the Emperor upon the Imperial throne, before whose glory all petty individualism must keep silent, and all the States of Europe must bow their heads as in the old days of the Ottos and Hohenstaufens. With such hopes as these the flower of the Prussian nation, when the call to the struggle of independence sounded, streamed to their banners filled with trust in God and love of the Fatherland, equally ready for the wild charge or for protracted endurance, and rendered by their enthusiasm for the national idea indifferent to any kind of danger. However indefinite and vague many of their political notions were, they were certainly right in their conviction that the object of their efforts involved the true secret of a new and glorious future for Germany.

But the leading statesmen, Stein and Hardenberg, who were called to put into practical shape these ideals and to break the path for their realization, were forced soon to feel in all its naked truth the fact, that it was easier to defeat the mighty Napoleon than to bend the German sentiments of dualism and individualism to the spirit of national unity.

These men, assuming that others shared their spirit, had from the beginning, in full confidence and assurance, striven for close and helpful association with Austria. After the glorious but unfortunate battles of Lützen and Bautzen, they found themselves under the necessity of securing at any price the assistance of

Austria in the field, and thus Austria gained and kept ever after the political direction of the War of Independence. Here was a marked instance of the irresistible power of traditional sentiments, growing out of a long past, in determining the decisions of the present. Both powers fought hand in hand against Napoleon; but quite as certainly as the aim of Prussia's policy was to be the creation of a united German Empire, just so surely did Austria see that her salvation depended upon the continuance of German disunion.

Indeed, whoever in the spring of 1813 passed from the Prussian headquarters to the Austrian capital, might well have believed himself transported into a new world. Austria, too, had suffered many losses through Napoleon; but yet she had remained a Great Power, internally independent; she had no French garrisons in her provinces, and had recently seen one of her archduchesses mount the throne of France. After four terrible wars peace seemed tolerably secure; everybody looked forward to a comfortable period of repose, and shuddered at the thought of fresh quarrels. To be sure, they had little affection for the dangerous Bonaparte, but there was hardly any of that burning hatred and bloodthirsty passion to be found here, which fired every Prussian heart. It is true that the Viennese cabinet took advantage of every opportunity to check the advance of the French power; but that which in Berlin was the one thing thought about, the freeing of the German people from the foreign yoke, appeared in Vienna to be only one isolated political need, surely not the first,

and neither the most important nor the most pressing. This was inevitably so from the geographical position of Austria's provinces, from the internal organization of her monarchy, and from the old traditions of her ruling family. In the severe distress arising from Napoleon's violence the Vienna government saw only a temporary inconvenience, which indeed, they wished to shake off as soon as possible, but they considered that a permanent association with France would afterwards not only be easily attained by proper management, but would also be exceedingly advantageous.

Much more serious and likely to be lasting appeared to them their anxiety about the growth of the Russian power, which by its advance upon Turkey threatened to surround Hungary from three sides. As for positive hopes and plans, there was no project dearer to their hearts as Catholics than the recovery of the Austrian rule over Italy, and thereby of their dominant influence in the Vatican. In comparison with these vital questions German affairs stood in the background. In point of fact, the Austrians could have in these latter only a negative interest. What the cultivated classes in Prussia, wrote Metternich, call "German spirit," has come to be with us no more than a myth. Of course, Germany must not remain French: that went without saying; and they were therefore ready, upon favorable conditions, to join a Russo-Prussian alliance. If the struggle were successful, then would Austria, as would be proper for that proud imperial house, claim a controlling voice at the German Courts, but, of course,

never get so entangled in German matters as to be obliged to assume any dangerous responsibilities, or to be exposed to any reflex meddling of Germany in Austrian affairs. Of themselves, then, these two principles stood fixed: no such thing as a German Empire must be thought of; and secondly, Germany must not fall under the leadership of Prussia.

Antipathy towards Prussia was confessedly nothing new in Vienna; but this feeling was greatly heightened by the internal policy of the Prussian government, as urged by Stein. His suggestion of reforming the State by beginning at the bottom, and calling all the powers of the nation into political activity, so as to make the holy war a subject of spontaneous enthusiasm on the part of each individual: all that seemed to the statesmen on the Danube to be a revolutionary outrage. So that, as that sentiment gained ground in Prussia, and the Prussian people began to be filled everywhere with a passionate desire for political recognition, and finally drove the hesitating King irresistibly to decisive steps, the Viennese could not comprehend such dreadful things in any other light than as the result of a wide-spread demagogical conspiracy; they felt sure that the whole country must be full of the machinations of secret societies, which, while pretending to work against Napoleon, in reality were conniving at the overthrow of all social and monarchical order. York's revolt from the French on his own responsibility seemed to be their work, and most certainly Kutusow's proclamation at Kalisch, in which he summoned the

nations of the Rhenish Confederation to take part in a rebellion against Napoleon, and threatened with expulsion any of their princes who should not come over to the national party.

In loosely-united polyglot Austria it was impossible to allow either the system of secret societies, or popular movements, or any reforms which should begin with the lower classes; consequently they could not endure to see these spread in Germany, and then threaten to infect Austria across the borders. Accordingly, it was necessary to sustain the Monarchical principle against this Revolutionary one, and to support the sovereignty of the princes of the Rhenish Confederation against the Prussian Jacobins. This, too, promised further immediate advantages. It was hoped that in this way the princes of the Rhenish Confederation could be severed from the French alliance, so long as the war lasted; but afterwards they could be counted on to remain firm friends of Austria, as the defender of their royal autonomy against revolutionary Prussia with her unifying tendencies.

In all these views Emperor Francis and his influential minister, Count Metternich, agreed entirely.¹ Francis would listen to nothing about a restoration of the Imperial dignity. Even in the summer of 1818, he had declared to his minister: "I should never be willing to be subject to a German Emperor; and as for

¹ Cf. Metternich's Notes, *Historische Zeitschrift*, vol. 58. To be sure, he does not there mention the fact that at first he did not have a confederation of German States in mind, as did the Emperor, but the complete autonomy of each state.

being the new Emperor myself, I was never made for it. The new Emperor would find enemies in the princes and in their subject-peoples, and would have the political schemers on his side. For my part, I shouldn't consider myself capable of ruling over such a set." Consequently Metternich came to the conclusion that, after all, it was not necessary to rack his brain over a future German constitution; the German States might each remain in full autonomy among the nations of Europe, and, through international negotiations, in case of war, be kept in alliance with Austria, just as he had, in fact, dealt with Italy. He expressed himself in this way at the beginning of the war to the Emperor Alexander of Russia, and afterwards also to the English plenipotentiaries, on both sides meeting with the desired acquiescence.

But in this matter the narrow-minded Emperor Francis saw further than his wise minister. If the German States should be left entirely independent, there was great danger lest the perfect community of their interests should very soon drive them, willingly or unwillingly, into the arms of Prussia; or, indeed, lest the proximity of France should incite them to a new Rhenish Confederation. Accordingly, the Emperor insisted upon some definite arrangement insuring both the exclusion of foreigners from Germany, and the influence of Austria in matters common to all Germans. It should not be, of course, an Empire, nor an Imperial Government, nor a Union; for anything of that kind was, as Metternich rightly observed, unthinkable without a

head ; but rather a Confederation of independent and co-equal sovereigns for the preservation of a common safety and of an internal peace, under the traditionally-sanctioned presidency of Austria. When the Emperor had come to this decision, Metternich, with his usual cleverness, uttered the following apt aphorism : In the middle of the continent there should be no void, but rather an over-fulness.

Metternich took care not to inform his Prussian friends prematurely of these intentions, but was so much the more eager in winning for Austria's plans those influential Powers who habitually set an example to Europe. The Czar held in general to Prussia, yet he naturally was not anxious to support her plans for a mighty German Empire ; for, as he said, if Germany becomes too strong, she will at last become quite independent of us. England favored Austria's enterprises even more decidedly. The Prince-Regent, who in the phraseology of the sporting-world was the first gentleman of Europe, but who was otherwise a ruler capable of any baseness, had no other notion of German affairs, than that it was the duty of the Guelph Family to extend the dominion of Hanover, making it include half of North Germany, from the Elbe to the Maas. This idea by no means fell in with Prussia's desire for acquisitions west of the Elbe, nor with Prussia's persistent efforts for a practical Imperial system ; consequently he was quite ready to support energetically Austria's opposition to German unity.

On the side of Prussia, Stein enjoyed, to be sure,

great personal popularity, but held at that time no official position, that could assure him of any lasting influence; and Hardenberg, in all matters more Prussian than German, yielded in blind confidence the most important positions, almost without resistance, to the Austrian Minister. In this way he conceded to him full power to make a treaty of alliance with the South German States of the Rhenish Confederation on the basis of complete independence — of Napoleon, he meant; and he was, in truth, horrified when Metternich upon that guaranteed to almost all the princes in the Rhenish Confederation, under purely nominal restrictions, unlimited sovereignty for the present and for the future, and the undisturbed possession of their territory as it had been heretofore, thus at once rendering impossible any German Imperial Constitution worthy of the name.

It may well be asked, what sort of an Imperial system would be possible, if, to say nothing of Bavaria and the rest of the Lesser States, there were to be among the members of the Empire two European Great Powers, each of which, even in Hardenberg's opinion, should preserve complete independence. From 1812-1815 Stein and Hardenberg tried hard, by the repeated proposition of new plans, to effect the squaring of this circle.

We will not follow in detail their various attempts, all alike hopeless; at last Prussia settled upon the following fundamental propositions. The Empire should be divided into seven districts (*Kreise*), of which two

should be under the leadership of Austria; two likewise under that of Prussia; Bavaria, Würtemberg, and Hanover were each to be at the head of one. The head of each district should have command of the army and form the highest court of appeal. The government of the Empire should then be intrusted to the five heads of the districts, the presidency regarded as a matter of honor falling to Austria, and the conduct of business to Prussia. These heads should at the same time form the legislative upper house of the empire; the lower house should be composed of the other princes, subordinate rulers, and the provincial representatives from the single States. For differences between the states a tribunal of confederates should be established. To the people of each State should be given a provincial constitution by the Confederate government, and at the same time a minimum of provincial rights; to every German citizen should be guaranteed protection of person and property, the right to emigrate without payment of duty, freedom of the press, religious freedom, equal recognition of all Christian sects, and the right of public trial. The great majority of the Petty States eagerly agreed to these propositions.

A strong Imperial system and an assurance of the rights of freedom were thus sought after in these plans, quite in the spirit of the War of Independence. In them appeared again Prussia's perfect confidence in the German spirit of her associates and her hopes to find the future members of the Confederation always filled with patriotic zeal. Both of the great Ministers were

soon enough forced to see that by this exhibition of confidence they had entirely misjudged persons and things, and had brought into mortal danger, by their projects, as well the independence of Prussia as the common interests of Germany.

Difficulties arose the very first day. The princes of the Rhenish Confederation, Bavaria, Württemberg, and Baden, were unwilling at the very outset to join a German confederation at all, but were determined to remain in complete independence as European Powers. Then they protested against the rights to be granted to the people; and when Stein urged this point with all his impetuous zeal, they decided to display their own magnanimity by giving their subjects a constitution, in order not to be forced to do so by the proposed confederation. In fact they repelled curtly any limitation whatever of their royal sovereignty and every manner of meddling in the management of their countries on the part of a confederation.

Austria behaved with more reserve. She never would have allowed the confederation any influence over the imperial patrimonial dominions, and least of all would she admit there Stein's system of popular rights. Meanwhile she wished to retain the alliance of Prussia in the great European negotiations at the Congress of Vienna, and therefore let the Lesser States lead in the contest about a German constitution, while she for the time advocated, herself, a part of Prussia's propositions.

The whole matter was temporarily crowded out of sight by the discussions in the Congress over the terri-

torial boundaries of the Powers. Here again it was characteristic of Austria's policy that she decidedly refused to accept her former possessions in Swabia and Belgium, which had been urgently pressed upon her by several cabinets, especially the former by Prussia. "We wanted," said Metternich, "to establish our Empire without there being any direct contact with France." He sought and found, in the place of these possessions, a rich indemnification for his country in Italy, in the immediate annexation of Lombardo-Venetia, and the indirect control over Tuscany and Modena.

Austria had indeed grown more and more out of Germany. She had no longer any interest in defending the Upper Rhine against the French; and the material basis for the development of any community of interest between Austria and Germany was already lost.

The territorial reconstruction of Prussia turned out quite differently. Both Austria and England desired alike that she should be kept as much as possible out of Germany, and therefore they wished to endow her with large territories in Poland. But the King had no inclination to increase the number of his Polish subjects; and in place of this wanted the whole of the Electorate of Saxony, whose King had remained to the last hour faithful to Napoleon. Austria, however, violently opposed this; and after a long and bitter quarrel the result was that Prussia received, in addition to Posen, Hither-Pomerania, half of Saxony, and her present provinces on the Rhine and Westphalia, quite separated as they

were from her other possessions. By this she undertook the protection of the North German frontier as well against France as against Russia; and since her lands now stretched from the Niemen to the Maas, there could be no longer any German interest that was not at the same time Prussian. Prussia had grown again into Germany.

Now, although Hardenberg had in these negotiations experienced some very doubtful proofs of the trustworthiness of his Vienna friends, yet, when the question of a German Constitution came up again for discussion, he held unswervingly to his former position. The general course of debate was as follows: Prussia, backed by the Petty States, made her propositions for a strong Imperial system; Austria supported them with more or less modification; but the South German Lesser States opposed them energetically and unconditionally. Thereupon Austria declared, with many regrets, her opinion that they were impracticable.

At last, when the hour seemed to him to have arrived, Metternich, putting aside all wishes of Prussia, produced the project of Herr von Wessenberg, which openly advocated the system of a Confederation upon an international basis, of independent and co-equal sovereigns under Austria's directing leadership. The Lesser States carried through a number of improving or weakening amendments, and thus this document received sanction as the Act of the German Confederation.

This empty production was received by the German nation at large partly with cold indifference, and partly

with patriotic indignation. The majority of the German governments, too, were discontented with it. Mecklenburg said it was the best that could be done under the given circumstances. Hardenberg said, with a sigh, even such a Confederation was better than none at all. Some years later, Count Bernstorff, the Prussian minister, declared that the Act of Confederation was the immature result of over-hasty negotiation.

So much the greater was the satisfaction in the palace at Vienna. Metternich had been victorious at every point. He had thoroughly proved to the unwary Hardenberg his diplomatic superiority, and had completely effected what he had desired for Austria.

It is another question, whether he desired the best for Austria and Germany, whether he was not merely a skilful diplomat, but also a far-seeing statesman.

If Hardenberg's scheme of a German constitution had been realized, then in the Supreme Imperial Council, in the Directory of the Five Heads of the Districts, Austria would surely have commanded the majority; for to her as the guardian of royal sovereignty the Lesser States would have turned, and not to Prussia, filled as she was with ideas of German unity. Prussia would have been subordinated, and Austria would have held the control of Germany. In that case the toils, the duties, and the dangers of the whole government would have fallen to her; to the Emperor Francis the assumption of these seemed too far-reaching, and Metternich was too indolent to wish it. This half-and-half state of things, which had just been attained, seemed much

better, in which Austria would need to do nothing directly for Germany, and yet was so situated that she could restrain their every movement unfavorable to her interests. Metternich did not see that in the long run such a condition of things must necessarily become unendurable.

Prussia might well thank Heaven for the undeserved and gracious providence that nothing came of her plans for a strong Imperial government with such associates. So long as Austria was the firm supporter of the exclusive Lesser States in the Confederation, the members remained inimical to the development of common national interests and to the Prussian projects for unity. The weaker these members should become, the better, under existing circumstances, for Prussia and for the future national unity. Viewed in this way, the crowding out of the Stein-Hardenberg plans by the Act of Confederation was fortunate for the future of the nation. It by no means follows, of course, that the Act of Confederation was a satisfactory instrument, even for the national needs of its own times.

NOTE. — It will be seen that the term *Lesser States* is applied to the German States whose ruler bore the title of *King*. The *Petty States* included all below a Kingdom. The terms *Sovereigns* and *Princes* are applied interchangeably to all the rulers. — TRANS.

IV.

FIRST YEARS OF THE DIET.

JUDGED by what is demanded of a practical political organization, this German Act of Confederation, which had been produced with so much effort, possessed about all the faults that might render a constitution utterly useless.

Instead of a regular confederate government it established as the only legislative body of Germany a Diet composed of delegates sent from the thirty-nine sovereign States. It was announced as their mission that they should guard the external and internal safety ; but their power to enact provisions for securing the same, and their authority to see that such laws were carried out, were left wholly indefinite. Upon the motion of the representative of the Kingdom of Saxony, it was decided that all more important matters, such as changes in the Constitution and permanent regulations affecting the whole Confederation, should be carried only by the unanimous vote of all the States ; thus reminding one more strongly than ever of the old Parliament of Poland. Likewise, all matters of common interest, which did not concern the Confederation as such, were left to the informal agreement of all the States.

One sees at a glance, that this very demand for una-

nimity doomed at once and for all time the actions of the Confederation to unfruitfulness. The motions which had been zealously brought forward by Prussia and several of the smaller States for certain rights, which should be acknowledged as belonging to every German, were contracted in the Act of Confederation into a few meaningless and ill-defined phrases. Along these lines, too, the sovereignty of the royal governments was not to be encroached upon.

In every confederation that includes among its members very strong and very weak States, a greater number of votes is given to the smaller States than is proportionate to their actual power for the sake of preserving their political independence; but in this instance this principle became by exaggeration distorted to a ridiculous degree. In matters of usual business the eleven larger States had each one vote, while the twenty-eight smaller ones were grouped into six Curias, each Curia possessing one vote. Consequently it was possible for the Grand Duchies and the Petty States by holding together to vote down the combined opposition of Austria, Prussia, and the other Kingdoms, that is, one-tenth of the population against nine-tenths. In this Diet legislative power and political importance were disjoined as much as possible.

For a few matters only was a different method of voting reserved. Then this Close Council (*Engerer Rath*), as the body of seventeen votes was officially called, was exchanged for a Plenum, in which either unanimity or a majority of two-thirds was required; so

that the six largest States, which held, together, twenty-eight votes out of seventy, could prevent the passage of any measure disagreeable to themselves.

The course of business dragged endlessly, as would naturally be expected in discussions among thirty-nine States. Everything was at first given into the hands of a committee; after their report the representatives had to get instructions from their respective Courts, and in the six lower Curias, two, four, or six different Governments had to agree about these instructions, a matter which often consumed months; if the business was especially annoying to any State, it left its representative an interminably long time without instructions; when finally the question was ready to be voted upon, new arguments and new objections came up, and instructions must be received afresh; or else the matter went back to the committee and often lay buried for years among their documents.

By force of necessity, in place of actual discussion in the Confederate Diet, diplomatic intriguing was very frequently employed at the smaller Courts by the larger; and whenever Prussia and Austria had the same object in view, no one else ventured, except in rare instances, to raise any objections. Accordingly, as in early times, not constitutional rights, but the mutual attitude of the Courts of Vienna and Berlin, decided the fate of Germany.

The provisions of the Act of Confederation were as unsatisfactory in regard to Germany's relations with foreign Powers as in regard to her internal organization.

Every sovereign had the right to maintain and to receive foreign embassies ; he might make any sort of a treaty with non-German governments with the sole limitation that it should not be inimical to the safety of Germany. Even the trade in mercenaries, as carried on in the previous century, would not have been excluded by such a provision. This privilege of the individual States was the more dangerous, since three foreign Kingdoms were represented in the Confederation : England by Hanover, the Netherlands by Luxemburg, Denmark by Holstein.

The government of these countries would doubtless be administered in accordance not with German but with foreign interests, and the danger of this mongrel position, not only for the countries themselves, but for the whole public life of Germany, would soon enough appear. Moreover, it need scarcely be said that even the presiding Power, Austria, by reason of the preponderance of her crown-lands, which were independent of the Confederation, would hardly have a warmer heart for German interests than these three foreign Courts.

The uncertainty of all these things was completed by the incorporation of the Law relating to the German Constitution into the Acts of the Congress of Vienna, which united the five Great Powers, with the addition of Sweden, Spain, and Portugal, as the regulators of the common affairs of Europe. Austria and Prussia had advocated this measure in the belief that in this way the security of the Confederation would be guaranteed by all Europe. But in St. Petersburg, Paris, and

London the matter was looked at in quite another way, namely: after the Act of Confederation as a part of the doings of the Congress of Vienna had been put under the protection of the Powers, Germany herself could not change anything in it without the permission of these guaranteeing Powers, but stood under the guardianship of Europe, just as in the eighteenth century Poland had stood under that of Russia.

This indefiniteness was the more critical, since from the first very many German princes did not hesitate, in case of internal troubles or of disagreements with their neighbors, to call to their aid especially the mighty support of the Russian Emperor; as far as it was possible through diplomacy, the two Great Powers in the Confederation, Austria and Prussia, rejected any such intervention; but when, in 1831, a vote of the Confederation advocated by these two Powers was met by a protest on the part of the three foreign Powers, who considered themselves Protectors of the German Constitution, then the Confederate Diet under Prussia's leadership resented determinedly this interference on the part of foreigners. Thereupon the foreigners let this individual case pass, but still asserted their claim; and, as we shall see, often tried later to enforce it in a dangerous way. So that the most important demand of a great people, national independence, had become for Germany, at the conclusion of her glorious war of liberation, instead of an acknowledged right, a question of force.

It must be confessed that a more wretched condition

of unconstitutionality was never forced upon a great people just crowned with the laurels of victory, than was imposed upon the Germans by the Act of Confederation. The mighty thoughts, which had prepared the way for the re-birth of Prussia and the liberation of Germany connected with it, gave way now to feelings of an opposite nature. It is no wonder that an angry cry of opposition arose on all sides.

The young heroes returning from the war filled the universities with their patriotic indignation, and by the founding of societies of students (*Burschenschaften*), represented at all the universities, they sought to fill all the educated youth of Germany with their enthusiasm for unity, justice, and freedom. These societies, for the most part, cherished ambitions which were thoroughly ideal. They did not look to the overthrow of present conditions, but relied upon the training of the rising generation. By moral elevation and patriotic inspiration they hoped to lead the State of the future to the great goal of national unity. To be sure, their notions of this future State were generally indefinite, and were mere unpractical fancies; indeed this enthusiasm rose in some groups to the pitch of wild fanaticism, so that they were even ready to seize sword and dagger for tyrannicide. Yet such enthusiasts never succeeded in securing in the societies at large any great following for their projects.

Bavaria and Baden received their constitutions simultaneously; and in Munich, as in Carlsruhe, the liberal majority of the representatives raised the cry for exten-

sion of their rights, and proposed a scheme which brought forward again all those Prussian demands, which had been rejected at Vienna, together with very important additions. An energetic movement on the part of the press in South Germany, Thuringia, and on the Rhine supported them in newspapers, journals, and larger works. Even to-day the names of Rotteck, Oken, C. Welcker, Görres are still remembered. At that time, and later also, these writers have been blamed for being unscientific, shallow, and semi-revolutionary; and, in fact, it cannot be gainsaid that the liberal school of those days was often quite as untrained and unpractical as were the Teutons of the Burschenschaften. One cannot help noticing in these writings a mixture of incorrect and erratic notions of ancient German freedom, of English parliamentary rights, and of radical French ideas. They, too, fell into the chief mistakes of the European liberalism of the times, in that they, in their zeal for individual rights, failed to see the need of a strong government, which alone could guard these rights from sinking into freedom-destroying anarchy; and just for this reason, too, when it came to the test, they proved too awkward to administer the government successfully. Yet in spite of all this, their important services in perilous times cannot be overlooked. To mention only one matter: in their respective States they brought, after untiring efforts, the finances, which had been thrown into confusion by a long course of wilfulness and extravagance, back to a firm basis of order and regularity. Furthermore, and this indeed

*the handwriting
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them and now.*

was the main feature, just as the Burschenschaften kept alive the central thought of the liberation-period, German unity, so the South German Chambers kept alive in the national consciousness for a whole generation, and in spite of every defeat and opposition, that other one, the idea that the people should have a share in public affairs. We must indeed hold them in honorable memory, when we consider that we to-day are enjoying the full benefit of these rich blessings.

But for the time these efforts were to suffer a severe check.

Prince Metternich was indignant over them at every point. In order that he might control the German countries according to the old rights of the Hapsburgs, without at the same time undertaking the actual government of them, their disunion was necessary to him. He said that there was no more atrocious idea than that of uniting the German people into one Germany; and even this reason alone would make him the defender of royal sovereignty and the enemy of every limitation of the same by any popular movement.

Yet he hated every liberal tendency, because, if it once gained a footing in Germany, it might thence exert a disturbing influence upon the peace of Austria. After the impressions which he received in his youth from seeing the jubilation of 1789 in France lead directly to the bloody dictatorship of 1793, his notions of liberalism, radicalism, and communism ran into each other completely. He felt that unless the Burschenschaften and the liberal declaimers of the chamber were

at once got out of the way, Germany and Austria would be inevitably the prey of a social revolution. He knew no other means of meeting such dangers than universal repression through police regulations. He felt sure that now was the time for extreme and thorough measures in all the German States. He saw now that the magnificent work of his own hands, the Confederate Diet, could be of no use in this pressing need, encumbered as it was with such wearisome official formalities. It was necessary in some way to strengthen the hands of the leading powers of the Confederation. The Diet was an organized anarchy, sanctioned by the articles of the Act of Confederation; according to the old rule, then, this anarchy should be got rid of by a *coup d'état*; but this was impossible without the co-operation of Prussia, and whether this could be gained was very uncertain, in view of Prussia's position in the Confederation.

Just at this time, it happened that out of a small group of the Burschenschaften, which had always been kept down by the majority, there arose two young fanatics, one of whom stabbed the poet Kotzebue, whom he held to be a servile partisan of princes and a Russian spy, and the other directly afterwards attempted to assassinate Herr von Ibell, the Nassau President. The excitement that these crimes aroused was boundless. Even King Frederick William and Hardenberg were as angry as they were alarmed; and we can easily understand that the king should begin a strict investigation of the extent to which demagogism prevailed at each of

the Prussian universities. Unfortunately these two outrages became the pretext for a noisy movement on the part of all the old opponents of the reforms that Stein had started in 1808, and which Hardenberg had followed up.

Those investigations fell under the management of bureaucratic and feudally inclined absolutists; and a glaring light is thrown upon the spirit in which they were conducted, not only by the arbitrariness and harshness which obtained everywhere, but by the fact that those men who had been the first to awaken and nourish the spirit of the War of Independence, namely, Stein and Gneisenau, Schön and Justus Gruner, Schleiermacher and Arndt, Jahn and Görres, were just the ones who were attacked in the proceedings of this court, or at least named as suspicious in its documents.

But then Metternich raised his voice. In pompous declarations he set before the eyes of his frightened associates in the Confederation the red spectre of a monstrous conspiracy, which was spread through all Germany, and which could be put down only by united efforts and by immediate action. Thus he won Prussia's assent to the plan of convening a small number of the reliable Powers, of drawing up with them the necessary resolutions and of then forcing the Confederate Diet to accept these decrees.

In compliance with this request, nine Ministers assembled at Carlsbad to root out forever, in accordance with Metternich's propositions, the infamous idea

of German unity from the heads of Germans. It was agreed to put under police supervision the entire system of instruction in Germany, to subject to the censorship of the police every pamphlet containing less than twenty pages, to compel by military force every delinquent government to carry out these commands, and to establish in Mayence an Investigating Commission of the Confederation who should attempt to suppress the demagogues in all the German States. Prussia, which in this matter had in every case proposed the severest measures, wished to invest this body with judicial powers; but the Emperor Francis wrote, with almost cynical *naïveté*, that one of course was not yet sure whether anything would come of the Commission. He was quite right: nothing of any account did come of it. Yet the Decrees remained in force. Finally, Metternich would have liked to lay the same fetters on the chambers as on the universities. But difficulties arose in the way of this. It was decided to hold a new conference some months later in Vienna, and there to discuss the question of deputies, as well as to undertake a general revision of the Act of Confederation.

The resolutions agreed upon at Carlsbad were then laid before the Diet for acceptance. The thirty small States here learned for the first time the contents of these Decrees; but the Great Powers vehemently objected to any further discussion or postponement of the decision. The small States were frightened into acquiescence. When the motion was put they voted unanimously, *Yes*; but the dissenters were graciously

allowed to hand down to posterity their *No* in a private protest.

Thus had Metternich, inconsistently with his former views, called into life a Confederate power provided with dictatorial authority, an ominous caricature of German unity. Its right to existence rested on the clause of the Act of Confederation, which declared that the Confederation should care for the internal safety of Germany. But the Decrees struck at the very life of the first and chief principle of the Act of Confederation, the independence of the individual States. For if the expression "safety" might be stretched to the extent that it was here, then, whenever it might seem necessary, everything, not only the schools and the press, but the criminal and civil law of the individual States, might be regulated in the name of the Confederation, and even their police and their armies might all be made to swear fidelity to this Confederate power—all for the protection of the internal safety. As a result of this, the prospect opened for the Emperor Francis, not exactly of holding the position of German emperor, as Metternich exultingly fancied, but at least of being at the head of an all-powerful German police system. It was a heroic method of cure, which Metternich thought to employ for the protection of the German sovereigns against the plague of demagogism. The only question was whether the cure would not seem more dangerous to the patient than the disease.

In spite of their dislike to demagogues and journalists, a large number of the German courts were not, as

a matter of fact, at all contented with the Carlsbad *coup d'état*. Several disapproved of the substance of the Decrees, and almost all of them were angry at the inconsiderateness and illegality of the method of procedure. Even Bavaria and Würtemberg, although they had taken an active part at Carlsbad, felt afterwards anxious about the extent to which those principles, which had been there agreed upon, might be carried, and about the possible way in which they might affect the independent position of the individual States.

Just at this time a certain turn of affairs, which took place in Berlin, was decisive. It was not occasioned by any dislike to Austria, but by internal political considerations. Two great questions came up for discussion.

The famous Law of May 22, 1815, had given promise to Prussia of an Imperial Constitution, a remodelling of the provincial estates in keeping with the spirit of the age, and, as a result of these changes, a representation of the people by delegates from the royal constituencies, who should have a voice in the discussion of laws concerning personal freedom and property, including questions of taxation. It was a very scanty morsel for the hunger of the liberal parties: there were to be representatives of the people, who were not even chosen by the people, who should have very restricted powers, and the right to exercise those only in so far that they might take part in the discussions, but without the right to vote.

Meanwhile the law had assured to the people a

constitution, of whatever nature it might be; all the Liberals awaited impatiently the fulfilment of this promise, and Hardenberg was continually hard at work upon the preliminaries. Now he met at every step the stiff-necked opposition of that party of the nobility that had since 1808 resisted the plans of reform proposed by himself and Stein, and he heard the news from Carlsbad that Metternich wished to shape the constitutions of the individual States quite in accordance with the notions of that feudal party. He was determined never to admit that such interference was a function of the Confederation.

Then, too, it happened that a Prussian law of 1818 decreed the establishment of a system of moderate customs upon the frontiers, hitherto open. This would be of immense advantage to Prussia's finances, but quite as annoying to her German neighbors, who were affected by it. There arose at once a cry of indignation over this new division in the German Fatherland, to which Prussia calmly replied with the observation that at present a tariff-union with Austria, Hanover, and Holstein was impossible, but advised the remaining States to join the Prussian system of customs. In 1819 the Prince of Schwarzburg-Sondershausen yielded to this proposition. But no one dreamed that this was the first step of a great national development. On the contrary, the cry arose everywhere that the Prussian tariff-law must be repealed in the name of the Confederation, and that the matter must be discussed at once in the approaching Conference at Vienna.

This disturbance was all that was needed to render the Carlsbad doctrines utterly repugnant both to the Royal Chancellor and to the Minister of Foreign Affairs, Count Bernstorff, a highly educated, dispassionate, and prudent man. However ardently Hardenberg had striven for a strong Imperial government, he was now discontented, as he said, because the Confederate management had turned out differently from what he had presupposed: one ought not to intrust them with such far-reaching powers, which they might misuse to the injury of Prussia and of Germany. With such instructions Bernstorff went to Vienna, and Metternich, pleased or displeased, had to make the best of it.

This time, all the governments were represented; this alone prevented a repetition of the proceedings at Carlsbad. The principles of the Act of Confederation were not to be changed, but more clearly and exactly defined, so that they could be better put into practice. This was the origin of the second fundamental set of laws of the Confederation, namely, the Vienna Final Act, which advocated throughout a moderate individualism. The attacks upon the Prussian system of tariff fell through completely. The objections to it were dismissed as an item of business to be brought up in the Confederate Diet. The establishment of a Confederate Court of Justice, before which the opponents of the Prussian tariff-laws might have brought their suit, was prevented. As an amendment to the eleventh Article of the Act of Confederation, in which certain rights of the individual States were fixed, Bernstorff

succeeded in having added to the sixth article of the Final Act a clause, according to which "the voluntary relinquishment by any member of any of its sovereign rights might take place in any part of the Confederation without the vote of the whole Confederate body, only on condition that it was done in favor of another member of the Confederation" — implying that in this case it could be done. Thus, any future tariff-treaties made by Prussia with other States were secured against opposition on the part of the Confederation.

No mention whatever was made of Metternich's wish to subject the representative constitutions of the individual States to the legislation of the Confederation; on the contrary, the very opposite of this was embodied in several articles. To be sure, the inviolableness of the monarchical principle was strongly emphasized, and it was declared no less expressly that no prince could by any resolutions passed by the provincial assembly of his state be hindered in the fulfilment of his duties as a member of the Confederation. But, at the same time, the duty of the sovereigns to establish provincial parliaments was repeatedly recognized; the regulation of the rights of the Estates was left, with other internal matters, to each State; the right of the Confederation to interfere was restricted to cases of insurrection; and the opinion was often expressed, that recognized existing constitutions could be changed only by constitutional proceedings.

Thus Individualism, challenged by the illegal stretching of the Confederate powers, manifested in the

Carlsbad Decrees, won the day again, and this time favored liberal and national interests, in contrast to the Confederate Power which should naturally have been their protector. Restored and encouraged, Individualism roused itself also in its own stronghold, the Confederate headquarters at Frankfort, to further immediate triumphs; which, it is true, answered many Liberal longings, but which shamefully disregarded the serious needs of the nation.

As we have seen, the Confederation had for its aim the internal and external safety of Germany. We have already portrayed the way in which the internal safety was cared for; now let us consider what was done to secure external safety. Since 1816, the two Great Powers had kept proposing steps toward the establishment of some practical Confederate military organization. For such an "organic" or permanent arrangement, unanimity was required; Prussia carried on the affair with ardor, Austria with marked sluggishness, and the rest of the States with a reluctance which was hardly concealed; it must be confessed, too, that in their attitude towards the matter the Governments of these States were in most cases sure of the hearty acquiescence of their Chambers. No State wished to take upon itself the expense and the burdens of a standing army. The Governments strongly objected to letting the Confederate Power meddle with the most precious jewel of the Crown, military supremacy; and many Liberals considered the troops of the line to be the most dangerous tool of despotism. The conviction was

current that after Napoleon's fall peace was certain for a long time to come, and that in case of an emergency the large armies of Austria and Prussia were at hand, who from motives of self-interest would be obliged to protect the other States.

While the Lesser and Petty States continued to hold these views, the negotiations dragged on for five years, until finally a provisional military organization was effected, a shining example of the truth that the strongest position is that of passive resistance. According to this plan, the Confederate army should be composed of contingents from each State, grouped into ten army corps of thirty thousand (in round numbers) apiece, of which Prussia and Austria should each contribute three, Bavaria one, and the contingents from the other States should together make up the remaining three.

The demand in point of numbers was not large, being only one per-cent of the population; but so much the more weight was to be placed upon improvement in the quality, that is to say, upon uniformity in military training, equipment, and discipline; upon the organized support of the army; and especially upon a fixed singleness in the matter of supreme command. But, as a matter of fact, just the opposite of all this obtained. The arrangement of the contingent was, even in war, left entirely to the individual States; it was not allowable to absorb a small contingent in a large one, lest there should be even the appearance of supremacy on the part of one Confederate State over another. In

peace there was no common supreme authority. In time of war, the Confederate Diet should choose a commander-in-chief, who should receive instructions only from the Diet and its War Department, and in whose headquarters the contributors of the contingents should exercise their sovereign rights constitutionally through independent officers of high rank.

Thus the matter was finally decided in 1821. But, as soon as the plan began to be carried out, countless protestations and objections were raised on the part of the thirty Petty States at the unheard-of and oppressive burdens laid upon them. Not for ten years was any settlement arrived at; and it was four years more before the organization of the ninth and tenth army corps (Saxony, Hanover, and the North German Petty States) was fixed, even upon paper. We shall later have occasion to consider how matters stood in reality. As a matter of fact, it was only Prussia, where indeed the want of means kept the actual military condition below the requirements of the law of the land, that did much more in this matter than the Confederate Constitution demanded.

Prince Metternich had let these unpleasant things, which he could not hinder, take their course. It may well be supposed that a stricter Confederate Constitution that would have forced him to be ready to place at any time ninety thousand men at the disposal of a commander-in-chief, who might be a Prussian, would hardly have been agreeable. The need of money was felt in Austria even more than in Prussia, so that the

peace-footing of the army, with double the population, was scarcely stronger than the Prussian. This made Metternich still more anxious to build further upon the foundation laid in Teplitz and in Carlsbad, and so to keep Prussia dependent in its politics upon the Imperial City.

In spite of the fact that his hopes in regard to internal German policy and the leadership of Prussia had been shipwrecked at the last Vienna Conference, he still waited for a favorable turn in politics at Berlin itself, which should bring the State of the Hohenzollerns again under the wings of the royal double eagle.

And he had good cause for waiting. For us, too, it will be worth our while to consider somewhat more closely the change in Prussia's politics at this time, since the elements there at work have meanwhile gained a great significance for the further development of the constitution of Germany as a whole.

While Count Bernstorff was doing his utmost in Vienna to protect the future Prussian Constitution from any encroachment on the part of the Confederate Power, the King in Berlin was beginning to be doubtful about the execution of the law of May 22. He had signed, as recently as January 17, 1820, the law, brought to a conclusion by Hardenberg, about tariff reform and public debts, which contained the specification, that no new law should be made without the consent of the Estates, and that to them a yearly report should be presented concerning the condition of the public debt.

The complaints of the South German Confederate Princes about the unmanageable actions of their Chambers had already, indeed, made him uneasy; and now followed, in the course of the year 1820, the alarming news of revolution, in Spain, in Portugal, in Naples, in Piedmont, and in Greece. Half Europe seemed shaken by a continuous earthquake: was this an opportune time to change the basis of the Prussian monarchy, the absolute supremacy of the Crown?

A large number of the high officials answered this question energetically in the negative. They pointed out that more than one-third of the State, composed of the most heterogeneous fragments, had been acquired within the last few years, or had been won back after being under a revolutionizing foreign rule; that in order to restore the unity of the State all branches of the administration had necessarily been remodelled and that this work was not yet accomplished; that the evil results of the war had not yet been made good, nor the deficit made up; and was it advisable to risk exposing the safe conduct of the Reform to the meddling interference of popular representatives, who would naturally, on account of their origin, be governed by local interests; who would perhaps, in accordance with the spirit of the times, be filled with the demagogic thirst for rule, and who would, at all events, be ignorant and inexperienced? That would be wilfully exposing the power of the Crown, and perhaps the unity of the State, to mortal danger.

Hand in hand with this bureaucratic opposition, the

feudal spirit also was active in furthering the same end, if indeed led by other motives. The feudal Opposition repudiated likewise royal estates because they apprehended, not that the tendency to centralization would be checked, but that it would be fostered. Nor would they listen to Hardenberg's proposition about provincial estates, that is to say, a parliament for each of the eight new provinces; but they demanded the revival of the old estates for each of the small States which were now united under the Prussian crown, for Kurmark and Neumark, for Magdeburg and the county of Mark, for Cleves, for Geldern, and so forth. Their ideal was the condition of things before the usurpation of the Great Elector. Their representatives asserted that the Act of Confederation renounced the principle of centralization out of respect for the legitimate sovereignty of the German princes. They claimed to be also the legitimate possessors of their seigniorial privileges, who in their small leagues had once ruled over their territories in virtue of their hereditary right; and that only upon this foundation could any natural and consequently lasting system of government be raised. Their theory was that the lord of the manor was the natural head of the household and its dependents; the magistrate, of the citizens; the pastor, of the parish; the provincial parliament, of the province; and the king, of the whole State.

Against such a closely-united structure, permeated from top to bottom with a controlling authority, and therefore pervaded with the spirit of obedience and

discipline, the storms of revolution would break in vain. Each of these heads should exercise his authority with perfect freedom in all matters within his own jurisdiction, the lower untrammelled by bureaucracy and the king not harassed by an imperious parliament. It would be the government of a free king over a free people.

That is to say, nowhere revolution, and everywhere freedom. Room for everything, except the small matter of the freedom of the citizen and of the peasant! It was quite as uncertain, too, whether, with all this free administration on the part of so many mediate authorities, there would be any power left to the Crown or unity to the State.

This feudal doctrine was most welcome to Prince Metternich, whose whole system rested upon the political disability of the people and the splitting-up of the German nation. How often had he represented to the King that Prussia could never be a united state on account of the diversity of its component parts! Provincial estates, he believed, were excellent; royal estates, dangerous. With the same idea he recommended the revival of internal excise duties in the place of the new system of taxes on imports. He said he would not trust the conservative faith of the Prussian officials across the street; but he was certain that the true and reliable bulwark against a great revolution was alone to be found in the principles of that party that advocated the re-establishment of the old estates. What more could be said, from an Austrian point of

view, in favor of these principles, than that in following them out Prussia would soon rise to Austria's condition of prosperity?

The King, importuned from all possible sides, hesitated a long time. Finally, on the 11th of July, 1821, the moment of decision came. A communal ordinance in the modern sense, drawn up by Hardenberg, was rejected, the establishment of provincial estates was decided upon, the summoning of the royal estates was postponed. The details of the establishment of the representative system were intrusted by the King to his clever son the Crown Prince, who was inclined to the old ideas. It was not until 1823, that the law about the provincial estates was completed; and when it finally appeared, the feudal party triumphed in so far, at least, that the nobility had the majority in all the Provincial Parliaments; but the high officials had taken care that the power of this whole organization should be as limited as possible, and that it should be strictly forbidden to make public the doings of the Parliaments, so that their transactions were concealed from the people of even their own provinces. This institution certainly caused no detriment either to the sovereignty of the Crown nor to the effective working of the State authority.

Metternich would have wished from his heart still greater successes to his admirers of the feudal party; but he was especially glad at the significant fact that Prussia had not become a constitutional monarchy. For even if the authority of the royal estates, promised

in 1815, had been limited, the mere name would have puffed up the Prussian nation so that one could not tell what to expect from them, and would have made a vast difference in the influence of Prussia in South Germany. Here, however, King William of Würtemberg had already given the Prince abundant cause for anxiety and annoyance by his liberal notions; for he had almost openly advocated the plan of uniting on a true constitutional basis all the Lesser and the Petty States as a protection against the oppressive patronage of the two Great Powers, and so of establishing a German triad by founding a third Germany of pure blood by the side of the heterogeneous kingdoms of Austria and Prussia. How would it be now, if Prussia, too, became constitutional and then profited by the state of feeling aroused by Würtemberg, either simply for her own advantage or, indeed, for the purpose of injuring Austria?

Therefore the decision of Frederick William against royal estates was a veritable balm to the heart of the Prince. He immediately invited Count Bernstorff and a few other trusted ministers to come again to Vienna to take counsel against Würtemberg's doings, which had not only excited the attention of the Chambers and the newspapers, but had even begun to infect the holy ground of the Confederate Diet. To be sure, Bernstorff rejected again very decidedly Metternich's hobby of placing the matter of popular representation under the superintendence of the Confederation; but Würtemberg was forced by diplomatic pressure brought

to bear upon it also by the foreign Great Powers, to recall its representative in the Confederate Diet, to suppress certain Stuttgart newspapers, and to renounce in penitence its beautiful dream of a German triad.

Metternich gained what he had desired: Prussia did not stand at the head of a constitutional Germany in opposition to Austria; but stood by the side of absolute Austria in contrast to the constitutional States. All trace of sympathy with Prussia, every memory of her services in the War of Liberation, was effaced for a long time to come from the hearts of South Germans. Prussia seemed more closely than ever devoted to the policy of the Holy Alliance and resignedly subservient to the influence of Prince Metternich.

In Prussia, too, a large number of the truest royalists were indignant at this condition of dependence, to which the nation of Frederick the Great had reduced itself through a blind fear of revolution. A certain letter, dated March 31, 1824, reads: "As far as our external relations are concerned, I am sorry to be obliged to agree with you entirely. If the nation had known in 1813, that within eleven years nothing but the memory would be left of that stage of prosperity, glory, and prestige that lay then within its reach, or rather which was reached, and that no actual trace of the same would remain, who would at that time have sacrificed *everything* in view of such a result? This question makes it the most sacred duty of a nation consisting of eleven million souls to maintain that position, which it gained by such sacrifices as the world

had never seen before nor shall see repeated. But this is all forgotten now."

He who wrote these words, fired with the spirit of the War of Independence, was no revolutionist, but Prince William of Prussia, afterwards Emperor of Germany.

This, then, is the sum of the doings of the Confederate Diet during the first decade of its existence: the creation of a police system, which was bound to no law, and of a Confederate military system, which was precisely similar to the Imperial army. Thus the German Confederation offered to the German people the spectacle of a Union inwardly barren and despotic, and outwardly dependent and defenceless. As the French soldiers were wading through the streets of Poland, up to their knees in mud, they exclaimed: *Et cela s'appelle une patrie!* Twenty years later the German cried: *Und dies Deutschland wäre ein Vaterland!* Since the authorized organ of German unity had branded as a crime every thought of an actual unity, Germany had sunk to the condition predicated of Italy by Metternich: of being a geographical name without political signification. What Prince William in 1813 had said of Prussia's glory was equally true of the whole German Fatherland: there was nothing left of it but the memory, and no tangible reality whatever.

When an aspiring race loses its fatherland, the consequence is inevitable: its mental efforts, too, lose their central thought of patriotic devotion. Everybody throughout our German States, who still had any heart or appreciation for political freedom, turned away from

the Confederation and the Confederate Diet, the only representative of Germany as a whole, to the Constitution of their own individual States as the last bulwark of popular freedom. Formerly the Liberal parties had complained that their hopes of a mighty Imperial government had been disappointed; they had now become the unwearied defenders of those clauses of the Vienna Final Act that declared the Confederation to be only an international league of independent States, and by no means authorized to meddle in the internal affairs of any country. Many a South German Government was well pleased with this turn of affairs; for although the Chambers were still often burdensome enough to them, they felt that, as a result of these assemblies, a very solid local patriotism and national feeling was growing up, which would be able effectually to drive away the threatening nightmare of the Burschenschaften.

Indeed, who had at that time any heart to sing and talk of the strength and heroism of the German people? The victors of 1815 looked with wonder and envy upon France, which they had helped to conquer, where under a free Constitution brilliant parliamentary debates were holding the attention of all Europe, and kindling the enthusiasm of the German youth. It was well enough to regret that this was sowing many a dangerous error in German soil; but of what good were these regrets? Even the warmest of German patriots would not deny that the French *Charte* provided a better constitution than the German Act of Confederation; and that the

debates in the Chambers at Paris afforded more attractive reading than the minutes of the Confederate Diet, the publication of which, by the way, Metternich had stopped in 1824, on account of their inanity.

Every flaming speech which Foy or Manuel hurled against the feudalist or clerical Ultras in France, was greeted with genuine delight; the cutting words were applicable to that very political wisdom which Metternich and his admirers in Berlin were following with ostentatious devotion: and the people were wholly carried away with enthusiasm for the great George Canning, when he challenged the reactionary Powers with that proud declaration, that England was destined to be the champion of national freedom, and to hold in her hands the wind-bags of Æolus, ready, when she thought best, to let loose the storm of revolution upon her enemies. Such enthusiasm over the attacks made by foreign Powers upon the leading States of the Confederation put the decay of patriotism at home in a melancholy light; yet how could it be otherwise, after the long war of extermination waged by Metternich and his associates against German nationalism? They had succeeded by their statecraft in making the German people again at once individualistic and cosmopolitan.

One thing more is needed to complete the picture of those troublous times. That is the fact that all this Liberal zeal, all this worship of Canning, all this resentment against reaction called forth in the widest circles a radically pessimistic frame of mind, but no

ambition to take part in any positive political movement. People read the newspapers, got angry at the English Tories, rejoiced over the defeat of the Turkish armies, and of the Austrian diplomacy in 1829, clenched their fists against Polignac, talked over everything with their intimate friends, and then went to business or to bed.

It was not only the pressure of the police and of the literary censorship which made the people so quiet and peaceable. The great mass of the nation had just begun to rise again out of the poverty and the distress occasioned by the war, to a tolerable condition of comfort. The anxiety about their daily bread weighed more heavily upon most of them than any worriment about political and national affairs; and even in the South German Chambers a discussion about commercial interests found much more attentive hearers than a complaint about the censorship or political procedures. Under such conditions each Government could with a little skill gain the control of its Chambers. It is true that the Liberal Opposition held their banners erect; but everywhere they could not show such successes as in the first few fortunate years after their establishment. So much the more reason had they to complain of the indifference of their fellow-citizens, to which was added the fact, that their more excitable leaders grew continually more radical in judgment and more violently opposed to the existing condition of things. But these did not succeed in gaining any remarkable influence; so far as one could see, there lay a profound political calm over all Germany.

CHAPTER V.

INFLUENCE OF THE REVOLUTION OF 1830.

THE Revolution at Paris in July, 1830, caused great excitement in Germany, which, as we have seen, was outwardly so calm and inwardly so full of discontent. At first it was feared that the victorious French democracy would overflow the national boundaries; and, even after the accession of the peaceable Louis Philippe, many were for a long time anxious lest the Radical party, led by Lafayette, should draw the French Government into a revolutionary war-policy. In fact, the disposition of the nations far and wide seemed to favor such tendencies. In September, the Dutch rule in Belgium was broken; in November, the war of independence in Poland against the Emperor Nicholas began; and in the following February, the insurrection in the central portions of Italy broke out. So that, set on fire from all sides by the flames of revolution, the political atmosphere in Germany began at many places to approach the ignition point.

Petty tumults among the populace in some Prussian cities along the Rhine, which, however, were suppressed by the police and the citizens, opened the ball. Then the Confederate Diet was frightened by the excesses in its immediate vicinity, among the peasants of Hesse-Cassel, who tore down the custom-houses and drove out

the hated officials of the mediatised Isenburg. The Diet sent against them troops from the nearest small States, who found on their arrival very little to do, since the villages that had been disturbed by the mobs had, in many cases, of themselves arrested the ring-leaders.

The events in Brunswick were of a more serious nature. Duke Charles, one of the most worthless princes of the age, was stoned while returning from the theatre, but made good his escape out of the country; the riot continued and his palace was set on fire by the mob. But when his brother William then took the reins of government and promised to combine with the existing Chamber of Deputies a new constitution, peace was completely re-established throughout the whole country.

The neighboring kingdom of Hanover became alarmed at an uprising among the Göttingen students, which, however, ended peaceably upon the arrival of a small company of troops; but which nevertheless induced the King to summon the Chamber of Deputies, in order to plan out a new constitution after the modern fashion.

In the kingdom of Saxony the riots began in Dresden and Leipzig. The citizens of both cities armed themselves and suppressed the excesses of the common people, and then took the formation of a liberal constitution into their own hands. Thereupon, the old King surrendered the government into the hands of his successor as co-regent; and the latter hastened to

promise the fulfilment of the popular demands. Some signs of fermentation were still visible in the country ; but the public peace was not again disturbed.

Things took a like course in Hesse-Cassel with a similar result ; in response to the threatening attitude of a large concourse of people in front of his palace in Cassel, the Elector William hastened to promise a new constitution, which, after hurried negotiations, was adopted on the 5th of January, 1831 ; but the Elector forsook his country in company with his mistress, whom the people had insulted, and relinquished the government to the Electoral Prince, Frederick William, as co-regent.

In South Germany the popular feelings were excited, but for the time did not express themselves in any unlawful measures. The Bavarian Chamber sharply attacked the Government on account of a severe press-law, and, much to the annoyance of King Louis, refused certain sums of money required for his art buildings.

In Baden, where the mild and moderate Grand Duke Leopold had a short time before come into power, the Liberal party gained again the majority in the second Chamber ; the negotiations were spirited, and found an echo in all German countries ; they gave the keynote to liberal public spirit for long years to come. Nevertheless, by mutual concessions, good feeling was preserved between the Government and the Chamber. At the discussion about the press-law, the Chamber decided upon perfect freedom of the Press and removal of all censorship ; and the Government, at first

with reluctance in view of the Carlsbad Decrees, finally yielded to the popular wishes. Later, however, when Karl Welcker proposed asking the Government to summon a German Parliament, which should act by the side of the Confederate Diet, the Minister emphatically declared that in this the Chamber was overstepping its rights; thereupon the majority, after a short debate, decided to lay the matter on the table. In Würtemberg, where the Parliament had no sittings, and where, under the powerful and clear-headed administration of King William, a high degree of prosperity had been developed, there was no sign of disturbance.

In view of these facts, the judgment to be passed by History upon the German movement of those years cannot be uncertain. It cannot be overlooked nor denied that, as a result of the reactionary and at the same time fruitless policy of the Confederation, discontent with existing conditions reigned almost everywhere, and that the fresh successes of the Liberals were joyfully hailed by the great majority of the people. Yet quite as unmistakably was it evident that to the mass of the population any tendency to revolutionary violence was still foreign. Their political demands were fair and moderate; and just so soon as the Governments showed a corresponding disposition to be fair in their turn, the citizens and peasants gladly assisted in preserving order, or in restoring it. The new Constitutions also bore testimony to this. Essential royal prerogatives remained the same. The especial limitation of the Sovereign Will in Hesse-Cassel did not spring from any

radical theorizing, but simply from a too well founded anxiety about the personal character of the Elector, and also of his heir.

The Prussian ministers also viewed the situation in this light. Throughout the extensive dominions of the monarchy there was no trace of political commotion; even in the Rhine provinces, the most excitable of all, the increasing prosperity in industry and commerce counterbalanced the seductive influence and impressions of French Freedom close at hand. Indeed, this was very natural. Since 1815, when the State was newly put together out of a hundred fragments of fragments, the Prussian Administration had done wonderful things for many sections of country, that had either been degenerating for ages under the rule of the crozier, or were impoverished by the long distresses of war. This decade has been aptly called the classical period of Prussian bureaucracy. All branches of the public service had been successfully reconstructed; in almost every case the right man had been found for the right place; a vigorous life had grown up over the ruins of the past.

Above all, the people and the King were at one in the desire to preserve peace. Immediately after the Revolution the King of Prussia had expressed his determination in no way to meddle with French affairs: a decided contrast to the feelings of Austria and Russia, who would have been glad to see a crusade in favor of the Legitimists. And when, later, in the course of developments in Belgium, the danger of a French

attack seemed imminent, Prussia was strenuously urged by representatives of the South German Courts at Berlin to take the lead in measures to ward off the threatened common danger.

Bavaria and Würtemberg armed with zeal. The remaining States of the 8th Confederate Corps proposed to give the command of the corps to the King of Würtemberg; they hoped in a few months to place one hundred thousand men in the field, a number far beyond the required Confederate contingent. They did not, however, wish to be in any way dependent on the Confederate Diet, nor to have a Confederate commander-in-chief appointed. Austria, too, they regarded with nothing but distrust. They believed that she was poorly equipped, and yet wished to involve Germany in a French war, in order to prevent the French from making an attack on Italy. King Louis of Bavaria was especially embittered against Austria, and used all his influence at Berlin to bring about the formation of a league independent of the Confederacy, with the object of supplying a common system of military operations.

At this time a hopeful and agreeable prospect opened before the minister, Count Bernstorff. Herr von Motz, the cleverest of Prussian statesmen, who had after endless pains covered the deficit in the budget, succeeded at last also in bringing into full fruition the seed sown by the tariff-law of 1818. In 1828, Hesse-Darmstadt concluded a tariff-league with Prussia; and in 1829, a commercial treaty with Bavaria and Würtemberg followed, confessedly to serve as the preliminary

of a complete tariff-union. If this succeeded, then there was no doubt but that Baden, Hesse-Cassel, Thuringia, and Saxony would very soon feel forced to follow their example — as, in fact, they did within a few years — and then the whole of Germany outside of Austria would be united, with the exception of the small States along the coast, into one large commercial territory, a unit among themselves and all alike closed to outsiders, under the leadership of Prussia, and independent of the Confederate Diet.

Then, in 1830, there reached Berlin that demand of South Germany for Prussian protection along the Upper Rhine and for a common military system, likewise independent of the Confederate Diet and its impotent military organization, but, most of all, independent of Austria with its unreliable support. It is true that the South Germans talked at first only about preparatory measures in view of the immediate danger of war. But would it have been only an empty chimæra to think of improving the opportunity, and of granting the desired protection against the present danger only on the condition of establishing a permanent military organization? The Tariff-Union offered an example; indeed, its results pointed directly along this line. Then there would have been formed within the broader Confederation with Austria and her dependencies a closer Prussian Confederation, founded upon vital national interests and adapted to develop these successfully and fruitfully: the first step towards a truly national German Empire.

These thoughts Count Bernstorff laid before the King in two memorials,¹ at the same time that he directed that Metternich's propositions for taking new measures against the revolution should be answered by a speech of the Prussian delegate to the Confederate Diet, to the effect that the best measure to be employed against the spirit of revolution was the abolition of those abuses of which so many German Courts were guilty. There was a ring to this, clearer than had as yet sounded in the Halls of the Diet.

It is very evident that in treading this path an extreme bitterness on the part of Austria was to be encountered. But it was also very certain that, in the actual condition of Europe, Austria could not give vent to this feeling, but rather needed the assistance of Prussia, and must accept her conditions. Therefore it was necessary for the Prussian Government, as quickly as possible, before the danger of a war and the consequent pliability of the South German States should disappear, to come to some understanding with them, and, thus strengthened, to offer Austria the doubly valuable alliance of Prussia.

Thus everything depended on the quick decision and courage of the Prussian Cabinet; but, unfortunately, among all the excellent qualities of Frederick William just this one was wanting, the self-confidence which prompts a quick decision. He hesitated, and questioned seriously whether it would be honorable, and whether it would not be eminently dangerous to treat with the

¹ Cf. the documents published in Portfolio I. 7 ff., and those published by Droysen (Abhandlungen I. 55, 66, 80, 86).

South German States behind Austria's back. In December, 1830, he had made up his mind that he must first negotiate with Austria, and not until afterwards with the Southern States.

Upon that, General von Röder went in January, 1831, to Vienna with the proposition to form, as a preparation for the possibility of war, three independent armies: one Prussian with the tenth Confederate Corps on the Lower Rhine, one Prussian and South German on the Main, and one Austrian on the Upper Rhine. Unity of operations was not to be secured by the appointment of a commander-in-chief, but, as in 1813, by the establishment of general headquarters. It will be seen that this meant the subordination of Bavaria's contingent and the three mixed Confederate Corps under Prussia's command, and utter disregard of the Confederate Military Organization. Metternich prolonged negotiations until he had succeeded in suppressing the Italian rebellion in March, 1831, without provoking a French declaration of war; encouraged by this fact, he dismissed Röder with the announcement that not three, but two armies should be formed: one Austrian, with the addition of the seventh and eighth Confederate Corps, and one Prussian, in connection with the ninth and tenth; above all, the rules of the Confederate Military Organization should be universally binding; and, although the appointment of a commander-in-chief might be postponed for the present, it would later be indispensable.

The question was, how the Prussian monarch would

receive this flat rejection of his propositions. Metternich's hope, not simply of quieting him, but even of gaining him over, rested again upon the paltry, though formerly successful scheme of conjuring up the Red Spectre. He sent by Röder a letter to the King, dated April 2, in which he pictured in mysterious phrases the enormity of the social evil, and represented the close co-operation of the two Powers as the last and only means of salvation. There were no longer any riots or disturbances in Germany; but it was sufficient for his purpose that a few South German newspapers contained Radical articles, and that now also four North German States were in a fair way to have constitutional Chambers. If he found Prussia well disposed, he thought he might finally carry out his designs, which had been frustrated at Carlsbad, and subject not only the Press and the schools, but also the political suffrage of the people, to the supervision of the Confederate police.

The King hesitated for several months. Finally, the important decision was made in August, during his customary stay at the watering-place Teplitz, on the same ground where, twelve years before, he had given his consent to the projected *coup d'état* at Carlsbad. The King had this time at his side neither Bernstorff nor his influential friend, the General-Adjutant von Witzleben, but Prince Wittgenstein, who was decidedly reactionary, and inclined to favor Austria. To this must be added the energetic influence of the Czar Nicholas, who, to be sure, personally hated Metternich,

but who, being just on the point of giving the death-blow to the Polish Revolution, applauded every counter-revolutionary movement. The German Liberals, on the contrary, gave on every occasion their hearty admiration and sympathy to the Polish cause, and thereby drew upon themselves, in the eyes of the Monarch, still stronger suspicions of entertaining revolutionary sentiments.

So that the King, immediately after his return from Teplitz, declared that he fully agreed with the note of Metternich dated September 15th, in which the two following principles were laid down: that in European matters Russia, Austria, and Prussia should hold together; and Austria and Prussia in the suppression of revolution upon German soil. Bernstorff, who had been ill for a long time, soon after this sent in his resignation; his successor, Ancillon, who had already from time to time taken his place, was formerly a fervent theologian, afterwards a weak politician, and now an unconditional adherent of Metternich.

Meanwhile the clouds of war along the European horizon had dispersed; Poland was subdued, and in regard to Belgian affairs the Powers were again agreed. Therefore, in view of the renewed prospect of long peace, Metternich made to the Prussian Court the now harmless concession that, in case of war, Röder's plans should be carried out, and promised to join Prussia at the Diet in advocating a practical reform of the Confederate Military Organization. It is unnecessary to say that this promise remained unfulfilled in every

particular. Certain it is, however, that this removed every difference between the two Powers. Prussia, purified from the heretical idea of a more limited Confederacy, had returned to the basis of the great Confederate Act. The contest with the supposed Revolution might now begin.

At the outset, the Diet passed a resolution forbidding the circulation of petitions for political purposes; this was to refer to numerous memorials in favor of the Polish fugitives and emigrants. Then the Confederate Commission for the Control of the Press, which was first appointed in 1819, but which had since become a dead letter, was again called into life, and through its instrumentality a number of Radical newspapers in Baden and Bavaria were immediately suppressed in the name of the Confederation. The publishers and writers, who were thus disarmed, then hit upon a new method of agitation. They began, especially in the Bavarian Palatinate, in Lower Franconia, and in Upper Hesse, to instigate popular meetings at which high-sounding speeches against royal tyranny were delivered, and occasionally a *vivat* shouted for the Republic.

This spread, in the spring of 1832, from place to place. The speeches grew more fiery and the audiences larger, until King Louis, who was already very discontented with his Chambers, began to be worried and angry at these noisy doings. Meanwhile, on the 27th of May, the anniversary of the adoption of the Bavarian Constitution, a large meeting was arranged in the Palatinate and was under these auspices officially

sanctioned by the local police. From all parts of the country the people streamed in thousands to the slopes of the Schlossberg at Hambach; German and Prussian banners were unfurled amid loud flourishes of music, and the orators of the day celebrated approaching Liberty, German Unity, and the Fraternization of all free nations. Boisterous huzzas followed, spirited songs were sung, many a bottle of the good wine of the Palatinate was emptied, and then, after such brave deeds, the people dispersed and went home in high spirits. A few days later, Prince Wrede, famous for his defeat at Hanau, appeared, having been sent from Munich with four thousand soldiers to curb the raging revolution; but he was not able to find any sign of a revolution anywhere in the peaceable Palatinate.

Yet this day was to have very significant consequences. Hitherto, Bavaria and some of the Petty States had had misgivings in the Confederate Diet about too vigorous measures; but as in 1819 the assassination of Kotzebue, so in 1832 the festival at Hambach (though here only the blood of the grape was spilled), served Metternich as a pretext for spreading his reactionary fears. On the 28th of June and the 5th of July a set of Confederate Laws appeared, quite after the fashion of those drawn up at Carlsbad, which were especially directed to limiting the privileges of the Estates in the individual States; an especial Confederate Commission was appointed for five years to carry out these laws; whenever the Estates refused to pay the imposts necessary for the carrying on of the

administration, the Confederation was to interfere, even without waiting for action on the part of the Government concerned; decrees of the Confederation were not to be subject to the criticism of the Estates; the fulfilment of no obligation of any State toward the Confederation was to be hindered by the legislation of that State. Then followed the prohibition of popular assemblies, of tricolor banners and cockades, of political societies, and of revolutionary songs. In short, Metternich had caused an important step to be taken in the development of the Confederate police system, and had made it possible, by controlling the speeches and doings of the individual States, to subject to its guardianship every phase of internal politics.

The successes of the Austrian Court did not stop here. The hot-headed leaders of the Radical party contributed their share toward strengthening the Austrian system. Ever since 1819, Metternich had talked about the monstrous conspiracy which was supposed to pervade all Germany; to be sure, no one had as yet been able to detect it anywhere, any more than Wrede had discovered a revolution in the Palatinate. But now it showed itself; there was a genuine conspiracy. Dr. Wirth, *Privatdocent* Rauschenplatt, and Lieutenant Koseritz, with several others of similar disposition, had formed a dark conspiracy against no less a personage than the high and mighty Confederate Diet. The honorable Assembly was to be surprised and captured or blown up, and then on the spot the German Revolution was to be proclaimed. They counted on the

breaking out of a mutiny among the Würtemberg troops, on seditions among the peasants of Hesse-Cassel, and on the sympathy of the Frankfort populace; they expected also accessions of Polish refugees from France and discontented artisans from Switzerland.

On the 3d of April, 1833, this tempest burst upon the capital of the Confederacy. The Revolutionary army, fifty-one men strong, stormed the main guard-house; but before the insurgents could seize the Confederate Assembly, they were scattered by the Frankfort battalion. The citizens of Frankfort looked on with surprise and coolness. Eighty peasants, as they approached, were refused entrance into the city. The Poles did not appear on the scene at all.

Here at last, indeed, a conspiracy had come to light; and although outside of these one hundred and thirty criminals, the whole German nation was living in profound peace, it seemed to the Imperial and Royal Courts obviously necessary, not only to imprison the conspirators, but to set to work to save Europe. The ministers of Russia, Austria, and Prussia met in Teplitz, as soon afterwards also the two Emperors and the Prussian Crown Prince in Münchengrätz, and pledged mutual assistance in putting down all rebellion, especially every Polish insurrection.

The following year, Metternich convened the ministers of all the German States in Vienna, in order to work out in detail and complete the Confederate Decrees of 1819 and 1832. The results of this conference were noted down in a secret record and all

the Governments bound themselves to follow exactly the directions contained therein, even if they were not consistent with the existing laws or constitutions of their States. After that, there was nothing more to be desired, from Metternich's point of view, in the way of German unity and imperial government, at least as this was represented and exercised by the Confederate Diet.

The majority of the German Governments confessed in their own hearts that a hazardous game was being played. Most of them, too, eagerly tried to conceal from their subjects the limitations put upon their political rights, by fostering especially their material interests. In this connection they favored nothing more than the development of the Tariff-Union, which had now reached a fruitful state of prosperity, and which at the same time bound together more and more closely in economical relations all Germany outside of Austria. So that the German countries, with but few exceptions, enjoyed the benefits of a prudent and successful administration, as at scarcely any former period. This has already been mentioned with regard to Prussia and Würtemberg.

In Hanover, under the new constitution of 1833, the creation of Dahlmann, there was a thorough remodeling of the State finances, and an active interest was manifested in the entire system of education.

Under the excellent leadership of the Minister, Von Lindenau, the new Saxon chambers worked with zealous industry upon a reformation of all central and local magistracies. Many long-standing evils were done

away with, and it was not seldom that the Government proved itself more liberal and public-spirited than even the popular assemblies.

King Louis of Bavaria had remained, to be sure, since 1831, fixed in his conservative reaction from his former liberal ideas; but he was busily occupied in furthering the development of the fine arts at Munich, engaged Friedrich Thiersch in a successful reform of the Gymnasia, and was eagerly intent upon an improvement in the systems of agriculture and of manufactures, if indeed with less marked success than was achieved in Würtemberg.¹

In Baden, the Minister, Winter, was a rough, coarse-grained character, of unimpeachable integrity, of firm and indomitable will, of practical and straightforward sentiments. He gained for himself a lasting memorial; for he knew how, by quiet resistance to the influences of the Confederate Diet, to strengthen the constitutional idea by legislative reforms, and to satisfy pressing needs by national improvements.² Characteristic of the standpoint of Liberalism at that time was the exclamation of Welcker upon Winter's appointment as Minister: It is a blessing for the country, but a hard blow for the Opposition. The Diet had brought matters to such a pass that to be a Liberal and to belong to the Opposition, no matter under what ministry, went hand in hand.

Quite different from Winter's position was that held in the neighboring Darmstadt by the Minister, Du

¹ Heigel, Ludwig I., p. 170.

² Hausser, Badische Revolution, p. 19.

Thil, and his confidential counsellor, Eckhardt; both of them were clear-headed, energetic men, filled with the ambition of furthering the public welfare in every direction, but always in keeping with their motto: Everything *for* the people, but not *by* the people. They were for a long time involved in a struggle with the Chamber, but finally accomplished their purposes; and the little country did not fare any the worse in consequence. They built roads, improved the schools, sustained an exemplary system of forestry, and with remarkable tact assisted in the development of trade and of industry.

All this does not mean an ideal condition of things. The weaknesses inherent in every bureaucratic constitution appeared during the long years of peace at this period often enough, in spite of all activity and prudence. There was the same continuance in old, worn-out ruts, the same blindness to the real needs of practical life, the same exaggeration of legal forms, and the same absence of social intercourse between rulers and subjects, between the officials and the people, not only in the smaller States but quite as much so in Prussia. An often unnecessary tone of superiority was considered indispensable for the maintenance of authority; and especially the police, spurred on by the uneasiness and anxieties of the highest officials, conducted themselves in such a domineering, suspicious, and petty fashion, that the prevalent discontent was not for a moment allowed to subside.

For, in spite of all the good features which we have

just enumerated, the indignation at the laws of exemption of 1832 continually increased and spread through all classes of the population. To be sure, the outward quiet was no longer at any point disturbed; the newspapers lay in the fetters of the censorship, and the new Baden press-law was repealed by the Grand Duke in obedience to a command from the Diet. In the Chambers the Liberal party lost again its majority and kept itself carefully on the defensive, in order not to provoke the Confederation to further measures of violence.

But the dissatisfaction sank only so much the deeper into their hearts. Many thousands, who in 1830, at the riots in Cassel and Dresden, had helped to prevent the excesses of the mob, or who had harmlessly shouted at the Hambacher festival, now vowed that, if there should be another outbreak, they, too, would have an active hand in it. In view of the reaction, nine-tenths of the German citizens were filled with democratic ideas: the more moderate with enthusiasm for a parliamentary State, where the vote of the popular representatives can turn ministers out of office, as well as put them in; and the hot-headed, with visions of an ideal republic where both the legislative and the judicial functions should be controlled freely and ultimately by the will of the whole people.

Experience had not yet taught them that for every large institution some powerful factor is necessary, which by its fixedness shall be the representative of stability in politics; and that no other form of government offers such advantages in this way as an hereditary

monarchy. Nor did they, naturally enough, at that time understand clearly that the parliamentary government in England could maintain its sure and prosperous career only in virtue of the fact that the representation of the people as well as the administration itself was guided by two firmly-established and politically-disciplined groups of nobility, which took turns in the ministry without any interruption of business. They left entirely out of consideration the fact, very decisive in the critical examination of Democracy, that the stability of the North American government rests entirely upon the President's practical independence of Congress. Their conceptions, too, in regard to the fascinating picture of democratic equality were but little developed. Only a few clearly comprehended that the demand for equal rights is noble and proper, if this means equality in the right of protection and of recognition in the courts, or, in a word, equality before the law; but that it runs into just the opposite when it comes to signify the desire of equal enjoyment and equal influence, without regard to the productive power of the individual, and so starts on the inclined plane that leads to communistic violence.

It was now seen that the belief was absurd, that the censorship of newspapers and small pamphlets could put a stop to the spread of such ideas. The riflemen had been taken prisoners, but the heavy artillery continued to do its work. The books of more than twenty sheets (which were free from the censorship) passed from hand to hand. Whoever wanted political

information found the answer to every question in Rotteck and Welcker's *Staatslexicon*, based on the French theories, which alone could save; and the entire radically-minded public learned from Schlosser's "History of the Eighteenth Century," that the doings of princes, statesmen, and diplomats were in consequence of their position necessarily immoral, and unworthy of the respect of upright citizens. And no less groundless in the present state of feeling, proved the hope that the political fermentation could be quieted by improvements in the material condition of the people. Though it was true that the social wretchedness of the masses rendered possible the French Revolution of 1789, it was the continued prosperity and self-contentedness of the German citizens that made them feel so much the more an unwillingness to be robbed of the choicest blessings of freedom by the reactionary politics of the Confederate Diet.

But this was not enough. It is well known that the German, although by no means phlegmatic in political discussions, is stirred to the bottom of his heart only by religious struggles; and just now there arose in this department of thought two mighty movements of equal strength, but of opposite tendencies. The peace, which had hitherto prevailed in the Evangelical Church under the influence of Schleiermacher's theory of the harmony between Faith and Knowledge, was suddenly disturbed in 1835 by David Strauss's "Life of Jesus," and by the works which followed soon after, of Christian Baur and other representatives of the

Tübingen School. They undertook to prove that, with few exceptions, the New Testament writings were not historical works, but a collection of dogmatic theorizings which had been one hundred and fifty years in the process of crystallization. So that the basis of Christian orthodoxy was not allowed to be historical authority; but the truth of Christian dogmas was made to depend solely on their internal worth and upon the "witness of the Spirit and of Power." It will be seen at once to what extent, from this point of view, in all religious life the objective authority of the Church must be replaced by the subjective judgment of each individual. The excitement was intense, the flood of writings on both sides almost endless, and the sympathies, at least of all the educated classes, were aroused to the highest pitch. Very soon the struggle passed from historical to philosophical grounds; whereas until then the Hegelian system had been without question looked upon as conservative in political and ecclesiastical matters, a group of his disciples now asserted that the strict carrying out of his principles must inevitably lead to pure atheism, and to the unlimited sovereignty of human reason.

The unusual activity of the Catholic Church, which manifested itself at that time, strove for ends exactly the opposite of these. Its persecution during the French Revolution and its oppression by the first Napoleon had turned toward it the sympathies of all its fellow-sufferers, and in the distressing years of war millions of people had again learned to seek consolation

in religion; so that, by reason of the consciousness of the advantages of this position, the tendency arose both in France and in Italy to bring about again the old power of the Church and of the Pope over sinning humanity.

As Gregory VII. had once declared that the authority of the State over the outward ordinances of the Church, which had then been exercised and recognized during the preceding four hundred years, was a sin against the commands of God, so now a zealous party, urged on chiefly by the Society of Jesus, promulgated a similar doctrine, quite indifferent to the fact that in all the States of Europe these very rights of supervision and authority had long ago been reasserted in greater or less measure, and everywhere had been acknowledged, or at least permitted, by the Curia. Upon its banners this party bore as a device: "Freedom for the Church" — for that very Church that had always refused to recognize the principle of religious freedom, that had raised the compulsory acceptance of its faith to one of its most important precepts, and that had imposed upon the laity unconditional allegiance to the dogmas of the clerical hierarchy. There could not but follow a struggle with the civil authorities.

In Prussia this showed itself first in the matter of instruction in the theological faculties of the Universities, and in the matter of intermarriage. After long negotiations, in 1837 it came to an open quarrel, and the Government had the Archbishop of Cologne brought under arrest to Minden for having been false to his

word, and the Archbishop of Posen, who had been behaving in a similar manner, deposed by a sentence of the courts. The Chapter of the Cologne Cathedral and the Prince-Bishop of Breslau took sides with the Government; but among the Poles, as well as along the Rhine, the people were in a violent state of excitement. In Munich, the zealous clerical, Herr von Abel, who had lately become Prime Minister, allowed free course to the Ultramontane newspapers in their attacks upon Prussia; and on this occasion even Metternich, who had just permitted the Jesuits to come into Austria, from which they had always been prohibited by the Emperor Francis, made no protest against a degree of liberty on the part of the Press that was directly contrary to the decrees of the Confederate Diet.

Thus in all the German countries there arose a kaleidoscopic confusion of sentiments and opinions. The entire condition of things, as it had existed hitherto, was subjected without any material opposition to a bold criticism. Thereupon, in 1837, an event occurred which gave direction to political agitation for the next decade and determined a fixed and common aim for all parties: the overthrow of the Constitution in Hanover by the new King Ernest Augustus. Undertaken under false pretences, but chiefly due to a desire on the part of the king to obtain unlimited personal control over the public revenues, the overthrow of the Constitution stood in alarming contradiction to the laws of the land, as well as to the Final Act of the Congress of Vienna. The displeasure of all Germany showed

itself openly, when by a fresh act of violence the King abruptly dismissed seven Göttingen Professors, who, following the example of Dahlmann, were determined to remain faithful to their oaths of allegiance to the Constitution. Three of these he banished from the country. All German popular assemblies, universities, and courts of arbitration vied with each other in giving expression to the public indignation in the sharpest of resolutions and memorials. The written vindications of Dahlmann and Jacob Grimm had the widest circulation. A large society formed for the support of the proscribed Professors gained many members in all the German cities. On the other hand, in Hanover itself the belligerent ardor of the sober-minded Low-Saxon population, after the first outburst of resentment, was neither hot nor active, although an appeal was made by the Estates to the Confederate Diet.

Here the vote was divided. Most of the constitutional Governments wished to support the Estates ; but Metternich spoke strongly in favor of the King, whom he personally esteemed ; and in Berlin, although Frederick William was annoyed at the behavior of this newly crowned trouble-maker, yet he considered in a patriarchal way that he must prevent his brother-in-law from being too seriously compromised. The result was a decision, passed by eight votes against eight of the Opposition (among the former was that of the accused Government), to the effect that, under the present circumstances, the Confederation had no cause and therefore no right to interfere ; in consequence of

which, the people of Hanover were obliged to submit to the will of the King, and a new constitution was adopted, fashioned according to the demands of Ernest Augustus.

We have already shown how the Liberal party, after the Carlsbad Decrees, reverted to the support of Individualism, in so far that they objected to any further intervention on the part of the Central Organization, and sought the remedy for existing evils in strengthening as much as possible the constitutions of the individual States. Now, however, the events in Hanover showed, in a glaring light, upon what a loose foundation the provincial constitutions rested; for all the efforts of the constitutional States in opposing this open breach of faith were fruitless. It was evident, that so long as the present Confederate Constitution was not radically altered, no German State, or indeed, no German citizen, was secure from violence. Hence the watchword for the Liberal party in all the German States became: by the union of their forces to attain this one object, a change in the Confederate Constitution, and in close alliance to strive together for the overthrow of the Confederate Diet and for the creation of a new central power, which should be at once liberal and national.

CHAPTER VI.

FREDERICK WILLIAM IV.

UP to this time the Prussian people, in general, had taken little part in the public movements of the other German races. The time came, however, when they too were to be drawn into the most violent of these whirlpools.

On the 7th of June, 1840, King Frederick William III. died, in a good old age, after a reign of forty-three years. However discontented those of Liberal tendencies had become at the delay in the establishment of a representative constitution, however little pleased the feudal party was at the final shape taken by the provincial Estates, it is certainly true that the King's sense of honor and of justice had always secured for him, in increasing measure, the respect and good-will of his subjects. His people were thankful to him for preserving to his country during twenty-five years a prosperous peace; and if, sometimes, they found him hesitating and always looking more to sure than to extensive results, yet every one knew that his slowness in action was due to an almost over-anxious conscientiousness; no one doubted that his whole administration had been carried on with righteous motives and in the fear of God. He won the hearts of his people by being sparing of his words, modest in his appearance,

and indisposed to any display or show. During the last years of his life, all parties understood, as a matter of course, that the peaceful old age of the revered monarch should not be disturbed: and, however many hopes were built upon the approaching change of rulers, yet, when the solemn hour came, a feeling of genuine mourning pervaded the whole land.

Not only did the people no longer feel any reason then for restraining their political aspirations, but the King, Frederick William IV., who now came to the throne, was also disposed in every way to bring life and activity into everything that he took hold of. Even as a boy, he manifested a marked self-consciousness and a firm will; he was highly endowed with talents and tastes of the greatest variety, which had from his earliest years been directed by his tutors along religious, æsthetic, and intellectual lines. As he grew up, he showed himself to be well-informed and of good taste, possessing a brilliant mind and versatile talents, at the same time thoroughly upright, sympathetic, and even emotional: always enthusiastic over every noble and worthy undertaking, and filled with a trusting confidence in God and in his fellow-men. Whenever he was once persuaded of a thing, he stood immovable in his convictions. If it was necessary to push operations, he was apt to recoil from a bold attack upon the obstacles to be surmounted, and seemed for the moment almost to give way; but he remained firm in his own mind, and at the first opportunity took up again the thwarted attempt. The force of his will showed itself rather

passively than actively; he was more for holding on than for pushing ahead; his actions were always characterized less by practical sense than by warm-heartedness and adherence to general principles.

Most striking was the comparative absence of military genius in this son of the House of Hohenzollern. To be sure, he was fond of emphasizing the fact that he was every whit an officer, — and a Prussian officer; but his personal appearance, to start with, would hardly corroborate this statement — he was corpulent even in early life, beardless, and of a somewhat shambling gait — and his generals complained that at reviews and parades he performed his duties as Commander-in-Chief in a hurried and superficial manner, manifestly without any love for the business. In general, too, he did not care much for athletic exercises. An old cavalry colonel used to say that the King had too much nerve and too little muscle. On the other hand, his heart overflowed whenever he sat down to sketch, as indeed he could with a master hand, lovely landscapes, or outlines of romantic edifices, or when he listened to the contrapuntal fugues of old church music.

He was, furthermore, a man of fascinating amiability, and bound to himself the greatest geniuses of the age by an irresistible charm. Peter Cornelius used often to say that he never could speak of the King without tears of thankful emotion. Rauch was continually astonished at the exactness and justness with which the King, in spite of his short-sightedness, could criticise the outlines of a piece of sculpture; he never

had seen anything like it. Leopold Ranke once said of him to Maximilian, King of Bavaria, in the presence of a company of famous men: "He is my teacher, he is your teacher, he is the teacher of us all." Alexander von Humboldt, whose evil tongue at times did not spare even the King, yet considered that day incomplete in which he had not enjoyed his society. More than all, the King's confidential advisers in his political and ecclesiastical plans, the Gerlachs, Bunsens, and Radowitzes, stood, until the end of their lives, completely under the charm of his personal influence. Among such friends the richness of his imagination and the flow of his ideas seemed inexhaustible. He was a master of language, in earnest and in jest, in pathos and in humor, and always found the fitting, nay, even brilliant expression for every one of his political, æsthetic, and religious reflections. To many people that ease was astounding, with which he descended (in the sudden change of mood that marked him as a true child of Berlin) from the highest realms of inspiration to the plane of a current joke, which he appreciated with equal cleverness. The versatility of his nature was truly boundless, open as it was to every passing impression.

Yet, however variedly this peculiar mind shone externally, its inner kernel was, from the very first years of manhood, firmly and unalterably fixed by the events of the times. Fleeing, as a boy, into the remotest corners of the country before the Giant of the French Revolution, he early imbibed a dread of revolu-

tions, and a hatred of France that lasted during his whole life. Like so many of his contemporaries, he too, in the midst of his present distress, turned his gaze backward upon the more illustrious past, upon the mighty emperors, the august prelates, the knightly princes and lords, before whose valor the half of Europe had once trembled.

When then, in 1813, the offensive and defensive alliance between Austria and Prussia led the German troops to victory and all the German States into the new union, his decision was formed, to grasp the brotherly hand of Austria for all time, and under all circumstances loyally and unselfishly to do his part toward reviving the glory and the majesty of the Holy Empire. We may assume without question, that he at that time followed with the fullest sympathy Stein's and Hardenberg's plans in the matter of a German constitution: that is to say, the propositions which would have given Austria the first rank of honor, and Prussia the place next in importance, which would have made the heads of the provinces (*Kreise*) commanders in the army and rulers of the Empire, and would have formed the remaining princes and heads of ruling Houses into a brilliant Imperial assembly. This would be, then, a state in which there should be several degrees of official authority, so arranged that each official should preserve in his own sphere of action the full sanctity of a heaven-ordained prince.

Frederick William attached the greatest possible importance to this sanctity of rulers, and this principle

formed the pith and central idea of all his moral and political opinions. It was the same doctrine with which Count de Maistre once opposed revolutionary notions of government, namely: that God is the foundation of all states and governments; that He accomplishes without exception the creation of the State in such a way, that He endows some single individual and his family with the gift of ruling; that as the palm-tree rises into the air high above the low shrubs which cluster about it, so such a family is surrounded by its subordinate companions; that such a God-ordained sovereign may then grant to his subjects certain individual rights, which, originating in this way, prove a lasting blessing, but which, being extorted arbitrarily by the subjects, destroy both themselves and the State; and that God then sets by the side of these mighty royal families, a number of smaller, but in like manner distinguished Houses, who determine the spread and development of the political system throughout the whole nation.

Frederick William, whose heart revolted from every form of despotic arbitrariness, felt very much inclined to grant to all his subjects these "individual rights," as well as to allow the "lesser ruling families," the noble lords, to enjoy princely authority in their own dominions; at the same time he considered it his first duty under all circumstances to assure for himself and his family their recognized supremacy over the rest of humanity. Above all, the royal crown seemed to him surrounded by a mystic radiance, which became for

him who wore it the source of a divine inspiration not vouchsafed to other mortals. He said once, in 1844, to Bunsen: "You all mean well by me, and are very skilful in executing plans; but there are certain things that no one but a king can know, which I myself did not know when I was Crown Prince, and have perceived only since I became King."¹ It is readily seen how very well these ideas agreed, on the one hand, with his reverence for the Holy Roman Empire, and, on the other hand, with the fundamental principles of the old feudal party of Prussia.

The religious convictions of the King gave these ideas their final sanction. Deeply impressed with the indispensableness and the exaltedness of the Means of Grace provided by the Christian Church, he felt a strong desire to secure for its ministers a worthy and independent position, and to deliver them from the troublesome interference of secular authorities. He was ready, for the sake of carrying this out, to give up, for his part, the office of Supreme Bishop. "I long for the time," he said, "when I can lay down this office in the hands of one who has been called to it." With this idea, he hastened to end the strife with the Vatican by completely yielding the point under discussion, in return for certain concessions in personal questions; and the thought was ever present in his mind of reviving the dignity of the Bishop's office even in the Evangelical Church, not only as an honorary title, but invested with full official power. Then he intended

¹ Preusz. Jahrbücher, IV., Vol. 63, p. 523.

to abstain from taking any part in the government of the Church, in order so much the more effectually, as its protector, to guard it from any attack of heretical or anti-Christian factions.

Taking everything into account, one can define his position by saying, that he held unconditionally to the God-ordained absolute sovereignty of the King in matters of state: although he was determined to limit this materially in favor of independent ecclesiastical officers, of a nobility with local power, and of the personal rights of the citizens. He hated the uniform, strongly centralized system of the bureaucracy, which was fast becoming popular, and considered it a dead form constructed after an artificial model, which excluded every chance of interesting variety, and rendered impossible the desirable personal co-operation of the King.

These prejudices he continued to hold in an age in which a large majority of the people demanded impatiently a share in public matters, and in which the leading writers took a sceptical and critical position towards every traditional authority in Church and State. These men, moreover, wished to see a limitation put upon the absolute power of the Government in favor of more general freedom, certainly not for the sake of increasing the privileges of an aristocracy or of a hierarchy. In the presence of the spirit of these times, the King stood like the son of a past age, the citizen of another world, the speaker of a foreign tongue. This fact was of greater weight, since Frederick William, as the result of his individual and royal self-consciousness,

carried on a decidedly personal government; he held his Ministers in strict subjection to his own will, and allowed his other confidential advisers only so much influence as was consistent with the assurance that all their movements would be entirely in conformity with his own views. It may be truly said, that the whole responsibility of every important act that took place during his reign falls, in the judgment of history, to him, and to him alone.

It is true that in a certain foreign complication, which reached its crisis just after his accession, he found himself borne along by the sympathetic enthusiasm of the entire German nation. At the time when the existence of the Turkish Empire was threatened by the Viceroy of Egypt, the French favored the latter; but the four other Great Powers made a treaty, on the 15th of July, for the protection of the Sultan. Hereupon the Minister Thiers declared the honor of France insulted and threatened war. The French began to make mighty preparations, and the newspapers already announced to the world with noisy boasting the re-conquest of the left bank of the Rhine. This was a little too much for the awakened national sentiment of the Germans. We have already observed that just before this, a revulsion had taken place in the popular feeling, from individualism to new projects of unity. The time was past in which an English attack upon the Holy Alliance was talked about and admiring glances cast upon the freedom of the Great Nation. A cry of indignation arose throughout the length and

breadth of Germany; millions joined in the refrain of the song, —

“ Sie sollen ihn nicht haben,
Den freien deutschen Rhein.”

Even Metternich this time approved of the movement, and, strange to say, gave it the credit of being entirely free from those revolutionary sentiments, which, as he said, had unfortunately prevailed in the uprising of 1813. At his request King Frederick William sent, in October, 1849, General von Grolman and Colonel von Radowitz to Vienna to arrange necessary preparations for the common war. It was characteristic of his catholic German sentiment and of his mediæval prejudices, according to which the dignity of the title of Roman Emperor and also the sovereignty of Italy belonged to the House of Hapsburg, that he voluntarily proposed to extend the protection of the Confederation over Austria's provinces in Italy.

Metternich himself was astonished at this “epoch-making proposal:” and, in consideration of it, he for the second time approved of Prussia's plan of campaign proposed in 1832, which would place the contingents of the Lesser and Petty States under Prussia's command in the war against the French. It is true, that his approval was not given until the end of November, when the rise of the Guizot ministry in Paris put aside all thought of war, and, as in 1832, left Prussia's plan of campaign without any practical importance. A question of the King, at this time, as to whether the consideration of a reform in the Constitution of the

German Confederation would not be opportune the Chancellor at once turned aside evasively.

During these months Frederick William had been replying to the ostentatious homage of his subjects, first in Königsberg and then in Berlin, in grandiloquent speeches, oratorically sublime, but politically meaningless. Metternich used to say, that a ruler should speak little and act much. The King's talents in speech-making often beguiled him into breaking this rule, and the consequence always was, that he aroused hopes far beyond what his actual plans sanctioned, and the resulting disappointment was so much the more bitter. Thus the Provincial Estates of Königsberg supposed that they were acting quite in accordance with the King's sentiments, when they begged him to put finally in force the Law of May 22, 1815. Like a dash of cold water came his short reply, that he should be obliged to decline this proposition, but that he did contemplate some progressive changes in the privileges of the Provincial Estates. As a matter of fact, he did allow these Estates, which had hitherto met only at the call of the King, to come together definitely every two years and also to print the reports of their proceedings. By this means great activity was at once introduced into the quiet life of these assemblies; but they expressed themselves at times in a way which was very annoying to the King, and their utterances were often diametrically opposed to each other in different provinces. The Rhine Provinces, Prussia, and Posen sent urgent memorials, begging for the establishment

of royal estates and the liberty of the Press; while Brandenburg and Pomerania vigorously protested against any concessions to such destructive tendencies. These different opinions clashed so seriously, that even many thoroughly conservative ministers and generals were anxious, as to whether it would be possible for the Administration, without the support of a powerful royal parliament, to maintain the unity of the State.

There was also a financial question to be considered: the development of the railway system had already begun in Germany; and more than any other country, Prussia, with its long distances, felt the need of making use of this mighty means of communication. A loan would be necessary for the building of state-railways, while private corporations, willing to construct the roads, would require from the State a guarantee of interest, which would be quite as burdensome to the public credit as a loan. According to Hardenberg's Law of January 17, 1820, the approval of the royal estates was as necessary for the one as for the other. The King's dislike of royal estates suggested to him the expedient of having committees chosen in the different Provincial Parliaments, of inviting them to a general convention at Berlin, and of putting on them the responsibility of guaranteeing the interest. The attempt was made, but without success. The Committees recognized the need of building railways, but did not consider themselves competent to undertake to guarantee the interest.

If railways were wanted, it was necessary to choose, then, between an express suspension of the Law of 1820

and the creation of a royal parliament. In this dilemma it occurred to the King to call together for the settlement of this question all the Provincial Estates under the title of a United Provincial Diet; in future, however, to repeat this only in case of necessity, or at his own discretion; and to leave other financial matters, which had been, by the Law of 1820, referred to the hypothetical royal parliament, to the united Committees of the Provincial Parliaments, or to a delegation of the United Provincial Diet. He appointed a Commission consisting of four Ministers and one Court-Marshal to consider the matter more thoroughly, and then set off for the Rhine Provinces, where he took occasion to discuss the important question with Prince Metternich, as they were travelling together on the Rhine. He explained to Metternich that he was utterly opposed to a royal parliament and that a system of provincial assemblies was the only one suitable for his country; but that cases might occur, e.g., the acceptance of a loan, where no decision could be reached by the isolated expressions of opinion of eight independent bodies; and if, in such cases, he should call together of his own accord, for some purpose, these provincial assemblies to a short common consultation, he would not be tying his hands for the future by this precedent, the absolute supremacy of the Crown would not be impaired, nor would any question of a parliamentary constitution arise. Metternich replied: "If you do so, I am firmly convinced that, although you call together your six hundred as provincial representatives, they will return

home as royal estates." The King, however, considered that, in view of the preponderance of nobility in the Provincial Parliaments, he was sure of a conservative majority; and, moreover, thought that he was strong enough himself to prevent such encroachments in any case. Accordingly, the deliberations of the Commission about the summoning of a United Provincial Diet continued.

At this time, too, the King talked with Metternich and the Austrian delegates to the Confederate Diet about a reform in the German Confederation. In 1840, in consequence of the threatened war, he had caused important motions to be made at Frankfort concerning certain improvements in the German military system, and had so far succeeded, that in the future, mutual inspections of the contingents were held at regular intervals, whereby some of the worst sins of omission, at least, were stopped, or at any rate to some extent mitigated.

The much-vexed question of a Confederate fortress in South Germany gained also a point through his instrumentality. Austria had selected Ulm for the fortress; but the South German States demanded quite as determinedly the fortification of Rastadt; Prussia now settled the dispute by declaring that both cities should be made fortresses of the Confederation, and that she was very willing to contribute her share of the expense. This met with the approval of the Confederate Diet and Frederick William urged upon the Austrian statesmen the expediency of other undertak-

ings, which should provide for the Confederate Diet further business of common interest. They praised his plans in the highest terms, and promised that an Austrian Plenipotentiary should be sent to Berlin to confer with him about them. This was done: the grand idea was discussed in several interviews, and the Plenipotentiary was dismissed with friendly assurances. But that was the end of it all. In Vienna there was a feeling against being bound by any definite engagements.

Meanwhile the tide of sentiment in Prussia kept rising higher. The King considered that all public business was to be conducted under his direction, and yet permitted to the citizens a healthy growth of their personal rights; among these latter he reckoned the free expression of opinion, and to this end he slackened the restrictions of the Press, so far as the existing Confederate laws would allow. He was especially liberal in this regard, since he expected from public opinion a strong support in his scheme of Confederate reform. His expectations were not immediately realized. The Press directed its efforts not so much to the advocacy of a Confederate as of a Prussian constitution. The cry for a royal parliament penetrated all classes of society; some few Radical and Communistic voices were also heard; the longer the uncertainty continued, the more urgent became the public clamor.

At the same time the King's ecclesiastical projects met with opposition everywhere. The people feared lest violence should be done to their consciences; they feared the absolute sway of an intolerant orthodoxy and

the oppression by the State of all dissenting subjects. Vigorous protests, spirited literary productions in themselves, followed from the University of Königsberg, and from the magistrates of Berlin and of Breslau. In the midst of this excitement the Bishop of Treves inaugurated an exhibition of the so-called Sacred Coat of Christ, a relic of flagrant spuriousness, which nevertheless attracted millions of pious worshippers to Treves. Thereupon a Catholic priest in Silesia, one Johannes Ronge, sent an open letter to the Bishop, in which he condemned in strong terms such encouragement of stupid superstition. A certain pastor Czerski in the province Posen immediately afterwards solemnly renounced for himself and his parish all allegiance to the Catholic Church.

Some twenty other parishes followed his example, and their Council at Leipzig proclaimed the founding of a German Catholic Church with a thoroughly liberal creed. The spirit of this movement spread also among the Protestants. The Pastor Uhlich and Professor Wislicenus started a number of free societies under the name of "Friends of Light;" especially among the lower classes of the citizens and peasants these reforms were exceedingly popular, and were very zealously supported. The King, however, was filled with disgust. Doubtless he was right in his opinion, that in this case there was no revulsion from a worldly church to true religion, as in the times of Luther, but rather, on the contrary, a turning from the sacred mysteries of religion to the theories of human reason.

A negative religious movement of this kind could never lead to the establishment of a new church; therefore it was certainly unwise, instead of letting the senseless excitement spend itself, to try to restrain it by police regulations and devices, rousing for it in this way the sympathy of all liberal parties, and affording these latter, at the same time, a fruitful theme for political agitation. In Leipzig this resulted in deplorable scenes. Certain short-sighted regulations had led to the suspicion that the Saxon Government favored Jesuitical intrigues; Prince John had been unjustly suspected, and when he came to Leipzig in 1845, his residence was attacked, the troops had to be called out, and seven men were shot dead on the spot. This added fuel to the fire of the Radical party, which at this time was beginning to stir up the people with increasing audacity, and which found in the occurrence at Leipzig an apt illustration for its portrayals of the bloodthirsty German tyrants.

But the Radical party was not alone in the work of political agitation. Even in 1839 the plan had been carried out of uniting all the leaders of the Opposition in the individual Confederate States in a common attack upon the existing Confederate Constitution. Since that time, the most influential notables had convened once a year without any regard for minor party lines: the Radicals, Itzstein and Hecker, and the Moderates, Welcker, Soiron, and Bassermann of Baden, Heinrich von Gagern of Darmstadt, as prudent as he was determined, the Liberal Wippermann and the Radical

Hildebrand from Hesse-Cassel, the extreme Revolutionaries, Robert Blum of Leipzig, Count Reichenbach of Silesia, Johann Jacoby of Königsberg, beside many others of less notoriety.

At these great conventions, which were held sometimes in the Rhine Provinces, and sometimes in Leipzig, there was never any intimation of an immediate outbreak; the acquiescent attitude of the Chambers, the sympathetic tone of the Press and the current literature, the enlistment of new adherents from all quarters, and the adoption of stirring watchwords were looked upon as the evidences of the growth of the movement. Yet by no means did the Radical party abandon a special sort of revolutionary propagandism, which very soon spread beyond the German boundaries, and which made use of communistic tactics. Robert Blum's modest dwelling in Leipzig became an established headquarters and resort for Polish refugees and conspirators, who were at this time preparing a heavy blow at the Powers who had shared in the Partition; these men recognized in the German and French Republicans their natural allies, and were always ready to promote closer union among them.

In Paris, Ledru-Rollin was leader of the republican committee; L. Blanc and Proudhon, both intimately connected by correspondence with German writers, kept up the literary agitation of the social democracy; the large society called "La Marianne" was influential in these directions, among the Paris working-classes; and a large number of German artisans, employed in

Paris, were so filled with enthusiasm for the communistic philanthropists, that after their return to Germany they spread these ideas among their fellow-countrymen. German journeymen in Switzerland, too, found opportunity for similar cogitations; so much so, that the police in Baden were seriously troubled over the founding of several societies of this nature. A certain publishing-house set up by the Radicals in Herisau near Zürich, issued uninterruptedly revolutionary tracts, thousands of which were disseminated among the lower classes throughout Germany.

Tracts of the same sort were also sent over from North America, where, in several cities, societies had been formed for the same purpose by German immigrants. In these writings the business was handled very practically; to enthusiastic praises of Republicanism and fearful delineations of the German despots was added the summons to an armed revolution accompanied by drastic details of particular ends to be attained, e.g., the abolition of the nobility, the banishment of the Jews from Germany, the expulsion of all kings, dukes, and princes, the assassination of all government officials, together with exact technical instructions how to found secret societies for these purposes, how to procure money and weapons, and with what materials and on what principles barricades were to be successfully constructed. These doctrines were the more eagerly devoured by countless readers, since the hot summer of 1846 had occasioned a gloriously abundant vintage in South Germany, but had brought

to the North a bad harvest and consequent famine; so that in one section revelling, and in the other wretchedness excited the discontent of the masses. The watchword flew through the air: Things cannot remain this way. It must come to blows so soon as in Paris the old Louis Philippe shall close his eyes.

And now it seemed as if a malicious demon had collected in all corners of Europe fuel, out of which, once set on fire, now here, now there, threatening tongues of flame arose to terrify or to enrage mankind. In the beginning of 1846, the Prussian authorities in Poland discovered there a branch of the great Polish conspiracy. They arrested and brought to trial a considerable number of the members, among them the military leader, Mieroslowski, and afterwards suppressed without difficulty several small riots.

During the succeeding months, however, a rebellion broke out so much the more violently in Galicia, and in the small free city of Cracow, which had been left independent at the time of the Partition in 1815. In Galicia the Austrian Government let loose against the Polish nobility the Ruthenian peasants, who, long imbittered as they had been against their manorial lords, quickly stifled the uprising by horrible assassinations. In Cracow, the city was occupied by troops from the three neighboring Powers in common; then, in virtue of a new treaty, an end was made to her independence as a republic, by her incorporation into the Austrian monarchy. These events had a twofold effect upon Germany. At first the popular sympathy

for the Polish cause was enhanced, aroused especially by the fearful butchery in Galicia, — however little a struggle between lords and subjects is likely in general to excite the sympathy of Liberals in behalf of the nobility. Then France and England protested against the annexation of Cracow by Austria, in the spirit of the interpretation of the Act of the Vienna Congress already mentioned: their argument being, that since the stipulation which recognized Cracow as a republic was inserted in the Act, it was impossible to abrogate this without the consent of the Powers belonging to the Congress. Of course this assertion, like the right to interfere in 1832 in the question of the German Constitution, was stoutly denied; but the fact of their interference shows how weak and unsettled the incipient national feeling in Germany still was, notwithstanding the uprising of 1840.

Although this question vitally concerned Germany's independence, yet public sentiment, in accordance with the prevailing Polish tendencies, was overwhelmingly on the side of the Western Powers, however convincingly Clemens Perthes demonstrated that the insertion of a stipulation in the Act had been only to guard against the interference of a third party, and that the liberty of the contracting parties to change the conditions of their own accord was in no way restricted.

The more strongly, however, was German patriotism aroused over another event of this same year: namely, the beginning of the quarrel between Schleswig-Holstein and Denmark. Inasmuch as this later led

directly to the founding of the German Empire, I will defer a detailed account of it until its bearings may be more fully explained, and shall mention here only the general subject at issue. For a long time, influences had been at work in Copenhagen, that should gradually lead to the severing of the ancient political union of Schleswig and Holstein, and prepare the way for the complete incorporation of Schleswig in Denmark proper. This had been tolerated by the duchies inasmuch as the royal male line was expected soon to become extinct, and then, according to the invariable law of succession, the duchies would fall to the nearest agnate, the Duke of Augustenburg, whereas Denmark would be inherited by the female line: and thus the duchies would be freed from all Danish control.

But now King Christian announced to his subjects and to the world by an open letter that for Schleswig, and perhaps also for some parts of Holstein, the same law of succession should hold as for Denmark. Immediately a great outburst against Denmark arose throughout all Germany. All parties joined in it without exception: the Conservatives hastened to support the inherited right of the agnate; the Liberals to advocate the constitutional right of the duchies, and the Democrats from their point of view demanded respect for the will of the Schleswig-Holstein people. Everybody was disgusted that the Confederate Diet, although it recognized in its resolutions of September 15th the rights of Holstein, yet, with customary diplomatic politeness, expressed its confidence in the royal judgment of the

Danish king. Everybody was enraged at such servile flattery, and it was insufferable that the highest authority in Germany found no word of sympathy for Schleswig. Even the otherwise moderate patriots now cried out: This state of things cannot last.

At this juncture, the deliberations in Berlin over the question of estates came to a close. The King had considerably increased the Commission, having added to it his brother William, who was at the time President of the Department of State, all the ministers and several generals. The Prince was, for a number of reasons, very apprehensive; he saw clearly that, when an impulse had been given to things in this direction, their own weight would carry them further; he feared lest the widespread dislike of standing armies, the result of long-continued peace, might possibly induce powerful royal estates to withhold the necessary money for the support of the Prussian army. Meanwhile, the great majority of the members of the Commission declared themselves in favor of the measure on account of its urgent necessity; so that finally the Prince also supported it without reserve. In doing this, he took He stand once for all. "A new Prussia will come out of it," he said. "The old Prussia will be buried with the proclamation of this law. May the new State become as great and noble as the old one has been in glory and in honor." Every word of premonition and of hope, which the Prince thus uttered, has become true. The new Prussia brought to him at the outset personal danger and exile, and later the severest

struggles for the sake of his army ; and then he himself was its leader in raising it to an undreamed-of height of power and of glory.

How unspeakably effective the action of the King would have been, if, now that he had once arrived at the point of decision, he had come to a full and complete conclusion, upon the basis of which a quick and hearty agreement with the impending United Provincial Diet would have been possible ! The result of an alliance of the Crown with such a choice selection of the ablest and most influential men of the nation would have been incalculable, a rock upon which the waves of that excited age would have broken in vain. What an extension of Prussian influence in South and Middle Germany ! How the way would have been prepared for the conversion of the German Confederation into a German Empire ! And verily, all this might have been attained without great sacrifices, merely by an unreserved fulfilment of the laws of 1815 and 1820, with a generous interpretation of any ambiguous points.

But the King's fancy was probably flattered by the vision of a great and brilliant assembly of princes and counts, noble lords and stately grandees ; and as to further powers even of these, he remained unchangeably fixed within the limits of his doctrine, in spite of the energetic assurances of his most influential ministers, that such a position was anomalous. The King believed that safety of person and property was due to subjects ; and accordingly a certain amount of freedom in expressing their opinions ; also the right to withdraw

from a church no longer sympathetic; and further,—an extension of the promises of 1815—the privilege not only of discussing, but of approving new systems of taxation and loans, so far as this might be consistent with the safety of the State. To the Crown, however, belonged the sole right of deciding in matters of State business: for instance, concerning the revenues from the domains and indirect taxes, and all expenses of the State; and of enacting laws, so far as these did not affect the personal and private rights aforementioned. It was an act of royal grace, if the Crown chose to listen to the voice of an advising Diet, and to accept from them petitions and memorials. In order to keep itself from being exposed in this high position to possible encroachments, the Crown was to summon the United Diet only for the approval of new taxes and loans, or whenever otherwise desirable in the unbiassed royal judgment; to allow committees of the various provincial parliaments, meeting once in four years, to transact other common business; and to assign to a small deputation of the Diet the yearly examination of the public finances, a duty that in 1820 had been conceded to the prospective royal estates. With these provisions, the letters patent appeared on the 13th of February, 1847, which summoned for the 11th of April the United Provincial Diet, to be divided into the Curia of the princes and the manorial lords, and the Curia of the lower nobility, the citizens, and the peasants.

It is no wonder that throughout all the provinces, in

response to this, instead of the joyful gratitude which was expected, intense displeasure was manifested. In many points a disregard was discovered of the promises contained in those old laws that had never been made void; and especially the refusal to grant yearly meetings of the Diet seemed to be a direct violation of the law of 1820.

The King was moved to explain his position to the Diet in his long and flowery Address, which he delivered with all possible pomp and display. "No power on earth," he cried, "shall induce me to transform the natural relation between Prince and People into a conventional and constitutional one. Never will I allow to come between Almighty God in Heaven and this Land a blotted parchment, to rule us with its paragraphs, and to replace the ancient, sacred bond of loyalty." Then, after he had expressed his displeasure at the revolutionary and irreligious machinations of the times, he declared to the Representatives that they were a German Diet in the old, traditional sense, i.e., especially and essentially representatives and defenders of their own rights and the rights of all those Estates whose confidence had sent them thither; besides this, they were to exercise those rights which the Crown had recognized as theirs: that of giving their advice when asked for it, and of delivering to the Throne the petitions and appeals received from their provinces; but it was not at all their business to represent opinions, nor to advocate the prejudices of the times and of the schools. For the Crown must govern according to the laws of

God and of the Land, and according to its own free choice; but never could it be, nor ought it to be, influenced by the will of majorities.

There were only a very few men in the Assembly that were desirous at that time of a parliamentary government; but most of them demanded a yearly meeting of the Diet and the complete fulfilment of the old promises. Their first act was an Address to the Throne, which asserted their rights as Representatives on the ground of the old laws. The King was confounded. Yet he wished to avoid a rupture at the very beginning of operations, and replied that he should probably summon the Diet again before 1851. But this did not do much good. He was forced to see his plans about an income-tax and a railway-loan rejected, because no approval was considered possible, until the rights of the members as Representatives, which dated from 1820, should receive unconditional recognition. It was with great difficulty that the elections of the committees took place, since most of the members considered them illegal.

Whereas the advocates of the royal propositions, Von Manteuffel and Von Bismarck-Schönhausen, were everywhere in the country looked upon with suspicion as the adherents of a despotic cause, a boisterous popular applause surrounded the leaders of the opposition: the Pomeranian Count Schwerin, the East Prussian Alfred von Auerswald, the Westphalian Baron Georg von Vincke, the Rhinelanders Ludolf Camphausen, Beckerath, and Hansemann; even Metternich credited

them with an astonishing cleverness and skill, that had shown itself more than a match for the Commissioners of the Crown. However that may have been, the proceedings of the Diet were a disappointment to the King. Its transactions stimulated a liberal sentiment in every house in the land, and won for the King the undeserved reputation of being an incorrigible absolutist. In the rest of Germany, the hopes built upon Prussia were demolished, and reckless abuse poured in across all the frontiers. from the democratic press in Saxony and Bavaria, in Baden and Darmstadt. The influential position of Prussia in Germany and respect for royalty had both received a severe blow.

At this time in Bavaria a storm of quite another character broke in upon the monarchical authority. King Louis I. had ruled for nearly ten years with the assistance of the Ultramontane Ministry of Abel, in spite of the continued complaints of the Protestants and German Catholics. In the year 1846, the achievements of the Ultramontane party began to be regarded by the arbitrary Prince as insufficient, and their pretensions as inconvenient. The immediate occasion of the rupture was the passion that the Sovereign of sixty years suddenly conceived for a pretty, clever, and immoral *danseuse*, Lola Montez, a *diva* by no means devoted to the Church, whose elevation to the rank of countess Abel and his colleagues therefore refused to confirm. The King dismissed the Ministry, and formed a Liberal Cabinet. This was followed by an excited uprising of the clerical party, which knew well how to

make the most of its temporary position as defender of morals, and which renounced at once and entirely the ultra-royalist sentiments that it had hitherto paraded. The aged Görres wrote at this time just before his death: "When the odor of decay permeates society, then the fountains of the abyss break forth upon it, and the floods roll over it. In the language of the children of men it is called a revolution; in the language of the supernals it is a revulsion toward the standard of eternal order."

This language of the supernals was understood. The Countess Lola did her part in stirring up indignation by all sorts of improprieties. Her house was threatened, the King insulted, and, finally, after ever-increasing riots, the *danseuse* was driven out of the country, while the soldiery looked on and smiled. It is a fact, that the clerical party was not alone in its anger at the enormity of the disgrace. All the citizens of Munich and the University were united in their irritation against the King. Every one in Bavaria turned away in bitter resentment from such a polluted throne.

At this time, too, the last, the supposed inviolable support of the old system, the authority of Prince Metternich, was falling more and more into contempt. The threatening signs of the times gave him chance enough to be proud of the insight with which he had foretold the approach of the social revolution. The only question was, whether his exclusive use of police preventive measures, instead of those reforms that the situation demanded, did not increase rather than

alleviate the evil, and whether his refusal to admit the educated and property-holding classes to any active share in the government did not drive them directly into the arms of the revolution. Though now an old man over seventy years old, he lived to see this take place.

In Hungary, Louis Kossuth had been calling into life since 1842 an active democratic movement in the Lower House and in the counties; Metternich, who generally took little part in internal politics, strove by a whole series of reform-laws, to pacify this uneasiness: he fared just as did the Prussian King with his United Diet. The offers which ten years before would have been acceptable, now came too late to satisfy the constantly increasing demands. The agitation went on its way regardless of them.

And even in his acknowledged field of universal pre-eminence, in foreign politics, the Chancellor of State experienced one failure after another. In his blind zeal to maintain in opposition to the social revolution all existing institutions, whether they were intrinsically tenable or not, he had everywhere, in Germany, in Switzerland, in Italy, and in Turkey, allied himself to the decaying relics of the past, and had suppressed the vigorous buds of future promise.

In Turkey, the Sultanry was now challenged by a rapidly spreading anarchy; and the struggling Christians looked more and more to Russia for help, instead of to Austria.

In Italy, the then liberally-minded Pope, Pius IX.,

had borne, in 1846, the banner of national independence; since that time there had been commotions in all the States of the peninsula; in Sicily, an open rebellion broke out; the Austrian Government in Tuscany, Modena, and Lombardy found itself faced by the unconcealed hostility of the people. King Charles Albert of Sardinia had strengthened his army and was awaiting a favorable moment for attack. Lord Palmerston, long since dissatisfied with Austria, was doing everything in his power to encourage the national sentiment in the whole peninsula.

Lastly, in Switzerland, the Radical and Jesuitical parties had been standing since 1843 armed and ready to close with each other; of which the former was at the same time the representative of Confederate reform in the direction of centralization, and the latter, of a more complete sovereign independence to be enjoyed by each individual Canton. Metternich, of course, with the approval of Frederick William and Guizot, supported the Jesuitical party. He proposed a conference of the five Great Powers about the matter. Palmerston readily assented, and then did his best to delay the proceedings, while at the same time he secretly sent to Berne the summons to make an end of things as quickly as possible. Thereupon the Assembly, controlled by a majority of Radicals, began operations without delay. In three weeks the Cantons of the Jesuitical party were overpowered, and the Radical rule established in the whole of the Confederation. Such an ignominious defeat as this, in which he was held up as the victim

even to the point of ridicule, the old gray-haired Chancellor had not yet sustained.

To the German Radicals, on the other hand, the triumph of their Swiss sympathizers, who had begun with insignificant skirmishes and ended with a great national crisis, seemed a brilliant pattern for their own intended reform. No less strongly were the champions of German Unity affected by the evident analogy between German Individualism and the principle of Canton-rights now crushed out in Switzerland. It seemed, indeed, a shame and a disgrace, if the great German People were not able to accomplish what the small nation of the Swiss had so brilliantly effected. Both sides gave frequent and definite expression to these sentiments, even before the Swiss contest had terminated.

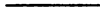
On the 12th of September, 1847, several hundred Liberals of Baden met at Offenburg, under the leadership of the hot-headed and vain deputy Hecker, who was gifted with eloquence, if not fertile in ideas. This assembly accepted with zealous unanimity a programme laid out by the journalist Von Struve, a cold-blooded fanatic, which demanded the repeal of the hated Confederate Laws of 1819 and 1832, and then further proposed: unlimited freedom of the Press, unconditional religious freedom, the right of forming clubs and of holding meetings, the obligation of the military to swear allegiance to the Constitution, representation of the people in the Confederate Diet, replacement of the standing armies by a militia consisting of the whole

people, a proportionate income-tax instead of the taxation hitherto in vogue, protection of Labor against Capital, trial by jury, abolition of all privileges, and in place of the system of officials the right of the people to govern themselves. Clearly, nothing was lacking to the proclamation of a social-democratic republic but the name.

Another assembly, of totally different character met on the 10th of October at Heppenheim on the Bergstrasse. It was composed of prominent men of the Constitutional party: Römer of Würtemberg, Heinrich von Gagern of Hesse-Darmstadt, Hergenhahn of Nassau, Hansemann and Mevissen of Prussia, Mathy, Bassermann, and Von Soiron of Baden, beside Von Itzstein, the leader of the Baden Radicals. Here the discussion was limited to demands for a German Parliament. Most of the members believed that it would be possible to form this side by side with the Confederate Diet. Then Mathy rose and showed, that in an international Confederation of sovereign States there could be no common parliament nor a common government; and, surely, a parliament without a government was a political anomaly. He moved, therefore, a resolution to demand a parliament and a government under Prussia's leadership for those allied States that belonged to the Tariff-Union. This was seconded and strongly supported by Gagern; whereupon it was adopted by the meeting. Afterwards, however, it was felt that the term "Tariff-Union Parliament" did not have a sound that would catch the common ear

and attract the masses; and so Bassermann brought forward on the 2d of February, 1848, in the Baden Chamber the proposition, accompanied by convincing arguments, for the summoning of a German Parliament by the side of the Confederate Diet. The news spread quickly through all the German countries, and this proposition was everywhere taken up with tremendous applause, as the most effective watchword for future operations.

BOOK II.



FIRST ATTEMPTS AT GERMAN UNITY.

CHAPTER I.

THE MARCH REVOLUTION.

WE have seen that in countless German hearts the conviction was fixed, that "this state of things could not last." At Louis Philippe's death a fresh revolution was looked for in Paris; then there would be found in Germany "room for free souls to breathe freely," and German Unity would be realized at one bold stroke. The signal for the outbreak came unexpectedly soon: on the 24th of February, 1848, the King was driven from Paris and the democratic Republic proclaimed: the strength and progress of the national party in Germany was now to be tested. At different times it had blazed up, and again had been completely stifled. After a long period of inactivity it now arose anew with youthful vigor, and with all the enthusiasm and inexperience of youth. It was as if a day of student-like hilarity had dawned for the whole German nation.

The effect of the crisis at Paris was stunning to all the German Governments, but like that of a spark among the inflammable feelings of the people. It worked upon them both to a degree which it is impossible now, after the lapse of a generation, to comprehend. At that time the memories of 1793 and 1830 were still alive. No one doubted the zeal and irresistibility of the revolutionary propaganda among the French:

the victory of the communistic Democracy in Paris, and the overthrow of all barriers by the Republican mobs already stood before their eyes.

The hands of Austria were tied by the troubles in Italy and Hungary. Prussia urged England in vain to join with the three Eastern Powers in an effort to confine the godless spirit of Radicalism to French territory. The other German Courts were too much troubled by their consciences, which pointed out to them the wretched condition to which they had allowed the military efficiency of their people to degenerate by their niggardliness and jealousy for their own authority. So much the more desperately did they clutch for salvation at the last straw, the love and loyalty of their subjects. But, unfortunately, most of them knew too well that no help could be expected from that quarter: faithful to Metternich's suggestions, they had uninterruptedly for thirty years crippled or annihilated, for selfish ends, the political rights of their people; and now from every side, and from every class of society, the overwhelming flood of clamorous demands burst forth upon them.

It was everywhere politicians from the citizen-class, who had hitherto led the Opposition in the Chambers and through the newspapers; and it was they, who now gave the signal for the initiation of the new movement. All the different elements of burgher society, merchants and manufacturers, physicians and lawyers, professors and teachers, artists and authors, and, not among the least zealous, a large number of officials, joined these leaders with enthusiasm. In the minds of these

supporters of the cause the first and most important demands to be made were in the direction of National Unity, towards which the first step was a German Parliament; and in the line of freedom of thought, which must begin with freedom of the Press and the right to form societies and to hold meetings. The great mass of the laboring population did not long remain behind. The announcement that the people were to be sovereign, that all men had equal rights, that the burdens of taxation and of military service should cease, that the German man was henceforth to lead a free and easy life, and that to ensure these blessings he was to be presented with sword and musket,—all this allured them also with irresistible force.

The movement began as early as the 28th of February in the South of Germany, and then spread into all the Lesser and Petty States, carrying everything before it. Its course was everywhere the same. Mighty assemblies of the people proclaimed the demands of the times: the concession of all those assumed privileges of freedom, the summoning of a German Parliament, the providing of every citizen with arms, and, above all, the transference of the ministerial offices to champions of the Liberal party. In violent petitions, accompanied sometimes by boisterous tumults in the streets and with terrible threats in the event of a refusal, these claims were laid before the ruling Princes. Nowhere did it come to acts of bloody outrage; for in view of the imposing unanimity of the whole population, not a single Government dared to make any resistance, and

very soon the leaders of the Opposition everywhere occupied ministerial seats. The socialistic demands of the artisans for protection in their unequal competition with manufactories, of the operatives for a greater share in the profits of the manufacturers, of the peasants for free game-laws and the right to gather windfalls and litter without molestation, — all these were pacified by the promise of the approaching popular legislation ; in only a few parts of the country did the peasants, to satisfy the hatred which had been accumulating for years, go so far as to demolish the seigniorial seats. Resentment was especially felt against the police and their irregular proceedings. “No more arbitrary rule!” cried the moderate Liberals, “but everywhere strict obedience to the laws.” “No more laws!” proclaimed the Extremists ; “every law limits freedom.”

A resistless stream of ideal and of vulgar passions swept the masses before it. At one blow, fully one-third of Germany became the prey of unchecked anarchy. No official dared either to command or to forbid ; in fact, the word “Authority” was everywhere forgotten. In the absence of all resistance, the movement kept itself within sufferable and sometimes even good-natured bounds. Every one did what he liked, with no intention of injuring any one else ; yet now and then it was evident that, in the course of time, such a condition of license would sink the masses into a state of increasing barbarism, so that they would then be ready and willing to follow in the foul and bloody path of any good-for-nothing demagogue.

The leaders of the movement meanwhile enjoyed the full consciousness of victory; borne onward by popular favor, not yet hampered by jealous divisions in their party, they were able to take a decisive step forward towards the attainment of the goal of National Unity. Fifty-one influential men, mostly from the South and West of Germany, two from Prussia, and one Austrian that happened to be present, met on the 5th of March at Heidelberg, to decide upon the measures most immediately necessary. Those who had been present at Offenburg and at Heppenheim here met together; and the contrast between their respective bases of operations became at once evident, and showed itself to be irreconcilable. The question of a Tariff Parliament or a Confederate Parliament was no longer disputed, nor the question of a restricted or an entire Germany; but the discussion turned upon whether the object to be attained was a social democracy, or a monarchical form of national government. With stormy violence Hecker and Struve proposed the immediate proclamation of the German Republic. Heinrich von Gagern, as fiery as Hecker and as forcible as Struve, opposed them both: the watchword, he said, should not be a German Republic, but a German Empire.

There was no hope of a reconciliation between these two tendencies. In the endeavor to put off a division as long as possible, it was voted to leave to the future the decision of this question, and, for the present, to spend all their united energies upon securing the immediate summoning of a German Parliament. A

Committee of seven members was to arrange some method for the election of deputies to this Parliament, and then to call together a large convention of champions of the German cause to carry out their plan.

Gagern, who had meanwhile become Prime Minister in Darmstadt, hastened thither, filled with the spirit of the principles expressed at Heppenheim, that a Parliament was of no use without a government to lead it. Here he met his brother Max, and agreed with him that the latter, as Ambassador from Nassau, accompanied by one Hessian General, should try to win as many Courts as possible to the project of a temporary central government. The Court of Baden at once assented to the proposition. The King of Würtemberg followed, declaring that only Prussia could assume the leadership, provided, of course, she was in favor of such a constitutional system; in Munich, where King Louis was hard-pressed by democratic seditions, it was not possible to obtain a hearing; but, on the other hand, at Dresden the new Minister, Von der Pfordten, offered his hearty support.

The result of the different conventions was a programme, which embraced in a few short sentences a complete outline of the projected central government: a president with responsible ministers, a senate of the united States, a popular house composed of representatives for every seventy thousand souls, the relegation to this supreme authority of all matters connected with the military, with diplomacy, and with commerce, tariff and trade, a Confederate court of justice and the

guarantee of the popular rights of freedom. The representatives of the above-mentioned Courts hastened to the decisive spot, to Berlin.

At the same time, the Commission of Seven also accepted this programme, and on the 11th of March invited all the German men of rank and other notables to a convention to be held on the 31st, at Frankfort, for the discussion of the proposed German Parliament. This convention, constituted as it was, could lay no claim to being invested, either by its own nature or by commission, with the right of enacting binding resolutions: but as things were, it was very probable that no one would dare to oppose their conclusions. Just at this time certain events occurred, which seemed to extend at once this probability in an unexpected degree.

On the 13th of March, the astonishing, the unheard-of came to pass! The Government of one of the European Great Powers, that Government which had hitherto been the source and the retreat of German reactionary principles, the Government of Prince Metternich fell! It fell without a struggle, like the Lords of Schwarzenberg-Sondershausen and of Anhalt-Dessau, before a vigorous expression of the popular will. A few riots in the streets, which were easily suppressed by the troops, a few excesses committed by the mob in the suburbs, which after some slight pillaging ceased of themselves, a deputation of Vienna students, and another from the Estates of Lower Austria:—these were sufficient to impress upon the Archdukes and the Ministers the necessity of yielding and of dismissing

Metternich. The solution of the riddle is to be found in the fact that the Archdukes and Ministers had grown thoroughly tired of the pedantic statesman, who was always preaching, and yet who had everywhere, especially lately, suffered defeat; and they seized the first excuse to rid themselves of his presence.

Not without dignity did the old Prince lay down his office; and now the formerly systematic government got wholly out of joint. It became alarmingly evident that under Metternich's administration there had been no growth of mental vigor in Austria. At his departure the ship of state was left without a rudder, and she tossed about for a long time, the sport of ever-changing storms. After the troops had left the city on the 14th of March, the Court and Government in Vienna stood under the protection, and consequently under the control, of a lax militia and of a throng of Radical students. It was not until the 20th that under the presidency of Count Ficquelmont a new Cabinet could be formed. The Italians in Lombardy and Venice rose in a national insurrection, which was swelled by accessions from the whole of Italy, and soon supported by the army of Sardinia. Hungary was just on the point of rebellion. There was already a commotion in the Slavonic provinces, especially in Bohemia. In the German crown-lands the peasants rose against the manorial lords, and the burghers would hear no more of police and of taxes. It was, indeed, a very doubtful question, whether in three months there would be any Austria at all.

A similar revulsion came about, but in another way, in Prussia. King Frederick William was, at the very outset, touched indirectly by the revolutionary movement in an exceedingly sensitive point, although the wound was not dangerous for the State: before the end of February, a democratic faction in his dearly-loved Swiss principality of Neuchâtel, supported by volunteers from the neighboring Cantons, had at one blow got the upper hand and thrown off the Prussian yoke. The King was deeply affected by this, and was thoroughly angry; but for the time being he could do no more than send a vigorous protest to the Swiss Confederate Government.

So much the more clearly did he see in the events in Germany strong motives for advocating a reform of the German Confederation. One of his most trusted friends, General von Radowitz, had received, as early as the 20th of November, 1847, the royal assent to a memorial, in which the Confederate Diet was urged to undertake the creation of a better Confederate military organization, the establishment of a Confederate court of justice, and thorough-going legislation concerning items of commerce, tariff, and trade; and in all these questions, the decision of a majority was demanded in place of the unanimity which had hitherto been required. In spite of all the experiences of Hardenberg and of Bernstorff, it does not seem to have occurred to the King nor to his adviser, that such an increase of the power of the old Confederate Diet, without a thorough remodelling of the same, meant political suicide for

Prussia and for the Tariff-Union. On the 1st of March Radowitz was sent with these propositions to Vienna. The distant murmurs of the German uprising assured him a favorable reception; but before the propositions could have any practical result, he was overtaken by the impetuous storm of the Revolution. With a heavy heart the General sent back word that even the King of Bavaria had now approved of the fatal scheme of a German Parliament, and that the Austrian Government was completely out of gear.

In Prussia itself, in the provinces of the Rhine and of Westphalia, in East Prussia and in Silesia, the sentiment of the people was the same as in the Petty States; and at the beginning of March, a radical excitement among the masses began in Berlin, which increased daily in intensity and force. Immense popular meetings were held outside of the city, numbering at first hundreds, but soon thousands, stirred by fiery speeches in the name of Liberty, and by the stormy adoption of violent resolutions. Soon there were tumults in all the streets; the police, who interfered, were repelled; and even the military succeeded in quelling the riots only after many a bloody encounter. All the anarchists of Europe naturally directed their attention to Berlin; for the Prussian monarchy was the most dangerous opponent of their schemes, not only because it was internally strong, but precisely because it was more favorably inclined to reform, than Austria. The railways brought day after day throngs of these foreign anarchists to the capital, especially Rhinelanders and

Poles. On the 15th of March, the first experiments were made in building barricades; on the 16th, the troops were obliged to make use of their fire-arms, to clear the streets. To the King, this shedding of citizens' blood was not only abhorrent in itself, but a source of mortification as a disgrace to his authority; and he decided to put an end to the disturbance by making overtures upon a national basis. The night before the 18th, he signed a document, which embodied almost the very same particulars as Gagern's programme, except that the King did not demand the title of Commander-in-Chief, but was satisfied with the office of a Field-Marshal. In this document he summoned the United Provincial Diet to meet on the 2d of April for further consultation about the framing of a Prussian Constitution, and by a special decree he repealed the Prussian Press-Law.

At the news of these concessions, the square in front of the royal palace was filled, on the morning of the 18th of March, with many thousands of people, who at first exultingly shouted their thanks to their sovereign. But gradually the appearance of the crowd changed. Mobs of the proletarians cried out, that all this did not relieve their distress; others demanded the withdrawal of the troops, and one gang tried to force its way through a portal of the royal palace. The King ordered the square to be cleared. Thereupon a company of infantry advanced from each side, while in the middle rode a squadron of dragoons with sheathed weapons, at a walking pace. Immediately the scenes

of the preceding days were renewed. The people rushed against the dragoons with abusive and threatening shouts, so that the horses became restive, and many riders were obliged to draw their sabres to defend themselves. Accidentally the guns of two grenadiers were discharged, one by the awkwardness of the soldier himself, the other by the blow of a workingman upon the trigger; the bullets flew harmlessly into the air, and, indeed, no individual during the whole affair was injured at all.

Directly after the report of these shots, the crowd scattered, and the cries spread like wildfire through the streets: Treachery! Murder! Arms! Barricades! The story went round, that the dragoons had charged upon the people, and that the grenadiers, with a salvo from a whole battalion, had killed multitudes of defenceless citizens. The storm of indignation became general. Especially the youth: students, apprentices, and operatives threw themselves into the struggle with wild enthusiasm. The sympathy of the population was without exception on their side. Barricades without number sprang up in all quarters, as if by magic. In a few hours the whole city of Berlin became one great encampment of rebels.

The Commander-in-Chief of the troops, General von Prittwitz, was, from the very first, convinced that his force of twelve thousand men would not be large enough to garrison the whole extensive city. Therefore, he decided to take in the most important portion of it, a circle about the palace, having a diameter of, perhaps,

a mile and a half; if the people did not then yield, he purposed to quit the city and to force a surrender by a blockade and bombardment. The first part of his plan he executed successfully in the night, under a bright moon, the struggle lasting eight hours. His progress was slow, not because of the strength of the resistance, which, in fact, demanded only at a few points great exertions and much sacrifice, but rather in consequence of the mood of the King, who, horrified as he was at the outbreak of such a conflict with his people, now wept bitterly, and now sank into a speechless apathy. From time to time he gave permission to attack only a single point, or to occupy a single street; and it was only after long explanations and much persuasion, that he at last granted the power of moving forward at discretion.

At nine o'clock in the evening he gave audience to Baron Georg Vincke, whom the Minister, Bodelschwingh, had summoned to Berlin to the conference about the future constitution. Vincke represented to the King the danger of keeping up a fight, which only increased the bitterness of the people, and asserted that, if the troops were withdrawn, peace and order would of their own accord be re-established in the city. The King dismissed him without having expressed himself with regard to the matter; yet Vincke's words had made a certain impression upon him; towards midnight, unable to endure any longer the noise of the fighting in the streets, he summoned General von Prittwitz, emphasized to him his aversion to further bloodshed,

and ordered him to hold his position, but not to act any more upon the offensive. Immediately afterwards, he resolved to make the first advances towards a reconciliation, and wrote, himself, a proclamation, headed: "To my beloved citizens of Berlin." In this, he promised the withdrawal of the troops, so soon as the people should remove the barricades.

Thereupon, on the morning of the 19th of March, one deputation of citizens after another waited upon the King, with the declaration that a reverse order of procedure could alone lead to the desired result: that it would be impossible to tear down the barricades, so long as the sight of the troops in arms added fuel to the rage of the people; but that, if the troops were first withdrawn, the citizens themselves would secure the return of a law-abiding condition of things. After long hesitation and resistance, and in spite of the earnest remonstrances of General von Prittwitz and of the Prince of Prussia, the King finally allowed Count Arnim-Boytzenburg, who had been appointed Minister in the place of Bodelschwingh, to wring from him the momentous order.

The troops left the streets. At first, in accordance with the wish of the Prince, they remained in the vicinity of the palace; but soon after, upon command of the General, retired to their barracks. They were followed by insulting crowds of proletarians, who during the night and the next morning threatened the isolated barracks so seriously, that Prittwitz took it upon himself, inasmuch as there was to be no more fighting, to

withdraw all the regiments from the city. So that, for the time, the Revolution held sway in Berlin as in Vienna.¹

As is usual in such cases, the sequel immediately showed that the peace-loving citizens were by no means able to fulfil at once their promise to restore order and quiet. Even on the very same day, the King was grossly insulted by the heroes of the barricades. The rumor that the Prince of Prussia had given the order, on the 18th, which resulted in so much bloodshed, although entirely unfounded, had so enraged the people against the heir to the throne, that the King, fearing for his brother's personal safety, sent him off to England. Meanwhile the gradual restoration of order was begun, by the formation and the arming of a force composed of citizens, and by the dismissal of the old Ministry. Under the Presidency of Count Arnim-Boytzenburg, who was soon followed by the leader of the Rhine Liberals, Ludolf Camphausen, two prominent members of the United Provincial Diet, Alfred von Auerswald and Count Schwerin, were summoned to seats in the new Cabinet. The Department of Foreign Affairs was placed in the hands of Baron Heinrich von Arnim, until this time Ambassador at Paris, an intelligent man of more boldness than prudence, long since disgusted with the weakness of Prussian diplomacy, and thoroughly determined, in the new order of things, to be the representative of new power and vigor. His

¹ Every word of this description rests on the evidence of participants and eye-witnesses.

entrance upon the scene was followed by very important, but at the same time very critical changes.

It would be impossible adequately to portray the alternating moods that took possession of the King's mind during these days. The terrible scenes which he had just passed through, he would a few weeks before have held to be utterly inconceivable. In them, he saw the work of the dregs of European civilization, the outbreak of a deeply laid and malignant conspiracy, the product of a satanic power. He was both deeply depressed and highly excited. His most sacred feelings had been wounded, his loftiest ideals had been dragged in the mire; never afterwards, in his later life, did he overcome the impressions of these months. Wherever he cast his eyes, he seemed to see Anarchy, now wanton and now dangerous; and everywhere, behind a thin veil, Sedition with uplifted arm, ready to strike a blow. The healthy life of honest sentiment and of ideal aspiration, which pulsated by the side of this feverish restlessness among the populace, he entirely overlooked, or credited it with no power and no wisdom. In Prussia and for Prussia, there was nothing to do at present but to stem the tide of dire destruction.

The only thing that refreshed his spirit amid these dismal thoughts, and seemed to offer a field for his creative activity, was his interest in the cause of Germany. If it was true, that formerly, owing to Metternich's influence, the King had restrained his wishes within the limits of the old Confederate Constitution, and did not, until after Metternich's fall in Vienna,

propose a representation of the Estates in the Confederate Diet, it must now be confessed, that after that time he gradually went beyond all bounds, and allowed his fancy to revel in brilliant conceptions of the restoration, in all its former glory, of the Holy Roman Empire. Accordingly, he was quite ready at the suggestion of Arnim to turn the attention of the people from national troubles to the common cause of Germany. An enthusiastic proclamation of March 21st, not free, however, from indiscreet expressions, declared: "There is no means of salvation for us from our present threatening situation but a closer union with the German Princes and Nations under one leadership. I take upon myself, to-day, to be this leader during these perilous times. My people, who do not fear dangers, will not forsake me; and Germany will gather about me with confidence. I have assumed to-day the old German colors, and have placed my people under the revered banner of the German Empire. Prussia's interests shall henceforth be those of Germany." As evidence of his intention to carry out this project, the King rode through the streets of the city in a solemn procession, surrounded by ministers and generals, citizens and students, all decorated with scarfs of black, red, and gold, and proclaimed to the people in several speeches the coming of the new German era.

Many men of the old Prussian school looked upon this display as undignified, rather than impressive. Certainly, immediate and vigorous action was to be expected on the part of the King after this parade;

and the arrival of the younger Gagern in Berlin, on the very same day, offered a suitable occasion and opportunity for further steps. The next measures, that should have been taken, were very evidently: to request the Confederate Diet to set at once the time for the election of deputies for a Parliament, and to make it as soon as possible; to request the Governments to name their representatives in the work of forming a constitution; and to promise his (the King's) appearance in person at the opening of the Parliament, and the appointment of responsible ministers for the discharge of the executive functions. There would have been no lack of clamors from the democratic party, nor of complaints from the Courts; but who can calculate the effect which the resolute action of a heroic and clear-sighted personality could have produced at this time of insecurity and upheaval! To be sure, it would have led to a rupture of the old Confederate fetters, but in such a way, that this would have marked the end of a revolution, and not its beginning.

But, alas! Our Fatherland was not destined to be so fortunate. The unhappy course of events in the Berlin riots, first the bloody conflict and then the weak submission of the King, offered to the republican party in Germany the opportunity of overwhelming, with a flood of insult and derision, in thousands of newspaper-articles, placards and speeches, the most powerful of their opponents — the cowardly tyrant, who let his own people be mowed down, and then, when beaten, abjectly begged for mercy, and who now wished to decorate his

infamous forehead with the German Imperial Crown! Especially in Baden and Saxony these reproaches filled the mass of the people with violent hatred towards the King. When, on the 23d of March, the representatives of those States that had responded to Gagern's appeal convened for consultation with Von Arnim, Würtemberg, Darmstadt, and Nassau held firmly to the proposed plan; but Baden and Saxony recoiled from definite pledges, and excused themselves by wishing to wait for fresh instructions from their Courts.

This, certainly, was not in itself likely to prompt the King to immediate action. And, moreover, serious news came just then from Vienna. However weak the Austrian Government might be, it was not willing on any account to allow a Prussian hegemony to be established in Germany, but still wished to assert at any price the leading position, which it had hitherto held. At the risk of mortally offending its turbulent Slavonic subjects, it declared itself now to be German in every vein. Not without its approval did the Vienna newspapers re-echo the abuse heaped upon Frederick William; and as they could not fittingly oppose to him, as an ideal hero, the half-witted Emperor Ferdinand, they drew the attention of Germany to the Archduke John, who, in spite of his defeats on the field of battle, enjoyed a certain popularity in Vienna, because of having married below his rank, and on account of a supposed toast drunk by him to German Unity.

A black, red, and gold banner floated from the spire of St. Stephen's; the Emperor was presented to the

people from a window of the Hofburg, holding a banner of the same sort in his hand ; and the Press and clubs resounded once more with enthusiasm for the German National Cause. On the 24th of March, there was sent to all the German Courts a circular, which protested in decided terms against any change whatever in the German Confederate Constitution, without the assent of all the members of the Diet.

These reports from Vienna, following quickly upon one another, put a sudden end to the zealous ardor, which had been manifested in Berlin on the 21st. As for the leadership in the hour of danger—the idea could no longer be entertained. The King had suffered a fresh mortification from the ridicule with which the democratic party had received his well-meant manifesto. He decided to watch the course of events, and contented himself with announcing, on the 25th of March, to the German Governments, that he was ready, if the Confederate Diet wished it, to send deputies from the Estates to Frankfort.

Meanwhile, Baron von Arnim did not allow himself to be disconcerted by the ill-success, however marked, of his first attempt. Just at this time, the people in Schleswig-Holstein had risen in opposition to the unlawful proceedings of Denmark ; King Frederick VII., urged on by the Copenhagen Democrats, though in flagrant violation of the ancient rights of the land, had torn Schleswig violently from Holstein, and taken steps towards the incorporation of the former into Denmark proper. Thereupon, with the unanimous support of

the people, a Provisional Government had formed itself at Kiel and had taken upon itself the conduct of an armed resistance. Considering how extraordinarily popular their cause was throughout Germany, Arnim thought he should find in it the mighty lever, with which to restore the prestige of Prussia, and even to raise it higher than before.

The King, on the 24th of March, formally recognized the claims of the Duchies. Prussian troops advanced for their defence to the frontier, and the States bordering on the North Sea were called upon to assist. Arnim, borne along by the enthusiastic approval of the people, did not take the matter very seriously; he rather regarded his action as the execution, somewhat irregular, to be sure, of the orders of the Confederate Government, on the ground of the decree of September 16th, 1846, and was of the opinion that Denmark would by no means on this account venture a war with Germany. Only too soon was he to be bitterly undeceived; and we shall later see that, however just the cause of Schleswig may have been, Arnim's method of setting to work drew down upon Prussia the ill-will of all the Great Powers, especially that of Russia.

This same 24th of March witnessed another decision of the Prussian Government, which was only too well adapted to increase the anger of Russia, and at the same time to endanger Prussia's own safety. We have remarked what lively sympathy and admiration all Liberals, little as they knew about the true history of Poland's fall, had felt since 1830 for the courage and

persistence of the Polish people. As we have said, many Poles had helped to build and defend the Berlin barricades; and one of the first demands of the victorious Democrats was the amnesty of the condemned rebels of 1846. The pardoned prisoners, greeted on all sides with ovations, hastened immediately into the Province of Posen, and there, in token of their gratitude for the amnesty, incited an insurrection against the Prussian authorities, and inflamed their compatriots against the half-million German residents of the Province.

The Archbishop Przyłuski then came from Posen, at the head of an immense Polish deputation, to Berlin, to lay before the Government the demands of their nation. He did not, indeed, succeed in gaining all that he wished; nevertheless, the Ministry, on the 24th, under the pressure of the current of popular feeling, promised a national reorganization of the Grand Duchy of Posen, which should be further considered in detail by a Commission chosen from the two nationalities. But already, on the 23d, at the reception by the Polish Central Committee of a delegation of German inhabitants of the city of Posen, the former had roundly declared that their aim was nothing less than the restoration of entire Poland.

While the traditional order of things was being thus disturbed in all the German States, while in one place enthusiasm for German Unity, and in another the passionate desire for Democratic Freedom had unsettled the existing conditions, the high and mighty Confeder-

ate Diet had let itself also be swept on by the current of the times, without an attempt at resistance. It had raised the German banner above its Hall of Assembly, had recognized the necessity of a German Parliament, and had invited seventeen champions of Liberalism, one for each Curia, to draw up a new Confederate Constitution. The time now drew near for the meeting of the assembly called for this same purpose by the Committee of Seven. This assembly later received the name of the Preliminary Parliament. In the Confederate Diet the desire very naturally arose to forestall this unofficial assembly in the great question of the day, the convening of a national Parliament.

To insure the successful issue of this all-important matter, so critical for Germany's future, it was not only necessary to enact a law concerning the election of representatives to the future Parliament, but it would certainly be most essential to form as soon as possible, for its guidance, a provisional Confederate Executive, and through this Executive to lay before the Parliament the outline of a Constitution, which should serve as a basis of its operations. But the Confederate Diet still stood under the baleful influences that reigned at its birth; it was unable to act definitely and positively. Gagern's scheme was before it. Against most of the points it had nothing to bring up. Nevertheless, it did not dare to propose, in view of the present state of popular sentiment, a Senate of the individual Governments, an Upper House. Still less could it agree in the matter of a Head. It was clear to all, that if any one

man were to be raised to this position, it could be only the King of Prussia. Austria and Bavaria protested against this under all circumstances, on principle; and many others feared lest the savage hatred of the people toward the King should make his nomination impossible.

So it was decided to summon the Parliament without any Head. Whether the outline of a constitution should be laid before them, should depend on the work of the Seventeen; the Governments should themselves decide whether their representatives in the Parliament were to be delegates from the Chambers, or deputies chosen by popular ballot. Consequently, on the 30th of March, the Act of the Confederate Diet appeared, which called upon the Governments to have elected, as soon as possible, a representative for every seventy thousand souls by the already existing constitutional methods; so that the work of framing a German Constitution might be accomplished by the united action of the Governments and the People. Accordingly, it was the Confederate Diet that first proposed for the future Imperial Parliament the one-chamber system. The other questions, that the Diet had not succeeded in deciding, were left to be discussed and determined in the Parliament.

This was, doubtless, another proof of the impotence of the Confederate Diet; yet it cannot be concealed that the crowd of free representatives of the People, who now hurried together to form the "Preliminary Parliament," were not destined to succeed any better.

CHAPTER II.

THE PARTIES.

WHEN, on the 31st of March, the Preliminary Parliament opened its sessions, it was composed of five hundred members, of whom the great majority were South Germans, two were Austrians, and one hundred and forty-one were Prussians. The Committee of Seven brought forward Gagern's programme as a basis of proceedings; but Struve rose at once and moved the proclamation of an indivisible German Republic. He and his companions had meanwhile covered Baden with a firmly united network of democratic societies, had, as far as lay in their power, put arms into the hands of their people, and had received from Paris the promise of a strong and well-equipped contingent. They spread about openly in Frankfort threats of breaking up the Convention, if it should not agree to their proposals. This produced such an effect upon the majority, that, although it did not accept Struve's plans, it nevertheless did not discuss Gagern's programme, but seized upon the hitherto successful expedient of leaving these disputed questions to be settled by the Parliament, and limited itself to taking the necessary steps for convening this Parliament as soon as possible.

NOTE. — The *Preliminary Parliament and Convention* are one; likewise, the *Parliament and National Assembly*. — TRANS.

Even with this limitation, the proceedings were stormy to the highest degree; once the rumor spread that an armed mob was approaching with the intention of driving out all the lukewarm and indisposed from the Convention. Meanwhile, the majority held closely together, and a motion of Hecker's, that the Convention should remain in session until the opening of the Parliament, received scarcely one-third of the votes. This was a strong evidence of the cool-headedness of the German middle-class and of its hatred of violence; for certainly these men, who had voluntarily travelled to Frankfort, must be considered as the most zealous of all Liberals; and they showed themselves to be such in all the decisions of the Convention.

Schleswig and East and West Prussia were henceforth to belong to the German Confederation, and consequently should choose deputies to the Parliament. The same question with regard to the Germans in Posen was referred, out of tender consideration for their beloved Poles, to the decision of the Parliament; but, on the other hand, the restoration of Poland was proclaimed to be a sacred duty of the German Nation. The fact that the fulfilment of this duty would involve a great war with Russia did not deter, at least, the Republicans. On the contrary, it seemed to them to be a glorious thing to march forth in league with their French brethren, to the overthrow of the Asiatic barbarian and the prince of all despots.

The representatives to the Parliament were not to be elected in the proportion of one to every seventy

thousand inhabitants, as the Confederate Diet had decreed, but of one to every fifty thousand, and they were to be elected by universal suffrage. In that case the Parliament would not, as the latest decrees of the Confederate Diet implied, unite with the Governments in framing a Constitution; but, according to the motion of the Badener Soiron, the deciding of questions concerning the Constitution would be intrusted solely and alone to a National Assembly, chosen by the People to frame a Constitution, except so far as this Assembly saw fit to inquire after the opinions of the Cabinets.

After the Convention had appointed a Committee of fifty members to watch the proceedings of the Confederate Diet, it closed its sessions on the 4th of April, externally in the greatest harmony. On all sides Liberty and Union had been the cry; and in the name of Liberty the most radical resolutions had been passed; but so far as Union was concerned, dissension was only concealed by the fact that all positive resolutions and motions were laid on the table. The members were not yet free from the old German tendency to revel arm in arm over ideal inspirations, but in practical action bitterly to oppose one another. The common national feeling had not yet made sufficient progress among them to overcome individual conceits and the political proneness to split into factions. Some longed for Union — only it must not be monarchical; and others desired it just as ardently — only it must not be Prussian. Thus the spirit of opposition was everywhere; yet every one meanwhile consoled himself

with the hope, that in the presence of the majesty of a Parliament sprung from the People, every mischievous idiosyncrasy must fall to the ground.

At first the advocates of the resolutions passed in the Preliminary Parliament had every reason to be satisfied with their success. The Confederate Diet passed immediately, on the 7th of April, a decree quite in accordance with the "wish of the People," concerning the elections that were to take place for the "National Assembly, called for the purpose of framing a Constitution." Even in Prussia, the Government and the Diet conformed to the requisition, although the Diet had already begun its elections on the basis of the former decree of the Confederation; a new law now called upon the people to elect deputies to the Parliament on the basis of universal suffrage.

Even more readily were the suggestions of the Preliminary Parliament obeyed in the affairs of Schleswig-Holstein. On the 4th of April the Confederate Diet directed Prussia to protect the Duchies; and when, immediately afterward, the Danes in Schleswig opened hostilities, the Confederate Diet recognized at once the Provisional Government at Kiel. The latter hesitated no longer, upon the retreat of the Danish troops, to arrange the Parliamentary elections in Schleswig also, and, in this way, to put the seal upon the reception of the country into the Confederation.

The second demand of the Preliminary Parliament in regard to the extension of the Confederation, namely, the admission of East and West Prussia, was upon the

motion of Prussia granted quite as unreservedly by the Confederate Diet in a decree passed April 11th; and soon afterwards, the German half of the Province of Posen was likewise admitted. In doing this, Prussia gave up her claim to being independent as a European Great Power by reason of her possession of lands outside of Germany; and after the step thus taken on the 11th, she could not again win back this right, until her King should become the actual Head of a future united Government. But this was still a long way off.

Yet all this compliance on the part of the existing Governments with the commands of an entirely unauthorized assembly, to join in the most hazardous enterprises, did not deter the Republicans from unfurling, shortly after the close of the Preliminary Parliament, the banner of armed rebellion. This occurred at the same time at the two extremes of the Confederate territory: in Baden on the shores of Lake Constance, and in the Polish province of Posen.

The platform of the South German party had been already announced by the poet Herwegh, in a declaration sent by him from Paris on the 1st of April, in which he said: "We recognize no power on earth but the People and the will of the People as a whole;" and yet, a few sentences further, he continues very naïvely: "The Republic is for us a matter of conscience and of religion; and no majority whatever can to-day force a monarchy upon us." And again: "It is our conviction, and we express it openly, that the new era cannot dawn for Germany without an uprising among the people."

The meaning of all this was : let the majority decide as it may, the People, that is Herwegh and his associates, are determined to drive out with violence all monarchs ; “for,” as he says later on, with especial reference to his Polish associates : “these monarchs would render impossible any serious conflict with Russia.” Hecker was quite of the same opinion : the People are sovereign, but they must not choose a monarchy. He had already said to his friends, toward the close of the Preliminary Parliament : “We cannot do anything here in Frankfurt ; Baden is the place to strike the first blow.” So they hurried into the southern part of Baden, where their societies had been the hardest at work, and where accessions from Switzerland were also expected.

On the 12th of April, at Constance, Hecker announced to the world the great enterprise, summoned to the standard all men of the neighboring country, who were capable of bearing arms, and proclaimed the deposition of all who were then in office. The Confederate Diet opposed to them troops from Baden, Hesse, and Würtemberg, who completely routed in the first encounter at Kander, on the 20th, a band of insurgents under Hecker, and a second under Struve at Steinen. A company of armed peasants, who had occupied Freiburg on the 22d, were overpowered on the 24th. Then came Herwegh with his Parisian volunteers across the Rhine ; but they were overtaken on the 27th at Dossenbach by a company of Würtembergers and chased over the Swiss frontier in disorderly flight.

The three leaders succeeded in escaping with their lives.

Their Polish confederates had meanwhile shown more martial courage and very much less honor. As we have seen, the King had promised their deputation a national reorganization of the Province by a Commission composed of members of both nations, under the condition that no unlawful measures should be taken, and all meddling with Russian Poland avoided. They had promised this and then gone their own way without restraint. That united Commission formed itself at once of seven Poles, who only after much solicitation had the goodness to admit two Germans, although then only as spectators. In the fortified and strongly occupied capital city, Posen, they offered the German inhabitants friendship and concord; but in the smaller towns and in the open country the nobles with all their kinsmen and households took up arms, and as far as they could, compelled the Polish peasants to join their ranks; strengthened themselves by receiving accessions from Russian Poland and from Galicia, as well as by welcoming countless emigrants who hastened to them from France; levied tributes of money and of supplies upon both Poles and Germans; tore down the Prussian eagle; sequestered the royal funds; drove out the Prussian officials; and maltreated Germans and Jews who refused to obey them.

Inasmuch as there were in the Province, by the side of seven hundred thousand Poles, not less than five hundred thousand Germans, the latter continually sent



more and more vigorous protests and complaints to Berlin; yet even there the sympathy with the Poles was so strong that General von Willisen, who had always been enthusiastic for the restoration of Poland, was sent to them as Commissary for the Reorganization. He warned the Poles that they should preserve law and order; yet he watched their excesses with patient calmness and restrained the military from any energetic measures. So that the throng of men armed with scythes increased daily, incited, moreover, by the Archbishop Przyluski and, in accordance with his instructions, by the whole body of the Polish clergy. These preached to the peasants, hitherto for the most part loyal, that to be Polish and to be Catholic went hand in hand: every one that did not join the revolution would be forced into the heretical church by the Prussians; but whoever shouldered his scythe, should receive, after the liberation of his country, three acres of plough-land, a cow, and, after death, eternal salvation. General von Willisen was not thereby hindered from making a compact with the National Committee, to the effect that the number of the Polish troops should be limited to four battalions, and he assigned to each a distinct garrison — so far, at least, recognizing a national armament. The Poles took possession of these forts, but kept on recruiting without interruption, extorted fresh contributions, and continued to drive out Prussian officials. Meanwhile, the complaints of the German population had so far had an effect in Berlin, that a royal decree excluded those districts that contained

more German than Polish inhabitants from the Reorganization; and soon afterward they were assigned to the German Confederation.

This called forth immediately a thundering declaration from the Poles, that this was a repetition of the old crime, a seventh partition of Poland, which they were ready to resent at the risk of their lives. Willisen's compact was blown to the winds, and everywhere an open warfare was begun. In this struggle the Poles manifested equally an extraordinary heroism in face of the troops and a barbarous cruelty towards the defenceless Germans and Jews. Several bold sallies of small Polish companies were successful. Once their leader, Mieroslawski, even gained the victory over a much larger, but badly-disciplined detachment near Miloslaw. In the long run, however, they could not hold out against greater numbers. In the first part of May, after Mieroslawski had laid down his arms, the rebellion was everywhere smothered, the seditious bands broken up, and peace again restored.

The geographical position of Baden and Posen prevented, of course, the insurgents in these countries from directly helping each other or working together. Yet, in spite of this, the defeat of one meant a sore blow for the other. The best revolutionary soldiers in Herwegh's onslaught would have been the victorious Poles; and the successful kindling of a German revolutionary conflagration would have most materially helped along the cause of Mieroslawski. But now they had seriously damaged each other's cause by the

premature exposure of their aims. The Poles had shown what Germans living under their rule might expect to suffer; and had testified by their own repeated declarations, that it was not only the whole province of Posen, but West Prussia, which had just been admitted into the Confederation, that they wished to recover. The people of Baden, on the other hand, had openly confessed their allegiance to the Jacobin principles of 1793, which regarded the Sovereign Will of the People as but an empty name, and justified the Republican fanatics in resorting to every violent measure of terrorism. And then, after such masterful pretensions, what wretched bickering and what a cowardly flight! Robert Blum was, from his radical standpoint, undoubtedly right, when he wrote to his wife at this time: "Hecker, by his mad behavior, has been guilty of treason to the German People."

After these unsuccessful outbreaks of violence, the love for Poland and the enthusiasm for a Republic were in a great measure cooled down and extinguished. The Sovereigns were, for their part, convinced that there was no help against Democrats but soldiers.

Yet the Radical party did not lose heart. What the revolt had lost for them, they hoped to gain in the Parliament. Therefore they entered into the work of the elections with redoubled energy. They did not talk any longer about a Republic, but so much the more zealously about the Sovereignty of the People. The monarchs might remain in power; but they should everywhere carry out the popular will. That was the

true constitutional monarchy, and everything else only a miserable counterfeit, — like what the lukewarm and treacherous half-Liberals of Gagern's stamp had in view. Whole men, they said, were needed, who would stand firm for the rights of the people and for their welfare, who would procure for the day-laborer an abundance of food, who would free the workman from the tyranny of capital, and who would provide the common peasant with sufficient land to till. Destruction then to the aristocrats, the misers, the hard-hearted egoists!

These doctrines were assiduously taught in town and village; and in hundreds of places they served to increase the excitement of the masses and led to fierce and often bloody frays. The wild rejoicings of the first few weeks of the Revolution gave place to a dull sort of fermentation.

During this raging and storming of the Revolution, the Commission of Seventeen was at work at Frankfort, in the Hall of the Confederation, upon the plan of a national constitution which was to serve, as it might have under propitious circumstances, as an outline offered by the Confederate Diet to the National Parliament. Here there came up quite other subjects of dispute and discord than the question between a monarchy and a republic. The task was not, as with the Radicals, to tear down all existing codes and then to set up in an open field, following their untrammelled fancy, an entirely new order of things. Whoever, in the general enthusiasm for unity, took account of the data as they actually presented themselves, found him-

self at the outset confronted by that great question, which had for a whole century in various forms made up the content of German history, namely: the relation of the two Great Powers in the nation to each other and to the independent position of the smaller States. Was it possible in a united confederation to satisfy both these Powers? If not, then would it be better, for the sake of closer union, to forego the German lands of the one? Or, on the other hand, for the sake of keeping all German lands together, to abandon the idea of such union and be contented with some slight changes in the Confederation as it then existed? As we have seen, the discussion at Heppenheim really turned upon this question, and it was at the bottom of what was done there, even if no mention was made of it. Henceforth it was to be the controlling factor in the national movement.

✓ The chairman of the Commission of Seventeen was Dahlmann, the famous historian, and the leader of the celebrated Göttingen Professors, at this time one of the most prominent teachers at the University of Bonn. He was a man of good parts and of strict integrity, of fixed convictions and courageous patriotism; in politics he was a rigid doctrinaire, who, in accordance with the teachings of Montesquieu and De Lolme concerning the English political system, held a constitutional monarchy to be, by all means, the best form of government. He hoped to shape the future German constitution after this model: an hereditary Imperial Crown with responsible ministers; an Upper House comprising

the reigning Sovereigns and one hundred and sixty-one Imperial councillors chosen by the Chambers; and a Lower House elected by the people on the basis of universal suffrage; the Imperial Authority should have sole control of the military and of all matters of diplomacy, commerce, customs, and trade, there being no duties between all the Imperial countries; the former contingents from the Confederate States should be resolved into one Imperial army, all whose officers should be appointed by the Emperor, who should also have control of the garrisons and forts. At the same time, the constitution proposed a set of vigorous rules for the governing of the individual States, and gave the people the assurance of the most comprehensive rights of freedom. In a word, according to this plan, the Empire would be a constitutional unit, the provinces retaining their hereditary heads and complete autonomy in matters of civil and criminal law, of police, of churches, and of schools, as well as, to some extent, in the question of taxation.

Surely, such a constitution would not have threatened in any way the internal life of the various German races, neither in their peculiar customs, nor in their unhampered development; every argument based on this fear would certainly have been unfounded. But the more vital question was, whether this constitutional framework was sufficiently well adapted to the existing circumstances for its own merits to outweigh every objection to it. Or, in other words: had the desire for unity so strongly taken hold of the German people that

it could allure their minds as well as their hearts so far from the traditional standard of Individualism? This question must, as we know from the experiences of the Preliminary Parliament, be answered in the negative. Dahlmann's scheme, while it possessed great merit as an ideal, could not, in those days and under those conditions, be realized.

As to the size of the proposed empire, Dahlmann's idea was to take in, beside Schleswig, also East and West Prussia, and half of Posen, that is to say, the whole of the Prussian State. But with regard to the Austrian crown-lands his opinion was different. This was owing to the fact that on the same day, the 11th of April, upon which on Prussia's own motion its Eastern Provinces had been admitted into the Confederation, the Emperor Ferdinand had granted to his Hungarian States a ministry of their own, responsible to the Diet at Pesth, thus leaving to the two halves of the Empire that were separated by the river Leitha no common bond save his own personal sovereignty. Dahlmann recognized this separation of interests, and applied it to the question of their admission into the German Empire: Germany had nothing to do with the Hungarian crown-lands; but the country on this side of the Leitha should belong to the German Empire, and be subject to all the laws and ordinances of the German Imperial government; there should be no customs between it and the rest of Germany, and one half of the Austrian troops should be incorporated into the German Imperial army.

Everybody knew that the Emperor of Austria would not agree to this, even if the German Imperial crown were offered to him: so it was evident to the whole world that Dahlmann's scheme pre-supposed the withdrawal of Austria, and consequently the election of the King of Prussia to the imperial throne.

Opposition arose on all sides. The representative of Bavaria refused to take any part in the deliberations. Herr von Schmerling of Vienna treated the scheme with cool irony. The Seventeen voted only by a small majority to lay it before the Confederate Diet. There it fairly rained protests; although the Diet, at this time, was composed of new members, and liberal throughout, yet it was not able to agree even upon a provisional Executive, much less did it arrive at any decision upon Dahlmann's scheme. It was again deemed advisable to lay some outline of a constitution before the Parliament; but the declaration of the Deputy from Darmstadt, Herr von Lepel, that the proposed system would never do, was unanimously upheld. Dahlmann's motion (as was customary in the proceedings of the Confederate Diet) was buried in the records of a committee.

When, directly afterward, the scheme was published, there arose in the Radical press, in spite of the democratic clauses about the rights of property and of suffrage, a storm of rage against the idea of a Prussian hereditary Emperor. The Sovereigns, too, were indignant that Dahlmann had proposed to put them into his "Upper House" with one hundred and sixty-one of their own subjects, and to let these latter outvote them.

Not one of them would expose himself to such a disgrace.

In the midst of this hail-storm of execrations, a letter from the Prince of Prussia to the Ambassador Bunsen threw a joyous ray of light into Dahlmann's heart. In this letter the Prince commended the plan in the highest terms, at the same time giving expression to his decided approval of a constitutional system, and criticising with the judgment of an expert, Dahlmann's scheme in detail. He questioned especially the exaggerated limitations of the rights of the individual Governments in their own States. He thought that this was carried further than was necessary for the proposed centralized system. He, too, considered the position allotted to the German Princes in the Upper House as out of the question. Indeed, he doubted whether it were not desirable to win for the great Reform the favor of the Sovereigns by making the office of Emperor elective. The scheme as a whole, however, he considered a magnificent production, a masterpiece in clearness and conciseness, and of sterling value. "It evinces," he said, "a comprehension of modern German conditions, that could only spring from a true German heart, and it deserves the thankful recognition of the whole Fatherland."

The vision of the future presented by this letter from the Prussian Heir-Apparent was indeed fascinating; but so much the more comfortless for Dahlmann and his associates was the actual present, as revealed in a correspondence, which was carried on at the same

time with Frederick William IV., the man on whom, for the moment, everything depended. He, the King of Prussia, to whom the Imperial crown of a restricted Germany would fall, proved himself to be eagerly desirous of keeping Germany entire, and thoroughly imbued with mediæval notions.

In reply to a letter from the English Prince-Consort, the King had sketched an outline of the future Empire as he had pictured it to himself: a Confederation of States (not a Federal Union) with a Council of Sovereigns and a Parliament. At the head of such a government there should not be, as the Prince-Consort proposed, an Emperor chosen for a stated time; but the Emperor of Austria, as the first in honor among the Teutonic races, should become, once for all, "Roman Emperor;" then under him there should be a "Teuton King," chosen for life to be the highest authority in the Empire, elected, as of old, at Frankfort in the conclave of the ancient Cathedral of St. Bartholomew, there accepted by the acclamations of the people, and then anointed and crowned, if Catholic by the Archbishop of Cologne, if Protestant by an Archbishop of Magdeburg, who was to be appointed *Primas Germaniæ*.

The King sent this outline to Dahlmann just at the moment when the latter was finishing his constitutional scheme. Dahlmann, therefore, returned with his own scheme a respectful, but very urgent refutation of the royal proposal. The King, however, remained unshaken. He felt that everything depended upon retaining for the new German Empire the German hered-

itary crown-lands of Austria, and upon thus preventing a fatal mutilation of the Fatherland. The only true means of avoiding this was the transfer of the German Imperial crown to Austria; and if she should not be contented with the simple honorary title, then even the sovereign authority in the German Empire should be granted to her. In the latter case, the King would request for himself the office of hereditary Imperial Commander-in-Chief of the German troops outside of Austria; the contingents of the Lesser and Petty States he planned to divide into six "Imperial military dukedoms," in each of which a King, Elector, or Grand Duke should have the command of all the contingents of the section — a plan, which, if carried out, would certainly not have increased the authority of Prussia, but rather that of the Lesser States, and consequently would least of all have promoted the interest of German Unity. Dahlmann once more pointed out to the King the necessity of making Prussia the leader of the Empire; for, as he said, Germany, in that case, without the Austrian hereditary lands would be stronger than she could be with them as a Confederation. The King, however, remained firm in his former convictions, and observed at the end of his reply that he moreover did not believe that the Sovereigns were at all inclined to offer him the Imperial crown; and if the proposal were to come from the people, without the consent of the Princes, or in direct opposition to them, such a proposal should be answered only with cannon.

This put an end, for the time at least, to all hopes of

a restricted Germany, or left them to depend upon the very uncertain chance that the King would sing another tune, if the crown were actually offered to him. But Frederick William had already pledged himself to Austria, although perhaps only morally, in a letter to Metternich dated the 18th of April, in which he definitely promised to do all in his power for the transference to Austria of the hereditary Roman Imperial crown, and for himself, to claim only the office of Imperial Commander-in-Chief. ✓

And now, in May, he sent to a number of German Princes in confidence a copy of his letter to the Prince-Consort; but when he wished to propose to the Sovereigns a discussion of its contents officially, his Ministers interposed: they were not so ready as the King to sacrifice unselfishly and magnanimously the interests of the Prussian State to the House of Lorraine. Inasmuch as in view of the approaching Prussian national assembly the King could not dispense with his Ministers, he was forced, though much to his annoyance, to give up for the present his great German project.

Elsewhere, too, the schemes for preserving Germany entire interfered directly with the longings of the people for German Unity. In Munich, King Louis I. had become weary of ruling, and had abdicated in favor of his son Max II. The latter, although milder and less energetic than his father, held with equal tenacity to his sovereign prerogatives. His Ministers openly pronounced, with serio-comic boisterousness, Dahlmann's work to be a project alike dangerous to Princes and to

People: in that it destroyed, on the one hand, the rights of the Governments, and on the other hand, interfered with the full development of the individual races; in short, it established in the form of a central power a despotism ruinous to all internal life of the nation.

Under the personal direction of the King a plan was then worked out, which was as directly in contrast to Dahlmann's scheme as possible: instead of an hereditary Empire, a Directory was proposed which should hold office six years, and whose members should not be elected, but be taken in a fixed order from all the Princes of the Empire; likewise, the authority of this imperial body was reduced to a minimum, and the fullest exercise of sovereign rights reserved to the individual States. This plan would have helped the needs of the nation just as much and just as little as the Confederate Constitution of 1815. It was very aptly said that there was nothing good about it, except that it would be impossible to carry it out.

As far as Austria, the natural champion of Individualism, was concerned, her Government was occupied with a hundred other more vital interests than the question of a German Imperial constitution. But her wishes were being expressed by increasing agitations among her subjects. In Prague a great national movement of the Slavonic races arose who vigorously protested against any closer connection with Germany. In Bohemia and Moravia, Czechs and Germans were in open hostility, and more than forty districts refused to hold any elections for the German Parliament. In Vienna the tide

of jubilation, which had risen so high in March over the tricolored banner, had begun to ebb at a rapid rate. The citizens feared lest Vienna, when once it had become part of a German Empire, should sink to the rank of a provincial city; the manufacturers heard with alarm that, as an integral part of the German Empire, they were not to be protected against their western German neighbors by any system of customs; and the artisans would not listen to those notions of the liberty of choosing one's trade and of emigrating without paying duty, which were considered to be among the fundamental rights of the German citizen. The politicians took up the watchword: we are first Austrians and then Germans. A member of the Committee of Fifty, himself a citizen of Vienna, happening to be in the city in April, noticed with regret that many of the houses were decorated with the black and yellow flag by the side of the German colors. "The faces of these people here," he said, "are turned down the Danube toward the East, rather than toward the German Empire and the West."

The Government of Austria entertained the same sentiments. The President of the Ministry, Count Ficquelmont, would have preferred to hold no elections for the Parliament at all; but he was afraid that such a course would be interpreted in Germany as indicating a desire, on the part of Austria, to withdraw from the Confederation entirely; and he was, indeed, far removed from wishing to convey any such impression. On the contrary, the whole Ministry were as determined as possible to maintain the leading position of Austria as

strongly in the new Germany as in the old. That this was incompatible with the conversion of the German Confederation of States into a Federal Union with its realization of the dreams of the German people, was quite clear to all the Ministry, but they relied upon their traditional right to expect that Germany would, of course, give up whatever might seem disadvantageous to Austria.

So they proceeded in Austria with the elections; but in direct contradiction to the principles of the Preliminary Parliament, a ministerial edict of April 1st, published in the *Wiener Zeitung*, announced that the Government reserved for itself the right of considering every decree of the German National Assembly, and of refusing to recognize any that were not harmonious with the interests of Austria and with the character of a Confederation of States. Austria was well pleased when she found that Prussia could not finish her elections before the 1st of May; the two Powers then succeeded in having the opening of the Parliament postponed till the 18th. In Vienna this interval was spent in preaching, as widely as possible, the doctrines of an entire Germany and a loosely-connected Confederation of States. These efforts were crowned with marked success. The Government itself could, however, accomplish nothing further; for the 15th and 26th of May brought fresh revolutions, in consequence of which the Imperial Family fled to Innsbruck and the Ministry fell again completely under the control of the Vienna street-democracy.

CHAPTER III.

NATIONAL ASSEMBLY AND IMPERIAL REGENT.

WE have presented some of the events of March and April very much in detail, in order to place in a clearer light the immense difficulties, which at the opening of the National Assembly were encountered by the champions of German Unity. The plan of a restricted German Confederation under the leadership of Prussia, and from which Austria was to be excluded, was rejected by the Prussian King himself, and still more decidedly by the people of South Germany. With the doctrine of keeping Germany entire, that is, of retaining both Great Powers in the Confederation, it was impossible to combine any plan of national unity, or to do more than hold to the Act of Confederation of 1815. Lastly, the Republicans, who would the most successfully have disposed of all these difficulties at one blow, had suffered quite as severe a defeat in the elections as in their attempted revolts: three-quarters of the nation voted against them.

All the fervor and enthusiasm of the period was required to keep alive for any length of time, under such circumstances, the vain hope of a successful issue. The situation must be remembered, when we are tempted to criticise and pass judgment on the first German Parliament with its countless blunders and melancholy termi-

nation. These men had the courage to take hold of a problem, which it was impossible to solve, with the conviction that upon the solution of it the salvation of the Fatherland depended. Their mistakes were forced upon them by circumstances: their aims became the fixed goal of future German effort.

Such thoughts were far from the minds of the German people and their representatives, as the Deputies, numbering about six hundred, walked in procession through the decorated streets of Frankfort, on the 18th of May, 1848, from the old Hall of the Emperors in the Römer to St. Paul's Cathedral, the place of their sittings, amid the pealing of bells and the roaring of cannon, and accompanied by an immense crowd of shouting citizens. Solemn and earnest emotion and cheering hopes filled their hearts; they realized that the unbounded confidence of their constituents, the whole nation, followed them and would watch all the proceedings of the Assembly; and that vigorous action and unwavering firmness in all questions of the day were expected from them. The Act of the Confederate Diet of the 30th of March had, it is true, invested them with power only to act in common with the Governments in framing an Imperial Constitution; but the inscription over the Presidential chair in the Cathedral called upon them to bring back to their Fatherland its former prosperity and glory. The great majority of them felt this to be the true call of the nation, and were determined, whenever this cause demanded it, in their own name to act, to exercise authority, and to frame a constitution.

Yet this majority was for the most part neither Republican nor Revolutionary; on the contrary, children of a Revolution as they were, their most ardent wish was to establish, in place of revolutionary disorder, a solid monarchical system of government. But they saw the Fatherland threatened on all sides by internal and external dangers, and felt that, confused and disordered as were the individual Governments, the only possibility of salvation lay in preserving the moral dignity of the National Assembly; and this, then, became to them a sacred duty. Therefore they continued to hold for the time their revolutionary weapons in their hands, not, they hoped, to make a bloody use of them, but for the moral effect of preventing obstinacy and dissension. It seemed to them utterly foolish, judging from all the experience of the last generation, to think of accomplishing the union of thirty-nine different Governments, without the assistance of some such pressure as this. All of the members, except a small minority of about thirty, felt this in common, in spite of the fact that most of them were strangers to each other, that many of them were inexperienced and undecided, and that their political opinions differed so widely and were so fluctuating on particular points. Several weeks passed before definite parties were formed, and then it was months before the several groups took any decided stand on the questions at issue.

Such was the condition of things in an assembly, which has not been excelled by any ever held in Germany in intelligence or in talent, in knowledge or in

eloquence, in ideal aspirations or in lofty patriotism. It was a verification of the old saying, that the science of government is the highest accomplishment of the human mind, and one that can be attained only by native genius or after a long process of discipline.

A true representative of the sentiments that moved the majority was the President of the Assembly, Heinrich von Gagern, whom they chose on the 19th of May. A tall imposing figure, a strongly-modelled face, keen eyes beneath bushy brows, and a rich, deep voice marked him at once as a nature born to rule. Unselfish and truly modest, with his heart fixed upon high aims, he was not only always ready, but able in every speech and in every act to throw into the balance the weight of his whole personality. Understanding well how to hold himself in reserve for critical moments, he acquired in the Parliament that power, which, carrying everything before it, always accompanies the presence of a strong character at one with itself. Except in this regard, he could not be called a great orator; for he possessed very little versatility: he had almost no facility in the use of language, and neither wit nor irony at his command. His instrument had only one string: an almost irresistible and effective pathos.

He himself frankly confessed, that his moral strength was much greater and more effectual than his mental gifts. He was prudent, well-informed, and in particular cases not unskilful. But his brain worked slowly; and arrived with effort at the clear comprehension of complicated matters. He was wanting in the statesmanlike

faculty of seeing things in the right light and of calculating their consequences correctly. So that, although he was extremely conscientious, he was at every period of his career forced many times to change his opinions, and finally became a zealous opponent of what he had himself previously brought about. At this time, on the 19th of May, he stood in the rosy dawn of the rising German Empire,¹ at the head of the first German Parliament, and briefly summed up its task in the following words: "We are here to create a Constitution for Germany, for the whole Empire. Our call to the work and the authority to proceed have their origin in the sovereignty of the People." A long-continued storm of applause showed him that he had expressed the sentiment of the Assembly. "The Preliminary Parliament," he then continued, "justly perceived the difficulty of securing harmonious action with the Governments, and rightly allotted to us the task of framing a Constitution. Germany longs to be united and, with the co-operation of all her members, to be governed by the will of the People. It lies also in the province of this Assembly to bring about this co-operation on the part of the State Governments."

However these words may have implied a future understanding with the Sovereigns, Gagern's speech was a renewed confirmation of the opinion that they had no actual right to take part in the work of framing the German Constitution. This was solely and alone the right of the representatives of the sovereign People. And not only this: from the very first day the con-

¹ Gustav Freytag: *Leben Mathy's*.

viction had been gaining ground in all sections of the Assembly, that in view of the threatening aspect of the European sky, it was of the first importance to establish at once a Provisional Central Government, which should by a strong administration preserve the Fatherland from internal and external danger, until the introduction of the Imperial Constitution.

What shape this Provisional Government should take, was a question upon which widely-different ideas were entertained. The Radicals had before their eyes the example of the French Convention of 1793, with its Committee of Safety, and thought it best in a similar way to prove the sovereignty of the National Assembly; and by the overthrow of the Royal Governments, to achieve the foundation of the German Republic. The Assembly, however, by a large majority disclaimed these aims. They wanted above and over the individual States a constitutionally-monarchical Authority, which should have far-reaching yet definite powers, and which should act independently in details, but through the responsibility of its Ministers be dependent upon the National Assembly for its political principles.

Upon the closer consideration of such a system, several questions arose at once: Should a single person, as Regent of the Empire, or a Directory of Three be appointed to hold the supreme authority? Should these one or more regents be appointed by the National Assembly or by the ruling Princes, or by both in common? Should they be selected from the Royal Houses or from among the people? Should their functions be made

very general, or restricted to matters that concerned only the Empire as such? To deliberate upon these questions the Assembly appointed on the 3rd of June, 1848, a large committee.

The proposition of a Directory composed of three members, one for Austria, one for Prussia, and the third from the other States, gained at first, by reason of its appearing most practicable, many advocates in the Confederation and in the Assembly. Gagern himself favored the plan. His former project of placing the King of Prussia at the head was abandoned, at least for the present, on account of the King's extreme unpopularity. As early as the 28th of May, in a conference with the members of the Confederate Diet from Austria, Prussia, and Bavaria (the Herren von Schmerling, von Usedom, and von Closen), and also the Deputies Bassermann and Beckerath, he had come to an agreement with them about a Directory, and had commissioned the three first-named to request their respective Governments to appoint proper candidates. Usedom and Closen were quite ready to comply. Schmerling, whose Emperor had just fled from the rebellious city of Vienna, replied: "If I only knew what and where my Government now is!"

Meanwhile the deliberations on the subject continued. It became almost certain that the following names would be proposed as those of candidates: the Archduke John of Austria, Prince William of Prussia, and Prince Charles of Bavaria (all of them uncles of their respective sovereigns); and in case Princes should be

regarded as ineligible, the names of the Ministers Wessenberg of Austria, Camphausen of Prussia, and for the third, either the Bavarian, Armansperg, or the Badener, Mathy.

On the 19th of June, the Report of the Committee, drawn up by Dahlmann, was read before the Assembly. It was the expression of the prevailing sentiment of the Majority: namely, that the Assembly possessed sovereign authority to decide in all affairs relating to the Empire, and yet, as a matter of fact, wished, as far as possible, to act harmoniously with the Princes. The Committee decided for the Directory of Three: the members were to be chosen by the Governments and confirmed by the Assembly; the Ministers of the Directory were to be responsible to the Assembly; the Directory was to have executive power in matters concerning the safety and welfare of the German Federal Union, to hold the supreme command of the army and appoint a commander-in-chief, and to represent the interests of Germany in foreign and international questions of politics and commerce; but in framing and modifying the Constitution, the Directory should have no share, and to declare war it should need the consent of the National Assembly.

This would evidently cut deep into the sovereign rights of the individual States. Yet they raised no objections. Who the ruler of Austria actually was, was as little known in Vienna as in Frankfort. In Prussia, the President of the Ministry, Camphausen, entirely occupied with internal affairs and troubles, left the Con-

federate interests in the hands of Baron von Arnim, who was well pleased with the project of a strong central government, in which Prussia should have a share. Perhaps some of the smaller States sighed to themselves at the thought that in the seventeen Curias of the old Confederate Diet they had been able to exercise more influence than they possibly could in the future over the three votes of a Directory, from which they were to be entirely excluded.

But a new turn of affairs took place.

Gagern had meanwhile changed his mind. In view of the terrible disorganization of Austria, the exceedingly unsettled state of things in Berlin, and the condition, to a greater or less degree anarchical, of some of the Petty States, he felt the need of an Imperial administration as strong and ready as possible, such as could hardly be expected from a many-headed Directory. Therefore he now favored the appointment of one man to be Regent of the Empire. Many of the members on both sides of the House of Assembly had already become convinced that such a Head would act more quickly and more decisively than a college of three.

Gagern hoped to win to his side at least a good share of the Majority by proposing for this office a prince, especially the popular Archduke John. He thought the Left would favor this Prince, if he should be nominated directly by the National Assembly without any intervention on the part of the Royal Houses; but just this feature of the measure was what did not accord with the sentiment of the Majority, who were with

good reason convinced that a central government, in the creation of which the Royal Houses had no voice, would from the very beginning encounter the opposition of these latter. This was just why Dahlmann wished to include in the Directory representatives of the three most powerful Houses.

Gagern saw that there was only one means left for the accomplishment of his design: to arouse in the minds of the Majority a feeling that the several German Governments, and especially the King of Prussia, were already in favor of the elevation of the Archduke. He decided to make the attempt, although the necessary steps were not entirely free from the suspicion of trickery.

On the evening of the same day, the 19th of June, upon which the Committee made their report and proposed the Directory, Gagern once more turned to the three above-mentioned members of the Confederate Diet, and told them that there were still hopes of a majority for the Triumvirate, but that the idea of a single Regent of the Empire was daily gaining ground. He said, that in that case the Archduke John seemed to be the only available candidate, and asked them what their respective Governments would probably say to this proposition, assuring them that that would influence very much the vote of the Assembly. These gentlemen replied, that they could not give him a formal answer, since they were neither prepared for such a question, nor had they received instructions upon this point.

When Gagern asked their private opinions, Schmer-

ling, who was a clear-headed, logical thinker, expressed plainly and decidedly his determination to advocate the Directory. Usedom, a man who at all times preserved an imposing dignity, yet who with all his cleverness was unsteady in character, replied, that if the proposition were actually made, the King, from his personal reverence for the Imperial Family, would probably accept the Archduke; but that the pride of the Prussian people would be deeply wounded; and that, therefore, the Directory was to be preferred. "I am quite of the same opinion," said Closen, "and yet, if Prussia should vote for the Archduke, Bavaria cannot possibly object to him."

Although these remarks were quite off-hand and of no official importance, it was rumored the next day and regarded as a settled fact, that the King of Prussia would favor the nomination of the Archduke John. On the 21st, Vincke made a speech in the Assembly in this strain, with evident reference to John and to the consent of the King. A number of the Deputies from the Petty States likewise advocated the Imperial Regency: their Governments would at least have the satisfaction of knowing that they were not worse off than Prussia and Bavaria.

In the course of the day, Usedom was told that if a Directory should happen to be fixed upon, it would be composed not of Princes, but of private men, and the only means of averting this Republican result was the election of the Archduke John.

Usedom was consequently inclined himself to work

for this means of salvation, when he was startled by a telegram from the Berlin Ministry: "You are to oppose every Regent, even if a Prince" — or in other words: You are to protest in the name of your Government against the election of the Archduke and to urge the acceptance of the Committee's Report.

And these were his instructions at a time when Camphausen's Ministry in Berlin had already been dismissed, and no new Cabinet yet formed! And under such circumstances he was to expose Prussia to an open break with the National Assembly! His courage failed. He telegraphed back this wail of distress: "If I vote for the Archduke John, he will be Regent; if not, three private persons."

Gagern went to him by night, and told him that the appointment of John was as good as certain, since it had been understood that the Governments could agree upon no other. It was doubly the duty of Usedom in response to this positive utterance, and in accordance with his orders, to dispel the illusion by the announcement of Prussia's protest. But he again had the courage to be weak. Again he talked about the probable displeasure of the Prussian people at the election of the Archduke, but said not a word about the opposition of his Government. After this conversation, Gagern might well consider the consent of the Prussian King as good as signed and sealed.

Meanwhile, in the National Assembly ever since the 19th the war of words had been going on over Republic and Monarchy, over the single Head and the Triad,

over the sovereignty of the People and hereditary rights, over everything promiscuously, and sometimes in hourly-varying moods. On the whole, the party of the Imperial Regency grew, and after Radowitz had declared himself in favor of it, no one any longer doubted the approval of the King of Prussia. On the 23rd, Dahlmann announced, in the name of the Committee, that they had decided to amend their Report by putting in the place of the Directory an Imperial Regent, to be nominated by the ruling Houses and confirmed by the Assembly. At this point Gagern might have regarded the abandonment of the triumvirate idea and the election of the Archduke as assured.

But this did not satisfy him. What he had proclaimed in his opening speech, the sovereignty of the People, he wished now to see realized in the nomination of the Imperial Regent by the National Assembly alone. His speech on the 24th was not the extemporaneous expression of his overflowing emotions; for on the day before Usedom had already received informal notice of what was coming. After a conversation with Max Gagern, Usedom had reported to his Government on the 23rd: "The Left demands the appointment of a President by the National Assembly; the Right insists upon a Prince; in both parties the majority favors a single Regent; Radowitz spoke to-day in support of this, and Gagern will do so to-morrow; perhaps the motion will come from some section or other to appoint Archduke John by acclamation." Usedom continued, that he had told Max Gagern, that he personally still preferred the

Triumvirate ; but added that he had not announced the opposition of the Government to the project of a single Regent.

Thus not even the hint that the Archduke might possibly be proclaimed Regent by the National Assembly had made clear to him his duty to protest, as he had been ordered. Gagern was justified in remaining in his belief that Berlin would offer no resistance to his designs.

Even if Usedom had done otherwise, it would probably have had no effect at this stage of affairs. For, when Braun of Köslin on the 20th had proposed the King of Prussia as Regent of the Empire, the brave man had been answered only by a burst of ironical laughter from the Left, and not a single member had risen to support him. Meanwhile, the ministerial crisis continued in Berlin, the raging of the unchecked proletariat, and the democratic attitude of the popular representatives. Indeed, in Frankfort, far from any consideration of Prussia as having any power or influence, the feeling was rife among the Moderate parties, that it would be an important duty of the future Central Government to aid the distressed Government of Prussia against the assaults of the Anarchists.

Such a haughty spirit of self-confidence permeated the whole Assembly, such a contented self-sufficiency in their own high calling, that the members lost sight of the hard actualities of existence in the world outside. A proposition to get rid of the old Confederate Diet, when the Central Government should enter into office,

was greeted with jubilation on all sides, in spite of the emphatic assertions of Bassermann and Welcker, that by the side of the Central Authority some legislative body was necessary to represent the individual States. Everybody was ready to take a sudden jump with both feet from the previous extreme of Individualism directly over a Federation into the new extreme of a closely-welded Union. To rush from one extreme to another is certainly human; but in this case, these men unfortunately failed to realize that the creators of the Confederate Diet held the control of all the material factors in the movement of 1815, whereas the only control held by the Deputies in the Cathedral of St. Paul in 1848 was their moral influence over the people.

The end of the debate was fixed for the 24th of June. The rumor spread among the Deputies that Gagern — whose activity had been hitherto entirely in secret — would make a speech, and of course every one thought, in support of the Committee's Report: that is to say, in favor of the appointment of an Imperial Regent, who should be nominated by the Princes. The last of the speakers announced was Mathy, who again in strong terms recommended the conversion of the Confederate Diet into a permanent legislative body, and warned the Assembly against too boldly grasping after parliamentary omnipotence.

Thereupon, amid the breathless suspense of the Assembly, Gagern ascended the tribune, and after a short introduction, cried, in sharp contrast to his friend Mathy: "I propose to make the bold stroke, and declare to you

that we ourselves must create the Central Government." An outburst of deafening applause from the Left immediately followed, and it was taken up by the Central parties. Gagern spoke further: "We must choose the Imperial Regent from the highest spheres; then the Royal Governments will thank us for relieving them from the embarrassment of the choice." Hereupon the Right loudly applauded, while the Radicals grumbled their dissatisfaction. A good many imagined that Gagern would close by calling upon the Assembly to proclaim at once by acclamation the Archduke John Regent of the Empire, and we, too, have seen that this idea was not foreign to his intentions; but the attitude of the Left in regard to the elevation of a Prince, and the annoyance of the Right at his "bold stroke," were so evident, that Gagern did not risk making this proposition. In the main point, however, he had the majority with him. To be sure, several days of disagreeable quarrelling between the parties intervened; but on the 28th of June the Decree concerning the establishment of a provisional Central Government was passed. We will review its chief features.

The Central Government has (so the Decree was worded):

1. Executive power in matters relating to the common safety and welfare of the German Federal Union.
2. Supreme command over the entire armed force; and power to appoint the general-officers of the same.
3. The duty of representing Germany in foreign and international matters of commerce and politics; and

to this end, the appointment of ambassadors and consuls.

The Central Government is to have no share in the work of framing a constitution.

In declaring war and in making treaties with Foreign Powers, it is to act in concert with the National Assembly.

The Central Authority is to be intrusted to a Regent of the Empire, to be appointed solely by the National Assembly.

The Regent of the Empire is irresponsible; he is to exercise his power through Ministers appointed by himself and responsible to the National Assembly; none of his ordinances are valid without the counter-signature of a Minister.

Upon the entrance into power of the Provisional Central Government, the Confederate Diet ceases to exist.

The Central Government in the exercise of its executive functions shall, as far as may be practicable, act in harmony with the Plenipotentiaries of the several State Governments.

When one undertakes to pass a judgment upon the meaning and the value of this Decree, one is met at the outset by many instances of incompleteness, confusion, and ambiguity in its most important points.

The Central Government was excluded from sharing in the work of framing the Constitution. Was it also to be excluded from sharing in the legislation necessary to the execution of its own functions? And supposing the National Assembly passed any measure against the

wishes of the Central Government, was the latter to be obliged to carry out the same? A law was promised concerning the responsibility of the Ministry; but how should it be until this law was passed? And according to what standard were the functions of the other officials to be regulated? Furthermore, the National Assembly would doubtless reserve for itself the right of appropriating money; how far then could the Central Government act freely in expending that money, and how far must it be limited by the stipulations of the budget, to be made by the Parliament? One may see that from what this law contained as well as from what was omitted from it, it would be equally possible to arrive at the doctrine that the Regent of the Empire should possess absolute monarchical power, or that he should be entirely dependent upon the sovereignty of the National Assembly.

The ambiguity was even more striking with regard to his relations to the individual State Governments.

It was disagreeably significant that the very first sentence concerning the authority of the Imperial Regent was worded almost exactly like the corresponding clause in the Act of Confederation; and we have seen what far-reaching claims Prince Metternich, in 1819 and in 1832, had built upon the duty of the Confederate Diet to care for the common safety. A democratic dictatorship could just as well be founded on this clause as a royal one.

The second sentence, too, about the military, left room for the most widely-differing interpretations.

Whoever chose, might see in it a simple repetition of Article 5 of the Vienna Final Act, not at all dangerous to the independence of the individual States. But the opposite interpretation, the absorption of the Confederate contingents into one single Imperial army, in which all the officers of high rank were to be appointed by the Imperial Regent, could not by the wording of the article be gainsaid.

The third great prerogative, the representation of Germany in international affairs, the right of appointing and receiving ambassadors, had been also exercised by the Confederate Diet, without encroaching upon a similar right on the part of the State Governments. Whether this condition of things would continue, or whether the State Governments were to lose their right of receiving embassies, the world could not determine from the third Article of the Decree. On the other hand, the dependence of the Central Government upon the National Assembly in just this very matter was emphatically asserted, whereas an experienced Parliament never meddles in Foreign Affairs, unless at the express request of the Ministry.

By way of compensation, the Imperial Regent was to be wholly independent of the State Governments; though he should listen to what they had to say, as far as might seem to him advisable.

The meaning which this Decree conveyed to the minds of the members of the Assembly has been clearly set forth in what has already been said. It was not in vain that Gagern again referred to the sovereignty of the

people's representatives as the source of all parliamentary power. It was decidedly the feeling of the Assembly that every article of the Decree should be carried out in its widest application. It did not occur to any one that the passing of a decree and its execution are not one and the same thing. With each right which they had attributed to the Central Government, they actually believed that they had raised by so much their own power above that of the individual States, and thereby strengthened the principle of German Unity. For it was understood as a matter of course, that under all circumstances the Imperial Regent remained dependent in his policy upon the guidance of the Parliament.

Accordingly, on the 29th of June, the Archduke John was chosen Regent of the Empire by an overwhelming majority. It was taken for granted that he would accept the dignity, although he had just taken upon himself the government of Austria in the name of the Emperor, who still remained at Innsbruck. A delegate from the National Assembly hastened to Vienna to convey to him the joyous intelligence. At the same time, the Confederate Diet raised its voice and decided, although without any instructions from the Governments, to inform the Archduke that the Princes had already agreed upon his nomination before the action of the Parliament. The Archduke was thus left free, both for the present and for the future, to choose upon whose nomination he preferred to rest his claims to the title.

When Robert Blum, the leader of the Left, animad-

verted on this in the National Assembly, and at the same time expressed his surprise at the prophetic power of the Confederate Diet, Gagern explained that the information had not been gained through himself; for between him and the Confederate Diet there had not been the least communication on the subject. Schmerling remarked that the Confederate Diet was already a thing of the past, and the National Assembly proceeded to the order of the day.

While awaiting the arrival of the Archduke, the members were in a state of great excitement. In the most influential circles of the Majority, speculation was rife as to how matters would stand under the new *régime*. It seemed to go without saying that, in case of riot or disturbance, the Imperial Ministers were to send orders directly to the local authorities without taking any notice of the State Governments, and just as directly to call out the proper troops. Some held that all fortresses must be Imperial fortresses, and all field-officers appointed by the Empire.

In the Committee on the Constitution, the question of placing the entire control of the German military in the hands of one person was discussed, and also that of depriving the State Governments of the right to send and to receive embassies. In the Committee on Military Affairs, an Austrian colonel made the motion that the Prussian regiments should henceforth take their oath of allegiance to the Archduke. Thus the longing for material power deduced from the Decree of June 28th the most far-reaching consequences. No one expected

opposition to these claims at any point, nor doubted its immediate suppression, if any should occur.

As a matter of fact, however annoying the "bold stroke" and the Decree of the 28th had been to the German Governments, they hastened to give notice at once of their unconditional acceptance of them. Even the new Prussian Ministry of Auerswald did not censure the behavior of Usedom, and wished to avoid a quarrel with the Assembly in the Cathedral of St. Paul. To be sure, they felt keenly the exclusion of Prussia from the Central Government, but hoped the best from the administration of John, and without delay gave their assent to his election; they only made the reservation, that the action of the National Assembly in this exceptional instance should not be considered as a precedent for the future.

The only States that were recalcitrant were Hanover and Bavaria. King Ernest Augustus officially declared to his Estates, that he should abdicate, if his royal prerogative were materially trespassed upon; but when the motion was made in the Cathedral of St. Paul to convert Hanover into immediate territory of the Empire (*Reichsland*), he yielded, sent an ambassador to Frankfurt to convey to the Archduke his most respectful greetings, and allowed to pass unnoticed the fact, that the ambassador, without instructions, officially gave his assent to the Decree of June 28th, as the Parliament required. Somewhat later, King Max of Bavaria also accommodated himself to the new *régime*, although he had said to the Prussian ambassador at the outset,

that he would fight to the last drop of his blood, before he would consent to be mediatized. He now yielded unconditionally.

Meanwhile, satisfactory news came from Vienna. The Archduke had received the Deputies in the most cordial manner, and expressed at once his acceptance of the honor conferred upon him. For a moment he entertained the idea of filling both his high offices side by side; but he soon recognized the impossibility of this plan, and decided to enter upon his official duties at Frankfort at once, then to return for a few days to Vienna to the opening of the Austrian Parliament, and afterwards to devote his whole attention to his duties as Regent of the German Empire. In all that he said, he showed himself as straightforward and upright as possible; his addresses in the Vienna dialect sounded fascinating, good-natured, and true-hearted; it was evident, that there could be no deception in this man.

Yet, after all, he was a politic and ambitious old gentleman, whose most ardent wish was to keep for himself all paths open; and, perhaps, he hoped to succeed in attaining his high aims just by assuming this modest bearing. In his manifestoes he spoke of no other right to his title than that founded on the Decree of the National Assembly; yet, at the same time, he sent a letter to Herr von Schmerling, in which he expressed his thanks to the German Governments for their confidence, and for having first laid the foundation for any really efficient action on his part. In the same way,

he put himself upon a friendly footing with the Prussian Ambassador, Count Bernstorff, by promising to act upon the suggestion of Prussia in appointing the Minister of Foreign Affairs and the Minister of War. All this was not at all in accordance with the doctrines maintained in the National Assembly; and in Berlin the enthusiasm over his friendly advances cooled down, when it was learned, that in passing through Dresden he had, in conversation with the Saxon Minister, Von der Pfordten, hinted at rumors about Prussia's desire to make new annexations. Indeed, in Berlin the people were thanking Heaven every night for having brought them through another day in tolerable security, and not a soul had any thought of making foreign conquests.

And so, shaking hands right and left, talking diplomatically with diplomats, and familiarly with the people, the Archduke came on the 11th of July to Frankfort, where he was received with great pomp by the citizens, and on the 12th was introduced into the Assembly. Here a secretary read to him the Decree of June 28th. He pledged himself to maintain it, and to see that its provisions were carried out. Amid thunder of applause, he announced that after the opening of the Parliament at Vienna he should devote himself entirely to the welfare of Germany. From the Cathedral of St. Paul he crossed over to the Hall of the Confederation, to receive the farewell greeting of the expiring Confederate Diet. It is worth our while to consider in detail what had been taking place in the Diet during this time.

When the news came, on the 10th of July, of the Archduke's arrival in Frankfort, Herr von Schmerling assembled his colleagues to deliberate upon the proper course of action to be followed now at the close of their official existence. They were unanimously of the opinion that their activity must cease at the entrance into office of the Imperial Regent, who had been recognized by their Governments. But they realized also that, according to the laws of the Confederation, the abolition of their body could not be brought about by the National Assembly, but could only be the result of a unanimous vote of all the members of the Diet itself; and they decided that it was not at present advisable to pass this vote, but to await the completion of a definite Imperial Constitution.

Their conduct on the 12th was consistent with these sentiments. Herr von Schmerling welcomed the Archduke, enumerated first the functions of the new Central Government, and then those of the old Confederate Diet, — we have seen that they were theoretically very nearly the same, the only essential difference consisting in the functionary: in the one case a body condemned to impotence by the requirement that its measures should be passed unanimously, and in the other, an irresponsible ruler holding all rights in his own hands, — and then transferred to the Imperial Regent the exercise of the rights and duties of the Confederate Diet. He closed by saying that the Confederate Assembly regarded its career as herewith ended.

It would not have been possible to have prepared for

the Archduke a more comfortable position. Again he might choose, according to circumstances, between administering the Government with the aid of responsible Ministers as Regent elected by the Parliament, and ruling with the most absolute authority as attorney for the Confederate Diet. And even further, if the Parliament should at some future time be hostile to him, or should go to pieces, the theory of Herr von Schmerling afforded John the expedient of summoning again the Confederate Diet, which would not have ceased to exist, but would only have meanwhile remained inactive. To be sure, such a move seemed out of the question for a Government by whom the Decree of June 28th, and consequently the responsibility of the Imperial Ministry and the abolition of the Confederate Diet, had been recognized; and still more so for the Archduke, who at first in Vienna as Austrian Regent had announced to his people his election by the National Assembly, and then in Frankfort had sworn to uphold the Decree of the 28th of June.

This was also the opinion of the National Assembly, which in full consciousness of its own power held such tricks and surprises as impossible and despicable; and when a motion from its Left Centre referred to the dangers resulting from the action of the Confederate Diet, the House refused to recognize the urgency of the motion, and it was not mentioned afterward. The majority were well pleased with what they had accomplished, with their present standing, and with their expectations for the immediate future; although nearly

two months had already passed without their beginning upon the actual business in hand, the framing of an Imperial Constitution. They did not dream that, even before the commencement of this work, they had already passed the zenith of their career.

CHAPTER IV.

COMPLICATIONS.

JUST before the National Assembly, on the 19th of June, began its deliberations about a central government, Prince Windischgrätz had put down the Slavonic rebellion in Prague by force of arms. This was the first time since March, that the military force of any Government had subdued an armed popular uprising of any considerable importance. More decisive still was another event. On the same 24th of June, on which Gagern made his "bold stroke," the great street-fight in Paris reached its climax, when, after a struggle of three days, General Cavaignac overcame the armed masses of the people.

In this crisis, everything that had held sway there, that had raged and stormed since February, everything that had served as an example and an inspiration to the Republicans of the neighboring countries, was swept from the land at one blow. The old reactionary tendencies stood again at the helm of the French Government. This meant an ebb in the tide of revolution throughout Europe. King Max of Bavaria expressed to the Prussian Ambassador at this time, his indignation at Gagern's bold stroke; "but," he added, "the victory of General Cavaignac is a true source of consolation. It will bear rich fruit in Germany also." His judgment could not

have been more correct. Whoever, in Germany, had hitherto been sailing under a revolutionary breeze, would do well, at this change of wind, to guard against running his craft upon the sand.

The power of the National Assembly was founded only upon the general belief in its power. This belief was still entertained far and wide in German countries; but after the events just mentioned, who could guarantee the continuance of such a confidence? The great fountain of Revolution in Paris was sealed; and the Princes saw that the masses of the barricaders were not invincible. These masses, on the other hand, had, it is true, applauded the men of the Left, and yet had been quite as hostile to the majority of the National Assembly, as to the Governments. This state of things could not long remain hidden from the eyes of the world; and so soon as it was clearly understood, the Princes would no longer be dependent upon the good-will of the National Assembly, but the Assembly upon the good-will of the Princes.

Under these circumstances, there could be nothing more urgent for the National Assembly than to hurry on the completion of the work of framing the Constitution, before the decadence of the parliamentary sovereignty and the revival of the power of the individual Governments became too generally known and felt. It all depended upon the firm establishment of a definite Imperial *régime*, while a decree of the National Assembly was still looked upon as the expression of the all-powerful and irresistible will of the nation.

But, instead of going to work immediately after the call of the Archduke upon the organization of the future Central Government, the Assembly decided, on the 3d of July, to take up first the discussion of the rights of freedom of the German citizen, or, as they were then called, the "fundamental rights of the German People." It was a decision extraordinarily significant for the position taken by this Parliament in history. If the national consciousness had been somewhat more developed, a proper organization of the Empire would naturally have been demanded first of all, without which the theoretical rights of freedom would mean nothing to the citizens. It is clear that, with all their longing for national unity, the inmost heart of the Assembly was moved most deeply by the thought of individual independence. For the Radical Minority national unity had no attraction, unless under the form of a republic; they detested a union under such a constitution as might be expected from the Majority. The Radicals hoped now to put so much unlimited freedom into these "fundamental rights," that no monarchical government at all could exist consistently with them.

The Left acted quite in accordance with their principles; but the Moderate parties allowed very insufficient motives of policy to have weight in the final vote.

Up to this time, there had been in the Assembly only one marked dividing-line: that which separated the constitutionally-inclined Majority from the Republican Minority. Even when different shades of party-doctrine

had led to the formation of smaller subordinate groups, the great Majority had always united when the critical moment came. Its leaders had striven to keep the Majority together so long as possible ; but now, unfortunately, a most violent rupture was occasioned, whenever, even in private conversation, the subject of a future Imperial constitution and system of government was broached. At once the quarrel arose between the advocates of a restricted Germany and of Germany entire, between the adherents of the Confederation and of a Federal Union : in short, between Prussia and Austria. On both sides, the desire to conceal the breach was strong ; but no other expedient was found than the negative one of not touching, for the present, upon this delicate point. For the same reason, the Confederate Diet and the Preliminary Parliament had, three months before, referred this entire matter to the coming National Assembly ; and now this Assembly set their hopes upon some *interim aliquid fit* in the future. The friends of Austria thought that the Vienna Cabinet would soon be able to give them better support than it could now in its present melancholy condition ; and the adherents of Prussia, on the other hand, knew that they could not at this time carry out their projects, on account of the unpopularity of the King everywhere in South Germany, and in the Cathedral of St. Paul itself.

Consequently, both parties agreed to postpone the discussion of this disputed question until after the settlement of the "fundamental rights." There was plainly no hope of deliverance to be based upon this ; it was

rather a token of helpless embarrassment. For nothing was surer, than that three months later the contest would rage quite as hotly as now. It lay in the condition of things that had been growing up for centuries and could not be ignored: whoever desired a closer unity than the Act of Confederation offered, could not hope to include two Great Powers in the same union; and *vice-versa*, whoever wished to retain both Austria and Prussia must be satisfied with slightly changing the Confederation of 1815. Sometime or other this point must be settled and the quarrel must be fought out once for all; the longer it was put off, the more unpropitious for the career of the National Assembly.

But the underlying cause of this was that the National Assembly did not dream of an approaching decline of its power, and therefore took up with complacency the intricate subject of the "fundamental rights," not for a moment questioning the obedience of the Governments to the commands of the Central Authority. One would suppose that the leaders of the party that wished to place the Imperial crown on the head of the King of Prussia would meanwhile have been talking the matter over with the Prussian Cabinet, with the view of coming to some agreement about the shaping of the future Constitution; or, if this were not consistent with their scruples about the sovereignty of the Parliament, it would be presumed that, at least in the forming of a Central Government, they would have reference, as much as possible, to the conditions of Prussia's present position. But nothing of this kind was done.

To be sure, in the list of Ministers, which Gagern had made out with Schmerling before the arrival of the Archduke, Prussia was well represented: Camphausen was to have the Presidency and the Portfolio of Foreign Affairs; General von Peucker was to be at the head of the Department of War; the Deputy von Backerath, of the Finances; and Schmerling, of the Interior; the other offices were to be held by men from the smaller States. Without doubt, the two first-named offices were the most important; since in the administration of these, the relation of the Central Government to the individual States must at once take definite shape. Peucker, a small, good-natured, but not very energetic man, wished at first to assume the office only provisionally, and expressed the desire, that all the German Ministers of War might not be made subordinate to him, nor all the German military organizations overturned, nor changed, except so far as they might perhaps be improved. Assured of this, he accepted definitely the position in the Cabinet. He soon found, however, that this assurance would not save him from very dangerous steps.

Negotiations with Camphausen took quite a different course. A Rhinelander by birth, formerly leader of the Opposition of the Estates, and afterwards President of the first March Ministry at Berlin, Ludolf Camphausen had in this latter office, with a firm hand, and in spite of the street-fight of the 18th of March, succeeded in bridging over, by the continued maintenance of authority, the rift between the old and the new *régimes* in Prussia.

By the successful vindication of his position he won the lasting confidence of the King; but at the same time he aroused against himself the violent anger of the democratic party both in the House and in the streets; so that on the 20th of June his Ministry was forced to resign, and the King soon after, at the request of the Archduke, sent him, as prospective Minister of the Empire, to Frankfort.

His personal appearance was not prepossessing: his figure was tall and slender and very erect, his face thin, with large eyes and angular features, and his manner, at the first meeting, cold and reserved. He was a man of a quiet temperament, of genuine purity of character, of penetrating, one might almost say piercing understanding, and above all of immovable determination. In the cause of Germany, his heart beat as warmly as that of any man for the elevation of the Fatherland to a better and more influential position than it had held under the wretched administration of the old Confederate Diet. But to his practical mind, directed only upon what he was convinced was attainable, the Prussian-German Empire of Dahlmann seemed, under the then existing conditions, to be the dream of a doctrine, in view of the fact that the present Imperial Regent and several hundred members of the Parliament were Austrians, and that the other German Kings would certainly oppose the project, to say nothing of the disinclination of Frederick William, and the execrations with which his name was everywhere accompanied in South Germany.

Camphausen would be satisfied, if in the final constitution of the Empire, provided that the plan of a Directory of Three were adopted, Prussia should not be excluded from the Central Government, as she was under the existing provisional arrangement. This arose chiefly from his conviction, that the Central Government ought not to absorb all the vigor of the individual States: it seemed to him that the cause of German Union would be best furthered, if Prussia became the pillar upon which the other large and small blocks might rest for support.

Before he decided to accept the ministerial office, he wished to know definitely what was required of him. On the 13th of July he had a long conversation with Gagern on the subject. What a striking contrast between the two statesmen! The one an earnest and practical man, always sure of controlling himself, a master of language, everywhere resting upon the basis of the law, and everywhere careful to preserve the proper balance between Centralization and Individualism: the other a visionary, always light-hearted, somewhat awkward in expression, but eloquent in his enthusiasm, and, following the direction of the national longing, fixed upon the idea of greatness inherent in an unconditional union, to the demands of which Prussia must yield as submissively as Lippe-Schaumburg.

This doctrine Gagern now insisted upon. Everything depended, he said, upon raising the Central Government to the rank of a power above all individual States, by requiring the entire body of German troops to take

the oath of allegiance to the Imperial Regent, by withdrawing from the Provincial Governments the right of treating with Foreign Powers, and by putting this latter principle at once into practice in obliging Prussia to break off its negotiations for peace with Denmark, and placing everything in the hands of the Imperial Regent. Camphausen responded that these explanations had sufficiently enlightened him. By such measures, he said, the independence of the individual States would be seriously threatened; and in the matters mentioned, the Danish armistice, the military supremacy of the Archduke, and the recall of the Prussian embassies, he should never be able to come to an agreement with the National Assembly. He would never allow himself to become, as proposed, an agent in securing the mediatization of Prussia. Gagern then replied: "If that is the case, I, too, no longer approve of your becoming a minister."

Gagern was, at first, quite taken aback at this unexpected opposition from the Prussian statesman. If a patriot from the Rhine, such as Camphausen, so stoutly resisted a strongly-centralized Imperial union, what then was to be expected from the men of Old Prussia in the far East? But never mind! Gagern remained convinced that, while the National Assembly was slowly deciding about the "fundamental rights," the Central Government must get into its hands as quickly as possible the supreme control of the military throughout Germany. Just the reverse would doubtless have been the proper course: the hastening of the work upon the

Constitution in the Parliament, and the most cautious procedure on the part of the Central Government. But on the 14th of July, Gagern agreed with the Ministers concerning the steps to be taken directly after the departure of the Archduke for Vienna, where he was to attend the opening of the Austrian Parliament.

On the 15th of July, the National Assembly decreed that the Confederate Army should be doubled, by raising the proportion of recruits to two per cent of the population, and also by the abolition of all laws of exemption then in force in the individual States. It was an excellent measure in itself; but for the moment, it called forth among the people and in the Chambers of the States a burst of complaint against the Parliament.

On the 16th of July, the Minister of War sent a circular to the Governments, with a proclamation to the German troops, in which he spoke of the Imperial Regent as the highest military authority in Germany; and at the same time, he requested the Governments to call out on the 6th of August the troops of every garrison for a parade, to read his proclamation before them, afterwards to give the order to shout, in token of their allegiance, three times "Hurrah!" for the Imperial Regent, and then to instruct the soldiers to assume the German cockade.

Thus the great command was given. The result was, as might have been expected from Camphausen's explanations, a complete failure. For of what importance was it that the smaller States were ready to obey, if the Great Powers utterly ignored the decree? A royal

proclamation from the Prussian King to the army expressed the assurance, that the troops would show their accustomed valor, whenever they might be ordered, *at the command of the King*, to place themselves under the leadership of the Imperial Regent; but that on the 6th of August, there was to be no parade anywhere in Prussia. In Vienna, the Minister of War, Latour, was quite beside himself; and the whole Ministerial Council was indignant at the presumption of the self-constituted authorities at Frankfort. It actually happened that the Government of the Archduke as Regent in Austria sent an urgent complaint about the matter to the Government of the Archduke as Regent of the Empire. All this was conclusive proof, that the Central Government and the Parliament possessed no means by which they could force the two Great Powers to carry out any disagreeable decrees. It was plain, that the Governments had regained the power of preventing what they disliked.

Prussia was the next to make an attempt to accomplish something in the German cause; but it failed quite as signally as Peucker's unfortunate circular. It was, however, of a very different and peculiar nature. The Central Government, as we have seen, was to act in executive measures, as far as possible, harmoniously with plenipotentiaries from the individual States. The Prussian Minister, Rudolf von Auerswald, who had selected Camphausen to represent Prussia, was of the characteristic opinion that these gentlemen could not well work together as a definite college, but yet might

form, as it were, a diplomatic corps at the Court of the Imperial Regent.

The opinion of the King was directly opposed to that of his Minister. We shall later examine the doctrine of the King in detail; for the present, it is sufficient to say that his idea was to invest a college of all the German Kings, either by the side of or in place of the Imperial Regent, with the highest authority in Germany. We also call to mind his proposed Imperial military dukedoms, in each of which a King was to hold the military command over the inferior Princes in his section. Evidently with the intention of preparing the way for some such arrangement, the Prussian Government, in a circular dated July 17th and sent to all the German Courts, made the proposition to form of these plenipotentiaries a "Council of State," with the design that in all the measures established by the law of June 28th they should act in common with the Imperial Regent.

But now the main point of the proposition. This Council of State was to consist of seven members, Austria, Prussia, Bavaria, Saxony (with the Ernestine line of the Saxon House, Schwarzburg and Reuss), Würtemberg (with Baden and Hohenzollern), Hanover (with Brunswick, Oldenburg, Holstein, and the Hanse Towns), and the two Hesses taken as one (with Homburg, Nassau, and Frankfort). The position of Luxemburg, Lippe, Waldeck, and the Anhalts was left undetermined. The seven leading States were to decide questions by a vote of the majority. As Austria and Prussia

were each to possess three votes, they united were sure of constituting a majority.

In Munich and Stuttgart, as in Dresden and Hanover, there was at that time a most unpleasant suspicion, probably aroused by the influence of Austria's diplomacy, that Prussia had conspired with the Imperial party at Frankfort for the suppression of the German Kings. No possible refutation of this suspicion could have been more effective than the proposal to grant to every King the political guardianship of a certain group of small States. And, we may add, nothing could be imagined more dangerous to the cause of German Unity than such a mediatization of the Petty by the Lesser States, a fact which had been very well understood and made use of at the beginning of the century by Napoleon and Talleyrand.

It is now well-established, that Frederick William never thought of the possibility of such results from his proposition: his projects were laid in a world of which the conditions were very different from those of the world about him. But elsewhere it was clearly recognized, that ranking the smaller States in the groups of this Council of State was nothing else than the first step toward their annexation by the leaders of these groups. Yet however agreeable this project was to the Lesser States, there began to be heard, even among them, a chorus of complaints about pretended injustice, worthy of the palmiest days of the Confederate Diet.

Bavaria was angry, because she was allowed only one vote in the Council of State, whereas, as she thought,

her size and power justified two ; and also, because the guardianship of no small States was given to her: so that if mediatizing should be in order, she could gain nothing by it. Saxony and Hanover, satisfied on these points, thought, however, that Austria and Prussia ought to be contented with two votes apiece instead of three, thus relinquishing the certainty of securing a majority in the Council of State. Hesse-Cassel stipulated, as a condition of its acceptance, that it should retain the leadership in its own group, instead of alternating, as might be expected, with Darmstadt ; and that, moreover, Waldeck should be included in this group. Darmstadt wished first of all to ask Gagern's views of the scheme ; and he declared that the whole system was utterly impracticable.

The Imperial Ministers were of exactly the same opinion. Schmerling put an end to the discussion by the outspoken declaration, that the proposed Council of State too closely resembled the Confederate Diet to be favorably received. In fact, as he said, the plenipotentiaries were not expected to exert any influence upon the decrees of the Central Government, but only to give their advice about the ways and means of executing these decrees. The Courts kept up a correspondence for a time upon the subject ; but the declaration of Schmerling practically settled the matter.

The pitiful end of this pitiful project could not but considerably increase the self-importance of the Central Government. A clear proof of this was the definite appointment of the Ministry, which took place soon

after the return of the Archduke, on the 9th of August. Prince Carl von Leiningen, a half-brother of the Queen of England, was chosen President, an intelligent and restless man, always planning something new. He had shortly before, in a violent newspaper article, proclaimed to the German Princes: "Subjection or mediatization." Indeed! if the House of Leiningen had been mediatized, why must the House of Wittelsbach be secure against it? A Hamburg lawyer, Heckscher, received the Department of Foreign Affairs, Robert von Mohl the Department of Justice, Duckwitz the Department of Commerce: all three belonged to the left wing of the Majority, and were quite ready to act on the offensive against obstinate Princes.

These appointments were received at most of the Courts with fear and dismay. In Berlin they served to increase the indignation caused by Peucker's circular, especially as the decidedly anti-Prussian tendencies of Leiningen were already too well understood. A few days later, the Archduke, with Gagern and a numerous deputation from the Parliament, accepted an invitation of King Frederick William to take part in the festivities connected with additions to the Cathedral at Cologne. The King, for whom the city had prepared an imposing reception, embraced the Archduke and allowed Gagern to present to him the members of the deputation. He addressed to them a few friendly words on the importance of their work, and added with emphasis: "Do not forget that there are still Princes in Germany, and that I am one of them." Such a reminiscence of the

Law of the 30th of March and the principle of concerted action produced, for the moment, a dampening effect upon their feelings; but this wore away, when on the following day the celebration passed off very pleasantly and happily, and the King at the end of the banquet brought out an enthusiastic toast to the "Builders of the Cathedral of German Unity," the National Assembly.

During these negotiations among the Governments, the current of talk in St. Paul's Cathedral about the Fundamental Rights rolled on its lazy waves in an unabated flood. "What a gratification," cried one member of the Committee on the Constitution, "to be able finally to draw up in the form of a law, what we have for thirty years been constantly longing for in vain." With this feeling, the Committee had already incorporated in its outline more than a hundred articles, and had far exceeded its duties as originally intended. Formerly, by the establishment of the Fundamental Rights were understood, for instance, security from arbitrary arrest, the protection of property, the free right to found societies and to hold meetings, freedom of thinking, believing, writing, and publishing one's own personal convictions; but here, among the so-called "Fundamental Rights of the German People" was included the claim to receive a new communal constitution, a new administration of justice, a new code of criminal law, a new canon-law of the Established Church, a new system of instruction,—everything different from what had hitherto existed in the indi-

vidual States. Though the Parliament naturally would not be able to work out all these laws in detail, yet it was deemed expedient to establish the main principles; and one can easily imagine how ingenious lawyers, interested local patriots, levelling Republicans, and prudent Conservatives rivalled each other in making motions for amendments and additions, for amendments to amendments, and continual points of order. There was no prospect of an end for months to come, and the more conscientiously the Parliament labored to legislate, the more coolly the population outside regarded the toils of this once honored and flattered Assembly. It is often unavoidable, but always unfortunate, even for a Parliament, to get the reputation of being tedious and wearisome.

Yet the National Assembly was not allowed to spend its summer days undisturbed over the question of the Fundamental Rights. Sometimes the Left and sometimes the Department of Foreign Affairs occasioned interruptions, which, it is true, refreshed the spirits of the Assembly, but at the same time caused a greater loss of time and increased the hostilities between the parties.

Unanimity prevailed, however, when the subject of the peculiar position of Limburg was brought up for discussion. Limburg belonged to the German Confederation; but it was at the same time a province of Holland and was governed as such. All parties now voted for a decree, which placed the re-arrangement of these conditions among the duties of the Central Gov-

ernment and charged the Imperial Ministry to take the necessary steps. The weak point of the decree was simply the inability of the Ministry to compel the execution of these orders; yet it was encouraging to see the strength of the feeling, that in no Confederate country should a Foreign Power be allowed to carry out measures not in accordance with the commands of the German Central Government. Upon this point there was no difference of opinion in the Parliament.

The feelings of the parties clashed fiercely, however, when on the 25th of July, a debate upon Polish Affairs stirred the Assembly. The Prussian Government had, as we have seen, separated the Polish portion of the Province of Posen from that which contained a preponderating number of German inhabitants, and had caused the latter, as well as East and West Prussia, to be taken into the Confederation by the Confederate Diet, which was at that time the only existing common Authority; and the Preliminary Parliament had referred the question of the lawfulness of this new division of Poland to the decision of the National Assembly. It was no gratifying evidence of historical knowledge on the subject, nor of a just and national sentiment, that an excited and passionate debate of three days' duration was required, to decide this perfectly plain and clear question. After the Decree of the Confederate Diet, those districts belonged to Germany; their inhabitants, who were for the most part of German origin, and had been shamefully maltreated by the Poles in the last insurrection, gladly hastened to become members of the

German Empire. Most certainly, then, they possessed all active and passive rights in the Parliamentary elections, and their representatives had exactly the same claim to membership as the representatives from Frankfurt, Munich, or Berlin.

All this was so evident that Robert Blum did not venture to make any objection openly, but confined himself to a motion, that the question be not decided until the correctness of the boundary-line drawn by Prussia between the German and Polish districts should be confirmed by commissioners of the Imperial Government. But, after making this simple motion, his speech upon the subject was extended so far as to embrace the whole range of the Polish question, dwelling upon the services of Poland in the cause of civilization and of liberty in Europe during the Middle Ages, upon the wickedness of a nation's murder perpetrated in the Partition, and upon Germany's sacred duty of repairing this wrong, thereby, at the same time, acting for her own interest, by establishing a sure wall of defence against the encroachments of Russia.

His most determined adversary, at this time, was Wilhelm Jordan of Berlin, a man who had shown himself to be otherwise a very zealous Democrat. Jordan was far ahead of all the parties of the times in his thorough knowledge of the history of Poland, and in his appreciation of the inextinguishable hatred of the Germans that prevailed among the Poles. An observation had been made to the effect that since the German inhabitants of Posen had of their own free will

settled in ancient Polish territory, they should not complain if they found themselves now destined to be counted as part of a re-established Poland. To this unfitting remark Jordan aptly and forcibly retorted, that whoever wished to expel from Germany a half-million Germans was, to say the least, unconsciously guilty of high treason.

On the other side, the Radical philosopher, Arnold Ruge, declared that the new international principles, founded on peace and the liberty of nations, demanded the re-establishment of Poland by Germans, and then remembering that, two days before, Fieldmarshal Radetzky had by his great victory at Custoza annihilated all Italy's hopes of freedom, he added that the re-establishment of that nation also must be included by these international principles, and that it was Germany's duty to hope for the ruin of the tyrants of Italy, the Tillys of modern times, the Radetzky's. Thereupon a storm of applause followed from the Left and the galleries, and a deafening call to order from the Centre and the Right, where as yet no one doubted the thoroughly German sentiment of the Austrian generals. The President finally succeeded in restoring order by the remark, that although Ruge's speech bordered closely on treason, yet he should not call him to order, since he could not deprive him of the views he chose to take of human affairs.

Gradually the noisy disturbance ceased; but the anger of the parties, so violently excited, continued to rage. When finally the deputies from Posen were

definitely admitted by the vote of a large majority, and afterwards a resolution stigmatizing the former Partition of Poland was rejected, as not being the proper business of the Assembly, the Left became unanimously convinced that the Majority in this Parliament was a band of sour reactionists and servile tools of despots. The official organs of the Left did not fail to spread, by newspaper articles, this dictum through all German lands.

This bitter feeling soon assumed an even more venomous character. Among the orders of the day for August 7th stood several propositions for the amnesty of the most recent political offenders, for the participants in the rebellions of Hecker and Struve, and also proposals to admit Hecker, who had lately been chosen deputy to the Parliament by an electoral district in Baden. At this point, then, where the subject of discussion was the very flesh and blood of the Left, the tumult and passionate excitement of the debate reached a pitch hitherto unheard-of. When the Badener Brentano cried out to the Assembly: "Will you treat the Baden champions of Liberty worse than you would a Prince of Prussia?" such an outbreak of patriotic wrath burst from the Prussian deputies that a riotous affray seemed imminent, and the Assembly had to be adjourned.

The next day, the President, after explaining the grave reasons for his action, called Brentano to order; whereupon the Left and the throng of spectators who were present made a great uproar, until the Assembly,

which had usually been very indulgent in this point, ordered the galleries to be cleared. This whole proceeding was in sharp contrast to the derision which had greeted the proposal of Braun, on the 20th of June. Prussia had meanwhile, by its prohibition of the parade proposed as a token of allegiance to the Central Government, shown its independence and regained for itself, for the first time since its numerous disgraces, a due measure of respect. The debate continued two days longer. A legally just decision on the question of the validity of Hecker's election was not easily to be reached, since there were no definite laws concerning the rights of the Assembly and its members, although it had been distinctly understood, that political refugees were to be allowed to vote. Yet the moral and political intuition of the Majority did not for a moment waver; and in spite of all the raging of the Left, the invalidity of the election and the refusal of the amnesty were decreed by a vote on the 10th of August.

From this time, the active men of the Democratic party were fully determined to sweep at the first opportunity this good-for-nothing Parliament from the face of the earth. They considered themselves much better prepared for the campaign than in April. While the Majority in June was creating an Imperial Regent, these men had held a great meeting of their own party in Frankfort, brought together by Professor Bayrhofer of Marburg, a dapper little man with a sharp nose and a thin voice, who hitherto had never known anything of the world outside of Hegel's Logic, and who now

became, quite as exclusively, a votary of the theories of Robespierre. He preached unweariedly the union of all champions of the People for the realization of the supremacy of the People and for the destruction of the People's enemies. It was decided to unite the countless Democratic societies into one large well-organized Association under one common direction, to keep the people in as continual a state of restlessness as possible, and in all conceivable ways to prepare for one last great blow. It was expected that in a few weeks their success would be decisive and satisfactory.

The southern portion of Baden showed its colors by the election of Hecker, which was repeated, even after the sentence of the Parliament. Close by the Swiss frontier, Struve made ready for a new irruption into Baden, without being hindered by the Swiss authorities; nor did the Baden authorities prepare to meet it. The Würtemberg Government was dismayed by several mutinies among its own troops of the line. The Bavarian Palatinate, Rhine-Hesse, and even Offenbach and Hanover, cities in the immediate neighborhood of Frankfurt, were filled with fresh revolutionary zeal and their societies became most closely bound together. These were joined by a large Thuringian association of Democrats, who kept the smaller States in a constant ferment and had already got complete control of several of them, such as Altenburg, Anhalt, and Reuss. On the 15th of August, a meeting of the Association at Altenburg passed a resolution that the traitorous National Assembly ought to be dissolved, the Imperial Regent nowhere

recognized, and the Republic proclaimed throughout Thuringia.

In the Kingdom of Saxony, which was covered by a close network of "patriotic societies," an especial group separated itself from the rest, who, more violent than the others, declared Robert Blum's counsel, which had up to this point been successfully followed, to be insupportably tedious, advocating, as it did, only legal and parliamentary agitation. They preferred open and violent measures in the holy cause of the Republic, and they gradually gained the upper hand among the societies.

The working of the Democratic excitement was not less effective in the neighboring Province of Silesia. The party here, however, did not dare to express its sentiments so openly, since the commanding general, Count Brandenburg, had more than once threatened to use military force on occasion of the least disturbance.

But street-demagogism ran riot in Berlin; the windows of the ministerial residences were broken, and the members of the Moderate party in the Assembly, which was there in session, were threatened with personal ill-treatment on the passage of every measure that was disagreeable to the sovereign People. By this means, the power and influence of the Left were constantly increased.

Very naturally, then, the leading friends of the Democracy in Frankfort considered that the conditions of a possible new and great revolution were given. Yet in this matter, too, the coin had its reverse side. The

more clamorously the Hotspurs of the party insisted on the necessity of striking a blow, the more decided grew the longing among the citizens for a final restoration of quiet, it was almost no matter under what constitution. Ever since March, trade and traffic had been at a stand-still throughout Germany. No one trusted the morrow. No manufacturer nor merchant risked anything beyond a cash business. All persons of means kept tight hold of their money and avoided every unnecessary expense. The mechanics saw their customers growing fewer and the demands of their journeymen greater; the income of the manufacturers fell off through the inactivity of the factories, — all this in spite of the manifestos about the inborn rights of man and the inalienable right to employment and to remuneration.

The discontent in the cities was echoed in the country. Even under the most favorable conditions there was no longer any thought of credit. The claims and often the demoralization of the lower classes increased in the same ratio as the embarrassment of the capitalists. There lay over the whole land an oppressive sultriness that betokened an approaching storm. Everybody awaited the event, the one party wildly shouting their threats, the other cowering beneath the weight of their anxious fears. There was certainly no trace left of that unanimity of sentiment, which pervaded all classes of the people at the time of the March Revolution, and a new subversion of things would, if successful, not only overturn thrones, but would thoroughly unsettle the basis of the possession of property. We need not

try to estimate the number of otherwise liberal men and forces that, for the time at least, hurried over into the reactionary camp to seek shelter from the impending storm.

Thus the situation had become complicated on all sides: numerous misunderstandings among the Governments, passionate quarrelling between the parties, and increasing inquietude among the people. It needed only a single spark to cause an explosion, and such a spark was kindled before the end of August.

We must now cast a glance at the progress which had meanwhile been made in the controversy over Schleswig-Holstein.

BOOK III.

*FAILURE OF THE PROJECTS FOR
GERMAN UNITY.*

CHAPTER I.

SCHLESWIG-HOLSTEIN.

HOWEVER decidedly King Frederick William IV. had expressed himself, in his letter to the Duke of Augustenburg, in favor of the maintenance of the ancient rights of Schleswig-Holstein to independence, mutual union, and the succession of the male line, yet his heart was heavy, when immediately afterwards it was found necessary to settle the matter by force of arms, and Prussia herself was drawn into the conflict. For, in this dispute between the Duchies and their Sovereign, right and wrong seemed to him to be quite as much on one side as on the other: the King in Copenhagen had been led by fanatical Democrats to a violation of the Constitution, and the people of the Duchies had been seduced by inconsiderate demagogues to a premature revolt. In his way of looking at it, it was a conflict of one revolution with another; whoever gained the victory, in no case would it be the triumph of a just cause.

He had no thought of reaping profit for Prussia from this confusion. As a member of the German Confederation he wished to act energetically in the interests of Germany; but more than all, he considered it his duty to prevent, if he could, the outbreak of a war, or, at any rate, to bring the war to a close as quickly as

possible. At the very outset he announced in diplomatic negotiations his longing for peace.

The King's sentiment was certainly humane ; but his conduct was inconsistent with his purpose. Whoever is once engaged in a struggle, and yet is unwilling to make peace on dishonorable terms, must not himself betray to the world his horror of war. The desire of Frederick William for a reconciliation increased day by day the presumption of the Danish Ministers. On the very threshold of the conflict the King was made to feel this bitterly. Consistent with his idea of the divine institution of a monarchy, he believed that at critical times, when the sagacity of the ministers was not equal to the occasion, the king must take upon himself the solution of the problem by personal intervention. Although he held that the ministers should never perform any act without the direction or permission of the king, yet, without his undervaluing such a regular control exercised by the monarch in general, this personal and immediate manifestation of the royal majesty seemed to him to partake of a higher and a sublimer nature.

He intended now to act upon this principle. While his troops were on the march and his Minister was holding more and more stormy interviews with the Danish Ambassador, he wrote, himself, on the 2d of April, an autograph letter to the King of Denmark, in which he begged him to receive graciously his envoy extraordinary, Major von Wildenbruch, who was charged with a confidential commission.

Wildenbruch's instructions, received on the 3d of

April, were to the following effect: everything depended upon convincing the Danish King that it would be impossible, in face of the united power of Germany, to wrench Schleswig from Holstein, and that insisting upon it would necessarily cost him both Duchies; and further, that the provinces of Denmark Proper would, in that case, find themselves too weak to exist alone, and would join with Sweden and Norway in a Scandinavian Union, so that the King would thus lose also his Danish crown. Inasmuch as Prussia did not desire this union, she would sincerely endeavor to aid the King to retain the Duchies; which, however, he could not do without recognizing the indissoluble union of Schleswig with Holstein, as an independent State under the rule of their common Duke: a change in the Danish law of succession would then insure the union of the two Crowns for the future. To attain this end, to make a peaceful settlement possible, and to avoid a bitter war, in which the force of Radical Germany would pour in the form of wild unbridled hordes into the Duchies — this would be the object of Prussia's efforts. For, if the German Princes should not take hold of the matter energetically, the Duchies, in their last hopes for an independent existence, would turn to their Republican sympathizers in Germany, and a Republic would arise on the other side of the Elbe, which would seriously endanger as well Denmark as the neighboring German States.

The Prussian troops, continued the instructions, would halt at the frontier of Schleswig, in the hope that a peaceful solution would be reached; but if this hope

should not be fulfilled, then they would act as circumstances might dictate. Should Denmark interfere with our navigation, we should then be obliged to seize Jutland as indemnification. No objection was to be made to English arbitration, if Denmark wished it. With the Provisional Government of the Duchies (which had not yet been recognized by the Confederate Diet) Wildenbruch was to remain upon strictly unofficial terms, but was to inform himself of its tendencies and to leave no room for doubt about Prussia's loyalty to the German cause.

All this was well-meant, and founded in part, at least, upon actual conditions. But it should have been remembered that Copenhagen, too, had had its March Revolution, that since that time the Ministers had not been dependent upon the King, but the King upon the Ministers, and that these Ministers belonged to a party that was at heart Republicanly-inclined and enthusiastically in favor of a Scandinavian Union; so that, in just those facts, which the instructions of Wildenbruch mentioned in order to frighten them out of using violent measures in Schleswig-Holstein, the Danish Ministers found the strongest possible inducements for continuing the same.

Wildenbruch then, in his interview on the 8th of April with the King of Denmark and his Minister, Count Knuth, at Sonderborg, on the island of Alsen, completed the ruin of his mission. After having had a long conversation with them, he sent them in the evening a note, the separate sentences of which were

taken almost literally from his instructions, but so twisted and disarranged that they placed his errand in the most unfavorable light possible. In consequence of this, the note had no effect upon the Danes, and in German eyes might have seemed almost treasonable.

Without any reference to the Scandinavian Union, he began: Prussia wished above all things to help the King-Duke to retain his Duchies. And, he continued more specifically, the only motive of Prussia's efforts was the desire to prevent the Republican and Radical elements in Germany from taking any part in the dispute. It was Denmark's own interests, her glory and her independence, that were the aim of Prussia's policy. Therefore Prussia wished to wait and see whether Denmark would decide upon entering into negotiations of peace on the basis of the firm union of Schleswig and Holstein. It is not surprising, that within a few hours Wildenbruch received from the Danish Ministry the answer, that Denmark was willing to negotiate, provided no Prussian soldier set foot upon the soil of Schleswig.

On the following day, the Danish troops fell upon a small company of ducal soldiers at Flensburg and forced them, after a brave resistance and heavy loss, to retreat as far as the Eider. It was useless, after that, to think of restraining the Germans any longer. On the 10th of April, Colonel (afterwards General) von Bonin crossed the Eider at the head of the Prussian troops. On the 12th, the Confederate Diet formally recognized the Provisional Government, and called upon Prussia to induce

Denmark to allow the entrance of Schleswig into the German Confederation. Prussian and Hanoverian reinforcements marched forward, and a few days later General von Wrangel, of the Prussian cavalry, took command in the name of the Confederation, with the intention of assuring the union of the two Duchies by driving the Danes wholly out of Schleswig.

The General was considered a vigorous and active leader of cavalry. He had not yet given any evidence of being a great strategist, and we may be allowed to observe that he was always inferior in this point. In personal intercourse, he assumed rough-and-ready manners, and affected eccentricities, behind which, however, generally lurked a calculating wariness. Moreover, he was easily moved by the changing impressions of the moment, and was then exceedingly obstinate in following out the impulses of his temporary mood.

After Denmark, on the 19th of April, had ordered her fleet to seize all Prussian ships and had thus opened hostilities, Wrangel, acting on a very indefinite plan, attacked, on the 23d, the enemy's positions at the Dannevirke, the old Danish wall, and in the city of Schleswig. The impetuous valor of the Prussian and Holstein troops prevailed so overwhelmingly, that the enemy scattered and fled northward in confusion; had they been closely pursued, they would have barely escaped utter annihilation. But it did not come to that; for Wrangel allowed his troops some days of rest, and then occupied the northern part of Schleswig without encountering any opposition. He finally penetrated some

miles into Jutland, where, on the 2d of May, the Fortress of Fridericia opened its gates to him without a struggle. Other military movements of the summer were limited to small sallies and skirmishes, in which both sides showed great bravery, but which were attended with no important results.

The pause in military operations was not caused by any incompetence of General von Wrangel, nor even by the secret sympathy of Frederick William for his royal brother in Copenhagen. It was occasioned rather by the growing pressure on the part of the European Powers, which were without exception unfavorable and even hostile to the German cause. Unhappily, we must confess that mistakes in the German policy had in part given rise to this sentiment in Europe.

We shall later see that already for years the question of keeping together the whole of the Danish territory, in spite of or in consequence of the disputed matter of the succession, had been a theme of discussion among the Great Powers as an important element in the European Balance of Power. It was accordingly a very imprudent step on the part of Frederick William, when, on the 24th of March, he roundly declared that the government of the two Duchies was hereditary in the male line: that was to say, that upon the death of Frederick VII. the Danish kingdom would fall asunder. All the other Great Powers desired the contrary, and consequently their attitude towards Prussia became inimical. Prussia would have done better to have confined her efforts to the subject of the Constitution, and

to have passed over this question of succession in silence, or to have left it to the decision of Europe.

Even more trouble was caused by the demand of Germany, that Schleswig should be allowed to enter the German Confederation ; and especially unfortunate was the admission of the Schleswig deputies to the National Assembly even before the Confederate Diet had confirmed its membership in the Confederation. This was quite as much in contradiction to what had hitherto been regarded as legitimate as, on the other side, the threatened incorporation of Schleswig into Denmark Proper ; and in the former case, the Germans had not only expressed an intention, but had actually carried it out. The Danes hastened to enter a protest at all the Courts against such a high-handed proceeding, and the result was everywhere the same.

After this, the prevailing opinion in Europe was not that the Danes had violated an ancient provincial right, but that revolutionary Germany had presumed to annex unjustifiably a Danish province. In London, in Paris, and in St. Petersburg, such a feeling gained ground the more, because of the increasing anxiety and jealousy with which Germany's attempts to rise into a united nation were regarded. Even if Germany had confined herself strictly to her own affairs, there would have been many suspicious and jealous glances cast upon this new aspiring Power which was rising in their midst. And now that the national movement had spread beyond the limits of the country, the Powers hardly cared to conceal their decided displeasure.

France was, to be sure, sufficiently occupied just now with her own party-struggles; but what Germany had to fear from that direction was indicated by the close union between the Radicals of both countries, and also by the proposal of the French Government to allow a French army to cross to Posen for the purpose of assisting in the Polish insurrection; whereupon Baron Arnim responded by asking whether France wished to draw down upon herself a Prusso-Russian offensive alliance.

Russia, on the other hand, threatened a military occupation of Posen, if Prussia continued to allow free course to the Polish machinations, but withdrew the threat when Arnim made known the French proposal. The Czar Nicholas, however, from his conservative horror of revolutions in general, and from personal interest in his relative, the King of Denmark, took sides very decidedly against the rebellious Duchies and Germany's support of them. He did not exactly propose to declare war, but at least to make a vigorous public protest, if Germany should not moderate her pretensions. He contented himself meanwhile with secretly inciting King Oscar of Sweden to take bold measures against Germany. King Oscar did not precisely wish a war with Germany, but was willing to make some little preparation, in order to secure from his Chambers the army appropriations that he desired, and to flatter the Danish parties with the prospect of a union with Scandinavia.

In England, sympathies were divided, yet inclined

chiefly to the side of Denmark. The whole English commercial world saw in the rise of Germany an approaching extension of the Tariff-Union, and in the occupation of Schleswig the first step towards the building of a German fleet, both of which projects were most adverse to English interests. In Parliament, the Tories, to a man, declared that Germany's conduct was a piece of brutal violence, a presumptuous and unallowable misuse of pretended power. This was also the opinion of the majority of the English Cabinet, in which, however, the most influential member, the Minister of Foreign Affairs, Lord Palmerston, although in general no friend of Germany, was sufficiently well acquainted with the designs of Denmark on the offensive, to be ready to act as a mediator. The Queen, also, moved by the interests of the Prince-Consort, used her influence in the same direction. Yet so strong was the tide of popular opposition, that the most that could be expected from these well-wishers of Germany was a mild recommendation of conciliatory measures at Copenhagen.

Thus the German people found themselves quite alone among the nations of Europe, and threatened on both sides by hostile neighbors.

And what was the state of things in Germany itself in regard to the Danish war?

That Government which was more than ever determined to assert its claim to continued presidency of the Confederation, namely Austria, announced that it was unable just then to send troops to Schleswig. It was certainly true that Austria had need of its army else-

where; and yet the appearance of even one of its battalions, or the unfurling of a single Austrian banner in Schleswig, would have been invaluable for Germany in the eyes of Denmark and Europe, and would surely have been practicable for Austria under any circumstances. But it was just this, that Austria did not wish to do: at the very first engagement in a war on the part of the German Confederation, she announced that she did not wish to be considered a member. Count Fiequelmont declared further, that Austria must act as a European Great Power, that as such she stood upon precisely as friendly a footing with the Danish as with the German Courts, and that consequently she reserved every expression of judgment upon the disputed question, and should not break off diplomatic relations with Denmark.

The South German States supported the cause of Schleswig by holding popular assemblies, by instituting penny-collections for the future German fleet, by raising small companies of volunteers, and by choosing some few able officers; but the Governments themselves remained wholly inactive till the end of July. The North German States of the 10th Confederate Corps had assigned for the support of the cause ten thousand men from their thirty thousand; but when Wrangel desired an increase, they asserted that they were utterly unable to accede to his demands, since they needed the rest of their troops for the protection of their coasts and for the maintenance of internal order.

Among the Germans, Prussia's position with respect

to the Danish war was almost as isolated as that of Germany among the Nations of Europe.

So that the satisfaction will be readily understood with which the Berlin Cabinet greeted the proposal of an Anglo-Russian, and later of an English mediation. It is not necessary for us to go into the details of the negotiations; the result was, in the main, as follows. Lord Palmerston observed, that the Schleswig question was one of nationality: since the inhabitants of the northern third of Schleswig were mostly Danish, and of the remainder of the country German, it was advisable to incorporate this northern third into Denmark Proper, and to unite the southern portion with Holstein, thus allowing it to be admitted into the German Confederation; Holstein, so enlarged, should remain connected with Denmark by having a common ruler.¹

Prussia was, on the whole, satisfied with this solution of the difficulty. As for the Provisional Government of the Duchies, it had offered on the 31st of March, in a public manifesto, to relinquish to the Danish Nation the northern part of Schleswig; but after the outbreak of the war and occupation of the whole country, such a sacrifice was looked upon as uncalled-for; and the Government tried its best to prevent negotiations of peace upon this basis. This was a fresh mistake. It should have left it to the Danes to decline the English proposal, — as they did immediately afterwards. The Danes had, for the present, no desire at all to negotiate for peace, and would consent only to a truce, making, even for this, conditions that it was impossible to accept.

¹ Note of May 19.

Meanwhile, the Prussian Government was continually importuned with the bitterest complaints from the Prussian cities along the coast of the Baltic on account of damages, already amounting to millions of marks, suffered by their commerce in consequence of the Danish blockade. On this point, also, Prussia stood alone; since the cities on the North Sea and even Schleswig-Holstein had set free, in the middle of May, the Danish ships detained in their harbors, in the secret hope that Denmark would in return leave their merchant-vessels unmolested. At the same time, General Wrangel reported that the reinforcements, which he had so urgently required, had not been sent by any of the Confederate States to whom he had applied. He said that he could probably hold his ground in Jutland against the Danes; but if they were to receive help from without, he should be obliged to retire from Jutland and to concentrate his troops further south in some protected position. Therefore he demanded that the negligent states be urged to attend to the fulfilment of their duties.

The Swedes had, in fact, collected a body of troops on the west coast of Schonen, and had even landed six thousand men upon the island of Funen. At this, the Russian Government announced that the occupation of Jutland placed insurmountable hindrances in the way of any peace-negotiations, and that most surely the consequences of a collision between the German and Swedish troops would be incalculable. Influenced by all these circumstances, the Berlin Cabinet decided at once to send orders to Wrangel to withdraw from Jutland. The

General, who had anticipated quite the opposite result from his representations, was furious, but was obliged to obey.

In the Duchies, and still more in Frankfort, this order produced an outburst of rage; and on the 9th of June, upon the motion of the Schleswiger Waitz, the National Assembly passed a decree, that the cause of the Duchies was the cause of the German Nation, and that it involved the honor and interests of Germany, which must be preserved and maintained. But this resulted, for the time at least, in nothing but words; and the Prussian Government, giving these no heed, sent Count Pourtales on the 22d of June to Malmö, where King Oscar of Sweden was residing with his court. Pourtales was to impress upon the minds of the Swedes the fact, that their conduct was only increasing the obstinacy of the Danes and inducing them to complicate by unfair demands the negotiations for peace, so ardently desired by Prussia.

In fact, the claims advanced by them up to this time in London had aimed at a complete humiliation of Germany. They declared that the truce was not to be confined simply to the cessation of active hostilities; but that during its continuance the first steps must be taken towards the restoration of internal order in the Duchies. To this end, the army raised by the revolutionary Government was to be disbanded, and the soldiers to be sent to their homes. Holstein might, as a member of the German Confederation, remain under the control of those authorities sanctioned by the Con-

federation; but from Schleswig the troops of both parties were to be withdrawn and a Danish set of officials to be introduced, who should (as they said) reorganize in a proper manner the administration of the country. Compliance with these demands evidently involved assent to the principle of separating Schleswig from Holstein, which meant a settlement of the cardinal question in favor of Denmark. The Prussian Ambassador had naturally rejected this proposal, and Lord Palmerston agreed with him. The latter proposed, however, as a conciliatory measure, that, while the union of the Duchies should be preserved, the Provisional Government, so hateful to the Danes, should be replaced by a Commission composed of members taken from both parties. In Berlin, this plan seemed hazardous in view of the popular feeling, and yet the Prussians were not unwilling to accept it, on condition that the Holstein Confederate contingent should remain in arms, and that in Schleswig at least the cadres, or permanent framework of the regiments as represented by the corps of officers, should remain intact. As for the rest, the troops of both foreign armies should be withdrawn from Schleswig and the island of Alsen, and the Germans should retire into the southern portion of Holstein.

After the German troops had quitted Jutland, the Swedish and Russian Courts were both better disposed towards the Prussian Government, and on the basis of the considerations mentioned undertook to bring about a reconciliation. The Secretary of the Swedish Cabinet,

Count Manderström, communicated to Count Pourtales and the Danish Cabinet an outline of a truce-compact, according to which hostilities on land and sea should cease for three months, the German ships that had been seized should be restored or their owners indemnified, and the inhabitants of Jutland remunerated for the provisions that had been required from them. Only in the south of Holstein should there be a corps of Confederate German soldiers; otherwise the Duchy should be entirely freed from foreign troops. For the first fortnight the Provisional Government should remain in power; after that, it should be replaced by a College of six persons, who should be nominated from among the prominent men of the Duchies, three by the Danish King, as Duke of Schleswig-Holstein, and three by the Confederate Diet; these should then together choose a seventh for their President. A further concession to Denmark was the proposal to give to these authorities the control of the Confederate contingent in Holstein, and in Schleswig of the cadres of the sections recruited in Schleswig itself, and to disband the remaining forces. The Schleswig and Holstein troops would, in this way, be divided, and so long as the truce lasted, neither would be under the orders of the Confederate Commander-in-Chief.

Count Pourtales, although not invested with full powers, reported to his Government that he was convinced no better conditions could be obtained. In answer, he received instructions to await the result of Manderström's interviews with the Danish Minister,

Count Knuth, who had arrived at Malmö. After the Danes had once lost their hope of prevailing upon the Powers to allow them the full control of Schleswig, they did not care much what shape was taken by the Commission of Administration; at the same time, Knuth tried, in what he said, to lay stress upon the doctrine of the separation of Schleswig and Holstein, and to treat the consequences of the March days as if they did not exist. Accordingly, he proposed that for the new Commission the Danish King, as Duke of Schleswig *and* of Holstein, should nominate two prominent men, popular in both countries, *to represent* Schleswig, and that the Confederate Diet should likewise appoint two such members *to represent* Holstein; that these four should then choose a fifth for a President; and that this Commission should govern the two Duchies according to the existing laws, with full authority, yet without legislative power. Manderström accepted these amendments to his outline; and Pourtales, who, as has been said, had not full powers, took with him on the 2d of July the document in this shape to lay before his Government at Berlin.¹

The Auerswald Ministry did not, to be sure, consider the outline very brilliant,—they knew well enough, that the Danes secretly intended to apply the term “existing laws” only to those made formerly by the King and not to the enactments of the Provisional Government since March; but they thought that in that

¹ The foregoing is strictly attested by Prussian documents. The Prussian Government never in any form officially expressed its satisfaction with the outline, however often, both then and later, this has been asserted by the Danish Ministry.

case the German interpretation might be opposed to the Danish, and so peace would not necessarily be disturbed, — yet they thought that, as a whole, it was endurable, and sent Pourtales to General Wrangel with the order, that he, as supreme Commander, should, on the basis of these conditions, confer with the Danish Commander-in-Chief, General Hedemann, with a view of bringing about a truce.

But here arose new and unexpected difficulties. Wrangel was eager to seize the opportunity of crushing the Danish army already very much exhausted, and clinched his fist at any suggestion of a truce. Moreover, it was in his power to place serious obstacles in the way of an armistice.

It was just at this time that the Archduke John was chosen Regent of the Empire at Frankfort, which, as has been seen, occasioned a great burst of popular enthusiasm. It occurred now to Wrangel, that he was not simply a Prussian, but a Confederate General; and he declared to Count Pourtales that he would never sign such an agreement, they could send some one else for that purpose: he should be compelled to insist upon several changes. It was especially the military stipulations that disgusted him. He proposed, in their place, that the new Government should retain under its command three thousand German Confederate soldiers in Schleswig, three thousand Danes on the isle of Alsen, and in Holstein those Schleswig-Holstein troops, which formed a part of the Confederate army. At all events, he insisted that the ratification of the agree-

ment by the Archduke, as Regent of the Empire, must be first secured.

Negotiations with the Danes were held in the palace of Bellevue near Kolding; and when they insisted on the immediate acceptance of the outline, as it stood, without any reference to the Archduke, who had not yet been recognized by the Powers, the conference was on the 24th of July broken off and hostilities were renewed. Great was the exultation in the Duchies, in Frankfort, and throughout Southern Germany.

The Prussian Government, in consequence of these doings, found itself in a dilemma disagreeable from every point of view. If it supported Wrangel's action, then the only thing for it to do was to prosecute the war energetically and without delay, paying no regard to the wrath of the Powers, but with the exertion of all the strength and force of the State, of the Central Government, and in fact, of the whole German Nation. If, on the other hand, the King's fixed determination, not on any account to break with the Great Powers, were to prevail, then the course to be followed was no less definite and clear: Wrangel should be recalled and the Malmö Compact ratified at once, without heed to the anger of the National Assembly. For to those holding ground with the King, it must have been evident that every moment of delay in accepting the Compact only meant an increase of the difficulties, by allowing the enemy to make new demands.

But the Berlin Cabinet, hampered by its fear of the Powers on the one hand and its consideration of the Con-

federate Government on the other, by the complaints and threats of the cities on the Baltic and by the popular sentiment in the South, could not summon courage to decide. It approved of Wrangel's action, but ordered him to continue to abstain from active hostilities, and then sent to the Imperial Regent a request for full powers to act in the name of the Empire, and on the basis of the demands of Wrangel at Bellevue.

The Archduke was ready to comply with the request and praised Prussia's love of peace. The Imperial Ministry prepared the necessary documents, but added three conditions most distasteful to the Danes, and immediately sent thirty thousand South German troops as a reinforcement of Wrangel's army.

This hindrance in the way of securing peace was received with much regret at Berlin. Added to this was the annoyance, felt not only by the Court but far and wide in the country, at Peucker's unfortunate proposal of a parade. In short, when the new ambassador, General Below, set out for Malmö, on the 11th of August, he received instructions to support to the best of his ability the demands of the Central Government, yet not to let them finally stand in the way of a settlement. The outcome of business begun in that fashion can easily be imagined.

The unfortunate effect (upon the Foreign Powers) of the rejection of the Malmö Compact now began to be felt. Palmerston threatened to give up his endeavors to bring about a reconciliation, and in the event of

further procrastination, to send an English fleet into the Baltic. France and Russia were ready to join in this. The Danes, moreover, encouraged by the delay, now increased their demands and insisted, in the first place, that the truce should last not three months, but seven. They feared a winter campaign, in which the allied fleets could help them but little, and in which, if the weather should be very cold, the Prussians could reach Alsen and perhaps even Funen upon the ice. They demanded further, if indeed no longer the disbanding of the Schleswig-Holstein army, yet the separation of the natives of Schleswig from those of Holstein; so that the former, taken out from the battalions and formed into separate corps, should serve only in Schleswig. The continuance of the supreme command in the hands of the German Confederate Commander-in-Chief, they rejected unconditionally. The only trace that was left of it was the agreement, that the new Government should not reduce the efficient force of the Holstein troops without his consent; whereas in Schleswig it might dismiss officers and soldiers as it pleased. In place of the former clause, to the effect that the new Government should administer its functions in accordance with the existing laws, the proposition was now made, that all orders, decrees, and laws, passed since March 17th should be void; but that the new Government might be allowed to renew such ordinances as were absolutely necessary to the carrying on of business.

When such Danish demands were reported at Berlin, the above-mentioned principle was generally main-

tained: to oppose the new measure, but not to let it finally stand in the way of a settlement. The Ministry did, however, make one exception and declare that the last requirement announced was wholly inadmissible. But when Below received the telegram to that effect, he had already, on the 26th of August, signed the whole Compact with all the Danish additions.

Four prominent and respected men were chosen to compose the new Government for the two Duchies; but the President was not to be appointed by them, but by the two Monarchs. It was learned with astonishment, that the Prussian Ambassador had let himself be talked into appointing to this honor one of the most detested adherents of the Danish party, a certain Count Carl Moltke. "I do not know the gentleman," he said afterwards, in excusing himself. "Everybody here praises him and esteems him as a prudent and clever man."

This last blunder of the General's was without question the worst of all. For, in view of the unlimited power which was to be vested in this Government, nothing less than everything depended on its composition. If it should be actuated by patriotic motives, it might retain all the Schleswig troops on the effective list and keep up all the branches of the entire military organization; it might call again into life all the important laws of its predecessor, and preserve the loyal sentiment of Schleswig in its full vigor. But if it should fall under the direction of a man like Carl Moltke, the opposite of all this would be effected before the end of

the seven months, and the union of Schleswig with Holstein actually severed.

In Berlin, it was believed that it would not turn out so badly after all, and without further consultation with the National Assembly, the Compact was ratified, and the order sent to the Prussian troops to retire.

But in the Duchies a storm of resentment arose, directed from the first against the principal object of their dissatisfaction. While the Provisional Government called upon the Imperial Ministry not to confirm Prussia's doings on account of her encroachments upon the authority of the National Assembly at Frankfort, the National Parliament of Schleswig-Holstein, which had not been in session during this time, convened, and within a few days had adopted a new Constitution, every word of which proclaimed the indivisibility of the Duchies. The four men who were to form the new Government, together with their assistant Deputies, declined one and all to serve under Carl Moltke; and when the Count arrived in the country, the Provisional Government was obliged to protect him from the anger of the populace, so that he made good his escape with all possible despatch.

The Danish Democrats were somewhat angry; yet the Great Powers thought it not worth while to spoil the chances of peace for the sake of supporting this one man; and King Frederick of Denmark was not deaf to such arguments, however much the ruling party at Copenhagen urged the adoption of belligerent measures. There was hope that the unfitness of Carl Moltke would soon be recognized on all sides.

The turn of affairs that now took place at Frankfort went far to bring about this result.

Everything conspired to arouse passionate hostility against the Compact of Malmö. First, the encroachment upon the Imperial authority and the ratification of the Compact without consultation; then, the unsatisfactory contents of the Compact itself, the long continuance of the armistice, the separation of the Schleswig from the Holstein soldiers, the nullification of the laws, the dissolution of the Government recognized by the Confederation, and the formation of a new one under the direction of Carl Moltke: these things fell like a thunder-clap upon the Assembly, when Dahlmann, on the 4th of September, excitedly recounted them with his usual eloquence, his voice trembling with emotion. The Left, in general little interested in the cold-blooded Schleswig-Holsteiners, now fairly yelled with delight, that a battle-cry had been found, which meant an annihilating attack upon that detested King of Prussia, and perhaps also upon the almost equally detested Majority of the Parliament, if it should undertake to shield him. At first, the Left seemed likely to carry everything with it, so thoroughly had the feeling of resentment permeated the Centre and the Right.

A Committee, chosen to investigate the matter, proposed on the 5th of September a decree countermanding all military and other movements and measures, which were included in the performance of the requirements of the Compact, — above all and without delay, the withdrawal of the German troops from the Duchies.

Thereupon the Imperial Ministry declared that they were hindered by insurmountable obstacles from taking any steps involving the rejection of the Compact, and that upon the acceptance of the Committee's Report they should resign.

Dahlmann, as Chairman of the Committee, carried a great part of the Centre with him: "If we yield at the first test that is brought upon us," he said, "if at the first approach of danger we show ourselves afraid of the Foreign Powers, then, Gentlemen, you will *never* be able to raise again your once proud heads. Reflect upon my words, *never!*" The countermand was decided by two hundred and thirty-eight votes against two hundred and twenty-one, amid storms of applause from the Left and the galleries. The Ministry sent in its resignation, and Dahlmann was intrusted with the formation of a new Cabinet.

"He will hardly be able to accomplish anything," said the Archduke to the retiring Ministers, who meanwhile continued to transact the current business. In fact, the inherent impossibilities of the situation were conspicuously apparent: a Ministry of the Left with Dahlmann at its head would be a ridiculous monstrosity. At the end of three days Dahlmann returned his commission to the Archduke unexecuted. The latter then turned to Professor Hermann of Munich, a political economist, eminent for his learning and acuteness, who in this extremity, however, accomplished as little as Dahlmann, and only exposed his own political incapacity to a melancholy degree.

Meanwhile a whole week had passed, in which other events had taken place, all of which tended to cool down the heated blood of the Majority. First came the more and more violent agitation of the Left in favor of a revolutionary dictatorship. Here, as in Copenhagen, it was the Democratic party that branded every longing for peace as a disgrace to national honor and a hindrance to national prosperity; only too palpably did they betray their ruling idea, the acquisition of revolutionary power by means of war, following the example of the French in 1798.

The Majority, on the contrary, wished that the March Revolution might finally come to an end, and repudiated every proposition involving new commotions. Yet they could not shut their eyes to the fact, that they possessed no other than revolutionary means, in attempting to carry out any decree in opposition to Prussia. There was as yet no Imperial army nor an Imperial treasury. In both of these particulars, the Imperial Regent had to fall back upon the good-will of the Governments. But of these, Austria was the confessed friend of the Danes, the enemies of the Empire. Bavaria and Hanover were, as we know, on bad terms with the Central Government. The Parliament would have at its service, at the very most, only the forces of some of the smaller States; and if Hanover should declare itself upon the side of Prussia, as it undoubtedly would do, then it would be impossible in any case for an Imperial army to reach the Duchies. Accordingly, some members of the Majority became more inclined

to yield a little, and thought that perhaps the measures taken on the 5th of September had carried the matter too far for the reputation of the Assembly.

Then the news came, that similar sentiments had begun to make themselves felt among their opponents. The fixed determination of the Schleswig-Holsteiners and the wild excitement in the Cathedral of St. Paul had not been without their effect upon the rest of Europe. The imminence of a patriotic uprising in the Duchies, which might kindle a general German revolution, and in consequence occasion a European war, had frightened the Governments in Paris and St. Petersburg.

Camphausen was able to announce to the Imperial Ministers, that there was a prospect of getting rid of Count Carl Moltke and even of securing certain modifications of the Compact. Calm reflection on the matter could not but convince one very soon that in this case the Compact, although still unsatisfactory, would not in any way compromise the future of the Duchies.

Under such circumstances the National Assembly undertook, on the 14th of September, the decision of the main question: Shall the Compact of Malmö be confirmed or rejected by the Central Government?

The Committee, by a small majority, maintained its former position: rejection of the Compact and active preparations against Denmark. Four Schleswigers, on the other hand, made a motion to scruple no longer about accepting the truce, so far as it showed itself still practicable, to strive to secure favorable modifications

of the Compact, and for the Central Government to begin negotiations for a definite peace. A three days' war of words was waged over this motion, in which both sides displayed the most brilliant talents and the most fiery passion. The galleries were filled with followers of the Left, who accompanied the speakers with appropriate applause or hisses.

The fortune of battle favored first one side and then the other, and the victory seemed to waver. The one thing certain was that the Left were determined not to let the present opportunity go by of doing their best for the cause of their Republic. Carl Vogt of Giessen called to their minds the French Convention, which, he said, summoned to its aid the strength of the People, and with it conquered the whole of Europe; but, he continued, it was the Convention that did this, and only a Convention can accomplish such great results. The aims of the party could not possibly have been indicated more plainly.

While its orators were developing their plan of action in the Cathedral of St. Paul, other champions were busy outside with preparations for its execution. They had secretly invited to Frankfort their influential associates from Hesse and Baden, from Thuringia and Saxony; their messengers now hurried in all directions to summon the people of the surrounding country to hasten to the city with their arms; many thousand political tracts were scattered abroad, filled with angry indictments against the traitors to their country, who would fain betray Schleswig-Holstein to the enemy; and a call

to join the uprising was sent to all the members of the Democratic League from the Lake of Constance to Berlin and Königsberg.

Late in the evening of the 16th of September, the debate in the Cathedral was closed, and the platform of the moderate parties was accepted by a vote of two hundred and fifty-eight against two hundred and thirty-one. Immediately afterwards, riots broke out at several points in the city, in which the Deputies of the Centre were set upon by the armed rabble, and the peace otherwise disturbed. On the 17th, an immense popular meeting, said to number upwards of twenty thousand persons, took place before the gates on the field called the *Pfingstweide*. After violent speeches by Republican Deputies, this meeting adopted the resolution, to declare to the National Assembly through a large deputation on the 18th, that they held the two hundred and fifty-eight members of the Majority to be traitors to the German nation, to German liberty, and to German honor.

The Frankfort Senate thereupon sent word to the Imperial Ministry that it could not, with the small force at its command, guarantee the preservation of the peace; Minister Schmerling, therefore, summoned from Mayence a few battalions of Prussian and Austrian troops, who took up their station on the morning of the 18th in front of the entrances to the Cathedral. As the session was being opened, a great noise was heard without; a surging mass of humanity pressed against the church. One door in the rear was found unguarded,

and an attempt was made to force an entrance at this point; but a number of muscular Deputies resisted from the inside, until a company of Prussian soldiers scattered the assailants with the bayonet. Then the cry arose in all parts of the town, that the Prussians were murdering the citizens, and barricades were built on the main street, the *Zeil*, and in the narrow lanes of the old part of the city. The Left made motion after motion to remove the troops, on the ground that it was impossible in the presence of bayonets to carry on a free discussion, and sent at once a deputation to the Archduke, urging him to stretch out the hand of reconciliation to the incensed people. But the news came, that this incensed people had just murdered with cannibal cruelty two Deputies, Averswald and Lichnowsky, on the outskirts of the town. This made Schmerling only the more resolute. More troops were summoned: infantry and artillery from Darmstadt, and from Giessen some Würtemberg batteries, which were just returning from Schleswig. After a fierce fight, the barricades were battered down or stormed, and at eleven o'clock in the evening peace had been wholly restored.

◆ After the rebellion had been stifled here at its central point, the confederates elsewhere dropped their arms, or were easily overcome, wherever, as in some of the Rhine cities, disorders still continued. Struve undertook to make a fresh descent upon Baden from Switzerland with about two thousand men; but his band was dispersed by the Würtemberg General Hoffmann, after a short encounter, and Struve himself was taken prisoner.

Meanwhile the National Assembly continued with imposing tranquillity, as people thought, the discussion of the Fundamental Rights. The further course of events in Schleswig-Holstein confirmed the wisdom of the decree of the 16th of September. The new Commander-in-Chief of the army of the Duchies, the Prussian General von Bonin, was a strong and resolute man, who satisfied the requirement of the Malmö Compact by transferring to Schleswig some few battalions composed mostly of Schleswig recruits, but otherwise left the organization of the troops quite unchanged. At the head of the new Government stood Count Reventlouw-Jersbeck, a man of unquestioned patriotism.

One of the first steps of the Government was the renewal of all the laws that had been abrogated by the Compact, including the Constitution, which had but just been decided upon. The Danes saw in this, and not without reason, a serious infringement of the spirit of the Compact; but according to the letter of the same, the measure was unassailable.

The conclusions to be reached from a consideration of the foregoing events can be summed up in the following observations:

In spite of the repeated tirades against frivolous wars occasioned by the whims of Cabinets, it has been proved here again that Monarchy offers to a nation a surer guarantee for the preservation of peace than democratic factions.

The mistake of the Prussian policy was this time not the endeavor to secure peace, but the hesitating attitude

of its diplomacy, which hoped to obtain more favorable terms not by resolute firmness, but by weak compliance.

Herein lay a certain excuse for the unwise decree passed by the Parliament on the 5th of September, which, however, by its very display of warlike courage, immediately caused conciliatory advances on the part of the enemy.

In other respects, the National Assembly suffered an irreparable loss of prestige during the September days. Of course, every one knew already that the Parliament could not expect to subject to itself the wills of the individual Governments so far as to make them carry out every one of its decrees; and the Radical parties had long since expressed their annoyance that the Majority were not willing to accept all the consequences of their common doctrine, the sovereignty of the People.

Yet all this might have been regarded as very natural at such a time of general confusion and have been overlooked. What happened now could not be smoothed over in any such way: in an important matter of national interest the National Assembly had been forced on the 16th of September to yield to the will of the Prussian Government and to withdraw from its position. And although its orators formerly could declare that the German Governments were obedient to the Assembly because it had the support of the people, the 18th of September had shown that it enjoyed the favor of only the peace-loving citizens, while the bloodthirsty barricade-builders of the Radical parties were its desperate enemies.

The Parliament, however, still held up its head, and there was no one that did not regard its decrees with respect. But it had become very evident, that of the deciding forces, which were to determine the future of Germany, only a small portion had fallen to the lot of the National Assembly in the Cathedral of St. Paul.

CHAPTER II.

THE PARLIAMENT AND THE POWERS.

EXACTLY five months after its opening, the National Assembly, on the 19th of October, took the first steps towards the performance of its proper task, the discussion of the Imperial Constitution. Its Committee on the Constitution had arranged the bulky subject under seven Articles: the Empire, its extent and component parts; the Central Government, its prerogatives and duties; then its organic branches: the Imperial Diet; the Head of the Empire; the Supreme Court of the Empire; then the fundamental rights of the German People and the safeguards of the Constitution; and further the laws concerning elections to the Imperial Diet. The first two Articles, the Empire and the Central Government, were first discussed.

It was at once evident, that those difficulties that had been so long a stumbling-block still existed, and in the same degree as in the summer. The Committee, urged by Dahlmann and Droysen, had decided to take the bull by the horns: to discuss and, if possible, to settle at the outset the one all-important question, the position of Austria in or by the side of the new Germany.

NOTE.— It will be seen that in referring to the new projected form of government for united Germany the Author continues to use the terms *Empire*, *Federation*, and *Union* interchangeably. — TRANS.

The motion took the following form: The Empire embraces the same territory as the German Confederation, the case of Schleswig being for the present left out of consideration; if a German and a non-German country have the same ruler, then they shall have separate constitutions, governments, and administrations; in the former, only Germans can hold office, and in it the Imperial Constitution and Imperial laws shall have the same binding force as in the other German countries. This meant for Austria the rupture of the monarchy, the two portions of which, separated by the river Leitha, would be in the future connected only through a common ruler; and in the German crown-lands the laws enacted by the Central Government of the Empire would be in every instance the law of the land.

That the Austrian Government would never subject itself to these conditions was clear enough to everybody: indeed, the purpose of the Committee in making the motion was to force the Vienna Cabinet to the definite declaration of its intentions. The alternatives were: submission to the laws of the Empire or withdrawal from the Confederation.

The contrast of the parties was thus presented in all its sharpness. On the one side stood the advocates of a firm Federal Union, to whom the loss of Austria seemed insignificant in comparison with the gain in internal harmony, which would be impossible with two Great Powers in the Union; on the other side the Idealists, opposed to the withdrawal of any German

State from the Confederation, whatever might become of the Constitution; and with these latter stood the Individualists, who wished to retain Austria in the Empire just because her presence would prevent any very serious tendency towards centralization, and would allow of only some few changes in the old Confederation.

The Majority, which had hitherto held together, was now broken up. Its Austrian members, almost without exception, opposed the motion. Vincke, too, considered the measure too violent. Gagern produced, on the 26th of October, a counter-motion, which was destined to be for many years the watchword of the champions of German Unity. It was, that that portion of Germany outside of Austria should form of itself a Federal Union, which should then enter into a close alliance with Austria, the conditions of this alliance to be determined by a special Federal Act.

Dahlmann and his followers remained firm in the position they had taken, and pointed to the fact, that since the passage of the laws in the summer Austria had brought herself into just the condition described in the motion: she had resolved herself already into two states, one German and the other Hungarian, between which the sole bond of union consisted in their having a common ruler. If the present Austrian Ministry, they said, wished to make a change in this regard, it would be proper to await their announcement to this effect; but the German Parliament was certainly justified in assuming the existing state of things as the basis of discussion.

So it happened that the Left gave the deciding vote. At this time in Vienna everything was topsy-turvy. A fierce insurrection raged in the city; and in Hungary, Magyars and Croats had risen in arms against each other, while the Czechs in Prague demanded boldly the autonomy of the Kingdom of Bohemia. The Republicans in Frankfort seemed to see already before their eyes the down-fall of Austria: they were ready to hasten it, if they could, by resolutions passed in the Cathedral of St. Paul, and then to welcome the German portion of Austria as a part of free Germany. They voted without exception for the motion of the Committee, which accordingly was passed on the 27th of October by a great majority.

The glove had been thrown down: what would be Austria's response?

Meanwhile the National Assembly proceeded without delay to discuss the nature of the future Imperial Government, its functions, rights, and duties.

In general, nothing new came to light. The sphere of action assigned to its Central Federal Government by the Constitution of the United States of America, that paragon of Federal Unions, was the ideal which the Committee of Seventeen in April, 1848, had set before themselves, and which the Frankfort Committee now again projected for the future Imperial Government: namely, the control of foreign relations, of the army and navy, the regulation of commerce, tariff, and trade, and, in the last resort, the preservation of internal peace.

So far, all parties of the Parliament were united on this point. But so soon as the details of the plan were taken up, the possible variety of opinions became apparent. That the legislation and the administration in those departments belonged to the Imperial Government was, of course, clear; but the question was how far, under the Imperial laws and regulations, was the control of their own armies, railways, posts, etc., to be left to the individual States.

In this respect the proposals of the Committee, like the Outline of the Seventeen, cut very deeply into the governmental system of the individual States. The right of declaring war, of forming alliances, and of maintaining or receiving permanent embassies, was considered exclusively the prerogative of the Imperial Government; all the troops of the States were to form together the Imperial army, organized according to an Imperial Statute; in the oath of allegiance was to be included primarily the oath of loyalty to the Supreme Head of the Empire and to the Imperial Constitution; the Imperial Government was not only to have the supervision of the railways in the individual States, but also to grant at its discretion the privilege of laying railroads, and even to take the initiative itself in building highways, railroads, and canals, which should be maintained at the expense of the Empire. The Government was to take into its own hands the whole postal service, if deemed advisable; there were to be no duties nor imposts inside of the Empire; the Imperial Government was to expend, first of all, the revenue from the

customs, then enrolment-fees, and in extreme cases was to levy a national tax.

The existence of any definite line between the authority of the Imperial Government and that of the individual States was practically contradicted by the provision that the former was in all cases to assume legislative power, when in its judgment the adoption of common measures and regulations might be considered necessary for the interests of Germany as a whole. All this indicated once more that the plan could not possibly be carried out, if the Empire were to include two European Great Powers, especially if the peculiar composition of Austria was to be taken into account.

The cause of Unity prevailed in every instance. All the proposals of the Committee were passed in the course of November, in spite of the objections made by the advocates of an "entire" Germany and by the Individualists. Then the Assembly proceeded to take up the discussion about the organic branches of the Government, beginning with the Diet.

Meanwhile, the aspect of the German world had changed, and we must turn our attention from Frankfort to the state of things in Berlin and in Vienna.

Under the pressure of a wild street-demagogism with which the weak Ministry of the summer was unable successfully to cope, the Majority in the Berlin Parliament had fallen more and more into the hands of the Left, who, in their ambition to legislate, turned this to account in a startling manner. The King's anger at the condition of things grew from week to week, and

with equal pace his forebodings as to the possible results that any summary action on his part might bring to himself and to the State.

It was at this period that the King frequently met one of his bravest champions in the United Provincial Diet, Herr von Bismarck-Schönhausen, and rejoiced in the young man's healthy vigor and rich fund of ideas. Once, as they were conversing together on the terrace of the orange-garden at Potsdam about the insupportableness of the situation and available means of relief, the King observed that very harsh measures might be dangerous. Bismarck replied, "Only weakness can be dangerous; therefore courage! courage! and again courage! and Your Majesty will conquer." At this moment the Queen, who was walking in the garden and had overheard part of the conversation, stepped up with the remark, "Why, Herr von Bismarck, how can you use such language in speaking with your King?" "Never mind," said the King, laughing. "I shall get the better of him fast enough," and continued to explain his cautious tactics.

But soon events called even more pressingly for decisive steps. After the suppression of the Frankfort disturbances, the German Democratic Association had transferred its place of meeting to Berlin, which increased the fervor of the Radical societies and of the proletariat who swore by them, and also occasioned the passing of corresponding decrees in the Diet.

With a different sort of rage and fury the unchained passions of an armed proletariat broke forth on the 6th

of October in Vienna, against a Government which on account of its irresolute weakness scarcely deserved longer the name. In the civil war which had broken out in Hungary between the Magyars and the Croats, the Vienna Ministry sided with the latter, while the Democrats in the capital were filled with enthusiasm for the cause of their Magyar sympathizers. The despatch of troops from Vienna to assist the Croats was the first signal for an outbreak. A portion of the garrison joined the party of the people and thus gave the rebels the victory. The hated Minister of War, Count Latour, was tortured to death with inhuman cruelty. The Imperial Family and all the ministers save one fled to Olmütz. The rest of the troops were led out of Vienna, and the city was for the moment given over to a Reign of Terror at the hands of the proletariat intoxicated with their victory. This lasted several weeks, until Prince Alfred Windischgrätz appeared with a considerable force from Bohemia, and summoned the city to unconditional surrender.

The effect of these events upon the whole of Germany was tremendous. At the foolish solicitation of the National Assembly, the Imperial Ministry was weak enough to send two Commissioners to Austria to effect a reconciliation. These men were treated with contempt by Prince Windischgrätz, and with cold courtesy by the Ministers at Olmütz. The Left, on their part, had sent two Deputies to Vienna to encourage the rebels; and these took part in the struggle against the troops. After the surrender of the city, Windischgrätz

had one of them, Robert Blum, precisely because he appealed to the inviolability of members of the National Assembly, court-martialled and shot.

The attitude of Austria towards German Unity and the Central Government was thus indelibly defined. Unfortunately, as we shall see, it was a long time before the Assembly at Frankfort could make up its mind to accept the meaning of the bloody message.

In Berlin, too, the Vienna Revolution put everybody in a state of violent excitement. In the victory of the popular cause on the Danube the Prussian Democrats saw the beginning of their own triumphs, and in the evening session of the 30th of October, Waldeck made a motion to call upon the Government to support the cause of Liberty in Austria with all the strength that Prussia had at her command. Densely-packed throngs of people surrounded the building where the sessions were held, who threatened to hang every member that voted against the motion, and not to let any Deputy pass out until after its acceptance. Only a few of the militia were on hand, and these were indolent and disaffected. It was with difficulty that the President of the Ministry, the very liberal General von Pfuel, was protected, after the close of the session, by one of the leaders of the Left, Georg Jung, against ill-treatment at the hands of the mob.

These incidents finally forced the King to a decision. It was very clear that if Windischgrätz were to succeed in checking the reign of anarchy in Austria, it would be possible also in Prussia to improve the condition of

affairs without mortal danger; and if he failed, the attempt must be made in Prussia even at any risk.

The King had already, in September, appointed General von Wrangel, upon his return from Holstein, to be Commander-in-Chief in the "Marks." He commanded there three divisions, and announced in a threatening manifesto that his chief business was to preserve the peace.

On the 21st of October, General Count Brandenburg was summoned from Breslau to Potsdam. We have already mentioned with what a firm hand he had suppressed every disturbance in Silesia during the summer. It was to him that Bismarck now turned the attention of the King. Brandenburg was no reactionary fanatic; but at the same time that he was a resolute and unyielding foe of anarchy, he was a man of moderate ideas and of unprejudiced perception, not especially original in political matters, but possessed of a clear understanding; he was always to be relied upon, and of an unerring sense of honor. Herr von Bismarck announced to him at Potsdam, that the King had decided to make him President of the Ministry. When Count Brandenburg declared that he appreciated this great mark of confidence, but that he was no statesman and was inexperienced in politics, Herr von Bismarck explained to him that for the present no complicated questions were to be settled, and that his task would be simply to restore peace and order. The Count replied: "Very well, then; if I am to be the elephant to stamp out the Revolution, I am ready; but I must have a driver who understands

politics, or it will not be a success." Herr von Bismarck asked what fitting person he had in mind. The Count said: "The only one among the gentlemen with whom I am personally acquainted is the Ministerial Director, Von Manteuffel." The King agreed to this, and Bismarck carried the commission to Herr von Manteuffel in Berlin.

Hereupon a new difficulty arose. Manteuffel thought the people would tear him into pieces, if he appeared as Minister in the Diet; but Bismarck succeeded in quieting his fears and persuaded him to accept the office.¹ Thus far successful, the King on the 31st of October requested Herr von Pfuel, on account of the tumults of the preceding evening, to order Wrangel to enter Berlin with his troops. This had the desired effect at once: the Ministry requested permission to retire. On the 2d of November the Royal Message was sent to the Diet, announcing that Count Brandenburg had been intrusted with the formation of a new Cabinet.

No one in the Diet doubted that this meant war to the death against all the gains of March, and even the moderate Liberal members feared the advent of a decided reaction in favor of Absolutism. In the height of violent passion, but surely not to the advancement of their cause, it was almost unanimously voted to take

¹ General von Strotha, who had been requested to take the office of Minister of War, did not take the matter so seriously. He hastened from his garrison on the Rhine to Berlin, arriving on the very morning on which the new Ministers were to appear in the Diet. He called at once upon Bismarck, but instead of inquiring about any political plans or arrangements, he only asked whether it was proper to appear in uniform or in civilian's dress.

the offensive themselves, and, though the proceeding was unconstitutional, to make to the King by means of a deputation a threatening protest against the appointment of such a pernicious Minister, even before the latter had said one word about his intentions. The King, to whom a member of the deputation, J. Jacoby, cried out, "It is the misfortune of Kings that they will not listen to the truth," sent the deputation away without a reply. An open rupture was thus effected.

The further course of events is well known. On the 8th of November, Wrangel appeared with his troops in Berlin. The Cabinet was completed by the addition of a number of men experienced in their Departments and of moderate tendencies; and then its President announced to the Diet its removal to Brandenburg and its adjournment until the 27th of November. The Diet replied by a resolution that the Ministry had no right to interfere with them in this way, and that they should continue to hold their sittings in Berlin. Attempts to carry this out were for the most part hindered by the military; and on the 12th, Berlin and its vicinity was declared to be in a state of siege.

Embittered beyond measure at this, the Diet, almost under the eyes of the officers sent to break it up, voted that the payment of the taxes formerly approved by the Diet should cease. By doing this it signed its own death-warrant. The country, thoroughly weary of continued disorder, remained indifferent; and the unconstitutional resolution had no effect.

Not enough members assembled at Brandenburg to constitute a quorum, so that the King on the 5th of December announced the dissolution of the Diet and at the same time set forth of his own accord a Constitution, which was substantially the same as the plan reported to the Diet by their Committee, and was decidedly constitutional, parliamentary, and democratic. There was accordingly no more fear at present about suppression of popular liberties; on the contrary, several ordinances made on the same day confirmed important reforms in the administration of justice, which were quite in accordance with liberal principles. Elections to the Chambers were arranged at once, to be held on the basis of universal suffrage, the immediate business being the discussion of the proposed Constitution.

The Government had won a complete victory without bloodshed, and stood again firmly upon its own feet; it was able in foreign matters to support its position with the entire strength of the nation. This was especially the case with regard to the German question.

We have seen that the King had not been well pleased with the course of German affairs. The appointment of the Imperial Regent had offended him deeply, and the attitude of the Frankfort National Assembly in the Schleswig-Holstein affair had not improved his feeling toward it. Even at the beginning of September, in a letter to his nephew, King Max of Bavaria, he returned to his favorite theme of uniting all German Kings into one College, which together with the Archduke should represent the "highest Teutonic authority." In a

letter a few months later he expressed himself very forcibly, in asserting that the College of Kings would be able to oppose any usurpation by the present or a future Central Government, and to withstand both the executive Head and the legislative Parliament.¹

One is always astonished at every reappearance of this quite anti-Prussian idea, that of overlooking the friendly minor Princes, and of favoring hostile Kings. The German Dukes were just as legitimate as the Kings, and there was not much difference between the power of Würtemberg and that of Baden, nor between that of Hanover and that of Hesse-Cassel. But Frederick William seems to have been thoroughly filled with the already-mentioned notion, that every wearer of a kingly crown was possessed of some especial mystical gift.

However that was, his proposition was hailed in Munich with joy, although no great confidence was placed in it; and when in October the discussion over the Imperial Constitution began in the Cathedral of St. Paul, and in Gagern's propositions as well as in Dahmann's Draft not only the exclusion of Austria, but also the name of Prussia, played a prominent part, then the suspicion was again entertained most seriously, that Berlin and Frankfort were secretly working together.

King William of Würtemberg, who in the preceding twenty years had lost none of his ambition, activity, and shrewdness, wished to become Commander-in-Chief of the new Federal army. He received from Bavaria sympathetic messages to that effect, and promised on

¹ Heigel. *Allg. deutsche Biographie*, 21, 44.

his part to assist King Max in using all possible means to prevent the establishment of a German Empire in which the central authority should be concentrated in one Royal House. Both Princes agreed to ascertain by investigation at Berlin, just how far Frederick William's proposal of a College of Kings had been made in earnest, or whether it had been only feigned, in order to quiet the Kings while he was planning something else.

Accordingly, on the 22d of November the Bavarian Ambassador laid before the Prussian Minister an outline of a treaty between the three Crowns, in which the chief features were: the stipulation that the Constitution projected by the National Assembly at Frankfort should be subjected to the ratification of the German Governments; that the future Imperial Government should be vested in the united Kings of Germany, and exercised only by them in the form of a Directory of three members, namely, the representatives of Austria, of Prussia, and of the other Kingdoms as one, or, in case Austria would not join the league, of Prussia, of Bavaria, and of the remainder; that the presidency of the Directory should rotate in a fixed order; that the Directory should represent the Nation in Foreign Affairs and should control the Ministry; that by the side of the Directory a chamber should be formed, composed of deputies from all the Governments; that this Constitution should be established by the concurrence of all the German Kings united in one College; and finally that the three Courts should pledge to one another mutual assistance against every attack upon their royal rights.

In South Germany, the Democratic Propagandists had been working uninterruptedly among the masses, in spite of their defeat in September: they had organized societies, and developed their plan of operation. How would it be now, if Prussia should not keep secret the fact that a scheme had been proposed that would exclude the Petty States from any share in an Imperial Central Government and the German People from any representation in the Imperial legislation? The revelation would have endangered the very existence of the Kings.

But the Prussian King was far from committing such an indiscretion. On the contrary, he was flattered by the favor with which his proposal of a royal college had been received, though he could not help sharing the surprise of his Ministers at the remarkable *naïveté* with which the Lesser States took no account whatever of Prussia's possible claim to a leading position among them. Accordingly, Prussia replied to the proposed treaty by saying that she considered a discussion about the establishment of a Directory as still premature. To the two South German Kings this reply appeared to be proof positive of Prussia's ambitious designs, and they turned in supplicance to Austria for protection against the threatening conspiracy brewing between Berlin and Frankfort.

There never was a more groundless suspicion. Especially in the last few weeks, Frederick William had been less pleased than ever with the doings at Frankfort. As at the time of the Vienna Revolution, so also when the Ministry of Brandenburg first came into office, the

German National Assembly had thought that such important events should not be allowed to occur without being accompanied by an expression of its opinion in the matter; and in this spirit it passed the conciliatory resolution, that Prussia ought to have a popular Ministry, but that the refusal of the taxes by the Berlin Parliament was not quite fitting. The only result of this resolution was that the Berlin Democrats were angered by it and that the Prussian Government laid the document indignantly on the shelf. At the same time a Commissioner was sent to Berlin, as in the other case to Olmütz, and was received with like indifference.

Meanwhile the discussion in the Frankfort Parliament over the functions of the Imperial Government had come to an end, and as the next question was that of the form of the Imperial Supreme Authority, Gagern thought it proper to go to Berlin himself to see how matters stood, and arrived there on the 24th of November, almost at the same time with the Bavarian proposal. He came without having received full powers from the Imperial Regent, nor from the Parliament; but, in spite, too, of his persistent advocacy of a Liberal Ministry, he was graciously received by the King. He represented to the latter that his election as German Emperor by the Parliament was probable, indeed almost certain, if he would now consent to promise his acceptance of the Crown and of the Constitution.

The King had already expressed the opposite intention to Dahlmann and to Bunsen; he now again declared that he could not bind himself beforehand; that, as

ever, he should insist upon the doctrine of the co-operation of the Governments in the work of establishing a constitution, as opposed to the revolutionary doctrine of the Parliament's absolute power; that the Parliament had no right to offer a crown; and that in doing so without the consent of the Princes it committed an act of revolution. Gagern made the matter worse by remarking: "You say you must have the consent of the Princes. Very well! You shall have it." The King understood by this that the Princes were to be forced by insurrections to give their assent, and therefore held more firmly than ever to his protestation that his decision would depend not only upon the way in which the Constitution turned out, but also upon the acquiescence of the other Sovereigns. The commanding presence of this man, raised into eminence by the tide of revolution, made the Monarch feel ill at ease; but yet his imposing demeanor, which attested his earnest and sincere devotion to his cause, and which indicated at the same time rare political talents, made a great impression — a mixture of admiration and of aversion — upon the King. At his departure, the King embraced him and called him his friend. "It is to be hoped," the King remarked afterwards to Bunsen, "that I shall never need his friendship."

Yet the visit produced, on the whole, the effect of modifying somewhat the Prussian antipathy towards the National Assembly. The Government at Berlin became convinced that the Majority in the Parliament was by no means actuated by Jacobinical intentions, and

even if it seemed advisable not to accept the Imperial Crown, yet a thorough reform of the Confederation was desirable, and these men could not well be deemed enemies, who strove for German Unity, and by whom the Crown had been offered. Count Brandenburg expressed his full concurrence with what Camphausen reported: namely, that it might have been necessary in the spring to stem the tide of the assumed omnipotence of the Parliament; but now that the Parliament had passed the zenith of its power it was best to strengthen it and to repress the Individual States, whose selfishness would otherwise thwart every attempt at a German constitution and at German unity. Thus the King, importuned by two opposite parties and not without certain points of sympathy with them both, decided, before doing anything further, to come to an understanding with Austria, which had just issued a proclamation containing solemn, weighty, and yet withal puzzling statements about its relations to Germany.

Let us now take up for a moment the state of affairs in the countries belonging to Austria, and the changes that took place in them after the triumphant entry of Prince Windischgrätz into the conquered city of Vienna.

In spite of the submission of the capital, the Monarchy continued to be threatened by most serious dangers. While in Prussia almost all of the provinces were quiet, in the Austrian Empire Hungary was in the hands of the armed Revolution inspired by the mighty energies of Kossuth; Lombardy had been won back, it is true,

but Venice remained unconquered; and Sardinia was quiet, but only under a truce, while the adversary was zealously preparing his forces for a new campaign. Just now the Slavonic races of Austria were parading their devoted loyalty to the Monarchy; but every one knew that their ultimate aim was the establishment of an independent Bohemia, Croatia, and Galicia, to be connected with Austria only by their common ruler.

The treasury of the Empire was, moreover, very low; and under the weak Ministry of the preceding summer and the incapacity of the Emperor, both burghers and peasants had become demoralized and the administrative machinery had half gone to pieces. This demoralization had penetrated the Royal Family: at the Court no secret was made of the suspicion that the Archduke Stephen was striving to set up an independent kingdom in Hungary, and that the Archduke John had accepted the dignity of Imperial Regent without consulting his nephew, Ferdinand, in the hope of becoming German Emperor and of then incorporating into the new Empire the German-Austrian countries. He had, to be sure, in response to a complaint of Latour, protested at once that he had had no hand in Peucker's order for the parade of allegiance; but in Olmütz no one any longer placed the least confidence in him.¹

Thus the only thing throughout the whole Empire that remained on a strong basis of conscious moral solidity was the army, victorious in Lombardy, in Prague, and now in Vienna. Its leaders, also, Prince Win-

¹ The reports of the Prussian Ambassador contain repeated references to these matters.

dischgrätz, Marshal Radetzky, and the Ban Jellacic, had long ago become accustomed to absolute command, as far as the Government was concerned. Now they demanded the establishment of a *régime* in accordance with their own ideas ; an end of the timid management, which had no other resource against incorrigible demagogues than to pacify them by indulgence ; and the institution of some energetic authority, which might hold the reins of the entire disintegrated Empire with a firm hand.

One of their party, General Prince Felix Schwarzenberg, who had formerly been Ambassador at several Courts, and had made himself famous, at least by his adventures and proud bearing, was called to the position of President of the Ministry. He required, as a condition of his acceptance, that the Emperor Ferdinand should abdicate in favor of his nephew, Francis Joseph, a youth of eighteen, who, young as he was, had already shown himself to be the cleverest and most gifted among the Archdukes ; for in this way the State would have again a vigorous and energetic head.

Prince Felix was of medium height, with a long face and sharply-defined features. As a soldier he had shown bravery and skill, and had, moreover, enjoyed the pleasures of life to the utter destruction of his nervous system : his handwriting, in spite of its large letters, was scarcely legible on account of the constant trembling of his fingers. But he had still preserved his mental powers, his resolution, and his undaunted ambitious will.

In foreign matters he hoped to conceal the temporary weakness of his country by assuming a bold and defiant attitude, and by setting all the old claims of Austria, especially in her relation to Prussia and Germany, as high as possible. As far as an internal policy was concerned, about which he was only superficially instructed, he believed that everything depended upon obedience to commands, and that the least manifestation of obstinacy should be punished on the spot. This involved, as the only fitting form of government and in the place of the loosely-united crown-lands, a closely-cemented union with a firm, centralized, bureaucratic, administration, such as had never existed in Austria, except for a few years under Joseph II.

To the Diet, which had in the mean time been summoned to meet on the 27th of November in the small Moravian city of Kremsier, Schwarzenberg announced his programme of government. In this, the unity of the Empire was properly emphasized; and the loyal Austrians were promised meanwhile a common constitution, independent local government in the districts, and a number of other excellent reforms, since it was believed that at least a liberal phraseology could not as yet be wholly dispensed with. With regard to the German question, the programme read: "Austria's continuance as a union is a German as well as a European necessity. Convinced of this, we look forward to the natural development of the transformation which has not yet been completed. When Austria and Germany, both rejuvenated, are fairly settled, each in its new and firm

form of government, then it will be possible to determine officially their mutual relations."

This clearly implied the repudiation of Dahlmann's Report; but Gagern might read in the words of the Minister the indorsement of his own system of a restricted German Union in alliance with Austria. Yet a certain closing sentence in the programme was of doubtful import: "Until then — that is, until the completion of both Constitutions — Austria will continue faithfully to fulfil her Confederate duties."

Apart from the fact that since March Austria had not fulfilled one of her Confederate duties, making the promise to continue doing so ludicrous of itself — apart from this, it was evident that her declaration of loyalty to her Confederate engagements implied the maintenance of her rights in the Confederation, and also the assurance that she would not in the least give up her due share and voice in German legislation. But how large a share in German legislation would she claim? What demands would she be likely, in any case, to make with regard to the tenor of the new Constitution? And how far would she submit to disagreeable decrees of the Parliament?

It is easy to imagine the weight of these questions in the minds of the men at Frankfort. The first one to be affected by them was the President of the Imperial Ministry, Herr von Schmerling, who certainly meant well by Germany, but who, above all things, was a loyal Austrian. The leaders of the Majority in the Parliament, the men who supported the project of an Empire

with Prussia at its head, realized that they must henceforth look upon Schmerling as their active opponent, and accordingly, with the help of the Left, they forced him out of office by a polite but significant vote of lack of confidence. Heinrich von Gagern succeeded him in office on the 18th of December; and the presidency of the Assembly in the Cathedral of St. Paul was accepted by Professor Edward Simon of Königsberg, a man of Jewish extraction, but who had a German spirit and heart, was a warm patriot and a clear-sighted politician, and who, combining in a rare degree an æsthetic taste and a ready wit, became a master of oratory, and a model in the presidential chair.

The National Assembly was at this time busy with the discussion of the Constitution, and had come to the Article about the Imperial Diet. It was recognized that by the side of the national idea of unity individual interests must also be represented; so that by the side of the House of Deputies elected by universal suffrage an Upper House must also exist, the members of which should be appointed, one-half by the Governments and one-half by the Chambers of the Individual States, and yet be as little bound by instructions as the Deputies of the Popular House.

The Diet was vested with the usual parliamentary rights in the fullest manner, and in such a way that the Popular House took the precedence of the Upper House, and the Diet of the Imperial Authority. In finances, the Upper House was to have only a consulting voice, the Popular House alone the deciding vote. In either

House the right was given to arraign a Minister before the Imperial Court of Justice on account of mismanagement in his office; a motion that this should be confined to illegal acts, and should not embrace merely injudicious measures, was lost. Legislation was placed in the hands of the Diet and the Supreme Authority in common. An Imperial Council composed of plenipotentiaries of the Princes was to pass judgment upon each bill proposed, but without any deciding voice. In the event of a difference of opinion between the Supreme Authority and the Diet, a bill, after being passed in three sessions of the Diet, should become a law, even without the approval of the Supreme Authority; or, in other words, the Supreme Authority was to have not an absolute but a suspending veto power.

Accordingly, no matter how richly the Supreme Magistrate might afterwards be decorated with titles and invested with rights, the actual representative of national sovereignty was not he, but the Diet, and in this, again, the Popular House. This accorded admirably with Gagern's first speech as President of the National Assembly, in the warm spring atmosphere of the 18th of May, but not well with the hard facts which presented themselves in the prosaic division of power during the cold days of December.

Communications of a directly opposite nature passed at this time between Berlin and Vienna.

At the request of the Prussian Government that Austria should express her views upon the German question, Prince Schwarzenberg deemed it advisable to

reply immediately and with unsparing plainness. On the 13th of December, he demanded that Austria, as a united State (with about thirty millions of Slavs, Magyars and Italians), should be admitted into the German Confederation. He considered that the Frankfort fabrication could not be accepted with a good conscience by any German Prince; and that the two Great Powers ought therefore to agree upon a proper constitution, in which they should abandon the idea of a federal government, and return to the only practical basis, of a confederation of states; that to carry this out, a stronger executive would be needed than formerly; then, instead of a representation of the people, a body formed of deputies sent by the Princes; and further, the union of material interests and a universal military system. Bavaria should first be let into the plan, and afterwards the other Kings; but everything should be done with the greatest secrecy, without the knowledge of even the Archduke John. Any attempt at insurrection should be put down by force of arms. In this work of repression, Austria would take part according to the number of troops which she might not at the time have otherwise engaged; at any rate she would, by a small representation at least, signify her theoretical support.

Nothing could be more striking than the contrast between this merely theoretical support and the unboundedness of the pretensions based upon it. In Schwarzenberg's reply, everything that Frederick William had dreamed about a "Teuton King crowned in the Frankfort Minster," and about "a hereditary Com-

mander-in-Chief over the Imperial Military Dukedoms," was ruthlessly crossed out. In spite of Prussia's military power and European standing, she was put down upon a level with Bavaria, her independence was threatened, and her Tariff-Union endangered. The King had just relieved his mind again by writing frantic letters to Bunsen and Radetzky, in which he gave vent to his contempt for the revolutionary doings at Frankfort; and now Schwarzenberg's behavior gave to his feelings an exactly opposite tendency.

He found himself in a strait between two: his peers, whom he loved and honored, were fiercely opposing his ardent desires for Prussia's advancement, while the men that he almost detested were eagerly offering to him the fulfilment of those wishes—a state of things which kept him in constant suspense and indecision. He could not help realizing what the interests and position of Prussia demanded beyond the devices of Schwarzenberg, and that to further them the assistance of the Parliament was absolutely indispensable. It was necessary, then, to come to an understanding with it: only it must not be allowed to decide the matter itself, nor to dispose of the Imperial Crown by any supposed sovereign right of its own.

Accordingly, on the 19th of December, in reply to Schwarzenberg's message, a Ministerial memorial was drawn up, in which it was stated at the outset, that immediately after the first reading of the Imperial Constitution a revision of the work was to be undertaken by the Governments and the Parliament together; that

to this end a College of the German Kings was to be considered the Executive; Deputies from the Princes, the Upper House; and the Parliament, the Lower House. With regard to the question of the Constitution, it was explained that the admission of the whole of Austria into the new Germany would not allow of anything but a loosely-united Confederation of States; that especially in the tariff and in the military affairs of Germany, Austria could take part only to a limited extent; and that, moreover, nothing would prevent the rest of Germany from forming, if they thought best, a closer union among themselves, inside of the more comprehensive Confederation.

Thus Prussia took an intermediate position, by denying with Schwarzenberg the constitutive omnipotence of the Parliament, and by upholding, at least in principle, Gagern's system of a restricted union inside of a more comprehensive one, as far as the new form of government was concerned. The question, what shape this more restricted union would assume in the restless fancy of the King of Prussia, was meanwhile undetermined.

When Count Bernstorff, the Prussian Ambassador, communicated the contents of this memorial to Prince Schwarzenberg, he received scarcely any attention. The Prince had just listened to a Bavarian Embassy, which had urgently insisted upon the continuance of Austria in the Confederation, as a protection to the Lesser States against Prussia; upon the equalization of Bavaria with Prussia in the future Constitution, and especially in a Directory; and finally upon the dissolution of the

Frankfort Parliament, and the suppression of every revolt by force of arms. The Würtemberg Ambassador talked also in the same strain.

Schwarzenberg, besought by Bavaria and Würtemberg to do what he himself most ardently wished for, and relying upon their support, turned a deaf ear to all of Bernstorff's most important propositions. "The Parliament," he cried, "will and must go to pieces. If, however, negotiations must be entered into with it, then the clumsy Prussian proposition of an Upper House is entirely superfluous: the Plenipotentiaries of the Kings to the Imperial Regent would be sufficient for every purpose. Of the Kings," he repeated, "and only of the Kings." He then expressed his approval of the project of a College of Kings to the exclusion of the inferior Princes, a commendation as easily explained, coming from him, as the proposition itself was inexplicable, coming from the King of Prussia.

Schwarzenberg proceeded at once to draw further conclusions. He not only objected to any representation of the people in the Confederation, but also considered the Chambers of the individual States far too numerous for the population of Germany as a whole. He insisted that groups should be formed among the States, perhaps six of them, each under one of the German Kings. Austria, for instance, might take Liechtenstein; Prussia might take Mecklenburg, Anhalt, Hesse-Cassel, and other such States; Saxony, the small Thuringian States; Hanover might join to itself Brunswick and Oldenburg; and Würtemberg might receive Baden and Darmstadt.

In each group the leading Prince should be at the head of the Government with a common Chamber of Deputies from the Estates, should have the supreme command over all the troops, and should alone represent the group in the College of Kings.

Schwarzenberg seemed to have no doubt of the Prussian assent to this system of groups: in fact, it was only the practical realization of the system of Imperial military dukedoms, so often proposed by the King himself. However this might be, Schwarzenberg declared it to be such a vital question, that before this was settled he would proceed no further in the negotiations. Naturally! For a sharper contrast to the national desire for unity could not be found than this dismemberment of Germany into six fatherlands, whose Kings should be equally endowed with possessions and power, and should all be subordinated to polyglot Austria.

The revolutionary Frankfort Parliament had in the beginning of December rejected all motions proposing the mediatization of the Petty States, because it was not these inferior Princes, but the more powerful Sovereigns, that were an obstacle to German Unity. And now it was the ardent champion of the old conservative system, who wanted, with one stroke of his pen, to annihilate the independence of about thirty legitimate Governments.

With regard to the other matters referred to in the memorial, Prince Schwarzenberg curtly observed, that a single Head of the Empire was impossible; it would

be better to have a Directory of Three under the presidency of Austria. Austria would, moreover, join not only the more comprehensive, but also the more restricted, Union — in other words, would hinder the formation of the latter. She would also be as unreservedly as possible a member of the Tariff-Union.

One would naturally suppose that, upon the announcement of such plans as these, Prussia would have declared further negotiations with Olmütz to be hopeless, and would at once have sought an understanding with the parties of the Frankfort Centre. But such a decision lay entirely out of the range of the King's mind. To him, a break with Austria was an impossibility. He could not think but that his ideas must have been misunderstood in the ministerial interviews with Schwarzenberg. He complained that he was only too often misunderstood. So he decided to interpose with his own royal hand, and to explain his views in a lengthy note to the Austrian Cabinet.

This note was written on the 4th of January, 1849, and carried by Count Brühl to Olmütz, there to be read to Prince Schwarzenberg. The leading points are already known to us ; but the motives which the King adduced, and his manner of expressing himself, were so extraordinary, that we cannot help quoting some passages from the note, at the same time adding the short comments with which Schwarzenberg interrupted Count Brühl.

The King begins with the assertion that Bernstorff's last report gave the comforting assurance of harmonious

action on the part of the German Great Powers. "Only upon this basis of authority and concord," said he, "can the German Princes rise, and a condition of things be established that can better hold its own against the spirit of the times than the abortive German Confederation or the Utopian ideals of the Assembly in the Cathedral of St. Paul. What was the chief mistake in the German Confederation? *Disregard of the difference of power which existed among the members of the Confederation.* What was the fundamental error in all the projects advocated by the Assembly at Frankfort? The *confusion* of ABOVE and BELOW, of THE SUPREME AUTHORITY and DEPENDENT SUBJECTS, or, in a word, REVOLUTION. It is a fact established by experience, that the appreciation of the value of things is generally most just . . . where the control of mighty systems and participation in important crises become as one's daily bread; that is to say, precisely in positions to which Divine Providence has attached that degree of power which may give the just appreciation of these values its due emphasis. In the whole of Germany there are only two Powers that offer such points of view: namely, Austria and Prussia."

The King further explained, that only through the united action of these Powers could Germany be purified from the immeasurable disgrace she had suffered during the year 1848, and assume a form that would rest upon a clear understanding of the times and their needs.

The King was forced to confess frankly that he was not in a position to accomplish the task. "To bring

about these conditions," he said, "we need above all things time and tranquillity. The propositions which I have already laid before the Vienna Cabinet have had the sole aim of gaining this time and tranquillity for taking good and careful counsel. Just that feature in my propositions, which I am in the habit of calling the ORGANIZATION of the Frankfort Provisional Government, is intended in the first place and especially to serve as a means of gaining this necessary time and tranquillity.

"In my proposed organization the chief point by far is the College of Kings. This gives to the parties of the Frankfort Centre what is most needed,—a Head. This College of Kings has no other object than to bring again into proper hands 'The Supreme Authority' of the Provisional Government . . . and also to emphasize among the parties of the Centre the notion of *Headship*, without which nothing can be properly accomplished. The absence among the parties of the Centre of any definite agreement about the Headship can alone explain the fact, that although possessed of so much intelligence and noble purpose, the Assembly in the Cathedral of St. Paul has given itself over to dreams of usurpation, and since the restoration of the two Great Powers, has driven about like a ship without a rudder. This must be stopped; and the first step towards it is a College of Kings *established by the absolute will of the highest Sovereigns of Germany.*"

The King did not insist so strongly on the Upper House to which Austria objected, and yet emphasized it

to some degree. "The chief thing, however," he continued, "that we, the Great Powers, need, is leisure and opportunity 'to take good council.' I confess that I think this leisure would be endangered if the College of Kings found itself *face-à-face* with the Utopian ideals of the Cathedral of St. Paul. The sharp contrast between the opinions and plans of the two bodies might lead to collisions. —

Schwarzenberg remarked here: Opposition and rebellion must be expected. The King of Würtemberg considers them to be probable, and asks for the equipment of a force of forty thousand men (twenty thousand Prussians, ten thousand Bavarians, and ten thousand Würtembergers). It is needed. Shall the King of Würtemberg receive the command? The troops must at any rate be held in readiness near, or at least not far from, Frankfurt. The King of Würtemberg earnestly desires the command, and might in this way be won over for the rest of the scheme.

— In my desire to find a medium between fire and water, I have looked about and believed that I had found it in an Upper House. . . . The establishment of only a College of Kings might be looked upon by both the Assembly and the Imperial Regent as a hostile measure. —

Schwarzenberg: The College must not on any account have anything to do with the Assembly, though it shall preserve the most friendly relations with the Regent of the Empire. The latter must, in spite of his personal weakness, be retained. Austria is responsible for that.

— I feel that the simultaneous demand for an Upper House avoids this first quasi-conflict. This demand

affords us the occasion, which seems to me to be in the highest degree desirable, of giving the so-called National Assembly a proof of our sympathy, of our willingness to come to an understanding with them, and of our appreciation of their services." The King goes on to say that he does not doubt but that the Parliament will agree to the establishment of the Upper House: "for otherwise the Majority must be a pack of fools of the purest water." —

Schwarzenberg: There are plenty of such fools at Frankfurt.

— "If the Austrian Cabinet," the King continued, "have any well-considered plan —

Schwarzenberg: No.

— by means of which the obscurity of my propositions may be lessened —

Schwarzenberg: One must speak one's mind straight out, and have forty thousand men to back it.

— and the ends better attained, then I declare beforehand that I am ready to engage in such a plan with all my heart."

He then takes up Schwarzenberg's system of groups, which he would rather term "Imperial Sections," or "Imperial Military Dukedoms." He would not, on the whole, object to this plan, only the union of the Chambers appears a difficult matter, which he fears would provoke the Princes and seem to them to savor too much of mediatization. —

Schwarzenberg: No more so than Gagern's scheme. (The King here made the following note in the Report: *That is just exactly what we will NOT do.*)

— More urgent was the question of an Imperial military organization, which the King discusses in detail: “There should be four Imperial armies in Austria; four in Prussia; and two in Bavaria, the one in the country itself, and the other composed of Rhine Franks, including the Bavarian Palatinate, both Hesses, Nassau, Frankfort, and Luxemburg; the Swabian Military Dukedom, under Würtemberg’s leadership, should include Baden, Hohenzollern, and Liechtenstein; the Upper Saxon Military Dukedom, under the leadership of the King of Saxony, should include all the Saxon countries and the Middle German Petty States; and the Lower Saxon Military Dukedom, under Hanover, should include Brunswick, both Holsteins, both Mecklenburgs, and the Hanse Towns.” —

Schwarzenberg: Austria protests against any increase in the territorial control of Bavaria, as the application of a principle, which, *especially in this case*, would become dangerous.

Then the King returns to the Upper House and its composition. He pictures it to himself as consisting of two hundred and twenty-five members, of whom fifty shall be from Austria and the same number from Prussia, all of whom must, of course, be men of proper principles and willing to obey orders. —

Schwarzenberg: Austria does not possess fifty such men, nor five! If Prussia has so many that are also to be relied upon away from home, in Frankfort, she is to be congratulated.

— “Now a word,” says the King, “with regard to the real significance of the Upper House. In the first place,

by their revision of the work done by the National Assembly, time will be gained for the Princes meanwhile to decide upon the chief features of the new Germany. But," he continues, "the convention of such an Upper House offers, further, the only hope of effecting what unfortunately cannot be attempted in any other way, namely, *the revision of the individual Constitutions* to which the horrors of 1848 have given birth. —

Schwarzenberg: This can be best done by having the proper armed forces at one's disposal.

— From those constitutions everything non-Teutonic must be eradicated, everything revolutionary, everything that threatens real danger. I need hardly say how acceptable *this means of relief* must be to all the Princes. The relief will come by PARLIAMENTARY and not by GOVERNMENTAL means."

Schwarzenberg: Better still by means of the military.

After having thus canvassed the proposition for a Provisional Government, the King observes: "I confess that I do not myself feel able to form yet any definite conception of the future Germany. There is no lack of pictures and designs in my fancy, but most certainly there are none that I should consider fit to be recommended for consideration by me to-day. I will only throw out an idea in which, after all, I am not sure but that all my dreams are centred. Here it is."

Then follows the proposal:

1. Of a Lower House of Parliament elected by the Second Chambers of the Individual States, according to the Estates and Classes;

2. Of an Upper House, consisting of the Deputies from the Sovereigns who are not Kings, of the mediatized Princes, and of delegates from the first Chambers, so far as these represent the great landed proprietors ;

3. Of a College of Kings in any event.

Thereupon the King closes as follows : " The manner of union between the two chief bodies, namely, the purely Teutonic and the Austrian, into one grand whole, which, indeed, every genuine Teuton must regard as the only condition of any good result, and further, the limitation of the authority of the first Power, Austria, in respect to that of the second Power, Prussia, to whom no rival can rationally be said to exist: these are truly the vital questions upon which depends the continuance, ay, even the possibility of the existence, of the grand whole. The solution of these questions *I confidently expect from those conferences which I long to see begun.* These conferences must be guided and inspired by a spirit of harmony between the two Great Powers. The identity of *our* interests demands this harmony, and our ancient, deep-rooted, and genuine friendship will make it easy to be preserved.

" This harmony is a blessing from Heaven, and therefore it is pregnant with victory and certain of success."

It would be hard to find anywhere a sharper contrast brought out between the characters and habits of thought and action of two such important historical personages than is presented in this unique document. The substance, then, of the project planned out by the King was this : — .

The German Constitution is not to be determined by the Frankfort Parliament alone, but by the concurrence of this body with an Upper House of the Princes and with a Government consisting of Kings.

This Upper House has before it, also, the task of revising on a conservative basis the Constitutions of the individual States.

Concerning the contents of the future Imperial Constitution the King has at present no definite opinion, but only dreamy fancies.

The dream, which he communicates, involves a Parliament of two Houses, and the ever-present College of Kings as the Executive. Whether Austria is to have a seat and voice in this College he does not say.

He longs rather less dreamily for conferences, to decide upon the relations between the chief bodies, Germany and Austria, and the mutual attitude of the two chief Powers, Prussia and Austria, whereby he informally and yet decidedly refuses to allow Prussia to be placed on the same level with Bavaria.

What Schwarzenberg thought of these confidential communications from the King of Prussia we have already seen from his remarks by the way. He had some time before imperiously informed the Frankfort Parliament of his determination that the whole of Austria should enter the new Empire or Federation, and declared that he would not submit to any Imperial Constitution that was not compatible with this.

Then he laid his scheme of groups before the four Kingdoms, and thus, as may easily be imagined, secured

their thorough approval of the Austrian line of policy. Bavaria, in spite of her receiving no extension of territory, was highly pleased, because the scheme did away forever with the idea of a Prussian hegemony and of German Unity. Saxony and Hanover smiled at this fascinating prospect, but, in view of the proximity of the Prussian boundaries, kept themselves for the time prudently in the background. Würtemberg, however, rejoiced with great glee, and begged that the scheme might be carried out at once, promising unwavering devotion to Austria.

CHAPTER III.

THE QUESTION OF THE SUPREME AUTHORITY.

IMMEDIATELY after assuming the office of President of the Ministry, Gagern laid before the National Assembly a statement of the principles which he intended to follow in his relations with Austria. The Programme of Kremsier, he said, which announced the Unity of Austria, implied the determination of the Austrian Government not to enter the German Federation, if this should be established in conformity with the votes which had hitherto been passed in the National Assembly. In order, therefore, to preserve the connection between Austria and the German Federation, an especial treaty would be necessary, and the matter must be settled by diplomatic negotiations; in no case, however, could the Constitution of the German Federation, or Empire, be one of the subjects of such negotiations.

The surprise and uproar caused by this official announcement of the separation of Austria from the new Germany was indescribable, both within the National Assembly and without. There were the Idealists, who wished to keep Germany entire, and not to lose the eight million Austrian Germans; there were the Ultramontanes and the Individualists, who saw before their eyes, after the withdrawal of Austria, the establishment of a Prussian hereditary Empire;

and in the Cathedral of St. Paul itself there were the Austrian Deputies, who resented Gagern's announcement as a mortal insult to the honor of their nation.

Even those, too, who may sympathize with Gagern's principles, cannot help seeing that his conduct on the 18th of December was a political error, and very likely to endanger the attainment of the all-important object. Why would it not have been better to make no mention of the Kremsier Programme, but to continue to pass further measures about the Imperial Constitution in harmony with those already decreed, without either asserting or denying Austria's participation in the new Federation, thus leaving it to the Austrian Government itself to declare the impossibility of joining a union so constituted, and to take upon its own shoulders the responsibility of the unpopularity connected with the separation? To be sure, as things stood then, even this might scarcely have sufficed to rescue the sinking fortunes of the Parliament; but yet it would most probably have saved Gagern from having to deal with an immense amount of pitiable demoralization and discord; and if the end must come, it would have rendered a dignified exit possible.

While the National Assembly busied itself during the month of December with making the already-mentioned decrees about the future Imperial Diet, Herr von Schmerling hastened to Olmütz, in order to consult with Prince Schwarzenberg. In the beginning of January he returned, and laid before the Imperial

Ministry an Austrian note, dated the 28th of December, which contained the concise assertions that, in the first place, Gagern had entirely misunderstood the Kremsier Programme; in the next place, that Austria left the question of her entrance into the new Union in every way open, and decidedly refused to enter into any diplomatic negotiations on the subject; and further, that an Imperial Constitution could have no real existence without the approval of the German Princes, among whom stood first and foremost His Majesty the Emperor of Austria. Against the second of these clauses there was for the present nothing to be said. As for the rest, Gagern remained firm in his former position, and requested on the 5th of January, 1849, that the National Assembly would empower him to negotiate at the proper time and in the proper manner with Austria concerning her relations to the new German Empire.

Immediately a storm of passionate excitement broke out. The Austrians, the Individualists, the Idealists, protested against the motion to grant the Prime Minister this power. They were in the majority; and the Committee to whom the motion had been referred, reported on the 11th of January in the negative. Now followed a three days' discussion, at times rather boisterous. A vigorous, and yet at the same time conciliatory, speech by Gagern produced a great effect; several of the advocates of an "entire" Germany wished above all things to avoid a ministerial crisis; and the result was, in short, that the tide turned, and

the desired power was granted to Gagern on the 13th by a majority of thirty-seven votes. His party followed up their advantage, and succeeded in placing immediately on the order of the day for the 14th the next Article in the Constitution,—the Supreme Authority.

This proved to be nothing more nor less than a continuance of the previous debate; for here again, the expressions used and the arguments employed were only new terms in the great struggle between Prussia and Austria. The Left played the clown and ironically applauded each champion as he dealt his rival heavy blows. Five days were consumed in this manner. The Committee reported that the dignity of the Imperial Supreme Authority should be conferred upon one of the reigning Princes; the advocates of an "entire" Germany proposed a Directory of six members; and the Left, a Presidency, to which office every German over thirty years of age should be eligible. The Report of the Committee was, however, accepted by a vote of 258 against 211. A shout of joyful applause ran through the ranks of the Centre.

Only a few days afterwards, the flush of victory gave place to depressing dejection. There was truly reason enough for this, and it was not confined to the parties of the Centre. The Committee reported that the office of Emperor be hereditary. In opposition to this, the advocates of an "entire" Germany, the Democrats, and even members of the Centre itself, brought forward other propositions: that the Emperor

be elected for life, or for a term of twelve, six, or even three years. This resulted in the most ignominious state of things that could disgrace a great nation: over this most vital and essential question weeks of discussion elapsed without witnessing any single vote passed by a majority. Once more appeared, in the most hideous colors and under the most glaring light, that melancholy spectacle of the old, disunited, and therefore impotent, Germany.

This internal disunion in the Parliament itself poisoned the ordinary feeling of hostility between the parties until it was converted into violent personal hatred. No one dared to suggest any means of restoring things from this abnormal condition once more to working order. One could only live from day to day and await the developments of the hour.

With regard to the great question at issue, which the Preliminary Parliament had referred to the National Assembly, and which that body had postponed from summer to winter, the last hopes were set upon the impending second reading of the Constitution. With this idea, the Assembly proceeded, meanwhile, to the determination of the powers to be granted to the future, though not yet appointed, ruler. These were the customary rights of a constitutional monarchy, here represented by the Imperial Power, which was completely vested in the Emperor, except so far as his action was limited by the Diet.

The most striking feature of this Constitution was, without doubt, the fact that only nominal privileges

were accorded to the German Princes in the Imperial legislation: namely, the appointment of half of the Upper House, whose members, however, were to receive no instructions; and the sending of plenipotentiaries to an Imperial Council, which was only to pass its opinion upon the bills proposed by the Ministry. To the Princes, in fact, no part was allotted in the Imperial Government. They were represented as little in the Constitution as were the People in the old Confederate Diet. It is no wonder that the spirit of Individualism, which had for centuries so completely filled the hearts of subjects with loyalty to their own Sovereigns, should now stoutly resist such an attack upon its very existence.

On the 26th of January these discussions came to a close. Only a few paragraphs of the Constitution had not yet passed the first reading. It was clear that if the Governments wished to have any hand in the shaping of the future Empire, the last hour for signifying this had struck. On the one side, a large number of the Petty States were resigned to submitting to their fate at the hands of the National Assembly: on the other side, the Lesser States were quite as firm in their determination to throw overboard, like Austria, the whole work done in the Cathedral of St. Paul.

Prussia had been for weeks trying to find some means by which, without revolutionary measures, her interests and those of Germany might be made one. It will be worth our while to consider the matter from this point of view more clearly; for there is no doubt but that the decay at the heart of the National Assembly, and

the as yet unsettled state of Austria, made Berlin now the place where the immediate fate of Germany was decided.

About the middle of January, Count Brandenburg had summoned the Prussian Plenipotentiary, Camphausen, from Frankfort to Berlin; and the King, his confidential friend Bunsen from London. Just as these gentlemen arrived, a Report of Count Bernstorff was received from Olmütz, to the effect that Prince Schwarzenberg, in spite of the remonstrances of the Prussian Ministers, persisted in adhering to his original standpoint in every particular: he was still determined to control or to break up the National Assembly, and to mediatize the Petty States; and had come to a satisfactory understanding with the South German Kings, since the latter (the Prince asserted) would otherwise have turned, in their fear of Prussia, to France, with the proposal to form with her a new Confederation of the Rhine. The Prussian Ministers agreed with Camphausen and Bunsen, that under such circumstances there was no use in considering any plan of a close union with Austria and the Kings.

Instead of this, Camphausen drew up a circular, addressed to all the German Governments, to the following purpose: that everything depended upon the concurrence of the National Assembly with the Governments; that it was to be hoped that the Parliament would have regard to the claims of the Princes, and that the latter would, to this end, all of them, give instructions to their Plenipotentiaries at Frankfort con-

cerning their wishes, so that the Parliament could discuss them between the first and second readings of the Constitution; that it was doubtful whether Austria would join the new Federation, but that the continuance of the bond of connection with Austria under the old Confederation would be quite consistent with the establishment of a closer Union among the remaining German States; that so far as Prussia was concerned, the King would accept no position offered to him without the combined consent of the German Governments; that the establishment of the new office and title of Emperor was not necessary; and finally, that Prussia desired to have only that share in the Federal Government which would naturally fall to her, and would neither aspire nor refuse to stand at the head.

The circular, as a whole, was very like the former ministerial memorial: in form, a protest against the absolute power of the Frankfort Assembly; but in effect, a support of Gagern's Programme of a restricted union and a more comprehensive alliance. Nothing was said about an Upper House nor a College of Kings. The acceptance of the Imperial office was left to depend upon the decision of the members of the Union.

Count Brandenburg expressed his full assent to the contents of the circular, and took it to the King to receive his approval. But here he met most determined resistance. The King would not withdraw from the principles expressed in his note, but worked himself into a passionate outcry against the Revolution; he proclaimed his devotion to the cause of restoring the

divinely-ordained right of sovereigns, and consequently of overthrowing all the anarchical mischief done by the Assembly in the Cathedral of St. Paul, — so that Camp-hausen was on the very point of asking for his dismissal; for he was unwilling to assist in the burial of all the hopes of Germany. Finally, when Bunsen urgently pointed out the danger of Schwarzenberg's system of groups, the King decided that before he could make up his mind, he must wait for Schwarzenberg's reply to his note. Meanwhile this reply, signed on the 17th of January, 1849, reached the King's hands upon the 19th, and he could not put off his decision any longer.

In both the documents of which the Austrian communication consisted, Prince Schwarzenberg most carefully avoided any mention of the Prussian Ministry; but, on the other hand, he followed very skilfully and closely the line of thought of the King's note, emphasizing as much as possible the points of agreement, such as their common opposition to revolution, the protest against the constitutive omnipotence of the Parliament, the summoning of a College of Kings in order to restore the dignity of sovereign authority, and finally the "very happy" idea of forming six military dukedoms or groups, in which the Petty States, so full as they were of revolutionary schemes and of rotteness, should be smothered. Just exactly upon these principles, he said, had he himself based the specific propositions he was now about to make. He alluded only briefly to the subject of a constitution. Whoever did not seek revolu-

tion, could not think of allowing any popular representation by the side of the Central Government. About the form that this Central Government should assume, he said nothing, nor about the future relations of Austria in or to the Federation. His proposals concerning the method of procedure in the immediate future were, however, not so ambiguous. The six Royal Deputies should meet forthwith in Frankfort and together present to the Imperial Regent a note, in which the Constitution as set forth by the Parliament should be unconditionally rejected, and the intention declared, on the part of the Governments, to take this matter of framing a constitution into their own hands. In order to give emphasis to this plan (already spoken of in his previous communications), he proposed that there should be stationed in the immediate vicinity of the city of Frankfort twenty thousand Prussians, ten thousand Bavarians, and ten thousand Würtembergers; Austria, since she had a great many other irons in the fire, would contribute a thousand men as a re-enforcement of the garrison of Mayence. As a basis for the further reconstruction of Germany, the two Great Powers and the four Kingdoms should demand, with categorical directness, the acceptance of the system of groups by the remaining German States.

In the passing mood of the King, when he first read Schwarzenberg's reply, the few conservative sentences at the beginning seemed to make a greater impression upon him than the consequences which were deduced therefrom. At least, on that very day he poured a

volley of invective into Bunsen's ear against the whole course of the movement of 1848 both in Berlin and in Frankfort; and vowed that, although he should be willing to satisfy, so far as he could, the demands of the Nation, he would fight the Revolution with all his might. Yet Bunsen succeeded in quieting him down a little, so that the King gave him the Austrian documents to look over, with the order to report upon them the next day; at the same time, Count Brandenburg was also requested to express the opinion of the Ministry.

Accordingly, on the 20th, both men explained to the King how, while appearing to agree with the note of His Majesty, Schwarzenberg had omitted most important middle terms in the King's reasoning, and had deduced quite different conclusions from the same; how, by emphasizing these, he had led up to actual results which were in direct contrast to the King's own wishes; how he had purposely omitted to speak of the relations of Austria to the Empire, and of the form of the future Central Government; how he wished to mediatize the Petty States—a plan which the King had already definitely rejected; how, while the King wished to secure harmonious action with the Parliament, Schwarzenberg's propositions would lead to its violent dissolution by military force,—the consequences of which would be incalculable; how the whole odium of this would not fall upon Austria, but first of all upon Prussia, especially as it was exceedingly doubtful whether Bavaria and Würtemberg, with the

existing tide of popular opinion, would be able to send troops against the Parliament; and finally, they said, what would then become of German Unity, if one had to deal alone with Kings and Princes, without the motive power of the Parliament?

The King listened, made many objections, but did not become excited; evidently the heated passion of the day before had given place to a cooler mood of reflection. Now came the practical question: Shall the Constitution, as drawn up by the Parliament, be discussed by all the German Princes together, or only by a Council of Kings? Bunsen and Brandenburg recommended, very naturally, the former: they argued that the latter course would be an act of violence.

For this critical moment which was now at hand, the King had summoned to his aid an ally. He said: "Suppose we ask Canitz¹ about this point? He is in the ante-room." This was done. The King submitted the question to him, and emphasized the importance of not breaking with Austria. Canitz agreed with the King: "It would be better," he said, "to begin with Austria and the Lesser States."

Then Bunsen spoke again. Although the cause seemed almost hopeless, he referred to a certain letter from Radowitz, and advocated the plan of a restricted Union. "What is it that you want, then?" asked the King. "Nothing," replied Bunsen, "except that Your Majesty consent to the sending of the circular to the Sovereigns." "Have you read it?" "Of course;

¹ Former Minister of Foreign Affairs.

and I have weighed each word." "Do you approve of it?" "Thoroughly." "Then," said the King, turning to Brandenburg, "let it be sent. Only do not let negotiations with Austria on that account be broken off."

Bunsen relates: "Brandenburg fell, as it were, from the clouds, and Canitz made a queer face. The King arose and left the room. We three stared at each other. 'His Majesty's head is differently organized from that of other men,' said Count Brandenburg. 'Why did he make objections so persistently and then all at once give in?' Canitz made no reply."¹

The circular, thus sanctioned and sent on the 23d of January, signified a turn in Prussia's policy, which, if firmly carried out, might lead with the approval of the Parliament to important results. Bunsen and Camp-hausen hurried hopefully to Frankfort, the former to consult the Central Government about the negotiations for peace with Denmark, the latter to confer with the Plenipotentiaries of the individual States with regard to the Imperial Constitution. The circular from Prussia produced at first an encouraging effect among her friends in the Parliament, and made her enemies so uneasy that Schmerling sent an urgent request to Olmütz for some expression from that quarter which should be equally forcible.

Such an expression appeared on the 4th of February in a note, which declared that Austria was far from wishing to hold aloof from a closer union and a swallow-

¹ Cf. Bunsen's Life, German translation, by Nippold, II. 485 ff.

ing up (an ominously ambiguous expression) of the German States; only this must not be the Federation hitherto advocated, which involved all the dangers of a German union (leaving to Austria only the alternatives of splitting up its own realm, or of separating entirely from Germany), and which furthermore was not in keeping with the spirit of old European international traditions.

If, after these negative assertions, it should be asked what the Austrian Government did wish to have created, the reply was at hand: she had in mind a firm and mighty, strong and free, composite and united, Germany, in which all the German States and their non-German provinces as well, should have their place.

This was the first hint, still rather concealed, of the demands made in Berlin by Schwarzenberg, and also the first mention of the glorious grandeur of an Empire in Central Europe composed of seventy million souls, forty million Germans and thirty million non-Germans, all united in brotherly concord in the common service of Austria. It was indeed no favorable sign of national consciousness nor of political maturity, that at this time many thousands of loyal Germans let themselves be wheedled into enthusiasm by the splendor of this colossal phantom.

In the Parliament, meanwhile, the Constitution had on the 3d of February passed its first reading; and the Imperial party, stimulated by the Prussian circular, earnestly wished that the second reading, and therewith the final decision, might follow as soon as possi-

ble. Austrian interests demanded just the opposite. For, busy as Prince Schwarzenberg was with the suppression of the Hungarian Revolution, he had no other forces to bring to bear upon the National Assembly than threatening words; and although Prince Windischgrätz had made decided progress against the Magyars, and at the beginning of January had occupied Buda-Pesth, thus raising hopes at Olmütz of an immediate and certain termination of the insurrection, yet Magyar armies were still in the field, and final success lay in the distant future.

Time, then, must be gained at Frankfort by the Austrians; the second reading must be put off as long as possible; and in the mean time, either the consummation of any constitution at all must be prevented, or, if this could not be accomplished, the Constitution itself in its present shape must be so thoroughly spoiled that there should be no chance of its passing the final vote. The first step, the postponement, was successful. The united Opposition, consisting of the Left and the advocates of an "entire" Germany, carried the motion, that before the second reading of the Constitution, a few unfinished paragraphs about the Fundamental Rights should be taken up, and also the law concerning the election of Representatives to the Popular House.

For the present, Camphausen also had no reason to regret the postponement; for, of course, a common verdict on the contents of the projected Constitution could not be obtained in a twinkling from the German

Governments. To be sure, the Grand Duke of Baden had already expressed his approval of an hereditary monarchical system, and almost all of the Petty States had followed his example; but the Constitution, as we know, contained many points which required careful consideration and suitable amendment.

Accordingly, Camphausen summoned his colleagues to a conference, at which also the Plenipotentiaries of the Petty States accepted the invitation to be present. The Deputies from the Kings held aloof, and declared to the Imperial Ministry in more or less pointed terms that they would accept no constitution that placed a monarch at the head of the Government, nor any that excluded Austria. In the name of Austria herself, Herr von Schmerling said that his Government reserved to itself the right to pass judgment upon the Constitution after the second reading, but was not at all inclined to try to make it acceptable by amendments or by striking out objectionable features.

Meanwhile Camphausen had been actively and earnestly at work with the favorably-disposed Plenipotentiaries of twenty-six Governments. From the 23d of January on, conferences were held almost daily. Many amendments were amicably agreed upon, which had for their object, for the most part, better safeguards for the independence of the individual States. Camphausen sent daily reports to Berlin about the satisfactory progress that was being made, and received, on the 8d of February, a note from the Minister acknowledging his zealous services. After that followed complete silence.

His Majesty had changed his mind. Schwarzenberg's haughty demands had for the moment led him to approve of the circular of the 23d of January; but soon afterwards his heart turned again from the revolutionary Parliament to his old friend and ally, Austria. When Bunsen, on the 11th of February, returned to Berlin and laid before the King various propositions for the furtherance of the work at Frankfort, His Majesty replied that he would not have anything more to do with it all; that he had never regretted any step as he did that of the 23d of January; that the measures which were being taken were unjust toward Austria; that he would have no more hand in such a disgusting policy, but would leave that to the Ministry; and that if the question should turn upon himself personally, he should answer as a Hohenzollern, and live and die as an honorable man and prince.

To suppose, however, that the King had on account of these considerations given up the idea of accepting the dignity of the highest Imperial office would be a mistake. On the margin of a request from the Frankfort Central Government to have Prussia, as a part of Germany, represented at a proposed European Congress, the King wrote: "This is just what we cannot agree to, for we are *in provisorio*; the Central Government is not *we*, and we must remain independent until *we* are the Central Government."

He remained also firm in his hope of gaining over Austria to the support of his wishes. Soon after this, as the Austrian Ambassador, Count Trautmannsdorff,

was taking leave of him, he gave him the commission to lay before the Austrian Emperor and Prince Schwarzenberg his plan that Francis Joseph should become Emperor, and that he himself, the King, should be hereditary Commander-in-Chief of the Imperial Army. Of course, Schwarzenberg shrugged his shoulders at this, and treated it as merely an impracticable dream.

Frederick William, true to what he had said to Bunsen, did allow the Ministry to take its own course in carrying out the policy of the 23d of January, and a ministerial approval of the amendments decided upon by Camphausen was sent to Frankfort on the 15th of February. Three more Governments had in the mean time consented to take part in the deliberations; and on the 24th Camphausen was able to hand to the Imperial Ministry a list of the amendments proposed by twenty-nine Governments in common, and Gagern gave it immediately to the Committee of the Parliament that was busy preparing the Constitution for its second reading. But now new disappointments awaited the Prussian Plenipotentiary. He was forced to realize again, as before in his interview with the King, upon what an insecure foundation his hopes of a reconciliation rested. Instead of the desired agreement, he saw the breach growing daily wider and more hopelessly incurable.

When the Parliament proceeded, on the 15th of February, to the discussion of the law concerning elections, it became very soon evident that the principle

of universal suffrage, in accordance with which the National Assembly itself had been chosen, would assert its place also in the future Constitution. The Left advocated it eagerly and unanimously; a great many of the Deputies from Austria and of those who wished to retain her in the Federation were pleased at the prospect of making the Constitution, by this democratic system of universal suffrage, thoroughly repugnant to the Prussian King; to many members of the Imperial party, too, it seemed impossible to take away from a large number of those by whom they themselves had been elected, the right of voting in the future; and finally, the outcome was rendered certain by the fact that the opponents of this democratic measure were not in a position to agree upon any common counter-proposition.

On the 20th the Left was victorious by a considerable majority; and immediately afterwards, in spite of the determined opposition of the Centre, they carried a motion prescribing a secret ballot. Nothing could have happened more prejudicial to the relations between Frankfort and Berlin.

To all Conservatives, universal suffrage meant nothing less than political ruin. If any one had at that time prophesied that eighteen years later the Prussian Government would itself offer this to the German People, he would have been ridiculed as a madman, or very likely have been incarcerated. To be sure, the system of 1867 did not turn out to be much of a blessing, nor did it prove either the logical correctness or

the practical utility of the Democratic electoral law ; but yet, in 1849, the dangers of such a system were immeasurably overestimated. One of the Deputies said : " You may make your Constitution as you please ; only let me determine the system of elections, and I shall be the ruler."

King Frederick William was of precisely the same opinion. An Empire with universal suffrage seemed to him an atrocious parody upon monarchical principles and upon all the laws of social order. His letters at this time overflowed with imprecations upon the whole course of operations at Frankfort, and upon that Crown of disgrace, which men thought he would accept, but which to him would be but the fetter of a slave in the service of Revolution. Thus on all sides, the most extreme views were entertained upon this vital question.

Once more, however, events occurred, which brought under the eyes of the King, in the most glaring light, the reverse side of the medal.

CHAPTER IV.

THE CATASTROPHE.

IN Hungary, Prince Windischgrätz made slow progress. Finally, on the 26th of February, a great battle was fought between the two main armies near Kapolna, in which the Magyars were obliged, after a hard struggle, to yield to the Austrian forces. This was believed at Olmütz to be the termination of the war; and it was there decided to settle at once and together, in the usual summary manner, the questions of an Austrian and of a German Constitution.

On the 7th of March the Diet at Kremsier was dissolved, and at the same time a Constitution, dated the 4th, was proclaimed for the new, indivisible, indissolubly-united, State of Austria. Two weeks later, instructions were sent to Schmerling and a note to the Ministry at Frankfort, in which it was imperiously declared that Austria had now received her permanent Constitution, and that Germany should at once recognize this, and admit united Austria into the new Federation; but that it would be impossible to retain the Federal Constitution as hitherto projected; therefore such amendments were to be adopted as Austria might insist upon.

These special demands of Austria were afterwards

learned from Schmerling and were as follows: instead of an Empire, a Directory of seven members, at first under the presidency of Austria, later, perhaps, of Austria and Prussia alternately; instead of a Diet, a Chamber trammelled by no Popular House, composed of seventy Deputies sent from the Governments and Chambers of the individual States in the proportion of one Deputy for every million inhabitants, so that thirty-eight would fall to Austria, and thirty-two to the rest of Germany; and further, the system of groups was briefly mentioned, to the effect that Germany should be divided into six sections, in each of which one of the Kings should hold the Supreme Authority.

Thus the plan of Schwarzenberg was now officially communicated to the German Parliament, and brought to the cognizance of the German Nation. It was not, as might be supposed, a reaction against the Revolution, a return from the Cathedral of St. Paul to the old Hall of the Confederation. Not at all! It was the new invention of an ambitious diplomat, who had received his education in military service. There was not to be, as previous to 1848, a Confederation of sovereign States, guided by the mild and yet firm hand of Metternich; but in its stead a Directory, ruling with mighty authority; instead of the unity of Germany, its dismemberment into six minor sections; instead of the preservation of a national basis for the Constitution, the admission of thirty million non-Germans; instead of popular representation, a Chamber in which an Austrian majority was insured; and as the first principle of German

politics, it was asserted that Austria would arrange its affairs in accordance with its own interests, and that Germany's affairs should be arranged according to the needs or commands of Austria.

This system meant, not the mediatization of the German Petty States, but of the entire German Nation. The King of Prussia could no more agree to it than the Parliament.

The first impression of the Olmütz proclamation upon the Assembly in the Cathedral of St. Paul was overwhelming. Carl Welcker gave expression to it, on the 12th of March, in a speech from the tribune. Always hot-headed, he had hitherto been the most ardent champion of an "entire" Germany. But he now declared that all means had been employed in vain to retain Austria in the Federation; that the Constitution of Kremsier had put that out of the question; that everything now depended upon rescuing the Fatherland as speedily as possible from the grave dangers which threatened it; and that he would make a motion to accept at one vote the whole Constitution, in the form prepared by the Committee for the second reading, and to elect the King of Prussia German Emperor.

The excitement was greatly increased by the astonishment of the Assembly at such a motion coming from this quarter. All witnesses agree in believing that if the vote had been taken at once, Welcker's motion would have been carried. But Welcker had made his proposal only in connection with the Committee's Report; and in the five days that intervened before the

Committee were ready, the old party lines had again become as distinct as ever.

In the Constitution, the Committee had inserted the absolute veto in place of the suspensive power, and had replaced the secret ballot by an open one. The amendments proposed by the twenty-nine Governments had not been especially respected; most of them had been rejected, and the few which were accepted were accompanied by no mention of the part which the Governments had had in the change. Nevertheless, the Committee proposed amendments enough to occasion the Left unanimously to object to Welcker's motion of passing the Constitution as a whole *en bloc*. Among the advocates of an "entire" Germany, the Austrian and Bavarian members agreed to remain firm to their principles, and rather to accept no constitution at all than a Prussian Imperial one, however they may have individually felt towards Schwarzenberg's demands.

When, then, on the 17th, the discussion began over the amendments prepared by the Committee, the enthusiastic eloquence displayed in the Cathedral of St. Paul rose to a pitch worthy of the palmiest days of the National Assembly. Even to-day, it is impossible to read the speeches of Gagern and of Riesser without admiring their mental vigor, their enthusiastic idealism, and their passionate patriotism. But all was in vain. The determination of the combined opposition was fixed. The motion was rejected on the 21st of March by a majority of 283 votes against 252.

The feelings of the beaten party alternated between

violent bitterness and hopeless discouragement. Everything seemed to be lost, and the ruin of the whole work of the Constitution sealed. Yet Welcker's motion had brought them an accession of about thirty votes : another such increase, and the Majority was theirs. And now, even at the last moment, such a hope seemed warranted. For there were some members of the Left to whom it seemed pitiable that the National Assembly, once borne aloft by the enthusiasm of the whole nation, should now expire in helpless inefficiency, and who were of the opinion that even to the Republicans an Emperor with a responsible Ministry would be more endurable than a Directory after the fashion of the old Confederate Diet.

Foremost among these was Heinrich Simon from Breslau, otherwise a Radical of the purest water, but who had, with all his party spirit, preserved a good deal of national feeling. He assembled about himself at first ten, but soon thirty associates, and sought to come to an understanding with the Imperial party about some common plan of action. These men insisted that the Democratic character of the Constitution should by all means be preserved ; but they were then willing to vote for an Emperor, and that the office be hereditary.

Accordingly, they demanded from the Imperial party, in return, the retention of the suspensive veto and the secret ballot. The first offer of the kind, made before Welcker's motion was lost, had been declined by the Imperialists ; but now they were more

disposed to accept the proffered coalition. Indeed, the enemy had employed these tactics for weeks in their unscrupulous efforts to break down the Constitution; and who could blame the Imperialists now for proceeding in the same way, for the sake of saving it? Furthermore, almost one-half of the party had already, at the first reading, voted for the suspensive veto and for the secret ballot; so that for them the conditions of the coalition involved no renunciation of their own convictions. The others were influenced by the simple consideration that without Simon's help they could not save the hereditariness of the office of Emperor, and could not in any way prevent the adoption of the suspensive veto and the secret ballot. One hundred and fourteen members subscribed to Simon's conditions. But this was not enough. Simon wished to secure his work for the future, and exacted a further promise that the Constitution so passed should be final, and that they would not in the future vote for any amendments to it. Gagern could not take exception to this: the constitutive omnipotence of the Parliament had always been recognized, and the finality of its decrees. He and eighty associates pledged themselves as Simon desired. They knew that by doing so, every chance of coming to an understanding with the larger States was excluded. They abhorred an armed revolt; but their faith in the irresistible efficacy of their lofty ideals was not to be shaken.

Before the new coalition was concluded, the method of proceeding with the second reading had been decided

upon. It was to begin on the 23d of March, and to continue without interruption to the end; every paragraph was to be voted upon as reported by the Committee on the Constitution, and likewise the minority reports of the same; other amendments were to be considered only at the request of at least fifty members. All discussion was to be prohibited. Every one, indeed, felt that all the resources of eloquence had already been exhausted, and would now be of no effect in influencing the fixed decisions of the parties; and they hoped to win the favor of public opinion by the actual accomplishment of the Constitution, not by any flowers of oratory. This understanding was reached by the Imperialists and the Left on the 22d of March.

So, at last, things went on at a double-quick pace. Simon and his clique had pledged themselves only to the hereditary emperorship; consequently the parties of the Centre suffered more than one heavy defeat in other points, the severest being on the last day, in the form of an extension of the suspensive veto, to cover changes in the Constitution. One of the Centre cried out: "In that case a twice-repeated vote of the Diet could abolish the whole Imperial system." "Very true," answered the Left; and "Bravo!" "Bravo!" was shouted from the galleries.

On the other hand, the bestowal of the Supreme Authority upon one of the reigning Sovereigns was affirmatively decided on the afternoon of the 27th of March, with a majority of twenty-four votes. The project of a Directory was thus excluded. Then the

especial question of the hereditariness of the dignity followed immediately in the midst of a breathless silence. The result was 267 for the motion, and 263 against it. The Imperialists applauded loudly; their opponents sneered: "A German Emperor chosen by a majority of four votes from four faithless Austrians!" As a matter of fact, 95 Austrians had voted against the motion; so that if, as would be fair, the Austrian votes were deducted from both sides, an imposing majority of 91 votes for the hereditary emperorship was left among the voters from the rest of Germany.

At any rate, the motion had become a fixed decree. Without delay the remaining paragraphs of the Article were accepted, and the Article of the Imperial Council was brought before the Assembly: here, at the close, the combined Opposition allowed itself the malicious satisfaction of spoiling the chances for popularity of the whole Constitution. As we have seen, the Imperial Council was a rather insignificant institution, invented to appease the individual Governments. But it was the Individualists themselves in combination with the Republicans and advocates of an "entire" Germany that now threw the Article out of the Constitution. The last act of this eventful day was the passage of the electoral law, unchanged.

The Imperial party succeeded in having the next day fixed upon for the election of the Emperor. On the 28th of March the vote was taken: 290 members elected Frederick William, King of Prussia; the remainder did not vote. The pealing of bells and

thundering of cannon announced to the city the result of the great election; the telegraph flashed the news abroad. The National Assembly appointed a Deputation of thirty-two members, with the President Simson as chairman, to repair to the King and announce to him his election, and also to receive from him the hoped-for reply of acceptance.

Before their departure, Simson had a peculiar duty to perform. He, with his Vice-Presidents and the Imperial Ministry, had been requested to wait upon the Archduke John. His Grace, who saw all his hopes dispelled by the election of the Emperor, could but ill conceal his vexation: he tendered to the National Assembly his resignation as Regent of the Empire.

We shall very soon see what far-reaching consequences would have followed the loss of this important office for Austria; as it was, Simson probably committed the greatest political mistake of his famous life, by earnestly dissuading the Archduke from taking the step which he had already decided upon. For the time, however, the Archduke's chagrin was so great that he also communicated to Frederick William his intention to retire, and begged him to prepare to take into his hands, for the present, the control of the Provisional Central Government.

The King was greatly excited by the succession of despatches which poured in upon him, and was agitated by most conflicting feelings.

In the first place, he adhered to the opinion, that the National Assembly was not authorized to choose an

Emperor. "One can accept or refuse," he wrote, "only what can be offered, and you in Frankfort have nothing to offer: anything of that sort I will settle with my peers." Upon the receipt of an anxious message from the King of Bavaria expressing the hope that Frederick William "will not take the hand proffered to him by the Democracy," the King replied: "That unqualified Deputation shall be received in such a way that the German Princes may at last lay aside their mistrust; but all the more is it now the imperative duty of the legitimate Governments to invest the ruler of the strongest purely German State, as Commissioner of the lawful authorities, with the provisional control of a central administrative government, so that Archduke John may no longer, as Commissioner of the Revolution, maintain his unauthorized power."

Frederick William manifestly wished as much as ever to be in some way or other the Central Authority, although not through the offices of the Revolution; so that he readily lent an ear to the suggestion, that the National Assembly, in spite of its late assumptions, had been, after all, convened by the legitimate consent of the Sovereigns; that even if its absolute power was not so unquestioned as in the preceding summer, it still was looked upon with very great reverence by the people, especially now that it had just accomplished the feat of framing a Constitution; and accordingly, that it was much better to keep up relations with it than to break with it prematurely.

Added to these considerations was the King's annoy-

ance at Austria's move on the 9th of March, which, although the King's wishes were known at Olmütz, was quite as antagonistic to them as to the aims of the Parliament. The later democratic decrees of the National Assembly were sufficient to put his ill-will towards Schwarzenberg into the background, but by no means fully to extinguish it; so that the conciliatory views of his advisers gained a certain amount of attention from the King.

On the 29th of March Camphausen wrote from Frankfurt: "The right of the National Assembly to elect an Emperor is not to be recognized; but its declaration is to be honored and respected as that of a legitimately-constituted national body, and to be answered somewhat as follows: that His Majesty is willing to accept the position of Protector of the German Federation when and in so far as the German Governments may desire it, and then to arrange for the various component States the elections to a new Diet, which shall share in making such changes in the Constitution as may be demanded by the more limited nature of the actual Federation."

In a further communication of the 30th of March, he explained this more in detail. His idea might be summed up as follows: that the King should accept the Imperial Authority, with the understanding that the Empire should be formed only by those States that joined it of their own free will. Radowitz was of the same opinion, and I surmise that Count Brandenburg would have made no objection.

But this was already too much for the King and for the Ministry. The King wished to avoid even that constraint upon the Princes which would have been laid upon them by an acceptance so conditioned. He desired above all things to hear what the Princes had to say, and then to decide. After the matter had been thus considered, a sketch of the Reply to the Frankfort Deputation was laid before the King, on the 2d of April, in a session of the Ministerial Council in which he presided, and at which all the Ministers were present except Herr von Ladenberg, who was ill. After making several insignificant changes, the King gave his approval, thereupon expressing in a long speech his hope that the Ministry would firmly abide by the Reply as he understood it, and consistently carry out the principles of the same. According to his will and intention, these principles consisted in the following points, which he formulated in these words:—

1. Before all things, the endeavor should be made, by consulting with the German Princes, including Austria, to establish a safe foundation for the reconstruction of Germany; to gain Austria's assent to the German Federal Union which I intend to form, although she might not be able to join *that*; and to determine Austria's relations to the more comprehensive alliance, which is to include all the territory of the old Confederation.

2. The formation of a German Federal Union in the shape proposed at Frankfort cannot succeed, if the German Kings hold aloof from it; and if only the

Petty States decide to join it, such a league cannot be looked upon as the projected Federal Union, nor be organized as such.

3. In that case, Prussia would hold a sort of protectorate over the Petty States, and Camphausen's negotiations inaugurated at Frankfort with this idea should be carried out thoroughly and to their legitimate results.

4. The acceptance of the title of Emperor I consider to be unfitting under any circumstances.¹

The whole course of German History for the next two years was embodied and indicated beforehand in these few words.

On the 3d of April, the King, with great show and formality, officially received the Deputation, and gave them the answer decided upon the day before: to the effect that he recognized in the decree of the National Assembly the voice of the German Nation; that their offer was a distinction bearing with it rights

¹ I have cited thus fully these paragraphs, taken from the minutes of the session, partly because of their importance, but also because Georg Beseler, after a conversation held by Riesser and himself, as members of the Frankfort Deputation, on the evening of April 2d, with Count Brandenburg, reported that the Count expressed the opinion that the King, in the audience on the following day, would accept the title of Emperor on condition of the approval of the Princes. How such a misunderstanding could have arisen, whether through an inexact expression of Brandenburg's, or through misapprehension on the part of Beseler, I will not undertake to decide. Certain it is, that only a few hours after the royal session the Minister could not have meant to convey this idea, and also that the King had already decided, on the 2d, upon the answer which he made on the 3d. The numerous stories about the reasons for the King's having changed his mind are thus seen to be wholly inventions.

that he well knew how to appreciate; but that he could not without the free consent of the German Governments decide in a matter of so much importance to all the German States; that it was now the turn of the Governments to determine in common consultation, whether the Constitution would be for the best interests of the German Nation and whether it would allow of a strong Imperial Government.

This was clearly neither Yes nor No, but a postponement of a definite answer until after a verdict upon the Constitution had been rendered by the German Princes. It is not at all an uncommon thing in this world, that a person to whom a difficult and dangerous position is offered demands time to reflect upon the matter alone, and to consult with his friends; and the Deputation might so have reported to the Parliament. Indeed, some of them, Dahlmann, Riesser, and Biedermann,¹ were inclined to proceed more or less in this way, and by a prudent report to allow time for some more favorable turn.

But to the majority of them their first duty seemed to be to adhere to their principles, and their principles affirmed that the National Assembly was sovereign, and the Constitution framed by it final and unchangeable. Although the Minister von Manteuffel once more urged Georg Beseler earnestly not to burn all the bridges to further negotiations, the Deputation nevertheless replied to the Ministry, on the 4th of April, that since the King considered the Constitution, upon which their

¹ Isler, *Riesser's Leben*, 462.

offer of the Imperial crown was based, as no more than an outline that needed further revision, they must interpret his answer as a refusal.

Very characteristic was the conduct of the two Great Powers at this crisis.

Prince Schwarzenberg, on the 5th of April, recalled the Austrian Deputies from the Cathedral of St. Paul. In his eyes the National Assembly no longer existed. At the same time he announced to the Ministers at Frankfort the renewed declaration of the Emperor Francis Joseph that he would never consent to be subordinate to any other Prince in the German Federation, nor would he ever allow any foreign legislation to have force in Austria. Of course the Prince did not deduce from this statement the conclusion that Austria would not join the German Union, but that Germany must arrange its Union according to the prescriptions of Austria.

On the other hand, the Prussian Government, on the same day that it received the sharp reply of the Frankfort Deputation, began a new attempt to come to an understanding about the question of the Constitution. A despatch sent on the 3d of April to Camphausen and to all the embassies in Germany announced, in the first place, that the King was ready, since the Archduke John wished to retire, to accept temporarily, at the invitation of the Princes and with the acquiescence of the National Assembly, the control of the Central Government; further, that the King was willing to take the leadership of a Federation formed of States

voluntarily entering it; and that, to this end, he requested the German Governments to make known as soon as possible their desire to join, and upon what conditions, to state also their attitude towards the National Assembly (with the understanding that they were immediately to agree upon some form of the Constitution), and finally their views about the relations of the Federation to those Governments that might not wish to form a part of it. At the same time, Camphausen was summoned again to Berlin to give his opinion about the treatment of each one of these points in detail.

The Austrians replied without delay on the 8th of April, and took exceptions to every point. The National Assembly, it was said, did not exist any longer for Austria; nevertheless, the Austrian Emperor had requested the Archduke John to retain his position as Imperial Regent; there was, therefore, no occasion to transfer this office to the Prussian King. Schwarzenberg declared quite as decidedly that Austria would not join a restricted Federal Union, but would nevertheless reserve for herself all the rights connected with the old Confederate compacts. The whole reply was written in a categorical, in some places even threatening tone. It could not, however, produce very much effect in Berlin, since it was precisely what was to be expected after what had already passed between the two Courts.

On the other hand, Camphausen succeeded in making an important modification of the plan of procedure

defined in the despatch of the 3d, by having instructions sent to the embassies to bring at first only one of the three points of the despatch before the Governments, namely, the question of the Supreme Authority, including their own share in a Union directed by Prussia; and to avoid discussion over the clause containing the undeniable assertion of the King that the Constitution depended upon the size of the Union, and consequently could not be established till after the settlement of the same.

Camphausen, who was looked upon in Frankfort as a cold and reserved diplomat caring little for the German question, really was very anxious that the establishment of a national Constitution should be effected, and at any rate, if this hope were to be frustrated, that no blame should fall upon Prussia. The King had made his answer depend upon the attitude of the Princes; and now the Sovereigns were called upon to express their opinions, the question of the Constitution being for the time held in suspense.

On the 10th of April these instructions, in accordance with Camphausen's advice, were sent to the Ambassadors. On the 15th, Camphausen received orders to the same effect approved by the King, and hastened to Frankfort to begin negotiations with the Imperial Ministry and the Plenipotentiaries of the individual States. So far, the King had made no opposition: he might very well believe that Camphausen's measures were, at least to start with, in the right direction, and that they agreed with his own cherished designs.

Yet Camphausen would probably have been startled if the King had communicated to him his actual aims as he had once formulated them to Bunsen: "I have now only two goals of my ambition: firstly, to be chosen by the Kings and Princes Provisional Vicegerent of the Teutonic race in place of the Archduke John, that I may bring order out of this confusion; and secondly, to become Supreme Commander-in-Chief of the Teutonic armies, that I may then preserve the order thus established."

No auspicious star shone upon Camphausen's well-meant efforts. After the National Assembly had already, on the 11th of April, expressed its determination under all circumstances to hold unswervingly to its Constitution, the Plenipotentiaries of twenty-eight Petty States announced, on the 14th, their unconditional acceptance, not only of the Prussian Imperial system, but also of the whole Constitution, thus making very doubtful the prospect of any revision of the same that would suit the King. Camphausen had, nevertheless, the satisfaction of knowing that the Imperial Ministry did not regard this threatened danger as very serious. After careful consultation with the leaders of the favorable parties, the Ministers explained to the Prussian Plenipotentiary that they could formally guarantee a conservative revision of the Constitution, if the King would at once proclaim his acceptance of the Imperial dignity. They said the principle, that no State should be forced into the Union, would meet with no opposition; only the Deputies from those

States that joined of their own free will would be summoned to the work of revision, and this would best be done in some other suitable city, for instance Erfurt. They also reminded him that, judging by the previous voting of the members, a successful revision was already sufficiently insured by the recent withdrawal of the Austrian Deputies from the Parliament.

Accordingly, the Imperial Ministry decided, on the 18th of April, to send one of its members, Herr von Beckerath, a man personally esteemed by the King, to Berlin with these propositions. It will be seen that these no longer differed from Camphausen's plans in substance, but only in the order of proceeding: the Imperial Ministry demanded first the acceptance of the Supreme Authority that the revision of the Constitution might follow, while Camphausen could only assure them of the conditional willingness of the King and of his definite acceptance after the completion of the revision.

"My statement," reports Beckerath, "made an impression upon the King. He felt that to our proposition, that only the Deputies from those States which had already joined the Union should be summoned to the work of revision, he could no longer bring up his favorite objections about revolutionary proceedings; he felt also the weight of these arguments for courageous action which I borrowed from his own frequently repeated promises with regard to German Unity. In reply to his exclamation: 'But you yourself recognize the danger connected with it,' I took the liberty of

referring to the words of Ernst Moritz Arndt: 'Danger has always been for Prussia the harbinger of victory;' whereupon the King arose, and after pacing the room excitedly, stopped before me and said: 'If you could have addressed your eloquent words to Frederick the Great, he would have been the man for you; but *I* am no *great* ruler.'"

And yet, even after this, Beckerath did not entirely give up hope. On the morning of the 21st he wrote that the Ministry, to be sure, was weak, but that the Prince and Princess of Prussia understood the situation well, and expressed themselves very sensibly, and that even the King did not seem to him wholly unlikely to yield.

Responses were received, too, from the Lesser States at this time, which, to the minds of ordinary men, would have seemed highly propitious. Camphausen's move of refusing to announce Prussia's intentions until the other Princes should have declared their views on the subject of the Supreme Authority, had checkmated the four Kings. For the state of things was everywhere such, that, although cherishing the bitterest hatred in their hearts, they dreaded the consequences of a refusal. They clung meanwhile to the hope, not wholly groundless, that perhaps, after all, Frederick William IV. would utter at last the decisive word, and scatter the Frankfort demagogues to the four winds of Heaven.

Individualism found its best, although an uncertain support, in Bavaria, where the majority in the Chamber

and in the country south of the Danube were quite as firm believers in the doctrine as King Max himself. In Franconia, on the other hand, and in the Palatinate, the people were in such violent commotion that the officers could not guarantee in any measure the loyalty of the troops.

In Stuttgart, King William replied to the entreaties of the Chamber with blustering declarations that he abhorred the idea of a German Empire; that he would, indeed, if necessary, although with a heavy heart, acknowledge an Austro-German Emperor; but that he would never subordinate himself to a Hohenzollern. Yet here the enthusiasm of the people and of the army for the Imperial Constitution was so unanimous and so impetuous that the Chamber almost considered the advisability, in case of further obstinacy, of setting up a provisional regency. It did not, however, come quite to that. A week later the King yielded, and sent to Frankfort his assent to the Constitution and the Imperial system.

The situation in Saxony was not very different. Even in February the Government had timidly sent to Berlin for military assistance in quelling an insurrection, and now the citizens and peasants were in arms under the banner of the Imperial Constitution. The troops were reliable, it is true, but by no means able to put down any general uprising.

Lastly, in Hanover, the people were more cool-headed; the Individualist elements were largely represented, and the King and officers were filled with dis-

like and distrust of Prussia; but the Ministry, if indeed themselves hostile to German Unity, knew very well that although the people and their representatives did not wish to become Prussian, yet they would not desire to see that Constitution interfered with which had been decided upon by the representatives of the German Nation. It was therefore extremely irritating to them that this detested Prussia had forced them to take the initiative in the question of the Supreme Authority and in the criticism of the Constitution. To the Prussian Ambassador the Minister, Count Bennigsen, said that the Royal Government was not strong enough to break with the National Assembly. In earnest tones he pictured to him that it would be impossible for any legitimate Prince, even the King of Prussia, to work harmoniously with the Parliament, and then tried, by vague hints, to discover whether Prussia would not take the first steps toward an understanding with the Royal Courts in regard to the Imperial Constitution. Nothing was clearer than that, if Beckerath's propositions should be accepted in Berlin, the King of Hanover, in spite of his great annoyance, would not venture any resistance.

Beside all this, the great Austrian army was now returning from Hungary, after having been totally defeated by Görgey and Klapka. Vienna itself seemed exposed to a Magyar attack. Who was there to hinder Prussia from doing what she pleased?

Yet only a few hours after Beckerath had expressed his hopes of a successful issue, the decision fell against

him, against Camphausen, and against German Unity. For the King was precisely *not* one of those "ordinary" men, who would have seen in these circumstances an opportunity for Prussia's aggrandizement. The idea was hateful to him, that the future greatness of Germany should not be founded upon a brotherly alliance of all the German Princes, but should be the consequence of the victories of the Magyar rebels, of the machinations of the Saxon Republicans, and of the importunity of the Swabian and Hanoverian popular representatives.

Also in the Prussian Lower House, a motion to recognize the validity of the Imperial Constitution stood at this time upon the orders of the day. In the eyes of the King, this was again a subversion of things, a confusion of the natural relations of *above* and *below*, which was directly contradictory to his most heartfelt convictions. Suddenly, on the 21st of April, he ordered Count Brandenburg to announce to the House, in the name of the Royal Government, the rejection of the Imperial Constitution. This meant the downfall of all the hopes upon which the hearts of the nation had been set for a whole year, and, unfortunately, Prussia was the direct cause of the disaster. The Kings drew a long breath. They now felt sure of the continued dismemberment of Germany, and consequently of the continuance of their own sovereignty. They could, moreover, wash their own hands in innocence in the eyes of the nation, and even join heartily in the complaint, that Prussia's refusal had made the realization of the Constitution impossible.

Camphausen was beside himself. He tendered his resignation on the spot. He asked the reason of this sudden change. What had happened in the last six days, since he had been sent to Frankfort on the 15th with instructions to conciliate the Parliament, that could have forced a complete rupture by the 20th? Why relieve the Kings, by the precipitation of this rupture, from the eventual declaration of their independence? Why take upon one's self, in the eyes of the world, the burden of blame for this calamity?

The answer which he received from the Minister of Foreign Affairs, Count Arnim, was in the highest degree characteristic: "Had we been longer silent," it was said, "we should have been accused of infirmity of purpose and of dishonesty. We could not allow it to be understood that after the settlement of the question of the Supreme Authority, we were ready to take our place at the head of a government defined by *that* Constitution. So long as uncertainty upon this point prevailed, the Royal Governments would hardly have expressed themselves on the subject of the Supreme Authority, unless revolutionary influences were brought into action under those favoring impulses from Frankfort which were such a source of anxiety. It was to be feared that the Governments would be forced by the increasing uneasiness in their own countries into a false position. We could not, in the interests of Prussia, and aside from the question of injustice, allow our supremacy to rest upon such a basis."

Camphausen, however, persisted in his determination

to resign, and remarked that the desire to protect the other German Princes from any moral constraint was, to be sure, very magnanimous; but that he must express his regret at not sharing in this feeling, since he had never believed that the German Governments would voluntarily, and from pure love to the cause of German Unity, subordinate themselves to any head of a Federal Union. He left Frankfort on the 1st of May.

However much these expressions reflect credit upon Camphausen's patriotic heart and political insight, we must confess that in his calculations he made a mistake in the most important factor, namely, in his estimate of the King. The task for the accomplishment of which he trusted Frederick William IV. would have involved the humiliating of the German Kings by co-operation with the revolutionary populace, then the immediate suppression of the Republican party (most probably by a violation of the oath of allegiance to the Constitution), and finally a great war against Austria and Russia; for Austria would never have yielded meekly the foremost position in Germany, and Russia would surely have supported her.

Perhaps a Frederick the Great might have undertaken this task and have succeeded in it; but the present King, as he himself said to Bunsen, was not another Frederick. "For carrying on wars and breaking oaths," said the Minister of War, Von Strotha, afterwards to me, "our Gracious King is too peaceable and too conscientious." His whole view of life and of the world, every one of his virtues as well as each of his

weaknesses, all these were in hopeless antagonism with the whole undertaking. And granting that, in spite of all this, he might have been victorious over all obstacles and all his foes, how much prospect would there have been that an edifice so constructed would have long retained the support of the nation?

Yet it was not alone the King that thwarted Camp-hausen's attempts to bring about a reconciliation. The National Assembly adhered quite as closely to the theory of its constitutive omnipotence, sent its commands into all German countries (without any effect whatever save an increase of the popular excitement in some districts), and widened at every step the gulf that separated it from the Prussian Monarch. We may be spared from following further the melancholy details of its death-struggle. The number of Moderate members that withdrew from its sessions daily increased, until, at last, the Left held the field alone. These made no effort to conceal their aims, but summoned the German People to a general revolution. They transferred the place of their meetings to Stuttgart, where they were finally dispersed by a military order of the Würtemberg Minister Römer.

So melancholy was the end of the work so hopefully and grandly begun! We have noted the mistakes which the National Assembly committed, and which did their part in causing such a pitiable result. And yet we must quite as certainly repeat what was emphasized at the beginning of the discussion of its work: the fact of the inherent impossibility of performing its

task under the existing conditions of political intelligence among the German People, when here Radical ambitions, and there the influence of Individualism, combined to outweigh the attractions of German Unity. It was, after all, no disgrace, but an honor, for those men to have been so far ahead of their contemporaries; and although for that very reason the efforts of the National Assembly were bound to be futile for the time, it was truly the sowing of seed which was to ripen in the glorious future. This was the work of the National Assembly; and by doing it, its members have earned an honorable name in the records of history. The impulse and direction which they gave to patriotism and to love for the Fatherland have been ineradicable. Even a more propitious future could not have seen the success of the idea, had not our first Parliament, in spite of all its mistakes and confused notions about the means to be employed, pointed out to the people with such force and emphasis the true goal of the nation, — the maintenance of Freedom among its members, and of Union in its attitude to foreigners.

BOOK IV.

THE PRUSSIAN UNION.

CHAPTER I.

LEAGUE OF THE THREE KINGDOMS.

IN the spring of 1848 the power of the old Confederation was broken; in the spring of 1849 the attempt to establish a new Imperial Government failed. So that the form of government for a united Germany seemed to have become Anarchy, or, to use Metternich's expression, instead of there being too much, there was nothing.

The duty of establishing an order of things for the future naturally fell, for the most part, to the two Great Powers. Each of them had, as we know, a very definite programme, carefully planned out in detail. The course of events evolved neither for the Court at Vienna nor for the one at Berlin any new constitutional projects; it was therefore determined no longer by discussion over the problem of a constitution, but by the development of the struggle between the growing forces of the two rival parties. For the former, a hurried outline will accordingly be enough for our consideration; but we shall busy ourselves the more particularly with the relations between Prussia and Austria, and with the details of the contest which decided the question of power.

The scene opens with Prussia advocating her projects for the future Imperial Constitution. Austria

was meanwhile busy with more immediate concerns. Her defeat in Hungary was so complete that Prince Schwarzenberg decided, on the 1st of March, to accept the often proffered assistance of the Russian Emperor. Until this aid appeared, she spent all her time and strength upon the restoration of her seriously-demoralized and beaten forces. Her participation in the German question was limited, for the moment, to the simple rejection of all Prussia's proposals.

On the other hand, Prussia made a last futile attempt, on the 28th of April, to convince the National Assembly of the correctness of her views, and sent, on the same day, invitations to all the German Governments to send Plenipotentiaries as soon as possible to Berlin, who should consider and decide upon some practical form of a Constitution. Inasmuch as Würtemberg and the Petty States had just accepted as final the constitutional work of the Assembly in the Cathedral of St. Paul, only the remaining Kings could be expected to send representatives to Berlin,—a condition of things that was not at all unpropitious to Frederick William's favorite scheme of a College of Kings.

The King summoned his personal friend, General von Radowitz, from Frankfort to Berlin for the sake of a confidential conference. This remarkable man had begun his career in military service in Hesse-Cassel, and had enjoyed a deservedly high reputation in the city of Cassel as a teacher of military science; but at the time when the Elector, William II., on

account of his confirmed dissipated habits, had broken with his wife and son, Radowitz was obliged, as a declared partisan of the Electress, a Prussian Princess, to take refuge in Prussia. Here he won by enthusiastic devotion and Christian zeal the full sympathy of the King, who was not disturbed by the fact that his friend was distinctly Catholic.

Radowitz was a man of thoughtful mien, whose strongly-marked features always wore a serious expression. His manner was firm and deliberate; he never lost the control of his passions. He possessed vast stores of learning; and if it was true that in some departments his knowledge was that of a *dilettante*, it may be safely said that he was a *savant* in the fields of mathematics and history, theology and archæology, and at the same time was skilled in the science and lore of genealogies and heraldic blazonry. He was a master of conversation as well as of oratory. In every instance he spoke only after thorough preparation, and then with the whole force of the mature idea, the polished form, and the tempered keenness, which soon made him one of the most celebrated speakers in the Cathedral of St. Paul, admired and courted by all parties. He was fond of remaining silent a long while, and leaving the hearers then to surmise from his following remarks the weight of argument and of thought that lay concealed beneath the unspoken words. He thus kept his audience in a constant state of eager expectancy. Accordingly, wherever he appeared, he made a great impression; but he did not easily gain

the confidence of wide circles, because his very reserve and his enigmatical attitude did not clearly discover his character nor his aims.

The Prussian Liberals suspected the Catholic Orator, who in all ecclesiastical questions favored the demands of the Ultramontanes, which latter were, in Frankfort, always the advocates of an "entire" Germany and enemies of Prussia. The Conservatives and Feudalists, too, were utterly unable to fathom the aims of the man, who in Frankfort belonged to the extreme Right, and who now, as friend of the King, pursued a decidedly Liberal course in regard to German affairs. In short, all parties were beyond measure apprehensive, as this inscrutable personage now assumed the most influential position in the control of Prussian politics. His most intimate associates in his official work at this time agreed, however, in honoring him to the end as a man of a character as noble as his mind was great, and above all, as a loyal Prussian patriot that followed unswervingly and persistently the aim of German-Prussian development. Against the purity of his motives we have nothing to say; but it is certain that, with all his talent and learning, he lacked the one simple and yet necessary element of a great statesman, that practical sense which knows how to choose its aims according to the existing means, and to adapt the means to the accomplishment of the desired aim.

It was not under a clear sky and promise of fair weather that the Prussian Government began its work upon a German constitution. The thunder of the Demo-

ocratic Revolution was rolling along the horizon on all sides. The party, through its societies founded in March, 1848, had, as we have seen, a firmly-united organization, which was extending into all the German lands; and now, in March, 1849, the Imperial Ministry received the news from Paris, that a long series of insurrections had been planned along the Rhine. The refusal of the Imperial Crown by the Prussian King provided the Republicans with a popular war-cry: Force the rebellious Princes to submit to the Parliament and its Imperial Constitution.

In the beginning of May the Bavarian Palatinate arose with this cry, and the people were joined by bands of mutinous troops. Some days later, the revolt began in Baden, where the Government had already recognized the Imperial Constitution, and where, consequently, the useful "national" pretext was wanting and the true aim of the movement was clearly revealed. The soldiers, who had long been insubordinate, either drove away or killed their officers, and entered the service of the Revolution. The Grand Duke, having no means of resistance at hand, fled into the Prussian Rhine Provinces, and the Republicanized Government endeavored without hesitation to spread the rebellion farther into Würtemberg and Hesse-Darmstadt.

Even earlier than this, on the 3d of May, a so-called Provisional Government in Dresden had summoned the people to revolt. The troops here remained true to their colors; they were, however, not strong enough to quell the rebellion, and it was only after the arrival

of a regiment of the Prussian Guards and after a bloody struggle of several days that this was accomplished.

In Prussia, the Lower House had declared the Imperial Constitution to be valid after the vote of the National Assembly ; the House was, therefore, dissolved by the Government, and a portion of the militia was at once called out for the preservation of order. This was the signal for protests and tumults in the east and in the west of the Monarchy. Numerous towns declared their approval of the Imperial Constitution, and demanded the dismissal of the anti-Liberal Ministry of Brandenburg. In many Westphalian, Rhine, and Thuringian towns the militia disobeyed the summons, and committed wild excesses of every sort. Düsseldorf and Elberfeld were for many days in the hands of Republican hordes. In Breslau order could be restored only by a murderous battle with the barricaders. Some attempts to build barricades were made even in Berlin. The Government, meanwhile, employed the most severe and vigorous measures. The troops of the line nowhere refused to obey orders, and toward the end of May the authority of the law was again recognized in all sections of the country.

This success was hailed with joy by the Governments of Hanover, Brunswick, and Hesse-Cassel, where the excitement had been no less, and where in many places, forces were being collected for the assistance of the South German insurgents ; the plans for revolution were now postponed by reason of the strength of the resisting armies.

From Hesse-Darmstadt, however, and from the Grand Duke of Baden, as well as soon afterwards from the Bavarian Government, urgent requests for help were sent, not only to the powerless Imperial Regent, but also to the King of Prussia as their only strong Confederate ally and savior. Frederick William promised on the spot his active and wholly unconditional assistance.

Under such circumstances, the Berlin Cabinet might naturally hope that the Lesser States would show toward their mighty protector an accommodating spirit in the matter of a constitution. But, as we know, the King cared even more about a mutual understanding with Austria, and the first step in these important negotiations was directed to Vienna. Prince Schwarzenberg had repeatedly declared that his Emperor would in no case subordinate himself to any other German Prince, and that the newly-formed and united State of Austria would allow no German legislation to have force in her territory. So that even the King saw that any participation of Austria in a Federal Union such as was longed for by the German Nation was impossible; but so much the more did he then consider it desirable to bring about a close and indissoluble connection between the great bodies, Austria and Germany. The circular of the 23d of January was taken for the basis of negotiations, and this involved a renewal of Gagern's system of a restricted union and a more comprehensive alliance. As soon as Radowitz had completed his Draft of a German Constitution, and

fully a week before the beginning of the conferences with the Lesser States, the royal proposals about the more comprehensive alliance were sent to Vienna. These proposals were as follows: that Germany should form a Federal Union under Prussia's leadership; that this Federal Union should then form an eternal alliance with Austria; that both parties to this alliance should pledge each other mutual support, to the extent of their power, in securing internal and external safety, and in warding off every hostile attack from without; that everything possible should be done to promote internal prosperity and to foster mutual intercourse; that the two parties to the alliance should share equally in a common Government, by appointing each two representatives to the same, who should control the foreign politics of the whole by the appointment of all ambassadors and consuls. Prussia expected that, in return, Austria would accede to the formation of the restricted German Federal Union according to the Draft of Radowitz, which was submitted to her examination, and would assent at once to the assumption of the control of its Provisional Central Government by the King of Prussia.

However attractive these proffered advantages might perhaps under other circumstances have appeared to the Austrian Cabinet, it remains nevertheless a matter of astonishment that the message was sent to Vienna with such confident assurance on the part of Prussia. How could it ever happen that an old, proud, and mighty Power like Austria should meekly resign such

a historical and traditional position as that of the most influential leader in Germany, especially when a youthful, exuberant ruler, and a statesman of the temperament of Felix Schwarzenberg, stood at its head?

Whoever wanted to set up a German Federal Union without Austria, must count upon war with Austria: this was the inevitable result of the course which things had been taking for several centuries. The irrefutable arguments of advantage and of expediency rebounded without effect from the feeling in Vienna that Austria's honor could never submit to such a retreat from Germany. Never, unless in virtue of a decisive war, could the idea gain ground in Vienna that Austria and Germany were no longer to be peaceful members of the same household, but yet were to be neighbors and friends bound to each other in an offensive and defensive alliance.

Schwarzenberg's answer on the 16th of May, accordingly, rejected absolutely all Prussia's propositions. In consideration of the present uncertain state of things, the Prince spoke politely and even cordially. But he stuck to his point: for the permanent Government of Germany, a triple Directory (Austria, Prussia, and the Lesser States); for the temporary conduct of affairs, a Provisional Central Government arranged likewise in the shape of a College (Austria, Prussia, and one of the Lesser Kings). He would not listen to anything about a restricted union and a more comprehensive alliance, nor about a Lower House in any union. For the time, he contented himself with the

observation that he could in no way give his assent to a constitution that had as yet no more definite shape than a draft.

This reply of Schwarzenberg spoiled at the outset the first flush of the King's enthusiasm in his undertaking. Meanwhile the work was pushed eagerly, in order to lay before the Prince as soon as possible a definite Constitution in place of the Draft. The sole thought of the King was, now as ever, that of union and voluntary agreement; however much he hoped that all the Governments would join in the enterprise, his first principle was that no one should be forced into participation, and the first sentence of the Draft declared that the Federation consisted of those States that accepted the Federal Constitution. Yet he desired, in any event, to see maintained with the Governments that held aloof a firm, even if not very close, bond of connection; and so he lighted upon the unfortunate idea of basing his whole undertaking upon the Confederate Rights of 1815, by asserting that his new Federal Union rested upon Article 11 of the old Act of Confederation (the right of the German States to make alliances of any sort, provided they did not interfere with the safety of the Confederation), and reserved at the same time to the non-participants all their rights implied in the Treaties of 1815.

Camphausen had pointed out, a few weeks before, that by the summoning of the German Parliament and the establishment of the constitutional monarchical Government of the Imperial Regent, the whole Con-

ederation of 1815 had been exploded, and that consequently Prussia would be entirely free to strike out in any direction. The Ministry had recognized the truth of this position, but the King would not go quite so far. He considered that although the Confederate Diet had, indeed, been annihilated, yet the Decrees of the Act of Confederation were entirely independent of that, and still remained in force. He gratified his conservative tendencies by the mere fact of making the old treaties the basis of his new operations; but he was soon to learn what strong weapons he thus put into the hands of his adversaries.

In view of the general ferment of excitement, which had filled all Germany since the beginning of May, it seemed very desirable to separate the liberally-minded citizens from the Republican party, and to win the former to the cause of a monarchical system. With this view Radowitz obtained the royal assent to the proposition of laying the outline of the Frankfort Constitution at the foundation of his own work, and of making only those changes and necessary amendments which were required from a conservative and monarchical point of view.

Accordingly, the direct elections by universal suffrage were abolished, and indirect elections put in their place, by which the original voters, divided into three classes according to their wealth, were to choose electors. The "fundamental rights" were modified in many places, with special reference to public regulations and to varieties of local conditions. In the Diet,

the Upper House was to have as much voice in financial matters as the Lower House, and no bill was to become a law without the consent of the Federal Executive. The functions of the Federal Government were sharply defined with reference to those of the individual Governments, and direct interference by the former was limited to a few instances. Finally the position of the German Princes was considerably improved, compared with their treatment at the hands of the National Assembly.

In the place of an hereditary Emperor, a College of Princes was to form the Government, consisting of Prussia, Bavaria, and four representatives of the others arranged in four curias. By the side of this College, the King of Prussia was to assume the Presidency of the Federation. Between these the functions were arranged in such a way that the College of Princes should share in the work of legislation, in accordance with the principles of the Constitution, while the President should exercise the executive power, that is, should be the ruling Head. By this means, Radowitz expected to conciliate the independent pretensions of the Princes.

This hope was doomed to serious disappointment; for although the Lesser States were well pleased with the amendments to the Frankfort Constitution proposed by Radowitz, yet their exclusion from the Federal Government was enough to make the Constitution as a whole unpalatable to them. They had been contented under the working of the old Act of Confedera-

tion, and saw no reason for any change. If, however, in view of the critical condition of affairs they were to be obliged to transfer a portion of their royal prerogative to a new Supreme Government, they wished, at least, to have an independent representation in the same. Such a system Austria had offered to them in her proposition of a Confederate Directory, in which, moreover, they would be on an equal footing with Prussia, whereas Radowitz had allotted to them a subordinate rôle. It was no wonder that in secret their longing eyes turned exclusively toward Vienna. Had Austria only been able, at this time, to bring as many battalions as Prussia into the field against the Revolution!

On the 17th of May, Radowitz began the conferences with the deputies from Austria and three royal Lesser States over the question of a constitution. The Austrian Ambassador, Baron Prokesch-Osten, attended the first session, and then announced that he should be unable to take further part in them. The Bavarian deputy was regularly present, offered frequently his personal views, for the most part non-committal, and constantly expressed his regret that he had as yet received no instructions to make binding promises. Saxony and Hanover, represented by their Ministers, Von Beust and Stüve, risked still less than Bavaria an open opposition, owing to their geographical position. They confessed that they held contrary opinions, but finally voted in the affirmative; they complained that Radowitz was in too much of a hurry, and yet

could find no arguments against his assertion that every delay only placed incalculable advantages in the hands of the Revolution.

A Constitutional Draft and an electoral law were at last settled upon in the course of nine sittings; and in the night session of the 26th of May, a final agreement was reached between Prussia, Hanover, and Saxony. A League was formed between the three Kingdoms for one year. The Compact upon which it was based provided for mutual protection and assistance (also to be extended to all States that might join the League later), gave to the Crown of Prussia the direction of the affairs of the League, determined the appointment of a common Federal Council for the transaction of special business, and promised the German Nation a Constitution after the plan of the Draft, which was to be examined and discussed by a Convention to be summoned forthwith; amendments proposed by this Convention were to be subject to the approval of the members of the League; and finally the establishment of a provisional Court of Arbitration was authorized. A circular drawn up at this time, but afterwards dated the 28th of May, containing the terms of the Compact, the Constitutional Draft and the Electoral Law, was sent to all the German Governments with an invitation to join the Federal League.

All this was accepted and properly signed in the dawn of the 27th, Saxony and Hanover reserving only their final decision about the Presidency. But when, on the following day, this decision was formally pre-

sented, it was found to contain not a word about the Presidency, but in its place an explanation to the effect that both Governments had given their assent only with the understanding, that the proposed Constitution was to be the common property of the whole German Nation (apart from the consideration of Austria), and not merely of a portion of the same. If, therefore, the Southern States, especially Bavaria, should not have joined the League by the time of the convening of the first Diet, then both Governments reserved the right of demanding fresh negotiations with the view of appropriately remodelling the Constitution.

According to the wording of this document, its contents might be understood to mean that the two Courts would no longer hold themselves bound to the League and its proposed Constitution, if at the time of the elections Bavaria and Würtemberg had not already joined. Yet such an interpretation seemed to the Prussian Government impossible. A reservation of this kind had neither been made nor announced, when the signatures had been given to the Federal Compact and other related papers ; its later announcement could certainly affect in no way the binding force of those documents, which had been signed and approved by the two Courts. In fact, such a reservation would stand in direct contradiction to these documents.

The Draft of the Constitution declared in its first Article that the Federal League included those German States that accepted the Constitution ; the Federal Compact reserved to others their old rights ; the

circular promised that a Diet should be summoned as soon as possible, which should be composed of deputies from those States which had joined the Federal League; every word throughout the whole work had been based, not alone upon the hope that all States would join, but at the same time upon the determination, even in the contrary event, to put the Constitution into execution for those States that did participate in the undertaking. It was in this shape, that Saxony and Hanover had confirmed the work by their signatures: and now twenty-four hours later, did the two Courts reserve to themselves the right of withdrawing from the whole thing, if a single German State refused to join in it?

As has been said, to the Prussian Government this seemed impossible. The simple interpretation put upon the matter was that the two Courts wished to announce now their propositions for changes in the Constitution, in case Bavaria and Würtemberg did not join—in order not to see their propositions dismissed later *a limine* with the remark, that the Constitution had already been framed and prepared in a way to provide for such a contingency. Accordingly, their reservation was filed away without receiving any reply whatever.

Unfortunately, this was a fresh mistake on the part of Prussia. Saxony and Hanover were most positively determined to secure for themselves by this declaration the privilege of withdrawing from the League, if Bavaria held aloof. And more than this, they knew

very well, even at that time, that Bavaria would never voluntarily accept the Constitution proposed by Radowitz;¹ and scarcely fourteen days had elapsed after they had signed the papers, before they signified to the Emperor Nicholas their intention to withdraw.²

Theirs was the cunning of the weak. Just at this time, while Austria's support was still uncertain, the Courts would not venture to reject Prussia's proposals boldly and openly. Framing their acceptance in ambiguous terms, they kept for themselves a postern open, through which they could slip out and join the enemy's camp, after the raging of the revolutionary tempests had ceased.

But for the present, they took part in the negotiations as if no such reservation existed. On the 30th of May they united with Prussia in establishing a Federal Court of Arbitration for the settlement of all kinds of controversies arising between members of the League; and on the 11th of June they gave their assent to a

¹ The reports of the English Ambassadors at Hanover, Dresden, and Munich, which the English Minister confidently communicated to Baron Bunsen, agree in leaving not the slightest doubt in regard to the truth of this assertion. Cf. Bunsen's *Leben* (German translation), Vol. III. p. 15, ff. The Minister Friesen, in his "Erinnerungen," I. p. 203, tries to show that these Reports are not trustworthy. To the statement of Forbes, the English Ambassador at Dresden, that Beust himself told him of having given the Bavarian Minister, Von der Pfordten, "a hint" not by any means to join the League, Friesen replies that there was most certainly no need of such hints; for indeed the views of Pfordten, who had so recently been at the head of a Saxon Ministry, were very exactly understood in Dresden. Ergo — ?

² The Prussian Ambassador, General von Rochow, was thus informed by the Czar himself.

memorial concerning the interpretation of the Draft of the proposed Constitution, in the first paragraph of which the reasons were stated why this Constitution, unlike the one projected at Frankfort, did not include in the new Federal League all the territory embraced by the old Confederation, but limited it to those States that voluntarily joined the League, and consequently summoned only those States to send deputies to a common Diet. Who could have thought that behind these official acts a secret reservation was lurking, which would allow certain members to hinder the convention of the Diet, and to turn their backs upon the League, if Bavaria did not see fit to join it?

While these conferences were being held, the war-measures projected against the Palatinate and Baden gradually began to take shape. There were, in those countries, about thirty thousand men in the service of the Revolution: a heterogeneous throng of soldiers of the line, local militia, and foreign volunteers, loosely organized and disciplined, only partially trained and equipped, and with no acknowledged leader exercising firm authority, until Mieroslawski, known to us already in Posen, had put himself recently at their head.

Among their adversaries, the tension existing between Austria and Prussia had already led to a bitter quarrel. The Archduke and Regent of the Empire had, as we have seen, notified the Government at Berlin of his wish to retire from office, and the King had signified his readiness to assume the direction of the Central Government: Austria would not allow this, and con-

sequently the Archduke, obeying superior orders, remained at his post. The Prussian Government, however, considered that with the fall of the National Assembly the power of the Imperial Regent, who was in every way dependent upon the Parliament, had also ceased; and therefore Prussia announced to the Archduke that she had taken into her own hands the important business of settling relations with Denmark, and would no longer recognize any right on the part of the Central Government to interfere.

The Archduke angrily replied that it was his own business to determine the date of his withdrawal, and that he would allow no one to oust him from his office; whereupon he received a note from Berlin, saying in the politest possible terms that on account of the above-mentioned reasons, the Prussian Government did not consider that his office any longer existed.

The forecasting craftiness was now brought to light, with which Herr von Schmerling had guided the last steps of the Confederate Diet, and the short-sighted zeal with which the overwise Count Usedom had seconded him. The Imperial Ministry announced to the Berlin Cabinet that the Archduke had not merely been placed by the National Assembly in the possession of a new executive authority, but that he had also received from the Confederate Diet every one of its own rights and functions, and that he was fully determined to maintain and exercise these until the establishment of some new central executive power by the Confederation itself. The Court of Berlin was in a rage at this jugglery,

which conjured up from its grave on the 12th of July the old Confederate Diet, which had been buried by the Decree of the 28th of June, of the preceding year; and it was decided that henceforth Prussia should entirely ignore the Imperial Regent.

The Archduke then did his part, by hindering, or at least by rendering as difficult as possible, the Prussian advance against Baden: it certainly did not lie in the interest of Austria to allow Prussia to gain rapid triumphs in the West, while in the East the rebellious Magyars were defiantly continuing their revolt. The Central Government had hitherto maintained a motley corps of troops, numbering eighteen thousand men, brought together from eight different States, and under the command of the former Minister of War, the Prussian General von Peucker, to protect the Hessian frontier against Baden. The Archduke now sent an urgent request to the Grand Dukes of Baden and of Darmstadt, not to accept further assistance offered by Prussia, inasmuch as the Central Government was now able to add to the former corps seventeen thousand Austrians and a corresponding force from Bavaria and Würtemberg under the supreme command of the Hessian Prince Emil (a well-known Prussia-hater¹), with which it would be an easy matter speedily to put an end to the Revolution. Both Princes, however, knew

¹ In the year 1813, at Leipzig (if I am not mistaken), Napoleon shouted to this young Prince at the beginning of an attack: "*En avant, Roi de Prusse.*" That the Prussians had eagerly assisted in the overthrow of such a kindly-disposed protector, naturally did not leave an agreeable impression upon the mind of the Prince.

only too well the actual probability of the realization of that magnificent scheme for raising an army; so without giving it more than a passing thought, they declined the offer of the Archduke, and the first week in June the Prussian columns were seen on the borders of the revolutionary territory.

Prussia had formed two small army corps for the suppression of the South German Revolution: one under General von Hirschfeld, numbering about twenty thousand men, and directed temporarily against the Bavarian Palatinate; and another of about fifteen thousand men under General Count Gröben, whose business it was to guard the line of the Neckar by the side of Peucker. The Prince of Prussia was Commander-in-Chief over the whole; and he, avoiding Frankfort, summoned the leaders of the three corps to a council of war at Mayence on the 13th of June.

General von Peucker presented himself with the other two. It was understood without any formal explanations that he also was, for the future, to be under the superior command of the Prince. Since the forces of the Revolution were stationed along the lower Neckar, it was decided that Gröben should keep them busy there, while Peucker went up the river to Zwingenberg, where he should cross the stream and take up a position at Sinsheim in the rear of the rebels. At the same time Hirschfeld, in whose corps the Prince of Prussia was to have his headquarters, should take possession of the Palatinate, and then, crossing the Rhine at Germersheim, should march to Wiesloch to

join Peucker and complete the enclosure of the enemy's forces. It was hoped that by the 21st of June all these movements could be effected, and the whole war thus quickly terminated.

The successes of Hirschfeld in the Palatinate fulfilled these expectations. Wherever his vanguard appeared, militia and volunteers dispersed after a few shots. One of their leaders reported: "The Prussians are everywhere; there is nothing to be seen but the sky and Prussian helmets." It was very evident that neither definite convictions nor fanaticism had induced the common people to take part in the Revolution, but merely the fascination of being unbridled and unconstrained. The country was subdued in a few days. On the 20th of June Hirschfeld crossed the Rhine; and on the following morning, leaving behind at this point five thousand men under the command of General Hannecken, he pursued his march with the main corps in a southeasterly direction toward Bruchsal.

On the 20th, Mieroslawski had received the news at Heidelberg, that Prussian troops had crossed the Rhine. Supposing that it was an advanced detachment which he could drive back into or across the river, he immediately collected about eleven thousand men, and in the course of the forenoon of the 21st fell upon the small company under Hannecken at Waghäusel with a force twice as numerous. The Baden troops of the line, well knowing what a severe punishment awaited them if their cause failed, fought with unwearied courage; so that Hannecken, after a brave resistance of

several hours, was obliged to decide upon an orderly retreat to Philippsburg.

But at this very moment fresh cannonading was heard from Wiesenthal at the southern extremity of the enemy's position. At the Prussian headquarters the fire of Hannecken's company had been heard, and a force of about three thousand men had been sent back to his assistance under General von Brun, who did not hesitate to attack the enemy wherever he found them, — which, after Hannecken's retreat, might have proved very disastrous to himself. But among the rebel troop, the appearance of Brun, at the time when the main body of the Prussian army was supposed to be on the other side of the Rhine, caused great surprise and terror. And when, soon afterwards, a Prussian corporal of the 7th Regiment of Lancers, who had been taken prisoner and brought before Mieroslowski, announced to him that the Prince of Prussia with the whole army was already at Bruchsal and coming onward to attack him, the Pole at once gave the order to cease fighting and to retire as quickly as possible to Heidelberg, in order thence to pass by way of Sinsheim in front of the Prussians, and to gain the road to the south.

This was rightly planned, but the attempt to carry it out ruined the whole cause. The soldiers, having no strict military training and thoroughly frightened by the sudden appearance of the enemy at their backs, lost all trace of discipline at the order to retreat, and only a few shots from Brun's division were sufficient to create

an irresistible panic among them. In hasty flight and tumultuous confusion the multitude surged toward and through Heidelberg. If the Prussian plan of the 13th had been punctually carried out in every point, the rebellious hordes—for one can no longer speak of them as an organized army—would have run directly into the arms of Peucker's corps at Sinsheim, and the whole Revolution would have been terminated within three days. But the Imperial corps, clumsy at best on account of its semi-independent elements, and led very cautiously and comfortably by Peucker, came up to Sinsheim twenty-four hours too late, just as the last squad of the enemy's rear was leaving the town.

To be sure, this slip did not seriously affect the outcome of the war; for it was impossible again to organize the scattered bands of insurgents into a united army. A few detached companies offered still a bloody resistance on the banks of the Pfinz, and a few days later, on the Murg; but after that, it was all over, and whoever was not captured fled in haste across the Swiss frontier. On the 23d of July the last stronghold of the Revolution, Rastadt, surrendered unconditionally, and everywhere the legitimate authorities were reinstated in the exercise of their functions. The people, who had everywhere paid dearly enough for the reckless practices of the rebellious leaders and their associates, were thoroughly cured of their notions of Liberty, and made proof against the fascinations of Revolution for a long time to come. For several years afterwards, the saying was often heard in Baden:

“ The Chambers are more liberal than the People, the Ministers more liberal than the Chambers, and Grand Duke Frederick more liberal than they all.”

Since the 21st of June, the march of the victorious Prussian banners had been uninterrupted and brilliant, even as far as Lake Constance; and during the same time, very similar results had been achieved in Jutland against the Danes. Rarely had the Prussian flags floated so triumphantly over such large areas of territory. The impression which this produced was for the moment a powerful one. If Count Brandenburg had been in a position on the 22d of June to send invitations to the German Governments to signify within a week their acceptance or rejection of the Federal Constitutional Draft of the 26th of May, and could have announced at the same time that in those States that joined the League the election of deputies to the first Diet would be held on the 1st of July, the number of those that did not join would have been very, very few.

In order to gain time, the Bavarian Minister, Von der Pfordten, hastened himself on the 23d of June to Berlin, and negotiated for two whole weeks about possible modifications of the Draft, naturally without success, since he insisted upon the admission of Austria into the Federal League, upon the alternation of the Federal Presidency between Austria and Prussia, and even further, upon the relegation of the whole Federal authority to the College of Princes, which meant the abolition of any Presidency whatever; nor

would he be satisfied with any other concessions which Radowitz offered to him.

In Vienna, everybody was furious over Prussia's successes during the past few weeks. The Archduke John, surrounded on all sides by Prussian influence and rendered completely powerless, pleaded illness, and withdrew from Frankfort to Gastein: after this, the "Provisional Central Government" retained merely the semblance of an existence.

What could Prince Schwarzenberg do about it? The entry of Russian troops into Hungary took place very slowly. Radetzky refused to allow a decrease in the army in Italy: not ten thousand men could be put into the field in Germany. But the weaker he was in actions, the more violent was Schwarzenberg in words. He assured all the ambassadors in Vienna that Hungary would shortly be subdued, and he would then cut down Prussia's pretensions with the edge of the sword. "Believe me," said the Hanoverian Ambassador at the Court of Vienna to his Prussian colleague, "there's going to be a war; and in that case the troops of Saxony and Hanover, your Federal associates, are going to desert to the Austrians. You may depend upon it."

Meanwhile Schwarzenberg tried, through the Austrian ambassadors, every possible means to prevent the German States from joining the Prussian League; at many Courts he succeeded, at least, in causing a long postponement of the decision. For so pressing a demand as I have intimated above was wholly con-

trary to the principles of King Frederick William ; he did not wish any State to join in consequence of any pressure whatever, but only voluntarily after careful consideration. For these reasons, favorable responses to the invitation were received at long intervals and one at a time.

On the other hand, the mighty preparations against Hungary were inaugurated by the two Emperors during the first weeks of July ; and it was at once clear that the suppression of the Magyar Revolution was now a question of only a short period of time. Thereupon, Minister von der Pfordten broke off the negotiations at Berlin, which had become aimless, and sent, on the 12th of July, a circular to all Bavarian embassies, declaring that it was now very evident that Prussia had no other object in view than the illegal aggrandizement of her own power ; that this behavior was rendering imminent a war between her and Austria ; and that it was to be hoped this would not lead to any further European complications. Von der Pfordten's letter declining to negotiate further was as uncivil as possible, but had no other effect than to call forth a painful note of apology from the Prussian Court, which was even followed in a few weeks by a repetition of the inquiry, whether Bavaria would not, after considering the matter in a more favorable light, join the League after all.

But by that time, the latter part of August, the war in Austria had been decided ; the rebellious Hungarian armies had surrendered at discretion, and Venice too, the last centre of national resistance in Italy, had opened

her gates to superior forces. The Courts of Munich and Stuttgart hesitated no longer, but sent official notifications to Berlin of their final rejection of the Constitutional Draft of the 26th of May. It was now said on all sides that Austria would soon teach the upstart and obtrusive Prussia how she must behave, and what she must do.

The enthusiasm shown in Vienna for new exploits in arms was not, after all, so great as the Munich statesman had on the 12th of July feared, or hoped. The painful consequences of a severe civil war had laid sore burdens upon all portions of the country and upon all branches of the Administration. Prince Schwarzenberg wished above all things to come to some definite understanding with the Lesser States, and until then to hold the question of relations with Prussia in the background. Moreover, he was also influenced by the emphatic monitions of the Russian Emperor, who, much as he abhorred an attempt to establish a German Union in any form, was equally anxious to prevent an open rupture between the two German Great Powers. Prince Schwarzenberg, accordingly, did not raise his voice in opposition, when, in the course of August, Archduke John definitely announced his resignation, and through his assistant Secretary of Foreign Affairs, Baron von Biegeleben of Darmstadt, made the proposition that the functions delegated to the Imperial Regent on the 12th of July, 1848, should be provisionally placed in the hands of Austria and Prussia, who should exercise them in

common, through a Commission consisting of four members, until the 1st of May, 1850, and that during this time the establishment of a constitution should be left to the free choice of the Governments acting in concert.

When Biegeleben laid this proposition before the King in Berlin, Frederick William was at once inclined to accept it; and after further negotiations had resulted in gaining some concessions from the Imperial Court of Vienna, the matter was happily decided. Until then, Austria had, as we have seen, always insisted upon the participation of the Lesser States in any form of a new Provisional Government; this demand was now abandoned, and in the proposed double rule equal rights with Austria were fully conceded to Prussia. And again, Austria had hitherto stubbornly refused to recognize the Prussian Federal League; in the draft of this compact, there was, indeed, no express acknowledgment of it, yet it was considered as understood in the clause which referred the question of a constitution to the free choice of the Governments acting in concert. The "Compact of the Interim" was signed, as it stood, on the 30th of September in Vienna.

This was a new move of Prussia's in the direction of the resuscitation of the old Confederate *régime*, — a virtual assent to the assertion of Austria, that the Imperial Regent had been vested with the functions of the Confederate Diet, which he now, by the establishment of this "Interim Government," delivered into the keeping of the two Great Powers; or, in other words,

that the functions and rights of the Confederate Diet had never ceased to exist. No one in Berlin seems to have had an idea that this was opening the flood-gates to a host of dangers which stood in the path of Prussia's ambitions. General Radowitz himself was innocent enough to make the official declaration on the 24th of October in the Prussian Diet, that in keeping with the treaties of 1815, Prussia recognized unreservedly the duty of every German State, after the dissolution of the Confederate Diet, to see that a new form of central government should be established in its place.

Favorable responses to the invitation to join the League of the 26th of May had meanwhile been received from almost all the Petty States. Beside Luxemburg and Holstein, only Liechtenstein, Hesse-Homburg, and the free city of Frankfort, were still wanting. In Berlin, it was now considered the proper time to inaugurate definite measures for the establishment of the German Federal League, by the convention of a Federal Diet. No one thought of encountering any opposition within the League, since Saxony and Hanover had never again mentioned their reservation of the 27th of May, but on the contrary, during the negotiations with Nassau, Brunswick, and the Saxon Duchies concerning their admission to the League, had constantly affirmed that their accession must be unconditional, since outside of the Federal Compact, the Constitution Draft, and the Circular of the 28th of May, there were no regulations to determine the rights and duties of members, and had asserted that all changes in

the Constitutional Draft were subject to the unanimous approval of all the members of the League.

It is obvious that all these statements were inconsistent with a reservation providing for voluntary withdrawal from the League, in case Bavaria should not join it; this consideration naturally confirmed Prussia in her original interpretation of the document of May 27th. The Nassau Plenipotentiary, on the 26th of September, proposed that a day be fixed for holding elections to the Federal Diet; and the Prussian President of the Federal Council, which was intrusted with the transaction of business relating to the League, placed this item upon the order of the day for the session of October 5th.

But it soon appeared that since the 26th of May the times had changed. Then, Austria's hands were tied, and Prussia was the only bulwark against the storms of anarchy; now, Prussia had finished her task of suppressing the Revolution, and Austria too was again free to move as she pleased. Then, it behooved the States to follow the dictates of Prussia, in order not to be overwhelmed by the Revolution; now, under Austria's protection, they could proceed to rid themselves of their obligations to Prussia.

On the 5th of October, all the other members of the Federal Council assented to the motion of Nassau; but Hanover opposed it emphatically. She said that the Constitutional Draft itself contained a reservation with regard to an understanding with Austria, and therefore until this understanding was effected the

Draft could not be ratified nor the Constitution become binding; further, that the Draft itself referred often to the old Confederate rights, and consequently must imply their continued validity; that according to the Act of Confederation the Confederate Constitution could be altered only in accordance with the unanimous vote of the Confederate Diet, and consequently now, after the dissolution of the latter, only in accordance with the unanimous decision of all the German Governments. The proposed Draft contained numerous changes from the old Constitution, and therefore, it was argued, it needed, before it could become valid, the sanction of all the German Governments, no matter whether they had chosen to join the League of the 26th of May or not. Without the approval of Austria, Bavaria, etc., no step whatever might be taken towards the establishment of the proposed Federal League, and certainly no step could be more important than the convention of a Diet: for these reasons, Hanover, seconded in every point by Saxony, would enter an official and solemn protest against the holding of elections to a Diet.

Prussia, Nassau, Darmstadt, and Weimar protested amid great applause against the grounds upon which Hanover's whole speech was based, and against the pretended validity of any part of the old Confederate Constitution after the abolition of its only organ, the Confederate Diet. Upon that, Hanover, and always Saxony along with her, took refuge in their reservation of the 27th of May. When it was maintained that in

view of Hanover's own later declarations, no significance could justly be attached to this document, Hanover, and always Saxony along with her, covered her retreat by protestations of her longing for German Unity, and the complaint that a Constitution for the whole Fatherland had been promised to the German people, whereas a League without Bavaria and Würtemberg would be no move toward the Unity, but toward the dismemberment of the German Nation.

These cheap phrases could not make any very great impression; and after the negotiations had been prolonged through several sessions, the Federal Council decided, with only the two dissenting voices of Hanover and Saxony, to fix as the date for the parliamentary elections the 15th of January, 1850. Hanover, and Saxony along with her, arose once more, and went so far as to assert that the Federal Council had no right at all to act upon votes of a majority, and that for every single measure the unanimous consent of all the members was imperative. The reply was not far to seek: inasmuch as the Federal Compact of the 26th of May in no place mentioned such a restriction, the validity of a majority vote was understood as a matter of course. Thereupon, the Representatives of the two Kingdoms gave notice on the 20th of October that they could no longer participate in the deliberations of the Federal Council, and that they therefore should return to their homes; that their Governments, however, would remain loyal members of the League of May 26th, and would do their part in executing the

Constitutional Draft proposed at that time, so soon as the necessary conditions had been complied with.

Thus in the course of six months the League of the Three Kingdoms had lost two of its members, who proceeded at once to assist in the formation of a Counter-League with the most glowing professions of mutual fidelity. As for Prussia, the declaration made by the King on the 2d of April had proved true: without the Kings a Federal Constitution would be impossible; the relation of Prussia to the Petty States would be that of a Protector, and the Constitutional Draft would need to be altered accordingly.

CHAPTER II.

THE COUNTER-LEAGUE.

PRINCE SCHWARZENBERG was not the man to let an uncovered point on his adversary pass unnoticed. Hitherto he had been content to withhold his support from the Prussian plan of a Federal League. The withdrawal of Saxony and Hanover, and Prussia's recognition of the validity of only a portion of the old Confederate Rights, now gave him the best opportunity for an attack. Inasmuch as Prussia had, quite of her own accord, asserted the continued force of some single parts of the old system, he now maintained the validity of the Act of Confederation as a whole, in accordance with which it was the privilege and the duty of every member, whenever untoward circumstances made a rent in the system, to secure its reparation as speedily as possible.

In a proclamation made on the 12th of November, Schwarzenberg expounded this doctrine in detail, supporting his claims throughout by quotations from Prussia's assertions. He then sent a second despatch to Berlin, in which he declared that the Constitutional Draft of the 26th of May, and the projected Federal League based upon it, were wholly illegal according to the decrees of 1815; that it was vain for Prussia to appeal to Article 11 of the old Act of Confederation,

for in that Article the right of making alliances was granted to the German States only so far as this might accord with the safety of the whole Confederation; and that nothing, indeed, could possibly endanger this safety more seriously than the formation of such a distinct League as was now projected, to which were to be transferred the functions and aims of the great Confederation, whereby the very existence of the latter would be menaced.

Starting out from these premises, Schwarzenberg proceeded to protest authoritatively against any attempt to bring into life this distinct League, referring especially to the convention of the Diet whose members were to be elected on the 15th of January, 1850, and whose decrees would be in every respect null and void. He further declared that Austria would assist and protect with her united forces every State that might be injured by such proceedings, and thus transparently identified the realization of the Prussian Federal League with a declaration of war.

The Prussian Minister, Baron von Schleinitz, replied to this, that the doings of the 26th of May in no way weakened the guaranty of safety to any member of the German Confederation, but rather strengthened it, and, accordingly, was perfectly in keeping with the regulations of Article 11 of the Act of Confederation. That the members of the League might transfer certain prerogatives to its President and to the College of Princes was likewise very expressly authorized, he said, by Article 6 of the Vienna Final Act. Prussia would,

therefore, pursue undisturbed the course she had meditated, and await conclusive proof from any German Government, that it had been injured in any way by the formation of the League. Herewith, the glove which had been thrown down by Schwarzenberg was complacently — shall we say picked up or ignored?

Yet, although Prince Schwarzenberg in his attack upon Prussia had based his position upon the old Confederate system, he was very far from wishing to build his own plans for Germany's future upon this foundation. On the contrary, his present designs for a thorough reformation of the Confederation differed in no way from those which we have already noticed in his correspondence with Berlin and Frankfurt: namely, the admission of entire Austria into the German Federation as well as also into the Prussian Tariff-Union; in place of the Confederate Diet the establishment of a Directory of Seven (Austria, Prussia, the four Lesser States, and the two Hesses together); the requirement of unanimity only in case of changes of the Constitution; the abolition of all popular representation in the Federation; and the division of Germany into six sections, each of which should be under the leadership of a royal head.

The details of such a system were hardly as yet definitely determined. The Prussian Ambassador at Vienna, however, learned that the Austrian Court was very much exercised over Prussia's recent acquisition of Hohenzollern, which would be for her an outpost lying far into South Germany. This made it more

advisable in the projected division of Germany, to prevent Prussia from getting a firm footing on the North Sea, by assigning to her, at the most, Mecklenburg or Anhalt; and it would be very necessary to raise Hanover by her side to be a strong Power bordering on the German Ocean by the annexation of Oldenburg and Brunswick. These plans were naturally very alluring to the Lesser States. They were ravished with Schwarzenberg's energetic protest against the Prussian League.

At the end of December, 1849, Bavaria laid before the three other Kingdoms the Draft of a new German Federal Constitution framed in accordance with Austria's ideas. It was agreed upon so quickly, that on the 23d of January, 1850, an outline of the work undertaken by the four Kingdoms was published in the *Württembergischer Staatsanzeiger*. Upon that, Prussia sent a note to Dresden and Hanover, inquiring how the declaration of the two Courts that, in spite of their protest against the parliamentary elections, they were still members of the League of May 26th could be reconciled with their participation in such a hostile undertaking. This induced Saxony and Hanover to urge at Munich a renewal of negotiations with Prussia concerning the proposals made formerly by Pfordten in Berlin. Pfordten, however, positively refused, on the ground that those proposals were based upon conditions which were now happily of the past; for at that time, in June, Austria's participation in a Federation was uncertain, whereas she was now prepared to further the

scheme with her whole influence and means; therefore there could be no more use in especial negotiations with Prussia. Hanover and Saxony said no more about this matter; and the work upon the future Federal Constitution went on in the hands of the Four, accelerated by the prospect of a further very important secession from the Prussian League, which had been brewing during these last weeks: namely, the Elector of Hesse, Frederick William, who had originally joined the League for especial reasons,—we shall speak of these later,—suddenly dismissed his Liberal Ministry on the 23d of February, and placed at the head of his Government a fanatical Reactionary, Daniel Hassenpflug.

On the 27th, in Munich, the Constitutional plan determined upon by the four Kings was formally ratified, and the vote passed, that it should be at once recommended for acceptance in Vienna and Berlin. Hanover had already, four days before, announced in Berlin her withdrawal from the League of the 26th of May; and yet, apparently from a certain sense of propriety, she declined to put her signature to the Munich project, although constantly affirming her sympathy and active share in it. Baron von Beust, however, considered such scruples superfluous, and without hesitation signed the compact with the others; so that Saxony was now, at one and the same time, officially a member of the League and also of the Counter-League.

The Draft of this Constitution corresponded in most points with Austria's demands, although that fact was

in some places manifested only by modest allusions. The functions of the Federal Authority in internal affairs were termed throughout "supervisory," and among these was the supervision of "the common interests of customs and trade," which bore especial reference to Austria's admission into the Tariff-Union. The Directory of Seven was denominated the Federal Government; and it was to decide questions by a vote of the majority, requiring unanimity only when changes in the Constitution should be concerned. Austria's presidency was not mentioned, but probably understood as a matter of course.

Although Prince Schwarzenberg objected to any popular representation whatever in the Federation, and would at most admit a Chamber composed of plenipotentiaries from the Governments, yet in Pfordten's brain there were so many memories of his Radical youth that he ardently advocated a Federal Parliament, and in this he was supported by his three colleagues out of regard for their own Chambers. The result was, finally, a compromise in the shape of a "national" representation, to be chosen by the Chambers of the individual States: one hundred members from Austria, one hundred from Prussia, and one hundred from the remaining States. This number was to remain the same in the case of the Great Powers, whether they joined the Federation with the whole or with a part of their territory — an expression of willingness to welcome the Austrian Magyars, Slavs, and Italians. That this so-called "national representation" should contain no

elements of danger was provided for beforehand. It was to be convened every three years to approve possible Federal laws, and to appropriate the necessary enrolment-fees (the only source of revenue contemplated for the Federation), but otherwise was to be summoned, adjourned, and dissolved only at the discretion of the Federal Government.

A Federal Court of Arbitration was provided, but nothing was said about its composition or functions. Lastly, Schwarzenberg's system of sections, or groups, was mentioned with constrained indefiniteness: the seven directing heads were named, and then it was left to the other members of the Federation to attach themselves to whichever one of these they chose. Without doubt Bavaria, who had no neighbors suitable for annexation, did not feel especially enthusiastic over this portion of Schwarzenberg's scheme.

As a matter of course, when the Draft in this shape reached the Courts to which it was first sent, the official reply from Vienna expressed enthusiastic approval, and in Berlin it awakened no sympathy whatever. On the contrary, the Prussian Ministers saw themselves forced to hasten the realization of their restricted League with all speed. To be sure, they could not very well talk about a Federal or Imperial League after the secession of the Kings; it had already been decided that it should be called a "Union," and that in a supplementary act to the Constitution the same should be developed in detail. The Constitution of the 26th of May, together with this "Supplementary Act," was

to be laid before the Parliament about to convene at Erfurt on the 20th of March, 1850, and to be accepted by the same without change, perhaps at the first vote. Inasmuch, however, as the secession of the two Kingdoms necessitated several modifications, an immediate revision of the Constitution thus accepted was to be proposed to the Parliament.

The acceptance of the Constitution as a whole would be at once, and in itself, the formation of the Union; the loyal Governments would be bound together by a firm tie, and the danger of their separating before they were officially united would thus be avoided. On the other hand, the discussion of the Constitution, Article by Article, would be giving their enemies free play; and a demand for such discussion would signify a desire to break up the whole scheme of a Union. After the acceptance of the Constitution as a whole, Prussia could at once take her position as President of the Federal League, or Union; and in place of the Federal Council a Union Government could be formed dependent upon Prussia. Only in this way could any basis be established for negotiations about a more comprehensive alliance; once in a secure position, they could receive their opponents and await favorable proposals. Such was the unanimous decision of the Ministerial Council on the 9th of March, all members being present.

But the King entertained a decidedly different opinion. The Union, which could now no longer stand for a German Empire, had, in consequence, entirely lost favor

in his eyes. His whole interest was now centred in the hope of coming to some understanding with Austria about the more comprehensive alliance and its definite constitutional basis. After that, a Union might be formed within this larger alliance and conformable to its principles. He was, for the present, in favor of a preliminary discussion of the Constitution by the Parliament; but he straightway expressed his doubts, and very soon his disapproval with regard to the acceptance of it at one vote, and peremptorily refused to assume in that case the Presidency of the Union.

He did not attempt to conceal the fact, that the very Constitution offered by himself to the German people on the 26th of May had become in his own eyes a matter of questionable expediency. It had been framed at that time, in view of the revolutionary excitement, with an especial reference to the liberal sentiments of the citizens; but the King now believed that those sentiments had changed, and that appropriate modifications should be made in the Constitution. If the Parliament did not make these alterations, then he must, in spite of an acceptance *en bloc* of the whole, reserve to himself the right of withdrawing from the Union.

The condition of things in Prussia had indeed changed during the last year. After the dissolution of the Chambers in April, 1849, the Government had established a new electoral law, similar to the one proposed by Radowitz for elections to the Imperial Diet. The Democratic party replied to this with

violent protests affirming its illegality, and with universal abstinence from voting; so that, since street-tumults had been effectively suppressed, the Democrats disappeared entirely from the political arena. In the new Chambers, the men that had been members of the Imperial party at Frankfort found themselves now ranked among the Moderate Liberals of the Left; opposed to them, upon the extreme Right, stood a strong party of Feudal and Ultramontane Royalists under the leadership of the President, von Gerlach, and Professor Stahl.

After the Constitution of the Prussian State had been definitely announced upon the 31st of January, 1850, the attitude of both parties to the Union and its Constitution of the 26th of May was a foregone conclusion. A convention of the old Imperialists at Gotha — the Democratic leaders here again commanded inaction — expressed their approval of the Constitution, and also their determination to be present at Erfurt and to advocate the acceptance of the Constitution *en bloc*. They maintained their position even after the secession of the two Kingdoms; for they trusted in the inherent power of the cause to win over, as the Tariff-Union had done, those that still opposed it.

The Feudal party, on the other hand, had not much enthusiasm for any Union at all, and were therefore so much the more earnest in opposing the acceptance of the Constitution unchanged. The chief reasons for their attitude were three in number. In the first place, they feared a diminution of monarchical authority, if the

Prussian King, who had already had severe struggles with the popular representatives in Berlin, should henceforth have two Parliaments to deal with.¹ Secondly, they foresaw that from an alliance with a number of small states, Prussia could not expect to gain any considerable increase of power, but might, on the contrary, be hampered in very important matters concerning her internal and external policy by the legitimate intervention of the College of Princes. Finally, they were convinced, judging by Austria's previous behavior, that the execution of the proposed plan of a Union would lead to a war with that Power and perhaps with Russia; and a graver misfortune for Germany and for Europe they could not imagine.

This party had by its position in the Prussian State Parliament completely won the sympathy of the King. In the sessions of the Ministerial Council he repeatedly emphasized the fact, that he considered it necessary for the Royal Commissioners and Ministers to go hand in hand in Erfurt with the extreme Right; for a misunderstanding between the Government and this party would involve the most serious consequences. Accordingly, the Parliament must be given to understand from the very first day, that Prussia would never consent to execute the Constitution, unless the required changes were made.² Radowitz succeeded, however, in gaining from the King permission to recommend the acceptance of the Constitution as a whole, with the understanding

¹ Experiences since 1866 have sufficiently refuted this opinion.

² Ministerial Session of the 11th of March.

that it should be revised forthwith, and that unless such revision should be made and should result favorably, the King might give up the whole project of a Union.

The important difference between this and the Ministerial vote of the 9th of March lay, as will be easily seen, in the fact that according to the latter a constitutional Union Government was *ipso facto* established after the acceptance *en bloc* of the Constitution and before the revision of the same, whereas the King's assertions meant that the Union could not exist until after the revision and its ratification by the Princes, which was in effect the postponement of the Union indefinitely. Nor was this enough! It could not properly be said to exist, according to his notion, until after the establishment of the more comprehensive alliance with Austria and the consequent repeated revision of the Union Constitution in accordance with the conditions of this alliance!

It is very evident that the whole affair was thus rendered hopeless. And why not say so on the spot? The King's ideas were not determined by political judgment and deliberation, but by subjective sentiments. And just here the trouble lay. It seemed to him magnanimous towards Austria not to proceed with the Union faster than with her. It seemed to him magnanimous towards the Petty States, who stood in need of a protector, not to announce to them a Prussian protectorate prematurely. That a king may not at the expense of the state intrusted to him be generous towards a third party, any more than a guardian may at

the expense of his ward be generous towards the latter's debtors, — of this Frederick William had no conception! By his universal magnanimity he involved Prussia in an enterprise, the accomplishment of which he himself hindered at every step, and which he finally was forced to give up in a manner which very seriously compromised Prussia's honor.

When the Parliament convened on the 20th of March, 1850, it was at once evident that a large majority of the members would surely vote for the unconditional acceptance of the Constitution as a whole, together with the Supplementary Act. No Democrat was present in the Assembly. The leading advocates for the acceptance of the Constitution *en bloc* were, beside Simson and Gagern, Beseler and Vincke, the former Prussian Ministers Von Bodelschwingh and Ludolf Camphausen, and the later Prussian Ministers of Finance, Von Patow and Otto Camphausen. They knew very well that their votes would not bind the Prussian Government; but they were anxious to secure, by the acceptance of the Constitution laid before the Parliament by the allied States, a firm basis of Union, which, as the Prussian Ministerial Council had contended on the 9th of March, would remove every pretext for secession out of the reach of those States that might be inclined to be disloyal.

That such considerations were in place was verified by the presence and behavior of the Hesse-Cassel Minister, Hassenpflug, who in the Council proved himself to be inimical to the whole undertaking, and who

on the 13th of April, in a lengthy letter to the Berlin Cabinet, declared that before coming to an understanding with Austria and the members of the Federation formed at Munich the Parliament at Erfurt ought not to proceed a single step farther in the course they had begun. This letter, of course, struck the key-note in the heart of the King, and at the last minute he instructed Radowitz to persuade the Parliament at least to undertake first the revision, and then, in order to guard against the event of non-concurrence on the part of the Governments, not to accept the original Constitution, but only to express the intention to accept it, after it had been approved by the Governments.

But the leaders of the Majority were not to be shaken from their single-minded apprehension of the matter. On the 15th of April the Lower House, and immediately afterwards the Upper House, accepted the Constitution and Supplementary Act *en bloc*, in spite of the sighs and fears of Radowitz lest the success of the Union should thereby be endangered. The Parliament turned its attention at once to the proposed revision, which it carried out in all important points according to the wishes of the Prussian Government, even if not quite according to the doctrines of the extreme Right. This labor ended, its task was completed; and its sessions were concluded on the 29th of April amid general recognitions of its prudence and its patriotism.

Perhaps these expressions would not have been so favorable and friendly had not the ill-will of the King towards the Parliament been thrown into the back-

ground by the hostile steps taken by the advocates of an "entire Germany."

The King of Würtemberg had already in his Address from the Throne at the opening of the Royal Parliament, on the 15th of March, uttered such incredibly insulting attacks upon the Prussian Government that the latter found itself forced to break off diplomatic relations with Stuttgart entirely. During the succeeding weeks, reports became more and more frequent and trustworthy, that, in consequence of influences set at work in Vienna and Munich, not only Hesse-Cassel, but also the Sovereigns of Hesse-Darmstadt, Anhalt, Lippe-Schaumburg, and Mecklenburg-Strelitz, were about to turn their backs upon the Prussian Union. But at last, and with a decisive crash, a blow of another kind, dealt by the Austrian Government, struck at the very core of the whole controversy.

Since the establishment of the "Interim," negotiations about the German question had been carried on uninterruptedly between Vienna and Berlin. In Vienna, where the project had been conceived of breaking up the monopoly of the political advantages arising from the Tariff-Union, hitherto enjoyed by her rival, Berlin, a movement had been set on foot to secure the admission of Austria into a great commercial league with all Germany. The Prussian Cabinet, no less determined to maintain its leadership in the department of German trade, recognized in commending terms the importance of the Austrian proposition, although it unfortunately entertained directly opposite opinions about the proper method of carrying out the same.

The Prussian Ambassador, Count Bernstorff, had also many conversations with Prince Schwarzenberg concerning the formation of a provisional German Central Government at the close of the "Interim" period. At first, their views were directly antagonistic to each other. Prussia desired a prolongation of the Interim, and a continued administration of the Central Government by the two Great Powers, until a definitive Constitution should be established for the whole of Germany, which meant, until Austria should recognize the legitimate existence of the Prussian Union, or at least not actually deny it. All this Schwarzenberg threw aside, and demanded, even as a provisional form of the Central Government, the substitution of the Directory of Seven and his proposed system of groups; but Prussia would not listen to this any more than formerly. A Nassau Councillor, Forsboom, a man highly esteemed both by the Prussian Minister Schleinitz and by Prince Schwarzenberg, made, in April, 1850, certain conciliatory propositions, which, after some few modifications, Schwarzenberg accepted, and Bernstorff on the 12th of April recommended to his Government. Only in a few points was there still a difference of opinion, and Count Brandenburg confidently expected a speedy adjustment of these.

Then it happened on the 15th of April, as we have seen, that the Popular House in Erfurt accepted the Union Constitution *en bloc*; and it must have appeared to outsiders hardly credible, that the Prussian King could neglect to make proper use of this fact in estab-

lishing the Union upon a firm basis. If he, however, should seize the opportunity, and if the Union should now emerge into vigorous life, Schwarzenberg knew well enough that it would draw, as the Tariff-Union had drawn, all the other German States irresistibly into its vortex, and thus actually crowd Austria out of Germany. To counteract this danger, the Prince needed some handle that would add to the material power he already possessed the weapons of an apparently just cause, that the semblance of right might be on his side. Nor, in casting about for such an instrument, did he need to look far. In view of the previous course of events and negotiations, he lighted upon the revival of the Confederate Diet, which had been inactive since July 12th, 1848, as a means to his end.

Accordingly, Schwarzenberg decided upon a preliminary step. On the 19th of April he gave notice, by a circular sent to all the Governments except Prussia, that the time of the Interim fixed upon on the 30th of September was about to expire on the 1st of May; that Germany could not exist without some Central Authority, although that might temporarily be a provisional one; that the negotiations carried on with Prussia had unfortunately led to no amicable agreement; that, consequently, so far as he could see, nothing remained but to hold a Congress of all the German States, which should establish in common a new Central Government; and that Austria, intrusted as she had been by the Act of Confederation of 1815 with the Presidency

of the Confederate Diet, felt herself called upon to take the initiative in convening such a Congress. Concerning the authority and powers of this Congress, the Minister added the observation, that whoever did not appear would lose his vote, but of course be none the less subject to the decrees of the Congress.

Nevertheless, the Prince had not yet wholly decided to break with Prussia. The King's intentions were not fully known, and Schwarzenberg's former friends did not everywhere express themselves cordially. The Czar protested that the admission of the whole of the Austrian Empire into the German Federation would be inconsistent with the compacts of 1815; and the Bavarian Minister continually annoyed the Prince by repeatedly demanding a popular representation in the Central Government. In both of these points, Schwarzenberg believed that he might rely upon favorable advances from the Court of Berlin; and even on the 20th of April, Forsboom wrote to Herr von Schleinitz that the Prince was in a propitious humor and wished to turn from his associations with the Lesser States to friendly relations with Prussia.

Meanwhile the Prussian Cabinet had learned through the Bremen Government of the circular of the 19th, which had been withheld from the knowledge of Prussia. The Berlin Government, very naturally, did not know what to make of it. And yet the desire to avoid a rupture was still so strong, that Herr von Schleinitz sent a despatch to Vienna on the 22d, in which he expressed his concurrence with the holding

of a Congress on the following conditions: that the invitation be sent out from both Powers together; that nothing be said about a revival of the old Confederate Diet nor of its rights, manner of transacting business, or majority-votes; that the Congress undertake only the formation of a new Central Government; and finally, that no opposition be raised to the fact, that twenty-two German Governments had united in a more intimate alliance, and would in the future, as a close body, also make Frankfort the place of holding their meetings.

This communication at once decided the Imperial Minister. He might have yielded to the first three conditions, Count Bernstorff reported, but the fourth, containing the announcement of the Union as an accomplished fact, was for him the signal for battle.

On the 26th of April a new circular appeared, which, in sharp contrast to all Prussia's inclinations, invited, in the name of the presidential authority of the German Confederation, all the German Governments to send to Frankfort, on the 10th of May, plenipotentiaries who should there first form a new provisional Central Government, and then proceed to a revision of the Confederate Constitution in conformity with the Act of Confederation and the Vienna Final Act. It was said in the circular that Austria did not have in mind a simple return to the old system, but would do all in her power to secure a reform of the same adapted to the requirements of the times; that the duty of all members of the Confederation to take part in these

deliberations was unquestioned, and had been expressly and repeatedly recognized by Prussia, especially in the speech of the Royal Commissioner (Radowitz) in the Lower Chamber on the 24th of October; that whoever refused to participate in this great work would thereby signify his intention to withdraw from the Confederation; but that such an intention would be contrary to Article 5 of the Vienna Final Act; and that, consequently, the non-fulfilment of the above-mentioned duties would be impossible without a violation of the solemn vows pledged to the Confederation.

In this document the expression "Revival of the Confederate Diet" did not appear in so many words; but, as a matter of fact, the contents of every sentence implied it. What the whole National Assembly, with the exception of Robert Blum and his associates, had held to be impossible and incredible, had now come to pass. The same Austrian Government that had publicly and solemnly assumed the charge of the office of Imperial Regent upon the ground of the law of June 28, 1848, which declared the extinction of the Confederate Diet, now sent out, in the coolest manner possible, invitations to attend the revival of the temporarily suspended sessions of this extinct Confederate Diet, and even asserted that it was the duty of all members of the Confederation to be present, threatening delinquents with the punishments due to the violation of their Confederate oaths! A feeling of grim satisfaction ran through the ranks of Robert Blum's associates as they said to themselves: "The so-called Moderates may now

see to what ends blind confidence in the good faith of crowned heads will lead."

When Prince Schwarzenberg declared in his circular that he did not meditate a simple return to the old system, but had in view a thorough reformation of the Confederate Constitution, we know that this was no mere figure of speech. His mind was as firmly fixed as ever upon the plan of a German Directory. Nor had he any cause, on that account, to fear a revival of the Confederate Diet; for his plan could not in any case be realized without the consent of all the Governments, and this could be brought about as well if the convention were called the Confederate Diet as in an isolated Congress. The only question was how he might most safely obtain the power to force this consent; and inasmuch as the Petty States were under the protection of the Prussian Union, the first thing to be done was to find some weapon with which to demolish the Union. The Confederate Diet, itself, seemed to him to furnish just this weapon.

Frederick William felt in his inmost heart deeply wounded and indignant at such conduct on the part of Austria. The equally unlawful and illogical manœuvre had been made right in the midst of promising negotiations, and a shabby trick had been played behind Prussia's back. The Confederate Diet had been buried by the unanimous vote of all the German Governments: how could Austria, then, contrive its resurrection without a similar unanimity of consent? On the very grounds of the old Confederate Rights

themselves its revival in this way was unlawful: for the Plenum of the Confederate Diet could be assembled only at the call of the Close Council, whose functions, with the consent of all the Governments, had been transferred to the Central Commission of the Interim; so that only this body, consisting of Austria and Prussia together, could have properly issued such an invitation, and not Austria alone.

But more than all, — how long had Prussia been degraded to a level with, say Waldeck or Bernburg, that the most important step in German affairs could be taken without consulting her, ay, even with the issue of a threat of exclusion and punishment if she dared to make any objections? The King was resolutely determined never to brook such treatment. The Union had already lost much of its interest for him since the withdrawal of the Kings, and the meditated secession of the two Hesses would probably have induced him to give up the whole scheme; but now that Austria had flung in his face, as a challenge, the revival of the Confederate Diet, his sense of honor was aroused, and he declared over and over again that he would never abandon the Union.

Whether this sentiment was censurable or praiseworthy, one thing is very sure. If he desired to keep up the Union and bring it into active existence, there was only one simple course to pursue: namely, to return to the Ministerial vote of the 9th of March, to proclaim that the Constitution of the 26th of May, in virtue of its acceptance *en bloc* by the Parliament,

had become valid and was already in force, and then to establish without delay a Union Government, with the announcement that the Parliament was about to undertake at once a revision of the hitherto provisional Constitution. Not one of the allied States would have had the least right to object to such a method of procedure; and so soon as the Union had been brought into actual existence in this way, its Executive would have had the right and duty of crushing any sign of a disloyal secession with all the means of punishment at the disposal of the Union Court of Arbitration. It was the only proper, honorable, or fitting response to Schwarzenberg's unjust move.

But the King's whole nature strove against such a course. In the face of any amount of insult, he could not bring himself to sever so summarily the old friendship with his Confederate ally. Still less could he forget his original determination to have about him only associates that were willing members of the Union—a determination which was without doubt sensible enough when applied to their admission into the Union, but equally senseless after the Constitution had once been accepted and put into force.

Once for all he had protested that he would not rule under the Constitution of May 26th as it stood; and to this decision he firmly adhered, declaring that not the original Constitution, but the revised form of the same, must alone be presented to the members of the Union for acceptance. But then, of course, every one of the allied Governments would have the right to make

objections to every one of the Articles changed by the Parliament in the revision, and the Constitution could not be put into force until all the changes had been accepted by all the Governments. This meant postponing the whole thing until the millennium!

In order to surround his sorry purpose with as much external pomp as possible, the King eagerly carried out a happy thought of the Duke of Coburg, and invited all the allied Princes and their Prime Ministers to a personal reunion on the 8th of May in Berlin. They all appeared, with the single exception of the Grand Duke of Hesse-Darmstadt, who expressed his sentiments clearly enough by commissioning his cousin, the Elector, to represent him.

With proud satisfaction it was averred in Berlin that never in all the history of the world had such a constellation of Crowned Heads gathered about a King of Prussia! After a formal reception and a brotherly embrace,¹ the Princes assembled in a conference, at which the Duke of Coburg, a zealous champion of the Union, presided. The Hessian Elector alleged at once that they had no right to organize a Union, but that their presence was required at Frankfort. Upon being asked his reasons for this assertion, he did not adduce anything tenable, and when he found himself hard pressed, called for his beloved Hassenpflug.

Hassenpflug had been playing exactly the same rôle in the conference of the Ministers, presided over by

¹ When the Elector kissed the King, the Duke of Brunswick exclaimed aloud: "Judas!"

Radowitz. He raised technical objections of various kinds, and then, without voting himself, witnessed about twelve of the twenty-two States follow the example of Prussia in accepting the revised Constitution, while the others either made reservations or could not agree to the contents of certain Articles. A plenipotentiary from Darmstadt, who had meanwhile arrived, came with no other instructions than to listen and to report.

The result of the conference was, that the Union Constitution could not be put into practice for the present, owing to the differences of opinion which prevailed. Therefore, Prussia proposed that temporarily, until the 15th of July, a College of the Princes should transact the business of the Union: all approved of this expedient except Hassenpflug, who said that Hesse would not be able to share in this arrangement. Finally, Radowitz inquired how the allied States should regard the Congress at Frankfort, and proposed that they take part in it under the conditions mentioned in Prussia's despatch of the 22d of May. Again every one agreed with the proposition except Hesse, Schaumburg-Lippe, and Mecklenburg-Strelitz. Hassenpflug stated at length that Hesse advocated not simply postponement, but the abolition of the Union Constitution, yet would remain true to the League of May 26th; in other words, she was ready to allow herself under certain circumstances to be protected by Prussia, but would be her own mistress so far as being present and casting her vote at the Frankfort Congress was concerned.

At a grand festival which the King gave at the conclusion of the conferences, Hassenpflug rudely addressed the Duke of Coburg with the remark: "I may now be allowed to ask, why Your Grace manifested so much interest in that still-born child, the Union." The Duke drew his slender figure up to its full height, and looking down upon the little man, exclaimed: "I will tell you why. It was because I do not wish to lay my head upon the block where yours belongs, when Right and Justice again reign in Germany!"

Yet with all this quarrelling, a provisional existence was vouchsafed to the Union until the 15th of July. But on the same day on which the meeting of the Princes closed in Berlin, the plenipotentiaries assembled at the Congress in Frankfort were organized as a Plenum of the German Confederate Diet. This body was composed of the Austrian deputy, Count Thun, who presided, the representatives of the four royal Lesser States and Hesse-Cassel, the deputy from the Netherlands to represent Luxemburg, and — scandalously enough — a deputy from the King of Denmark, who was nominally still at war with Germany, to represent Holstein. Austria, as we have seen, had taken no part whatever in the Danish war, and sent an invitation as a matter of course to Copenhagen. The qualification of the Danish deputy, Von Bülow, was challenged by Saxony upon technical grounds, and Bavaria made no effort to conceal her indignation at the presence of the Dane in the Hall of the German Confederation. But the deputy from Hanover, the

hump-backed, witty, and utterly frivolous barrister, Detmold, laughingly cried out: "What! Shall we throw away a royal vote just for the sake of a few Utopian scruples?"

Commissioners of Prussia and of the Union negotiated for several months about their admission into the Congress under the conditions insisted upon. These were now as categorically rejected by the President of the Congress as they had been before by Prince Schwarzenberg. Thus Germany was divided into two camps, which stood in open defiance of each other. The battle had not yet begun, but the two rivals were ready to engage at any moment.

CHAPTER III.

RUSSIAN INFLUENCE.

No other German interest suffered such direct damage through the wretched quarrelling of the two Great Powers as that of Schleswig-Holstein, and in no other case was the interference of the Foreign Powers, invited by the internal confusion of Germany, so detrimental in every way to the future condition of the whole nation. To understand this interference and its consequences, we must here insert a brief sketch of the history of the Holstein question subsequent to the truce of Malmö.

Soon after the ratification of the truce, negotiations for peace were begun in London. Denmark, after rejecting several schemes proposed by England, brought forward (it is said, at the suggestion of Russia) the following proposal, in October, 1848: Schleswig shall, without affecting its indissoluble union with the Danish Crown, form an independent State, separate as well from Denmark Proper as from Holstein, and having its own Ministry and Assembly of Estates; in proportion to its population, it shall contribute to the common expenses of the civil-list, the public debt, the army and navy, and diplomatic affairs; over the remainder of the revenue the Estates shall have control. The objections to this arrangement were palpable: the inhab-

itants of Schleswig did not wish a separation from Holstein; the indissolubleness of their connection with the Danish Crown begged the question of the succession; concerning the appropriation and amount of the common expenses no voice was granted to the Schleswig Estates. Therefore the proposition was very coolly received in Frankfort and in Berlin.

On the other hand, it was impossible to deny the force of the Danish allegation, that an actual union of Schleswig with the German Confederate State of Holstein might have been possible in the days of the old loosely-united German Confederation; but now that Germany was going to become a strongly-centralized Empire, this threatened the Danish Crown with the entire loss of Schleswig. And when, in the course of October, the German National Assembly decided that between German and non-German countries no further bond of connection was allowable than the personal one of a common ruler, Denmark could very reasonably protest that no actual union between Schleswig and Holstein was conceivable unless Germany openly meditated the forcible incorporation of Schleswig.

Russia, therefore, recommended Denmark's proposition most warmly; and on the 12th of December Lord Palmerston laid the new plan before the German Representative in the following abbreviated form: that Schleswig should be independent, in so far that she should have a Constitution separate from that of Denmark as well as from that of Holstein. The most offen-

sive points of the Danish proposal were here omitted ; so that, under the increasing pressure brought to bear upon them by the Foreign Great Powers, the Prussian and then, on the 27th of January, 1849, the Imperial Ministry, accepted the new plan. But the Danes were now unwilling to give up, under any circumstances, the clause about Schleswig's "indissoluble union with the Danish Crown ;" and upon Germany's refusal to admit this, they announced on the 23d of February that the truce was at an end, so that by the end of March hostilities would be renewed.

The arrogant presumptuousness of the Danes was increased by a faithful promise on the part of Russia and France to protect them with arms from German violence ; and perhaps in a still greater degree by the assurance from Vienna that the Austrian Government stood unhesitatingly with the other Great Powers upon the side of the just cause, upon the side of the Danes in their struggle against their rebellious subjects, and that the only reason why Austria refrained from active military steps was that she might the better and the more forcibly use her diplomatic influence in Berlin and in Frankfort.¹

The Germans thereupon sent large bodies of troops into the Duchies under the command of the Prussian General, Von Prittwitz. A new attempt of Lord Palmerston's to bring about a reconciliation was favorably received in Berlin, but rejected both in Copenhagen

¹ This was reported by the English Ambassador at Copenhagen to Lord Palmerston, who showed the Report to Baron Bunsen.

and in Frankfort; preparations for war were renewed on the 3d of April, 1849. We will not follow the military operations in detail, however much glory and martial honor many of the battlefields brought to Germany; for so far as the point at issue was concerned, the blood spilled in these engagements was shed in vain: the settlement of the question could only be determined by the diplomatic relations existing at the time between the different States of Europe.

At the very beginning of the new campaign, the Czar, less inimical than Austria to Germany, sent an autograph letter on the 12th of April to the Danish King, in which he sharply reprovèd the latter's thirst for war, and threatened, in the event of the continuance of such conduct, to withdraw his support. The result of this was the reception in London on the 17th of April of a promise from Denmark to present shortly, and as a preliminary to negotiations for peace, an outline of a Constitution for Schleswig as an independent State; and at the same time a proposal was received, to garrison that portion of Schleswig north of a line connecting Flensburg and Husum during the prospective truce with Danish troops, and the rest of the Duchy with Prussians.

At this point, the paths of Berlin and Frankfort widely diverged. The King had no stronger desire than to get rid of this thorn in his side. "Those Danish affairs," he once wrote to Bunsen, "are a nightmare to me. Every scrap of paper that comes from there has the hue of mummies and the smell of car-

casses. Both parties have fallen upon each other like mad dogs. The victories or defeats of either side pain me unspeakably." Accordingly, the Prussian Ministry urgently requested the Central Government to accept the offered terms, in order not to forfeit the present good-will of Russia.

But Gagern avouched, on the 27th of April, that, after Denmark's declaration of war, the intrinsically false basis of Schleswig's independence must be given up, and the war insisted upon by Denmark must be pursued with all possible vigor. We have already narrated how Prussia at this time refused to recognize the Imperial Regent, and took exclusively into her own hands the question of peace or war with Denmark. So Bunsen, who was too much inclined to war for the Ministry, was relieved of his labors in this field; and the scene of the negotiations, which nevertheless continued to be carried on through English mediation, was transferred from London to Berlin. English influence at Copenhagen succeeded in procuring the appointment of Herr von Reedtz, the most moderate of all the Danish statesmen, to take part in these deliberations, which consequently soon resulted in bringing the parties nearer together.

A general basis of peace was very quickly agreed upon: namely, the legislative and administrative independence of Schleswig. Prussia was willing to put up with Palmerston's additional clause: "without affecting her connection with the Danish Crown;" and Reedtz gave up the word "indissoluble" as applied to

this union. Now it was of the utmost importance to discriminate and to define exactly, which matters of business were to be controlled by Schleswig independently, and which, by virtue of her union with Denmark, were to be considered interests of both countries in common. But in the discussion over these points, differences of opinion and difficulties increased at every step, so that at last Reedtz proposed to defer all questions involving a complete regulation of a Constitution for Schleswig to the final peace-negotiations.

As far as the new truce was concerned, it was soon settled, that it should last until the end of the year, and after that so long as neither party announced its termination. Prussia again admitted the stipulation, that, until the conclusion of peace, Schleswig should have a separate administration; and Denmark, in turn, agreed that this should be intrusted to a mixed Commission consisting of one Prussian, one Danish, and one English member as umpire. She also gave up the military possession of the Duchy; only upon the islands of Alsen and Arrö should there still be Danish troops; in Schleswig, there should be Swedish garrisons north of a line connecting Flensburg and Tondern, and Prussian to the south of it. Denmark dropped also any claim to a share in the regulation of the administration of Holstein; this remained under the viceregency of the Empire.

The truce and the preliminaries of peace containing these conditions were signed on the 10th of July, 1849. Bunsen himself, zealous defender of the Duchies that

he was, confessed that that was the best that could be done under the circumstances. In Germany, however, the effect was crushing. The Viceregency stigmatized the separation of Schleswig as a blow struck directly at the honor of Germany. Only five Governments could be persuaded to ratify the Articles; many more entered formal protestations against them. The German press overflowed in expressions of sorrow and of anger.

It was not until January, 1850, that any conclusions were arrived at either in Copenhagen or in Berlin in regard to Schleswig's future Constitution; and not until then could any final peace-negotiations begin. After Prussia had received from the Commission of the Interim full powers to act in the name of all Germany, these negotiations were directed in Berlin by Herr von Usedom in the name of Prussia, and by Herren von Reedtz, von Pechlin, and von Scheel on the part of Denmark. The English Ambassador, Lord Westmoreland, acted the part of mediator; and the Russian Ambassador, Baron Meyendorff, was constantly present, and assisted with his advice.

Unfortunately, the main question, the practical meaning of the words "Schleswig's independence" and "political union with the Danish Crown," gave rise again to interminable differences of opinion. The Danes wished to reduce the first expression, and the Prussians the second, to the lowest possible terms. The Danes hoped to arrive at a result which should be the first step towards a complete absorption of the

land, while Prussia sought every possible means to hinder the accomplishment of these designs. So they quarrelled and contended over the rights of the Schleswig Estates, over the establishment of a united Council of both countries, over the question whether the citizens of one country should be recognized as citizens of the other, over the organization and position of the Schleswig troops, etc., etc.

At last, on the 17th of April, Herr von Usedom declared that it was impossible at present to settle these points, that in view of their complicated nature many things would still need to be said about them, but that while these things were being said it was by no means necessary for the soldiers to be killing each other: therefore, Prussia proposed the conclusion of a simple peace, with the postponement of all questions relating to mutual rights. Usedom's proposition consisted of three short Articles: in the first place, peace and friendship shall exist between the Kings of Prussia and of Denmark; secondly, all relations between Germany and Denmark shall be renewed, with the understanding that if unsettled questions arise, the state of things before the war shall be taken as the basis for their adjustment; and finally, both royal contracting parties shall reserve to themselves all rights and titles that fall to them in connection with the two Duchies, Holstein and Schleswig; this reservation shall embrace, so far as Germany is concerned, all that the Confederate Assembly has recognized, especially in its decree about the succession, passed on the 17th of

September, 1846. Furthermore, Prussia promised to secure the consent of the other German States to such a treaty.

In the eyes of the greatest portion of the German population such a treaty meant the abandonment of the Duchies to the brutal violence of Denmark. This, however, was far from being the opinion of the Danes. They demanded, in the first place, the conclusion of a treaty, not only with Prussia, but also with Germany, in which Germany should pledge herself, in accordance with the old Confederate Rights and with the oft-repeated promise of Austria, to restore, herself, the monarchical system in Holstein. The Danes had, moreover, expected, after the introduction of the preliminaries, to see their intended arrangements in Schleswig formally recognized, at least in the main features, by Germany; and when Usedom's proposals cut off these hopes, they made such a tenacious resistance, that the talking back and forth on the subject continued for many a long month.

King Frederick William made another of his special attempts, by an immediate act of his own person, high above the heads of his Ministers, to come to some understanding with his royal brother in Copenhagen. It was as unsuccessful as his similar experiment in sending Wildenbruch, at the beginning of the war. Their Majesties did not accomplish any more than Their Excellencies. It could not be concealed, that Prussia's prospects of favor in the eyes of the Great Powers grew worse from day to day.

England, the mediating Power, was the first to express dissatisfaction with Usedom's proposals. "The state of things before the war' shall be taken as a basis?" asked Palmerston. "What does that mean? The Danes proclaim succession in the female line, and Schleswig's union with Denmark: the Germans proclaim succession only in the male line, and Schleswig's union with Holstein." The French Government professed its warm friendship for Prussia, but insisted that this quarrel with Denmark, to whom France had in 1721 guaranteed the possession of Schleswig, must straightway be put aside. The Emperor of Russia expressed himself to the Prussian Ambassador, General von Rochow, whom he honored with his personal confidence, somewhat as follows: he considered Denmark's proposals in every particular equitable, and could conceive of no reason for Prussia's rejection of them; it was true, to be sure, that a simple peace, such as Usedom advocated, would extricate the Prussian Court from all its embarrassments, but Denmark would be left in the midst of her complications, and this would be in every way unfair.

This was now the time when Austria was calling into life the Confederate Diet, and denying to the Prussian Union with increasing emphasis its right to existence. Count Bernstorff reported that Prince Schwarzenberg in his conversations assumed a more and more arrogant demeanor, that he declared the threat of bitter punishment in the name of the Confederation was meant in all earnestness, and that he

painted in the most lively colors the eagerness for war of the Lesser States.

There was already talk about important mobilization of troops in Bohemia (the report sprang from the circumstance that large numbers of the Hungarian militia (*Hónved*), being far from their homes, were being drilled again into Imperial soldiers, — certainly not very reliable material with which to carry on a war, for some time to come). Similar rumors came from Vorarlberg, where fifteen battalions had been collected. Accordingly, the Prussian Ministry, on the 18th of May, ordered some few preparations for defence, such as the fortification of the fortresses in Silesia, and an increase in the equipment of the artillery; and soon afterwards, in response to Bavarian movements in Franconia, small companies of troops were stationed near Wetzlar and Kreuznach.

In consideration of the very great importance to be attached, in the midst of these German complications, to friendly relations with Russia, it was with regret that the Court of Berlin saw these already weakened by the Danish war, and in no way improved by the Czar's disapproval of the Union. As Nicholas was about to make a long sojourn at the palace of Skiernewitsch near Warsaw, it was decided to send the Prince of Prussia to meet him there personally, in the hope of being able through confidential interviews to put an end to all misunderstandings. Major Edwin von Manteuffel should go to meet the Emperor on his journey, and acquaint him officially with the intention

of the Prince to visit him. To this Envoy the King himself, on the 20th of May, dictated instructions, which reveal his sentiments and the tenor of his mind in the strongest light.

The King begins with a justification of his Union, founded May 26th, 1849, which had for its object the protection desired by the small States. The continuance of this protection was to him a matter of personal honor, to which he would never prove false. This was entirely independent of the temporary impracticability of the Constitution. Then follows an exposition of the unlawfulness of Austria's inconsiderate and arbitrary endeavor to revive the old Confederate Diet, to which Prussia could never subject herself. "In regard to the Schleswig-Danish question," he continues, "His Majesty makes a difference between the claims of the Duchies and their rebellion. The latter His Majesty condemns; but the former cannot be annulled by any mistakes that may have been committed. The Kings of Denmark are Dukes of Schleswig-Holstein; and as such, and because of these possessions, they have become Kings of Denmark. As the matter stands to-day, it is certain that in Denmark itself a revolutionary party has seized upon the control of power, and first perpetrated injustice upon the natives of Schleswig-Holstein in their quality as subjects. So far as Prussia is concerned, the King considers it a misfortune that the country is at all involved in the affair, and especially the way in which this was brought about. The times in which this occurred were unpropitious, and now

demand relentlessly the consequences. His Majesty the King has since done everything in his power to set things right. Partly in the interests of Prussia, and partly in order to make good the past, he concluded both truces, and has now offered peace upon conditions honorable for Denmark, but she will not accept it. If the Great Powers should support Denmark with arms against the Duchies, then the King of course would not be able to make war against all Europe, and would immediately withdraw all his troops. He begs the Emperor not to overlook the original relation of the Duchies to their Duke-King, and the encroachments of the revolutionary party in Denmark. This he considers like a poisoned dagger, which at last injures him who uses it."

It is very characteristic of the King, that here, where his conscience is not quite clear upon the point of justice, he declares himself ready to yield to Russia's decision without any reservations, and only subjoins a request for fair treatment of the Duchies; but when he afterwards comes back to his quarrel with Austria, in which he is sure of the righteousness of his cause, he demands quite as unqualifiedly, if Austria attack him on account of the Union, that Russia shall remain neutral. If, however, Russia, in spite of his request, unite with Austria, then His Majesty cannot be blind to the great dangers which must result for Prussia; yet if defeated, he is ready with confidence to leave the justification of his cause to the decision of History.

Several other papers and memorials about the Ger-

man questions at issue were also given to the Prince of Prussia, in which especial emphasis was laid upon the threatening attitude maintained by Austria and the Lesser States.

The prospects of success were unfortunately not very favorable for the royal emissary.

The Emperor Nicholas, a man of a clear but narrow mind, of lively emotions and an iron will, had, as a consequence of a long series of brilliant successes, become filled with a mighty consciousness of his own as well as of his nation's greatness. Ever since the revolutionary upheavals of 1848, he had considered himself and his holy Russia as the repository of monarchical order for all Europe, and consequently as authorized to stretch out his hand in the holy cause, wherever he might help to sustain it in any country on the face of the earth. In his eyes, there was no difference between Liberal and Radical, between Constitutional and Republican: all things that deviated from the system of an absolute monarchy owed their birth alike, for him, to the plague of Revolution.

Although from his early youth he had grown up in warm sympathy with the Royal House of Prussia, and had been filled from the beginning of his reign with a decided antipathy to Austria, yet the mortal struggle of the latter with the Revolution in Italy and in Hungary had commanded his respect, and induced him to give her willingly his assistance. On the other hand, he felt only annoyance and contempt for Prussia, because of the way in which she had compromised with

the Revolution by yielding to a very democratical Constitution, and had even hoped upon this basis to increase her own power in Germany. These proclivities were completely fixed by the respective conduct of the two Powers in the Danish affair. In this question, his unalterable decision had been made at the very outset. Hatred of Revolution, faithfulness to engagements, and the interests of ambition were for him, in this matter, in the same scale.

As for the first point, Augustenburg and his followers were to him without discrimination rebels given over to the pursuit of crime and felony. For the second point: in the last century, Russia had guaranteed to the Danish Royal House the possession of Schleswig; but the Czar, overlooking the fact that this guaranty could not have the least weight in deciding a quarrel over the succession inside of the Royal House itself, for this reason would not suffer different members of the same to reign in Copenhagen and in Schleswig. With well-calculated humility the Danes had referred to him the settlement of the question of the succession, and in this way completely won his patronage. In response, he had conceived the idea of being quite impartial, and of forcing both contestants, the agnates and the cognates, to abandon their pretensions in favor of the plan of placing the crown of United Denmark upon the head of a descendant of the remote Gottorp line, the hereditary Prince of the Duchy of Oldenburg. In regard to this matter, the Czar had been carrying on negotiations with France and England since May,

1850; and the fact that after the extinction of the Oldenburg family the nearest heir to Denmark would be Russia, did not cause his interest in this plan to wane—a verification of the third point. Hence it is easy to understand his anger at Prussia's devotion to the cause of the rebellious Augustenburg and of the revolting Duchies, as well as his satisfaction with Austria's open support of the King of Denmark.

In spite of all these considerations, the Czar was most earnestly desirous to prevent a war between the two Powers, which in his opinion would only further the cause of the Revolution. Here, again, he took the stand of an impartial judge in the highest court of appeal, and declared that he would take up arms against the one who made the attack, no matter which one it was. He enjoined upon Austria the advisability of making every fair concession; and at the same time, did not neglect to assure his royal brother-in-law that Austria's Confederate Diet seemed to him to be of legitimate origin, whereas Prussia's Union was not. He said that he must give his decision in favor of the party that based its conduct the most thoroughly upon the principles of the great treaties of 1815.

Immediately upon the arrival of the Prince, the Czar asked him why he expected hostilities from Austria. The Prince referred to the threatening language of the Austrian note, and to the collection of troops in Bohemia and in Vorarlberg. "Threatening language doesn't prove anything," answered the Czar. "And in Bohemia there are by no means so many troops as is

supposed. Indeed, Austria is not in a condition to carry on a war, unless she has the support of the Russian army. Without that, she could not send her forces into the field; for, at their departure, fresh insurrections would break out at every point. But I," he continued, "have no idea of war. I shall only aid the party attacked — provided, of course, that the aggressors are not morally forced by a provocation to make the attack." "We shall give occasion for nothing of the kind," said the Prince. "What we do is justified by the Articles of the Act of Confederation and of the Compacts." "Do not talk to me about Articles of Compacts, I beg of you," cried Nicholas. "I know nothing of what that means." He further remarked that he was displeased with Austria's policy also. It was too irresolute and too wily; but politically considered, prudent: it sought to gain time.¹

On the very same day, Prince Schwarzenberg arrived, who, having heard of the journey of the Prince, set out himself, with all speed, in order to counteract his influence. In his conversations with Schwarzenberg on the 28th of May, the Prince had ample opportunity to convince himself of the justice of the Czar's verdict. Schwarzenberg asserted that he had not disputed in the least the right of any German Prince to form any Union whatever, but against just *that Union* with its Constitution of the 26th of May he should continue to

¹ This and the following are taken from the communications made by the Prince to his companion, Count Perponcher, and embodied in the latter's Report of May 30th.

make a vigorous protest. The Prince explained to him the duty of Prussia to see that a German Constitution should be established, especially since the whole of Austria had now been transformed into a single State by the Constitution of the 3d of March. "Oh, well!" said Schwarzenberg, "it is true that the Constitution has been granted, but many things may happen to change it. Its execution is still a long way off." In the same strain he talked about the Munich Constitutional Draft. "The best arrangement," he said, "would be for Austria and Prussia alone to decide the whole German question, and to do the legislating for the other German States." He talked with so very little respect for the preservation of the latter, that the Prince roundly declared that the King and he himself were determined under all circumstances to protect the independence of the smaller States.

About the remaining conversations, on the 29th of May, the Prince sent the following statements to Berlin. The Czar will not make any binding promises about his attitude to the German question before the conclusion of the peace with Denmark. Schwarzenberg avoids any discussion in regard to Austria's designs in Frankfort. He speaks favorably of the plan of a new German "Interim," and denies explicitly any warlike intentions upon the Union, although under certain circumstances Austria would be forced to draw the sword. Austria and Russia are opposed to the Union chiefly on account of its constitutional basis. Russia sees in it Revolution. Austria, who will put aside

her Constitution at the first favorable opportunity, sees in the constitutional Union a contagious example for her own people. In Germany nothing is to be done, because Austria could not participate in any positive progressive movement. The Emperor Nicholas actually wishes that Prussia, too, would kill out by a *coup d'état* everything constitutional within her borders.

Thus the august visit was productive of no tangible results other than what has been mentioned: the certainty that the Czar regarded the Union with suspicion, and the revival of the Confederate Diet with sympathy.

The intensity of the mighty ruler's reactionary desires and of his belief that he was intrusted with the supervision of political order throughout all Europe was shown, shortly after the return of the Prince, in an unexampled piece of conduct. In June he invited Count Friedrich Dohna, Commander of the 1st (East Prussian) Army Corps, to be present at an immense muster of troops held near Warsaw. The Count was a serious man of the strictest honor, who had in 1812, for the sake of fighting against Napoleon, exchanged for a time the Prussian for the Russian service, and who had, in consequence, been held since that time in the highest esteem at the Russian Court. To him the Czar proposed one day that he should with his army corps march upon Berlin and force the restoration of the absolute monarchy. The Czar himself would also place four Russian army corps at his disposal for that purpose. Count Dohna at once explained to him briefly

the reasons why such a procedure would be impossible ; to which the Czar replied : " I must respect your arguments ; but mark my word ! It must sooner or later come to that." ¹

Count Dohna considered it his patriotic duty never to acquaint the King with this unheard-of suggestion. Even the report made by the Prince of Prussia about the Czar's longing to see a *coup d'état* carried out in Prussia received not the least attention in Berlin.

Then the Czar urged with more importunity than ever the conclusion of the Danish Peace. He saw, above all, in the instructions given to Major von Manteuffel by the King, strong indications that Frederick William would yield. Nicholas did not feel much concerned about the handful of Democrats in Copenhagen. Appropriate directions were, accordingly, given to Baron Meyendorff, which were to the following effect. Prussia wished to withdraw her troops from the Duchies with the reservation of all her German rights? Very well! Germany had no rights at all in Schleswig; so that that country would not come into consideration. But then, if the Holstein rebels persisted in their unlawful conduct, the Danish troops must be permitted to restore order by force of arms; and if Denmark should not be powerful enough, Russia was willing to help.

When Usedom objected to this on the score that the

¹ Cf. the account of the same by Count Siegmund Dohna (son of the General) in "*Die Dohna's*," Vol. IV., following the note made by his father immediately after the interview.

German Confederation could not suffer foreign troops to enter Federal territory, he received the simple reply, that in that case to the Confederation also belonged the duty to secure in its own territory, with its own forces, obedience to the laws. The King-Duke would then also be ready to propose to the Confederation appropriate measures for the pacification of the Duchies.

It was a cruel choice that was herewith presented to Prussia: she must either see the Duchies overrun by a Russian army, or, after having fought for them two years, see them forced back under the Danish yoke at the order of the Confederation. The Prussian Ministers thought that Russian interference would be the worse evil of the two; for, in the event of the interposition of the Confederation, there might be a possibility, at the same time that the royal authority was established, of preserving for the Duchies their ancient rights. The reports which were received meanwhile from the rest of Europe confirmed this decision.

The Emperor Francis Joseph declared to the King in a memorial of the 20th of June, his horror of a fratricidal war with Prussia, but added, at the same time, that under some circumstances the force of affairs themselves was stronger than the desires of men. Rochow announced from St. Petersburg that in the event of such a German war Russia would under other circumstances perhaps remain neutral, but most certainly would step in and take Austria's part, if the Danish Peace were not already concluded. The English Min-

ister inclined more and more toward the Danish side at every fresh discussion. While all these influences were being brought to bear upon the King, he was almost driven into a state of frenzy by friendly words from Paris, which seemed to him like a satanic temptation.

The Prussian Ambassador in Paris, Count Hatzfeldt, had at this time a lengthy conversation upon the subject of German affairs with Louis Napoleon Bonaparte, who had been on the 10th of December, 1848, to the surprise of the whole world, chosen President of the French Republic. The new potentate was busying his brain with many schemes that embraced in their extent the whole world, schemes which he had brooded over during the years of his exile, of his imprisonment, and of his wanderings, schemes which he had already to some extent laid before the world in his book about Napoleonic ideas. But for the time, he found it still advisable to be very cautious, watched as he was in internal affairs by the jealous and suspicious Assembly, and limited in European matters by the alliance of the three Eastern Powers, which dated from 1814. Nothing, then, could be more to his purpose than such a rupture between Prussia and Austria as had been becoming more and more imminent since the spring of 1849.

At that time, Napoleon sent one of his confidential friends, Mons. de Persigny, to Germany, to study the temper of the two great Courts. Mons. de Persigny in a conference with General von Radowitz told him that Napoleon felt a deliberate and decided preference for

Prussia; that he wished to free Italy from Austrian domination; that as Prussia was striving for the same end in Germany, the two Governments were natural allies; that Napoleon had no ambitions for himself, except that, if public opinion in France forced him to it, he might perhaps ask for Landau or Savoy. Persigny was very politely received and his proposals as politely declined.

He next turned to Vienna, where he likewise hinted at an alliance of France and Austria at the expense of Prussia. But he seems to have had there (on account of the Italian question) even less success than in Berlin; at least, he mentioned afterwards in a letter to Napoleon, that he had told Schwarzenberg, that a Napoleon could not be treated like Louis Philippe: France desired peace; but at the least provocation Napoleon's war-cry would shake the world.¹

Prince Napoleon, meanwhile, preserved his quiet attitude as a spectator. Since Prussia had coolly declined his proffers of good-will, she should be made to feel in a negative way the worth of French friendship. A Prussian proposition to compel Switzerland to extradite political criminals was returned with dignity, and sides were taken with much ostentation in the Schleswig-Holstein question. But yet the Prince had by no

¹ Cf. my *Kleine Historische Schriften*, III., pp. 552, et seqq., in which, however, Persigny's first communication is by mistake said to have been made in 1851, instead of in 1849. Also, Rothan's *Souvenirs diplomatiques* in the *Revue des deux mondes* for May 1st and May 15th, 1889, a very satisfactory article, on account of the numerous quotations from Persigny's Reports during his second mission in Berlin; it is, however, full of incredible mistakes concerning the German situation at that time.

means the intention of completely alienating the Prussian Cabinet. On the contrary, his most ardent desire was, by increasing the arrogance of Russia and Austria, to force Prussia into a war; and that would compel her to make an alliance with France. It seemed to him now, in June, 1850, that the hour for this had come.

He told Count Hatzfeldt, that he had not the least objection to make against Prussia's increasing her power by the formation of a limited Union; that he in every way felt more sympathy with Prussia than with any other Continental Power, because the similarity of culture and of interests between France and Prussia seemed to him to be greater than could elsewhere be found. While Russia and Austria were opposing all the progressive impulses of modern times, Prussia sought to respond to the just claims of these aspirations at the same time that she prevented demagogical excesses, acting, indeed, just as the first Napoleon had formerly done. He said that the great question now was whether it would come to blows in Germany. Many Frenchmen¹ believed that France must in that case remain neutral. For his part, he considered that impossible, especially if Russia took any part in the war. He felt it his duty to remark that certain influential conservative statesmen favored an alliance with Austria, but as for himself, he was much more strongly drawn to the Prussian side. Yet, if Prussia's adversaries promised territorial acquisi-

¹ Among others, according to Hatzfeldt, La Hitte, at that time Napoleon's Minister of Foreign Affairs.

tions to France, of course Prussia would be obliged to do the same, and the most fitting portion of country would be that part of Bavaria lying along the left bank of the Rhine.

At this point, the Ambassador interrupted him by saying: "The least mention of such a wish would be the surest means of making an understanding with Prussia impossible. Prussia's present endeavors are based upon the strength of the national idea; how can she adhere to this principle in her policy and be expected to give away German lands? Moreover, former French Ministers¹ have themselves said that in this connection France ought not to expect any increase of territory; she would actually gain enough from an Austro-Prussian war without any effort of her own. For the Holy Alliance would be broken up, that firm league between the Eastern Powers, which had for a whole generation shut up France within impassable barriers." Napoleon confessed the truth of this, and added that he had made his observation only upon the premise that Austria would offer him portions of Prussian territory.

The report of this conversation struck straight to the heart of the King. He had grown up in the midst of imprecations upon the great French Revolution and its despotic soldier-Emperor. His youth and early manhood had been spent in fraternal alliance with Austria and Russia. And now the nephew of that Arch-enemy offered him friendship and protection if he should become embroiled in a war with his oldest

¹ Hatzfeldt mentions Drouyn de Lhuys and Tocqueville.

friends, in return for prompt payment in the shape of German territory.

It would have been impossible to suggest to the King a stronger motive for avoiding such an unfortunate war. If he should conclude peace with Denmark, Russia would probably be pacified, and this would prevent Austria from risking a war; so that the up-start on the Seine would have no more occasion for interfering.

Accordingly, the Peace was signed, conformable to Russia's demands, upon the 2d of July, 1850, in Berlin, approved by the King upon the 6th, and sent to all the German Governments for ratification. From Usedom's outline the mention of Schleswig was omitted, as well as the reference to the state of things before the war, and the special allusion to the Confederate Decree of 1846. The 3d Article now read simply as follows: The royal contracting-parties shall reserve to themselves all rights that fell to them before the war. Then follows a new Article, the 4th: After the conclusion of this Peace, the King-Duke may, conformably to the Confederate Rights, call for the intervention of the German Confederation to assist him in regaining his lawful authority in Holstein, the King-Duke being required at the same time to disclose his plans for the pacification of the Duchy; if the Confederation refuse its aid, or if the same be ineffectual, the King-Duke may at his pleasure extend his own method of military action into Holstein. A special proviso determined the evacuation of Schleswig by the Prussian and Swedish.

troops. A certain secret additional clause I shall discuss later.

However dangerous this Peace was for the rights of Schleswig-Holstein, and however little honor it reflected upon Prussia and Germany, the people in Berlin drew a long breath as this incubus rolled off their stifled breasts. Without further hesitation and with fresh energy they went to work again upon the German question. On the same 2d of July upon which the Danish Peace had been signed, a despatch was sent to Vienna, in which, considering the unsuccessfulness of the previous negotiations about the "Interim," a new proposition was made to summon all the German Governments to a convention to discuss a definite plan for the constitution of a future Germany. It was also again asserted in the despatch that such a convention could in no way lay claim to the rights and forms of the extinct Confederate Diet.

At the same time, a circular was sent to the College of Princes (of the Union), suggesting, in view of the approaching expiration of the term for which the Provisional Executive was appointed, a prolongation of the same until October 15th, inasmuch as the well-known reasons still existed for deferring the definite establishment of the Union Constitution and a Union Government.

Both of these acts on the part of Prussia were in direct antithesis to the mind and will of Austria; and it would be hard to say just what result Prussia felt justified in expecting from them.

CHAPTER IV.

THE CRISIS.

JUST at this time, Prince Schwarzenberg's eagerness for war had considerably cooled down. In the State itself, the want of money was so pressing that the roll of the regiments had been decreased one-sixth, if not one-third, by extensive furloughs, even in spite of the great anxiety caused by the preparations of Prussia already mentioned. The Emperor Nicholas, too, urged peace and reconciliation. "I have already," he said to Rochow, "impressed it upon the Prince as his most sacred duty to undertake nothing dangerous to Prussia; and now that the Danish Peace has been concluded, Prussia's good-will is openly recognized in St. Petersburg, however many misgivings may be entertained about the details of the Treaty."

In this state of things, the importunate zeal of the Lesser States harassed the Prince daily. They feared nothing more than the restoration of a mutual understanding between Vienna and Berlin at their expense, and tried every possible means of keeping alive the quarrel. To this end, they openly represented the war, the burden of which would rest chiefly upon Austria, as an unavoidable matter of honor. But just by doing this, they conjured up the evil which they sought to escape. We have already heard Prince Schwarzen-

berg declare, in Warsaw, that by far the best plan would be for Austria and Prussia together to make the laws for the rest of Germany. In the same strain he also talked to Count Bernstorff on the 8th of July, when the latter communicated the despatch of the 2d.

“You promise me,” he said, “that the Union Constitution shall not become valid, until it shall have been made consistent with the Constitution of the more comprehensive Confederation: by which you mean, that it must be revised again. It is, then, clear, that in view of the reduced size of the Union, the Constitution of the 26th of May can no longer be applicable. Why don't you, then, acknowledge this fact, for which you are not to blame, and say at once that the Union must receive another Constitution? This would remove the only barrier to an understanding between us. For we have not the least objection to any Union you please to establish. Form offensive and defensive alliances with as many German Princes as you please. Convene for the same in each case a common Parliament. We have nothing to say against it. We say only, that a Union, that in its Constitution announces itself to be, or as wishing to become, the German Empire, in other words, as about to crowd us out of Germany, — such a Union we can under no circumstances suffer to exist.”

Following this explanation, he made the offer of establishing an “Interim,” in which Austria and Prussia alone should form the Executive, but all the German States should share in the legislation, according to the proportion of votes in the old Confederate Plenum.

This should continue in force until the completion of the definite Confederate Constitution. Austria was willing to agree to Prussia's proposition, that the Constitution should be decided upon in a series of open conferences rather than by a body calling itself the "Confederate Diet." "We should be obliged in that case," added Schwarzenberg, "to quarrel a good deal with the Kingdoms; but I think we should finally succeed. I cannot, however, wait very long. I am too much teased by the other States. If I am not soon set at rest by a move on your part, there is nothing left for me to do but to go forward in my own way."

This was no mean offer which he made. In return for the nullification of the Constitution of May 26th, he conceded the equal influence of Austria and Prussia in the Confederation, the exclusion of the Lesser States from the Executive, the renunciation of the system of groups and mediatization of the Petty States, and finally the dissolution of the just resuscitated Confederate Diet. Count Bernstorff urgently recommended its acceptance, and Minister von Schleinitz was also inclined to favor it.

Yet, advantageous as this offer was for Prussia, compared with the old Confederate system, it involved her resigning her hopes for the realization of German Unity under Prussian leadership. In place of the restricted Union and more comprehensive Confederation was to be established the Duumvirate of Austria and Prussia over all Germany. In a restricted Union, Prussia alone would hold the control of German affairs; whereas in

the Duumvirate, both Powers would have like influence upon German politics. In the one case, Prussia's gain would be greater; in the other, without doubt, more easily attainable. If she chose the latter, she needed only to take Schwarzenberg's proffered hand. If the former, she must be prepared for a war with Austria, with the Lesser States, and perhaps with Russia.

The King seems to have wavered for a whole week. At last, an energetic step of General von Radowicz decided the matter. After the Provisional Union Government had been prolonged until October, Count Bernstorff received notice on the 17th of July of the King's announcement that the negotiations about an Interim were broken off, and that he demanded that the discussion over the definite Confederate Constitution should begin at once, and in open conferences; that he had promised to conform the Constitution of the Union to that of the more comprehensive Confederation, which he of course could not do until the latter should exist; that the abolition of the Union Constitution prior to this would signify a humiliation of Prussia to which the King could never subject himself.

When Count Bernstorff laid this message before Prince Schwarzenberg, on the 19th of July, the Prince expressed his extreme regret. He observed to the Ambassador that Prussia's adherence to the Constitution of May 26th made every sort of discussion about the definite Confederate Constitution in open conferences entirely out of the question. Prussia's relinquishment of that Constitution and Austria's abandon-

ment of the revival of the Confederate Diet would have been, he said, corresponding steps toward conciliation. But Austria's honor could not permit one without the other. The promise to conform the Constitution of the Union to that of the Confederation was not enough for him. Inasmuch as the Constitution of May 26th was not applicable to the Union in its present extent, the tenacity with which Prussia nevertheless clung to it proved to him that she wished at a propitious opportunity to bring all Germany within its range. Therefore, he must have some security that Prussia would give this up; and accordingly he should give Count Thun orders to proceed.

On the very same day, a circular was sent to all the German Courts announcing that the executive body of the Confederate Diet, the Close Council, would at once be constituted at Frankfort.

So honor stood against honor. On which side was the subject of dispute worthy of being raised to the rank of a matter that concerned the honor of the State?

In Austria, there was only one opinion. Austria's controlling influence in Germany, whatever became of Germany, was looked upon as a right sanctioned by centuries and as the most important item in the power of Austria. This creed was false; but, as a natural and inevitable sequel to the past, it was unquestioned in Vienna. They were ready to defend this right with their blood: and to such high ends they did not consider the revival of the Confederate Diet too ignoble a means.

In Prussia, the case was quite different. Here, there was no question of defending an old right, but of securing a brighter future for Germany. Nothing could have been more glorious than to succeed in this direction. But it was impossible to close one's eyes to the complete failure of the League of the Three Kingdoms and the subsequent Union. Almost all of the more powerful members had withdrawn, and a large number of the remainder were either very vacillating or wholly unreliable. In the course of a whole year the Union had not yet received a Constitution that could in any legitimate sense be called valid. The Constitution proposed on May 26th had been, to be sure, accepted by the Parliament, but afterwards emphatically rejected by King Frederick William. The Revision made by the Parliament had been, it is true, approved by the King, but evasively criticised by many of the remaining States, and repudiated by others. But upon one point all the participants were agreed: that for neither of the Drafts having in view a German Empire could any use be found in a league between Prussia and a dozen Petty States. And so they lived on in a provisional way, without any solid foundation nor proper basis, and without any visible ground for the hope that this state of things would ever change for the better.

Moreover, while things were in this condition a division arose in the Prussian Cabinet. With the consent of the Minister of War, General von Stockhausen, the motion was brought forward, on the 24th of July, by the Minister of the Interior, Herr von Manteuffel, to

declare the infeasibility of the Constitution of May 26th, to give up herewith the whole Union in its present state, and to offer to the few loyal members a new protective alliance with Prussia. The other Ministers held back somewhat, yet expressed the wish that the unavoidable step might at least be taken as speedily as possible.

But General von Radowitz threw himself with the greatest vehemence in the way of such proceedings.

His reply to Manteuffel's move was embodied in a memorial of July 25th, which brought forward two arguments against the same. The first was, that Prussia in her work for the cause of German Unity was not answerable to the Princes alone, but to the whole Nation as well, and that without a proper Parliamentary vote she had no right thus to announce the nullification of the Constitution. Now, this would have been true enough, if Prussia had occasioned the present status of the Union; but Prussia could not possibly be held responsible for the secession of the larger States and the consequent non-execution of the Constitution. Radowitz now made an attempt to discriminate between non-execution and nullification. He might have properly done this, if the Constitution had ever once become valid and then had suffered a suspension. But this was not so. There was no Constitution. There were only drafts of a Constitution; and so soon as a draft is declared to be impracticable, that is the end of it.

The General's second argument consisted in the assertion that although Manteuffel indeed desired the

dissolution of the Union in the interests of Prussia, yet, after Austria's threatening command to this effect, no soul would believe that, but every one would see in it a subjection of Prussia to Austria's will, which would be inconsistent with Prussia's honor. Very well! If only the danger had not been imminent, that by the prolongation of the quarrel and the further decadence of the Union, Prussia's honor should become more and more implicated, and finally reach the point where she must choose between risking her life in fighting for a worthless object just for the sake of the honor, and the alternative of concluding, on account of the very worthlessness of the object, a forced and dishonorable peace.

Before the end of July, Prussia saw this inglorious choice almost forced upon her.

The King, to whom the thought of giving up the leadership in the Empire was equally painful with that of separating from Austria, continued meanwhile to cling to the quibble about the non-execution or the nullification of the Constitution. "Of course," said he to his Ministers on the 26th, "the difference of opinion among the members will postpone for a considerably long time the execution of the Constitution; but the idea which lies at the bottom of it, the true form of the idea, its legal basis, must not be given up. The foundation may not be used for some time. It may be covered over with earth. But it must not be destroyed. It must be reserved for some more propitious time." Unfortunately, the legal basis which the King seems to have had in his mind did not exist at all. And, moreover,

it is also very clear that abolishing the Union now did not in the least preclude its revival at a more propitious time.

A lively discussion followed, as to whether, and how, and when, the infeasibility at least of the Constitution should be officially announced. Manteuffel wished it to be done at once. Radowitz cautiously urged that it be deferred until October, the expiration of the term of the new Provisional Executive. The King decided, to await, for the present, further movements on the part of Austria.

These followed one after another in rapid succession; and all of them were aggressive.

By special agreements with Coburg and Brunswick, Prussia had taken their contingents into her own army. Austria protested against this upon the basis of the old Confederate military organization. At the request of Baden also, who wished to have her mutinous soldiers disciplined away from home, just as Austria did her Hónveds, Prussia had consented to station the Baden troops in her garrisons, and to send temporarily a like number of Prussians into Baden to take their place. Schwarzenberg protested likewise against this upon the ground of the old Confederate Rights, and even went so far as to command the Austrian Governor of the fortress of Mayence to allow no Baden troops to pass by land nor by water within the limits of his jurisdiction. This sounded very much like open violence. What right had Austria to send orders to Confederate fortresses? What right had she to give directions to German soldiers on her own authority?

Stormy sessions of the Cabinet followed day after day in Berlin. The King did not wish to countenance such encroachments, but first desired to remonstrate with the Vienna Court, and in this matter also to await the action of the Close Council. Radowitz then asked: "What if Prince Schwarzenberg throws overboard all expostulations and propositions? Then there is nothing left but force; and first of all the removal of Austrians from Mayence and Frankfort. In that case, too, in view of the Bavarian position about Aschaffenburg, our corps must be strengthened as much as possible in the neighborhood of Wetzlar and of Kreuznach."

To this, General Stockhausen replied very decidedly that he had no troops of the line to spare for such purposes, and to call out the militia just at harvest time would be very questionable wisdom. Radowitz retorted that if matters stood thus, the whole policy of Prussia hitherto was now no longer tenable. The King intervened and quieted them with promises that a message should be sent to Vienna, and that the military question should be further investigated, which would be sufficient for the present. Within a few days, on the 3d and again on the 5th of August, Radowitz repeated his motions to put themselves in readiness for the event of Austria's refusal. After telling him again that it would be unadvisable just then to call out the Rhenish and Westphalian militia, Stockhausen at last agreed to increase the two outposts by three thousand men. The further request of Radowitz, that the Bavarians, who had collected more than sixteen thousand men near

Aschaffenburg and Anspach, should be kept in check by a corresponding corps stationed at Erfurt, — a step involving no difficulties whatever, — was evaded by Stockhausen with the remark that he would consider the matter further.

The Prussian Cabinet does not seem from this to have been very anxious to draw the sword, with however much truth Radowitz had asserted on the 2d of August the impossibility of carrying the Prussian policy any further without great military preparations. Meanwhile solemn diplomatic remonstrances were sent to Vienna; and Count Bernstorff received instructions to confine himself strictly to official relations, and by all means to avoid holding any confidential conversations with Schwarzenberg.

About the middle of August, one more faint ray of hope broke through the dark clouds of this altercation. Several other considerations were brought to bear upon that angry mood of Prince Schwarzenberg which had led him to reply to the Prussian refusal of his conciliatory offers by the moves just mentioned. These considerations owed their origin to certain phases of the Schleswig-Holstein question.

The immediate result of the Berlin Treaty with Denmark was the discontinuance of negotiations which the Ducal Government of Schleswig-Holstein had hitherto kept up in Copenhagen. The Danes now hoped to succeed easily in quelling the rebels, after they had been abandoned by Germany. But the Ducal Government, which had united with the people in employing

the interval of the truce for organizing all their powers, was now determined to take up alone the struggle against the Copenhagen factions. After the departure of the Prussians, on the 13th of July, the small Ducal army of about thirty thousand men marched into Schleswig. Thereupon, on the 17th, the Danish forces, numbering about thirty-seven thousand, under General Krogh, crossed from all directions the frontiers of the Duchy. After a few skirmishes, the two armies met on the 27th of July, near Idstedt, not far from the Schley.

The Commander-in-Chief of the Schleswig-Holstein troops was the former Prussian General, Von Willisen, a famous theorist in military science, who only a short time before had begged his friend, General von Hess, to send some Austrian officers to Schleswig as spectators. "What I know," he remarked at that time, "I am sure of. But I don't know the extent of my ability, and I should like to test it." The sequel proved that his ability was none too extensive. After General Horst in a victorious assault had already broken through the Danish centre, news came to Willisen that a division of the enemy had gone around him and were in his rear. He was too refined to think of Blücher's coarse reply to a similar message: Willisen lost his head, ordered a retreat, suffered terrible loss, and thus delivered all Schleswig into the hands of the enemy. The latter, however, could not get any farther. Holstein kept her frontier resolutely guarded, and even made several sallies upon the offensive, although without very much success. Denmark had not at hand the means of over-

coming the resistance of these determined and heroic people.

This made the Czar Nicholas the more vehement in demanding, according to Article 4 of the Treaty, the assistance of the German Confederation in the restoration of law and order in the Duchies. But here a peculiar difficulty arose. Of course, nothing could be done upon the ground of the Treaty until the same had been ratified by all concerned. Now, the Prussian Government had in January received from the Central Confederate Commission full powers to negotiate about the peace in the name of the German Confederation, and thereafter to lay the Treaty before all the German States for ratification, — which had in fact been done on the 3d of July. But the Lesser States, who had no longing to relieve Prussia from the Danish shaft which was still sticking in her flesh, now declared that according to the Vienna Final Act of 1820 no one else had authority to decide questions of peace and war than the Plenum of the Confederate Diet at Frankfort, and that to this Prussia must turn.

It lay in the nature of things that Austria as eagerly took the part of her loyal allies as Prussia renewed her protest against the interference of a really non-existent Confederate Diet. Thus the Danish question was directly complicated with the German one; the ratification of the Treaty could not be secured; and much less could Denmark find any representative of that Confederate Power, to whom she was anxiously looking for help in the subjugation of Holstein.

The Czar Nicholas was furious at this unexpected delay in the execution of his ardent wish; and this time he directed his anger chiefly against Austria. To be sure, he said, Prussia might easily enough join the Confederate Diet, which owed its rise to true conservative principles; but at the same time he confessed that Prussia had really done her best to secure the Peace, that with few exceptions the Princes of the Union had already ratified it, and that Austria's refusal to do so was an unfair trick. And also in the subordinate questions which were then subjects of dispute between Berlin and Vienna, the placing of Baden troops in Prussian garrisons and the military agreements entered into by Prussia, the Czar coincided with the views of Prussia: however justifiable Austria's complaints might have been on the basis of the old Confederate Rights, there was no doubt of the expediency of the plan nor that it would conduce to Germany's military strength.

To Prince Schwarzenberg the situation was by no means pleasant. We can readily believe that he was not filled with gratitude toward the Lesser States, at whose instigation he had taken this step that had cost him Russia's good-will. To them there was no great risk in bringing about an open rupture with Prussia; but Schwarzenberg knew very well that without Russia's help, the burden of a war would be very hazardous to Austria, sorely exhausted as she was after the years of the Revolution. Until now, he had had Russia's unqualified approval of his scheme of summoning the Confederate Diet, and only recently had he succeeded

in overcoming the Czar's misgivings about the admission of entire Austria into the German Confederation. It was therefore exceedingly bitter now at the critical moment to find Russia, in consequence of the policy recommended by the Lesser States, upon the Prussian side.

And in many other ways, Schwarzenberg continually suffered annoyance at the hands of his cherished Lesser States. In the very midst of their black and yellow reactionary policy, they were weak enough to make eyes at the Liberal section of their Chambers and of the populace. Hanover, for instance, was unwilling to assist in subduing Holstein; and for the same reason, Bavaria and Würtemberg demanded persistently a popular representation by the side of the Confederate Diet. Influenced by these things, Schwarzenberg came back to the idea of changing the whole system, and of coming to some understanding with Prussia on the basis of governing all Germany in common. Former negotiations had revealed to him Prussia's willingness. It had been only his demand for the abolition of the Union that had spoiled the chances for coming to an agreement.

But now the circumstances were different. By the secession of the two Hesses, the Grand Duchy of Baden was separated from the rest of the Union by large tracts of land; and the actual extent of the Union had been diminishing, until it now included less than a score of the pygmy States of North Germany. The realization of such a Union as that, no matter what its Constitution, could not be any longer the source of much danger.

Hence Schwarzenberg became more kindly disposed toward Prussia. A motion to constitute the Close Council upon the 8th of August, which had been brought forward by one of the Lesser States immediately after the accession of Hesse-Darmstadt, was rejected by the Prince, and the first meeting of the same postponed until the 1st of September.

Inasmuch as Count Bernstorff was forbidden to hold any confidential conversation with him, the Prince now sent the old Aulic Councillor Forsboom, on the 19th of August, to make the proposal to unite upon the following four points: a strong Confederate Executive in the hands of Austria and Prussia; a Confederate legislative body similar in form to the Confederate Diet under the alternating presidency of Austria and Prussia; no form of popular representation in the Confederation for the present; recognition of the Union, provided it should limit itself to North Germany and release Baden from its membership. He did not, however, consider that he had yet bound himself in any way definitely: everything depended in his mind upon Austria's relations with Russia.

Just then he was informed that the Emperor Nicholas, who was no less anxious for a settlement, had sent his Chancellor, Count Nesselrode, and the cleverest of his diplomatists, Baron Meyendorff, to Ischl, where Francis Joseph and Schwarzenberg were temporarily residing, to urge the ratification of the Danish Peace, and to this end a reconciliation with Prussia. The Prince awaited their arrival with composure. If Russia persisted in

her sympathy with Prussia, he could at once come to an understanding with Prussia and would not then need to fear Russia ; if, on the other hand, he succeeded in turning Russia again against Prussia, he could proudly turn his back upon his hated German rival. To win this trick, he had a special high card in his hand.

It will be remembered that a conference had been held in London between Russia, England, and France, over the establishment of a common dynasty for the whole of the Danish territory. It was held at the same time that the Berlin Peace was matured ; and in the latter Prussia had, at the desire of Denmark and Russia, assented to a secret article, in which she gave the apparently harmless promise to take part in the negotiations of that conference.

The King supposed that the rights of the various pretenders would be carefully examined, and their claims and demands listened to and considered, with a view to arriving at some definite result. He was, consequently, more than surprised when his London Ambassador, Bunsen, was invited forthwith, on the 4th of July, to join in the signing of a document, which, in anticipation of all investigation, declared beforehand the indissoluble integrity of the Danish State, and thus begged the whole question. At the order of the King, Bunsen peremptorily refused to sign these papers.

Austria was forced for the sake of appearances to follow this example, but at once gave as her reason for doing so the fact that the document did not expressly state the claims of the German Confederation upon

Holstein. Inasmuch as this difficulty was at once removed in London, Schwarzenberg was able to receive the Russian diplomatists at Ischl with the news that Austria had already signed the document on the 23d of August.

Thereupon, he explained to them further that the Close Council would be in official existence at Frankfurt after the 1st of September, and would be ready not only to ratify the Danish Peace, but also to pacify Holstein without delay; that is to say, by an act of the Confederation to subject the Duchy to the Danish King. In doing this, he went again far ahead of Prussia, whose opinion it was that before any such step could be taken, the announcement of the King of Denmark concerning the form of his intended constitution of Schleswig-Holstein must, in accordance with Article 4 of the Peace, be received and considered.

The Russians were greatly pleased and satisfied with Schwarzenberg's conduct. In the midst of their interview the Prussian reply arrived, stating that the four points proposed were recognized and accepted as a suitable basis for harmonious action. Nesselrode was highly gratified by the words of this message, and was not disturbed when Schwarzenberg explained that it referred to some old propositions that did not concern nor suit the present situation. In short, at the expense of Holstein, at the expense of Germany, the mutual understanding of the two Imperial Courts in making common cause against Prussia was re-established.

The Confederate Plenum, consisting for the present

of eleven States out of the thirty-five, transformed itself on the 2d of September into the Close Council. On the same day the Danish Representative for Holstein made the motion to send an official order to Kiel forbidding any further opposition to the royal troops. Both matters, the ratification and the pacification, were, in the regular order of business, referred to a Committee; and as the South German members, in compliance with the sentiments of their people, had many alterations to propose in the Berlin Peace, it was certain that at least six weeks would pass before a definite Confederate decree would be fixed upon.

The more incomprehensible these last sudden changes in Schwarzenberg's conduct appeared to Prussia, the more energetically did she continue to protest with her associates in the Union against the unlawful body at Frankfort. The King, who had been from the beginning bitter in his feelings toward the Confederate Diet, which had been re-established without his co-operation and in spite of his opposition, now made it a point of honor to uphold the torn banner of the Union and to treat every decree passed at Frankfort as null and void, — in fact, to withstand the same, whenever he could, to the best of his power.

Since Russia continued to urge a reconciliation with Prussia, Schwarzenberg instructed the Representative who acted as President at Frankfort, to prevent the Confederate Diet from passing any act whatever concerning the Union. There was, indeed, no other business for the Assembly to transact; and there was every

prospect that until the report of the Committee on the Schleswig-Holstein matter should be made, it would lead quite as contemplative and quiet a life as Close Council as it had enjoyed hitherto as Confederate Plenum.

At this point, to the German and Danish questions was added a third, which quickly brought to a violent outbreak the quarrel that had now been smouldering for a year. This was the contest over the Constitution in Hesse-Cassel, which had been excited by the Ministry of Hassenpflug.

The Elector Frederick William of Hesse was probably the most wretched prince of his time. By no means without natural gifts, sagacious, shrewd, and possessing a prodigious memory, he grew up withal in the midst of the most scandalous domestic relations. Ill-treated by a profligate father, incited against an excellent mother, and encompassed on all sides by spies, the moral and intellectual side of his nature was stunted in its development, perverted, and vitiated. He filled himself for all time with a misanthropic distrust of humanity. As a Sovereign, he allowed his ministers no independent action, even in the minutest details. Nor was he able himself for weeks at a time to decide any small matter, since behind every motion he suspected treachery. Thus every year found the legislation and administration of the land sinking deeper and deeper into quagmire and stagnation.

Out of his suspicion toward the whole human race there grew a malicious disposition to revenge himself

by trickery and spiteful malevolence upon individuals. The most calamitous circumstance, however, was his unequal marriage, founded though it was upon affection. He saw with inward resentment his numerous family of children growing up with no claim to the throne. Thus the greatest blessing of an hereditary monarchy, the union of paternal love and the duties of a ruler, was in his case converted into the opposite: he felt estranged from his country, and by the side of, or in place of, an interest in the public weal, he aimed at the enrichment of his family at the expense of the dynasty and of the State. Consequently, he vented bitter hatred upon the liberal Constitution of 1831, which protected the public servants from his evil moods, and subjected the finances to the close supervision of the Estates. In 1847, he was already planning to overthrow the Constitution by a *coup d'état*, when he found that his corps of officers would not stand by him; and the old Prince Metternich at the same time explained to him that a Constitution that had been in recognized force for sixteen years could not, according to the principles of the Confederation, be abrogated nor altered except by constitutional proceedings.

Hardly had the Elector swallowed this humiliation, when the great agitation of 1848 reached Hesse-Cassel and wrung from him many popular concessions. He was forced to appoint a Liberal Ministry, who very soon restored order and quiet, but whose life from this time on the Elector succeeded in making as wretched as possible. He hastened to join the Prussian Union

in the hope of securing the guaranty or compensation for his civil list, which had been severely criticised in the Hessian Parliament. But the Union offered no help to such financial projects; on the other hand, he found his sovereign prerogatives even diminished by the functions of the Union Government. After months of sharp dispute, his Ministers still resisted his determination to secede from the Union. Finally, in February, 1850, he dismissed them and summoned to the head of a new Cabinet a man who had already in the thirties fought violent and savage battles for him against the Parliament, and was now employed in the service of Prussia; namely, the President of the Court of Appeals, Hassenpflug.

In order to respond to the summons of the Elector and to obtain his dismissal from the Prussian service, he was obliged to apply in person to King Frederick William. At the same time there was hanging over him a trial for forgery on account of having unlawfully signed a voucher for a small item of expense. What took place in his interview with the King has never been made known. Most probably, he assured the King of his continued love for Prussia, and represented his mission in Hesse as that of purifying the Hessian Constitution from the Democratic rottenness to which the last wild year had given rise. We know that such words would have fully agreed with the sentiments of the King. Certain it is that Hassenpflug received his discharge in spite of the trial, and began his work of forming a Ministry at Cassel.

Here, in memory of his former deeds, he was received, as the curse of Hesse, with an outburst of popular indignation. He did not allow this to disturb him. His very personal appearance revealed his resoluteness of character, — his short, compact figure, sharply-defined features, huge nose, and high bald crown circled by bushy locks. A fanatic in his Ultramontane principles and on the subject of monarchical absolutism, yet inwardly convinced of the righteousness of his cause, he was therefore bold to the degree of audacity, and exalted above conventionalities and the consideration of others. By no means affected by any trace of ascetic contempt for the pleasures of a worldly life, he was rather extravagant than avaricious, though by careless management he often exposed himself to this charge. Added to these qualities, he was an adept in the language of the pettifoggers.

It has been often discussed, whether the abolition of the Constitution or the overthrow of the Union was his end in view, and which he used as a means: the actual fact was, that the one could not be brought about without the other. For, according to the conditions of the League of the 26th of May — of which Hesse-Cassel at the Conference of the Princes in Berlin had professed herself still to be a member in spite of the rejection of the Union Constitution — any quarrel over the Hessian Constitution would have been at once carried before the Court of Arbitration at Erfurt; and the case would have been so clear, that a just trial could have ended only in the defeat of the Elector.

But it stood otherwise with Schwarzenberg's resuscitated Confederate Diet. There the Prince's word had the weight of authority; and this word was, that all the German Constitutions were good for nothing, the only hope for improvement was by military force. Hence Hassenpflug made haste to join the Confederate Diet, and at the same time to excite the quarrel over the Constitution in Cassel, so that the Confederate Diet might at once be provided with an occasion for intervention.

The means he employed were exceedingly simple. From February till September he demanded from the Parliament taxes and other revenues, but obstinately refused to comply with the constitutional condition for receiving the same, which was the presentation of an official Budget, — and this, although it was well known that his Minister of Finance, Lometsch, had already long before drawn up the outline of such a Budget. When, at last, the Estates declined to prolong his dictatorial right to levy taxes, he declared this, in virtue of the so-called Law of Exceptions of 1832 (which, to be sure, the Confederate Diet had annulled in March, 1848), to be an act of rebellion, and the land, which was enjoying the serenest peace, to be in a state of war. The civil authorities, all of whose officials according to the existing laws were held personally responsible for every unconstitutional official act, no matter at whose order it was executed, refused to take part in this violation of the Constitution.

Thereupon Hassenpflug persuaded the Elector on the

12th of September to leave Cassel and to flee with him to Frankfort, there to consult with the Austrian Representatives to the Confederate Diet concerning further movements. On the 17th, he brought the suitable motion before the Diet; and the latter on the 21st, passed a decree demanding from the Government of Hesse-Cassel an immediate statement of the means that were being employed to suppress the rebellion. This was the prologue to chastisement at the hands of the Confederation.

Hassenpflug at once made the police regulations more rigorous, and increased the discretion of the military authorities in arbitrarily dealing with refractory taxpayers and with every civil official in the courts and public offices that refused to perform the duties required of him. But the officers, all of whom had sworn allegiance to the Constitution, began to be suspicious; and when their commander shouted the order to them, gruffly adding: "Whoever will not obey his Commander-in-Chief may take his leave," within twenty-four hours nine-tenths of the whole corps had resigned. The Elector's weapon had broken in his hand. But to his Minister the catastrophe was welcome; for now the Confederate Diet could order foreign troops to inflict its punishment upon Hesse-Cassel, and their help would doubly insure a thorough military renovation of the condition of the Electorate.

This rapid course of events could not but arouse great interest in Berlin. The Confederate Diet, hither-

to condemned to an apathetic existence by being passively ignored by Prussia, now began to display dangerous activity at a point which was, on account of its geographical position, of the greatest importance not only to the Union, but to the very political continuance of Prussia. By the secession of both Hesses, whose example Nassau seemed ready to follow, the Union had been split into pieces.

Prussia could easily put up with the territorial separation of her East and West Provinces under the peaceful *régime* of the old Confederate Diet, when her influence in Cassel was undiminished, and two Hessian military roads with halting-stations secured the connection between Cologne and Berlin. But now it was intolerable that a Confederate Power, inimical to Prussia, should propose to occupy this territory with its forces, although the Sovereign of the same was, in name at least, still a member of the Prussian Union, and also that that Confederate Power should in spite of Prussia's protest set itself up to be the highest authority in the German Nation.

“What do the South German Governments care,” said Count Brandenburg, “for the Hessian Constitution? It is only to humiliate us that they wish to occupy Hesse-Cassel.” A few months later, these words were proved true in Munich. When the Minister, Von der Pfordten, was taken to task in the Bavarian Chamber for his share in the overthrow of the Hessian Constitution, he remarked with cynical frankness: “The Hessian Constitution was a matter of the

utmost indifference to us. All that we desired was the downfall of the Prussian Union."

Prussia had, then, reason enough not to remain idle in view of the movements of Hassenpflug and of the Confederate Diet. Several paths were open to her, in which she could take active steps upon a safe legal basis. For the legitimate solution of the difficulty two methods offered themselves.

The Hessian Constitution itself provided a "Court of Compromises" for all instances of disagreement between the Elector and the Estates; and even those very Laws of Exceptions of 1832 and 1834, to the other provisions of which Hassenpflug himself had appealed, established a Court of Arbitration for just such cases. In Berlin, at this time, Count Brandenburg had temporarily charge of Foreign Affairs, since Herr von Schleinitz, who was very ready in times of peace and good feeling to send polemical notes to Vienna, but who was determined to take no part in any actual quarrel with Austria, had, in view of the present threatening situation, taken a leave of absence. Count Brandenburg, moderate and just as ever, sent a despatch on the 12th of September to the Hessian Government, in which he expressed his regret that the Budget had not been presented, and proposed the restoration of order by referring the matter to arbitration. Hassenpflug flew into a passion as the Prussian Ambassador read the despatch to him, and had the insolence to assert that he had no difference with the Estates, but only with rebellious officers and functionaries.

But the King himself did not wish to pursue this path any farther. It was not the intention of the Frankfort body to overthrow the Hessian Constitution, that had annoyed him in the matter. On the contrary, he considered, precisely as Prince Schwarzenberg, the unanimous resistance of the officers, the civil officials, and the people, to the will of the Sovereign, to be atrocious, heinous, and, as a precedent, in the highest degree dangerous. He shared Manteuffel's opinion, that if such things could happen under the Hessian Constitution, Hassenpflug was quite right in subjecting the same to a thorough revision. The King therefore ordered that in the course of negotiations, no judgment should in any way be passed upon the merits of the dispute over the Constitution in Hesse-Cassel. Nor should any reference be made to the League of May 26th. Once for all the King wished it understood that he would have only voluntary associates. Hesse-Cassel should not be forced to submit herself to the dictates of the Union Compact contrary to her free will.

Yet if, in spite of all this, Prussia wished to prevent an Austrian army from entering Holstein, or Bavarian troops from marching into Hesse-Cassel, still one other course was possible, which the most far-sighted men were already convinced was the only practicable one under the existing circumstances.¹ This would have been to

¹ Cf. Max Duncker: "Vier Monate Auswärtiger Politik." This little book is written with clear political comprehension and discursive talent, although without sufficient information concerning the most important facts.

leave the Union, the provisional arrangement of which would come to an end within a few weeks, lying upon the ground where it fell, and to seek the enemy in their own camp, by joining with all the members of the Union the Confederate Diet at Frankfort, and there to seize upon the management of affairs, — a course which would not have been at all hindered by any of the questions at issue. In the Holstein affair, Bavaria and Hanover would have at once taken sides with Prussia for the sake of the better protection of State rights. Since the King condemned the Hessian Constitution quite as severely as Prince Schwarzenberg, the Lesser States would gladly have left the punishment of the Electorate to him. Whether the future German Constitution should be determined upon in open conferences or in the Confederate Diet was as a matter of fact quite immaterial, since in either assembly the unanimous consent of all the States was necessary to any decision.

In short, had Prussia given this turn to her policy, the prospect was certain of gaining important advantages in all directions. But we already know that the feelings of the King were not equal to it. The arbitrary and tricky conduct of Austria in summoning the Confederate Diet had wounded him too deeply. He felt that Prussia's honor would be dragged in the mud, if, after all his protestations, he should now yield and recognize the unlawful assembly; and how much more so if he should join it! No one of his Ministers would have dared to suggest to him that he was capable of

this. Radowitz supported the King most energetically in his sentiments.

There were, then, two points upon which Prussia felt her honor depended: the maintenance of the impracticable Union Constitution, and establishment of open conferences instead of the Confederate Diet. Unfortunately, the amount of energy expended upon these matters was entirely out of proportion to the intrinsic worthlessness of the objects to be attained.

Herr von Manteuffel had even on the 7th of September, and again upon the 14th, made the most vigorous opposition in the Ministerial Council to the continuance of the Union policy; but after the King had seconded Radowitz so decidedly, he held his tongue. When, on the 21st of September, the first decree had been passed in the Confederate Diet concerning the Hessian affair, Radowitz represented to the Ministry on the 24th the necessity of anticipating every movement of the illegal Frankfort Assembly upon Hessian territory, and urged the taking of the necessary military precautions without delay. None of the Ministers dared to raise any objection, and even General von Stockhausen promised to consider forthwith the matter of equipment and preparations.

On the 26th, Radowitz repeated his proposals in the presence of the King, with the observation that these steps ought to be taken only in case the resolution had been irrevocably made, to carry out the principles at stake under all circumstances and to prosecute the measures once inaugurated with all the means at hand.

The King expressed his approval. Radowitz thereupon took charge himself of the Department of Foreign Affairs, and straightway issued a vigorous protest against all decrees and doings of the pretended Confederate Diet, whose interference in Hesse-Cassel Prussia would never tolerate.

It was soon evident that by these acts the controversy had been transferred to a legally unsafe basis.

Prince Schwarzenberg replied to the Prussian message, by explaining that upon Prussia's own principles of not wishing to force any German Government into the Union, she certainly ought not to prevent those States represented at Frankfort from arranging their own affairs among themselves. If, however, Prussia came forward with such an unheard-of and entirely unwarrantable assumption, then Austria was determined to repel force with force.

Radowitz responded that Prussia for the present pressed no claims against Hesse-Cassel that might arise from the provisions of the Union Compact, but merely wished, as she would if any other State were concerned, to preserve the conditions essential to her own existence, among which were above all things the assurance that Hesse-Cassel and the Prussian military roads, with their halting-stations that lay within the Electorate, should not be occupied by any foreign troops.

This certainly concerned the interests of Prussia; but so long as the guaranteed use of these roads and stations was not interfered with, she had manifestly no legal right to prohibit the sovereign Elector from

temporarily inviting allied troops to enter his dominions, any more than she had regarded Schwarzenberg's protest against the reception of Baden troops in Prussian garrisons and *vice versa*.

In continuance of these negotiations, Radowitz sent word to Vienna that the King was ready to settle all matters under dispute in an amicable way with the Emperor of Austria on the strength of their ancient friendship: the Hessian and Holstein questions by commissioners appointed by both Powers, and the question of the German Constitution by open conferences attended by all the German Governments. These proposals, in which the Lesser States saw themselves again threatened with a subordinate position, called forth bitter resentment in Munich and in Stuttgart. In an outburst of passion, Minister von der Pfordten declared to the Prussian Ambassador that Bavaria would not yield a step, and that Prussia should have war if she wished it. He then ordered fresh equipments and the re-enforcement of the corps stationed at Aschaffenburg.

Hereupon the Prussian Minister of War was at last forced to show some signs of life, even if with the greatest unwillingness. At his request four thousand men were stationed on the 8th of October near Erfurt; but the proposal of Radowitz to let them move forward to the Hessian frontier was not approved by Stockhausen. The division which had been stationed at Kreuznach was removed to Wetzlar, bringing the number here up to ten thousand; and, lastly, thirty-five hundred men were held ready to march at Paderborn.

All these troops were on a peace-footing; and their combined strength was below that of the Bavarian army corps in Franconia. However, Stockhausen said that, if necessary, he could assemble at Erfurt within fourteen days twenty-seven thousand men; but that further preparations seemed to him useless, so long as Austria's attitude was still undetermined.

This uncertainty was removed almost in the same moment. Prince Schwarzenberg had inquired into the opinion held on the Hessian question in St. Petersburg, and had learned with gratification that Emperor Nicholas was indignant at the rebellion of the Cassel officials and entirely approved of the appeal made by the Elector to the Confederate Diet. It was, he said, precisely as judicious as if he himself had dictated the step. Thereupon it was decided in Vienna to go ahead energetically without any regard to Prussia's opposition. The new Prussian proposals about the settlement of the questions by commissioners and conferences were rejected, and the exclusive authority of the Confederate Diet in every particular officially affirmed.

On the 11th of October the Monarchs and Prime Ministers of Austria, Bavaria, and Würtemberg met at Bregenz, and formed an offensive and defensive alliance against Prussia, agreeing to raise an army of two hundred thousand men. At the table, warlike toasts were drunk, and the King of Würtemberg openly declared: "When the Emperor gives the word, we are ready to march." "I am proud," replied the Emperor, "to march against the enemy with such comrades."

Henceforth there could be no longer any possible doubt about Austria's sentiments; and yet Stockhausen showed no signs of any "further preparations." Radowitz himself said that he believed behind those big words of their opponents lay very little thirst for action. Only in one event did he believe war was possible; namely, if Russia also began the offensive against Prussia.

And now General von Rochow announced from St. Petersburg that Emperor Nicholas again planned to make an extended sojourn at Warsaw; it was therefore decided to try again the effect of a personal interview with him with a view to convincing him that in her opposition to the Confederate Diet Prussia was pursuing neither democratic nor revolutionary politics, but only looking after her own interests. For this important mission no less a person was selected than the Prussian President of the Ministry, Count Brandenburg.

In order to meet the views of the Russian Monarch as far as possible, Prussia had made on the 8th of October in the College of Princes the declaration so much talked about, that on account of the great reduction in the size of the Union, the Constitution of the 26th of May, which had been intended for the whole of Germany, had become evidently impracticable, but that it could be suitably modified only after an understanding should have been reached about the constitution of the more comprehensive alliance. Further, it was intended to propose in Copenhagen also the settlement of the Holstein question by a special commission of all

the German Governments, and at the same time to request the Ducal Government at Kiel to abstain from military operations. Lastly, the Elector of Hesse, who with the prospect of the threatened collision between the Great Powers began to fear for his own existence, plainly signified in a letter to the King his wish that the Hessian disorders might be settled by the united decrees of all the German States — which, as we have seen, coincided exactly with the Prussian standpoint.¹

Having all these considerations for a basis of operations, and also provided with a definite proposition concerning the future form of the more comprehensive alliance, Count Brandenburg set out on the 15th of October for Warsaw. He did not give up hopes of success, although the forces collected in Bohemia were daily increasing, and the military divisions of both parties were slowly pushing forward to the Hessian frontier.

Throughout Europe the suspense was breathless. The public mind was convinced that Prussia was determined at any price to gain control of German affairs by driving away in the first place the spectre of the Confederate Diet and by confirming the historical union of Schleswig-Holstein, the good old laws of Hesse-Cassel, and the parliamentary Constitution of the German Nation. As we have seen, it would be hardly possible to imagine a more incorrect conception of the sentiments of the King. Yet there were also some minds that entertained doubts.

¹ Hassenpflug interpreted this afterwards: "The united decrees of all the German States' — that is to say, in the Confederate Diet."

In Hesse-Cassel, the State most immediately threatened, any direct appeal to the Prussian King for his mighty protection had been persistently avoided. The Liberal ex-Minister Eberhard, originally a prudent and sensible Hanau merchant, restrained his friends in the Hessian Parliament from such a step. He said: "Prussia opposes the Confederate Diet in order to protect her own interests. When she has once succeeded in this, she will not move a finger for the sake of our Constitution."