“I Defend Myself, And I Often Capitulate”:

A diplomatic history of Napoleon III’s attempt to purchase the Grand-Duchy of Luxembourg

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Statement of Originality

This work has not previously been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made in the thesis itself.

(Signed)_____ Date: 25/10/2022_____

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ABSTRACT

Napoleon III's attempt to purchase Luxembourg in 1867 and the subsequent diplomatic crisis that unfolded has been remembered by diplomatic historians as one catalyst of the Franco-Prussian War of 1871. However, the affair should be considered as a distinctive event in nineteenth century diplomatic history, rather than a prelude to an inevitable conflict. This thesis explores how Napoleon III's bid to purchase a country was possible under contemporary diplomatic norms and addresses the geopolitical and personal motives for the attempted purchase. Though modern understandings of national sovereignty have become ossified, the Luxembourg Affair suggests historical understandings of sovereignty and nationality were more flexible. Through an analysis of French diplomatic sources, such as official and personal correspondences, treaties, conventions, and diplomatic protocols, this thesis argues that previous scholars have both minimized Napoleon III's role in the event as well as the event itself. Napoleon III's attempt to purchase Luxembourg, and the subsequent Luxembourg Crisis serves as a microcosm of the wider themes of the 'long nineteenth century'. Such themes include the introduction of politics of nationalism into French foreign policy considerations, the creation & negotiation of the limits of the nation-state, and the mobilization of competing notions of sovereignty. The nation-states of France and Prussia negotiated the utmost limits of justifiably French or German lands and people during the nineteenth century. Representing both German and French national interests, the Luxembourg Affair helps to explain the emergence and solidification of the nation state by embodying a conflict between nation-states over a 'borderland'.

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This thesis is dedicated to Mum and Nan,

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TABLE OF CONTENTS

INTRODUCTION

On September 30th, 2022, Russian President Vladimir Putin gave a speech in which he unilaterally declared the annexation of four Ukrainian oblasts – Luhansk, Donetsk, Kherson, and Zaporizhzhia. This announcement was made following a series of disputed plebiscites in Russian-occupied Ukraine, with voters being asked if they approved of their oblast being incorporated into the Russian Federation.[1] However, these referendums have been condemned as illegal under international law and as violations of the United Nations Charter.[2] Additionally, these plebiscites have been internationally denounced as "sham referendums" and considered undemocratic.[3] United Nations Secretary General António Guterres stated these referendums could not "be called a genuine expression of popular will".[4]

Yet, Vladimir Putin made appeals to both the United Nations charter and national self-determination in his speech. As he argued:

> It is undoubtedly [Russians living in Ukraine] right, an inherent right sealed in Article 1 of the UN Charter, which directly states the principle of equal rights and self-determination of peoples.[5]

Ukrainians have made the same argument. Appeals to popular sovereignty, in other words the right of populations to self-determine, have underpinned and undermined Russian claims to legitimacy.

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[1] *Bloomberg*. 23 September 2022. https://www.bloomberg.com/news/articles/2022-09-23/russia-stages-referendums-to-annex-occupied-ukraine-lands
[2] *UN News*. 27 September 2022. https://news.un.org/en/story/2022/09/1128161
[3] *France 24*. 23 September 2022. https://www.france24.com/en/tv-shows/talking-europe/20220923-eu-s-top-diplomat-josep-borrell-slams-sham-referendums-held-by-russia-in-ukraine
[4] *UN News*. 29 September 2022. https://news.un.org/en/story/2022/09/1129047
[5] Presidential address on the occasion of signing the treaties on the accession of the DPR, LPR, Zaporozhye and Kherson regions to Russia: http://en.kremlin.ru/events/president/news/69465

This thesis is not primarily concerned with the current Russo-Ukrainian War, nor with the legitimacy of these annexations. However, it explores a similar episode of international tensions. In 1867, Napoleon III, then Emperor of the French, offered to purchase the Grand-Duchy of Luxembourg from King William III of the Netherlands. This event became known as the Luxembourg Affair. The 2022 Russian invasion of Ukraine was justified in much the same terms as those used by statesmen at the time of the Luxembourg Affair. The most relevant of these to this thesis are geostrategic considerations, invocations of nationality, and the mobilization of notions of sovereignty.

The Luxembourg Affair arose in 1867 over Napoleon III's attempted purchase of the Grand-Duchy of Luxembourg from the Dutch King William III. During the course of the Congress of Vienna of 1815, sovereignty over the Grand-Duchy of Luxembourg was awarded to William I, King of the Netherlands.[6] Originally integrated as a province of the Kingdom of the Netherlands, the Belgian Revolution of 1830 saw Dutch control of Luxembourg take the form of a personal union, rather than integral state of the Netherlands. The Grand-Duchy of Luxembourg, at the time of the attempted purchase in 1867, was home to an impressive series of fortifications known collectively as the Fortress of Luxembourg.[7]

Following the Second Schleswig War of 1864, national tensions in Germany had made a war between the Kingdom of Prussia and the Austrian Empire likely. In an effort to ensure French neutrality in the event of a German war, Prussian Prime Minister Otto von Bismarck made suggestions of French aggrandisement in Belgium and Luxembourg to Napoleon III in exchange for neutrality. These secret negotiations, held on the 4th of October 1865 at Biarritz, encouraged Napoleon to acquire Luxembourg, and to offer compensation to

[6] Congrès de Vienne (1814/1815). *Acte du congrès de Vienne du 9 juin 1815, avec ses annexes.* Imprimerie Impériale et Royale, Vienna. 1815. Article LXVII. P. 55-56.
[7] Metternich to Rechberg-Rothenlöwen, 26th November 1859, in *Conversations with Napoleon III,* p. 175-76

William III, the King of the Netherlands, for this loss of territory. The French offer of five million guilders for Luxembourg was accompanied by a French guarantee over Dutch Limburg, as the Dutch feared Limburg would be claimed by Prussia. The Dutch had previously attempted to have Luxembourg join the North German Confederation, headed by Prussia, but Bismarck had declined. The Dutch agreed to French offer on March 30th, 1867, owing to financial troubles and a disinterest in keeping the Grand-Duchy. The treaty confirming the sale was to be signed on April 1st.

However, William III insisted that the sale was to be conditional on Prussian agreement; the nature of this condition ensured the secret offer was to be made public, and German public opinion was outraged at the prospective selling of German territory – Luxembourg had previously been a member of the German Confederation. Bismarck, despite previously agreeing to the purchase, reneged Prussian agreement on March 30th, 1867, offering the renouncement of any Prussian claims to Limburg. When news of the purchase leaked to the German press, Prussian Chancellor Otto Von Bismarck threatened war if the purchase went ahead.[8] In order to prevent war, the Second Treaty of London (1867) was organized and signed by the representatives of all of the Great Powers of Europe. Luxembourg was to be neutralized, much like Belgium was in the First Treaty of London (1830). Additionally, the great fortifications of Luxembourg were to be dismantled, and the Prussian garrison stationed in Luxembourg was withdrawn. The crisis over Luxembourg was resolved during this conference, though Franco-German tensions would spill over three years later. The German annexation of another Franco-German borderland, Alsace-Lorraine,

[8] Lord Cowley to Lord Stanley, 12th April 1867, in *Conversations with Napoleon III*, p. 331-332

generated a powerful revanchist movement in France. French and German contests over the region continued through the end of the Second World War.[9]

While the Luxembourg Affair appears to have been inconsequential, the incident invites questions. Why did Napoleon III attempt to buy Luxembourg? What value did such an acquisition hold, especially at the cost of five million guilders? For Napoleon III, ownership of Luxembourg and its fortress would help to guarantee France's north-western flank against the newly formed North German Confederation.[10]

Bismarck initially agreed to Napoleon's purchase, but then recanted under the pressure of popular opinion. Bismarck claimed German national sentiment would not "agree now to the separation in any form of Luxembourg from Germany or to the evacuation of the fortress".[11] But why did the Germans think Luxembourg was German, or part of Germany? What did it mean to be German at a time when the political state of Germany did not yet exist? Did Napoleon and the French consider Luxembourg German? What about the Luxembourgers themselves? The people of Luxembourg spoke what was considered a dialect of German, and yet the language of the law was in French. Contemporary national unification movements in Italy and Germany prompted questions of the nationality of Luxembourg, and how best to determine this nationality.

Additionally, to modern ears and eyes, the idea of purchasing a country seems quite outlandish. What does such an attempt tell us about contemporary understandings of

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[9] Carrol, Alison. *The Return of Alsace to France, 1918-1939*. Oxford University Press, 2018; Dunlop, Catherine Tatiana. *Cartophilia: maps and the search for identity in the French-German borderland*. University of Chicago Press, 2015.

[10] Circular by Moustier, 15th April 1867, in *Archives Diplomatiques,* II, 1867. P 824-826; Lord Augustus Loftus to Lord John Russell, 19th April 1860, in *Conversations with Napoleon III*, p. 377-78; Cowley to Stanley, 10th August 1866, in *Conversations with Napoleon III*, p. 304

[11] Bismarck to Goltz, Paris, 9th April 1867, in Oncken, Hermann, ed. *Die Rheinpolitik Kaiser Napoleons III 1863-1870,* 1926, vol. II, no. 400, p. 283. Cited from Böhme, Helmut. *The foundation of the German Empire: select documents*. London: Oxford University Press, 1971. Document 132b. p. 188

sovereignty, and what price it could be bought at? The fortress of Luxembourg was garrisoned by Prussian soldiers, one factor which prompted disputes over the nature of Luxembourgish sovereignty and the legality of the garrison.[12] Were there any similar examples of states being bought and sold at the time? In light of these questions, the thesis endeavours to explore the diplomatic history of the Luxembourg Affair, and the implications of the incident.

Despite the importance of the Luxembourg Crisis to our understandings of Napoleon's foreign policy, conceptions of nationality and nineteenth century notions of sovereignty, an intensive analysis of Napoleon's role in the Affair, and his reasons for doing so, has yet to be written.

LITERATURE REVIEW

This thesis is primarily concerned with the foreign policy of Napoleon III and uses the example of the Luxembourg Affair to explore the larger themes and tendencies of Napoleon's foreign policy. The state of the field, namely diplomatic histories of Napoleon's foreign policy, has been populated with insightful works, yet has witnessed a distinct lack of scholarly attention in the past decades. This is especially the case for studies of Napoleon's European policies. A caveat exists to this statement only in the treatment of Napoleon's Mexican expedition; the Mexican foreign policy adventure continues to receive frequent and insightful study.[13] The reasons for this focused attention on Mexico may either be due to its proximity to the United States, captivating the attention of American scholars, or due to the popularity of colonial and post-colonial discourses.

[12] Tornaco to Perponcher, June 23rd, 1866, in *Archives Diplomatiques,* II, 1867. P. 778-779; Moustier to Baudin, 28th February 1867, in *Archives Diplomatiques,* II, 1867. P. 791-793

[13] See Cunningham, Michele. *Mexico and the foreign policy of Napoleon III*. Springer, 2001; Wilson, E. R. "Napoleon III and Mexican Silver." *The English Historical Review* 116, no. 468 (2001): 993-99; Greenfield, Jerome. "The Mexican Expedition of 1862–1867 and the End of the French Second Empire." *The Historical Journal* 63, no. 3 (2020) : 660-685.

Chronologically, one of the earliest historical works concerning the Luxembourg Affair is Gustave Rothan's *L'Affaire du Luxembourg*, a six-part series published in the journal *Revue des Deux Monde*s in 1881. This series would be collected and published as a single book, *L'Affaire du Luxembourg: le prélude de la guerre de 1870,* which positioned the Luxembourg Affair within a larger narrative of Franco-Prussian tensions, culminating in the war of 1870.[14] Whilst considering the Luxembourg Affair in the scope of larger Franco-Prussian tensions, Rothan neglects to contemplate the Affair as a unique, singular event. Rothan worked both as a diplomat at the time of the Affair, serving as Consul General in Frankfurt in 1867, and later a historian, publishing a variety of diplomatic histories of the Second Empire. For those living at the time of both the Luxembourg Affair and the Franco-Prussian war, the latter would be likely to be remembered as monumental.

Historians have differed in approaching the *raison d'etre* of Napoleon's foreign policy. One such intellectual trend began with Hermann Oncken's *Die Rheinpolitik Kaiser Napoleons III*.[15] Oncken argued Napoleon's attachment to the principle of nationalities was a mere ideological blind, and contended Napoleon instead sought to purse the traditional French policy of annexing the Rhineland. Specifically, Oncken argued that the French Emperor's motivation for his German policy was primarily to obtain annexations along the Rhine. Paul Bernstein's *The Economic Aspect of Napoleon III's Rhine Policy* built upon Oncken's thesis, arguing that Napoleon, well-regarded for his interest in French industrial and economic development, sought the Rhineland for the economic value of its coalfields.[16] Bernstein emphasized the value of the coalfields located in Saarbrucken, and introduced the

[14] Rothan, Gustave. *L'affaire du Luxembourg : le prélude de la guerre de 1870*. Lévy, 1884.
[15] Oncken, Hermann. *Die Rheinpolitik Kaiser Napoleons III von 1863 bis 1870 und der Ursprung des Krieges von 1870-1871* (Stuttgart, 1926)
[16] Bernstein, Paul. "The Economic Aspect of Napoleon III's Rhine Policy." *French Historical Studies* 1, no. 3 (1960): 335-347.

concept of *le petit Rhin*, a limited area that included Saarbrucken, Sarrelouis, and Landau, correlating to the French frontier of 1814.

Oncken's assertion that the principle of nationalities hardly influenced Napoleon's foreign policy proved problematic for some historians. Ann Pottinger Saab's *Napoleon III and the German Crisis, 1865-1866* rejects the Oncken thesis, asserting Napoleon's sympathy towards nationalism played a larger role in his German foreign policy than the annexation of the Rhine did.[17] Following Pottinger's arguments, we can see a historiographical tendency begin to emerge, one which emphasizes the role of Napoleon's principle of nationalities in his foreign policy. William E. Echard's *Napoleon III and the Concert of Europe* is a key foundational text for this thesis, as he developed and expanded Pottinger's earlier argument of the relationship between the principle of nationalities and Napoleon's German foreign policy. While Pottinger limited her scope to Napoleon's conduct during the German Crisis of 1865-166, Echard extended Napoleon's principle of nationalities across the entirety of his political career, starting his election in 1848 and ending with his fall in 1870. Echard's work broke with a historiographical tendency to present the foreign policy of Napoleon III as incoherent, one lacking any defining characteristics over the course of two decades of rule. Echard instead asserts Napoleon's foreign policy was driven by two guiding principles throughout both his time as Prince-President and Emperor. In Echard's conceptualization, these principles consisted of firstly advocating the solving of international disputes through the Concert of Europe, or a sense of European community and action.[18] The states of Europe were to meet and deliberate on political solutions in cooperation. These political solutions were to supervise the changes that circumstances had made inevitable, such as the rise of nationalism in Europe during the nineteenth century. Echard uses the term 'concert'

[17] Pottinger, E. Ann. *Napoleon III and the German Crisis, 1865-1866*. Vol. 75. Cambridge: Harvard UP, 1966.
[18] Echard, William E. *Napoleon III and the Concert of Europe*. Louisiana State University Press, 1983.

interchangeably with the idea of a diplomatic congress or conference, and he successfully traces Napoleon's many attempts to propose these international meetings to solve the political issues of his time. Secondly, Echard also emphasizes Napoleon III's dedication to the 'principle of nationalities,' advocating for the self-determination of nation-states as the basis for legitimate rule. However, an exact definition of this national principle is hard to come by in Echard's work. The lack of a concrete explanation of the 'people' expressed by Napoleon's principle of nationalities has led to questions of ambiguity regarding what is inferred by a 'nation'. Where did Napoleon consider the exact limits of a given nation-state to lie? In broad terms, Echard does not interrogate diplomatic documents to delineate an answer to this question.

A more recent work on Napoleon's foreign policy is Michele Cunningham's *Mexico and the Foreign Policy of Napoleon III*.[19] Her work focuses on the Mexican Expedition (1862-1867), in which she extends Echard's arguments of Napoleon's national principle. Specifically, the idea that Napoleon's foreign policy was formulated in his earlier writings, such as *Des Idées Napoléoniennes*, and translated to desiring a European association characterized by complete nationalities. While applicable for a European foreign policy, extending this line of reasoning to Napoleon's Mexican adventure presents difficulties; namely the differing conceptions of race, nationality, and the fact that Mexico already enjoyed self-determination.[20] Nevertheless, Pottinger's, Echard's and Cunningham's work can be understood as an opposing historiographical strain to that of Oncken's; the former strain emphasizes the ideological attachment Napoleon held to the principle of nationalities, and the role of this ideology in his foreign policy. The latter strain emphasizes Napoleon as a

[19] Cunningham, Michele. *Mexico and the foreign policy of Napoleon III*. Springer, 2001.
[20] For more on the conflicts between Napoleon's non-European endeavours and their conflicts with the principle of nationality, see: Carroll, Christina. "Imperial ideologies in the Second Empire: the Mexican expedition and the Royaume Arabe." *French Historical Studies* 42, no. 1 (2019): 67-100; Murray-Miller, Gavin. "A conflicted sense of nationality: Napoleon III's Arab Kingdom and the paradoxes of French multiculturalism." *French Colonial History* 15 (2014): 1-38.

politician unbeholden to any ideological principles, intent upon possession of the Rhine. This thesis will adopt the positions argued by Pottinger, Echard and Cunningham.

Echard's imprecision around 'the nation' prompted me to consider the Luxembourg Affair in the light of recent scholarly and historiographical developments. A valuable line of inquiry into Napoleon's principle of nationalities, and into larger understandings of nationality in the nineteenth century, lies in the implications of Benedict Anderson's *Imagined Communities*.[21] Anderson's underlying argument is that nationalism arose with modernization during the late eighteenth century, continuing throughout the nineteenth and twentieth centuries. While Anderson's particular focus lay on the role of print technology, his assertion that national identity is a constructed process, rather than an inherent quality, has guided this thesis. Anderson is but one prominent voice dealing with the wider discussion about rise of nationalism alongside modernization; others include Ernest Gellner and Michael Hechter.[22] Following from this notion, the construction of nationality could be understood more fully as a process in nationally contested areas, such as borderlands. Alexander Diener and Joshua Hagen's *Borderlines and Borderlands: Political Oddities at the Edge of the Nation-State* situates these borderlands as frontiers of nation-states, where the political boundaries of the state were supposed to coincide with cultural boundaries of the nation. Yet, these cultural boundaries were fuzzy at best, and thus nation-states took effort to delineate and construct national identities for those living in the borderlands. Peter Sahlin's *Boundaries: The Making of France and Spain in the Pyrenees* specifically analyses the development and construction of national identities in the 'borderlands' between France and Spain. Sahlin's work provides a parallel for my analysis of Luxembourg as a Franco-German

[21] Anderson, Benedict. *Imagined communities: Reflections on the origin and spread of nationalism*. Verso books, 1983

[22] Gellner, Ernest. *Nations and Nationalism*. Cornell University Press, 1983; Hechter, Michael. *Containing nationalism*. OUP Oxford, 2000.

borderland, and the attempts to claim and construct competing national identities in Luxembourg.

METHODOLOGY

This thesis, while not a diplomatic history in a traditional sense, utilizes both the approach and source material that one would find in a diplomatic history.[23] As diplomatic history revolves around the interactions between states and state-officials, and as the Luxembourg Affair was largely limited to diplomatic interactions, I have adopted the approach of diplomatic history. A traditional diplomatic history typically involves a chronological, narrative-based structure, while this thesis takes an analytical and argumentative structure. My approach uses the methodology of diplomatic history through a lens of national construction. The reason for this approach is due to the popularization of modernization theory in theories of nationality, namely that nationality is a constructed process, rather than an intrinsic quality. However, this approach is nuanced by reading each source carefully for mentions of geostrategic considerations, constructions of national identity, and contemporary notions of sovereignty.

This thesis employs a variety of French language sources in addition to English language material. The vast majority of primary source material for this thesis has come from the French language publication *Archives Diplomatiques*; a collection of diplomatic sources, including official correspondences, treaties, conventions, and diplomatic protocols, published quarterly from 1861 to 1914.[24] Additional material published in *Les Origines diplomatiques*

[23] Otte, T. G. "The inner circle: what is diplomatic history? (And why we should study it): An inaugural lecture." *History* 105, no. 364 (2020): 5-27; Schweizer, Karl W., and Matt J. Schumann. "The revitalization of diplomatic history: renewed reflections." *Diplomacy and Statecraft* 19, no. 2 (2008) : 149-186.

[24] *Archives Diplomatiques : Recueil mensuel international de diplomatie d'histoire et de droit international.* Amyot, Paris, 1861-1914.

de la guerre 1870-1871 (1910-1932) have bolstered the French archival material examined.[25] The explicitly diplomatic source material, such as the *Archives Diplomatiques* or *Origines*, have been supplemented by other French language source material, such as Napoleon's own writings, and European newspapers. My approach to French archival material has involved a heavy amount of translation, and all French language extracts contained within this thesis have been translated by myself, aided by the use of digital software to ensure accuracy and diligence.

Moreover, the English language *Conversations with Napoleon III,* a collection of diplomatic documents edited by Sir Victor Wellesley and Robert Sencourt, has provided me with accounts from British and German diplomats and statesmen.[26] Each chapter analyses similar diplomatic material, but through the respective lens of geostrategic considerations, constructions of national identity, and contemporary notions of sovereignty. Reading these sources 'along the grain' allow me to answer questions of Napoleon's foreign policy, nationality, and sovereignty by mapping state activities and attitudes. However, it must be acknowledged that the material contained within *Conversations*, though useful, is problematic. Issues regarding the authorial intent of Wellesley and Sencourt can be best described as apologetic and are presented in such a way to invoke sympathy for Napoleon III. Additionally, many of the extracts rely upon the perceptions and perspectives of others around Napoleon III, and Napoleon's views on nationality that are presented by these extracts may be coloured by these preoccupations. How can these extracts, therefore, be trusted? Some of these documents, furthermore, are translated, which may obscure the intended meanings of the original French. This is crucial to acknowledge when dealing with diplomatic sources, where wording may be critical. No source is without issues, and

[25] *Les origines diplomatiques de la Guerre de 1870-1871*. 29 vols. Imprimerie Nationale, Paris, 1910-1932.
[26] Wellesley, Victor, and Robert Sencourt, eds. *Conversations with Napoleon III: a collection of documents, mostly unpublished and almost entirely diplomatic*. E. Benn, limited, 1934.

Conversations is no exception. A similar acknowledgement must be made of Emile Ollivier's *L'empire Liberal*, which while providing many intimate accounts of Napoleon III and his thoughts, is marred by the discrepancy between the period of which is writing about, and the publication of his account. This discrepancy is between twenty-five to forty-eight years following his time as Napoleon's Prime Minister and must be acknowledged. Additionally, Ollivier's *L'empire Liberal* may have served to provide self-justification for his role in the disaster of the Franco-Prussian war.

Nevertheless, despite these limitations, the use of these sources in this thesis is justified by merit of congruency with the earlier writings of Napoleon III, such as the *Œuvres de Napoléon III* and *Des idées Napoléoniennes.* This is particularly relevant regarding Napoleon's *principe des nationalities*, as many of these extracts can be corroborated with Napoleon's early writings. Additionally, Napoleon's lack of training as a diplomat or a statesmen precluded him from speaking in the way many contemporary professional diplomats conversed, and possibly allowed him, in his inexperience, to speak with more freedom and frankness.

STRUCTURE

In order to address these gaps in the historiography, this thesis is divided into three chapters. The first chapter situates the Luxembourg purchase within a larger political discussion about the natural borders of France, particularly around French ambitions over the Rhineland. Napoleon III, heir to Napoleon I, undoubtedly had to contend with connections between a French Rhineland and his uncle's empire. However, the rise of nationalism in Europe during the nineteenth century complicated such calls, and Napoleon III adjusted French border ambitions to accommodate national sympathies. Napoleon augmented traditional French foreign policy aims with an ideological 'principle of nationalities' and

advocated for national self-determination in Europe. He would revoke the egregious claims of his uncle's empire, opting instead for geostrategically sound and incontestable borders, based around the acquisition of the mountain passes of Savoy and Nice, and the fortress of Luxembourg. I consider the usage of the French term *réunion* in both the Treaty of Turin (1860) and the draft treaty for the purchase of Luxembourg as intentionally denoting a re-union of these areas with France, establishing a political and national legitimacy.

The second chapter investigates the national claims made by both France and Prussia to Luxembourg during the Luxembourg Affair. I provide a distinct perspective of Luxembourg as a Franco-German national borderland and investigate the competing national claims to Luxembourg. Napoleon's *principe des nationalités* was informed by a particularly French conception of legitimate nationalism, which was established in the will of the people to self-determine. I consider Napoleon's preferred method of extrapolating the will of the people, as he saw it, through plebiscitary measures, a common feature of his domestic politics and foreign affairs. I also establish the German conception of nationality, which conversely emphasized cultural and ethnic signifiers, especially language. I analyse the role of German language maps, or *Sprachkarten*, in helping to visualise language borders in Europe, and the territorial claims associated with these language maps. Scholarly readings of the diplomatic papers concerning the Luxembourg Affair, and Napoleon III's foreign policy at large, have previously accepted a lack of ambiguity regarding national character. In contrast to this, I nuance my readings of these diplomatic papers with a look towards contemporaries making contestations of nationalities or considering national identity as an extrinsic process. The perspective of those living in Luxembourg at the time is presented to ascertain the feeling of the Luxembourgeois people on the national question.

In chapter three I consider how France and Prussia mobilized competing notions of sovereignty in order to further their claims on the Grand-Duchy during the Luxembourg

Affair. I explore the Prussian occupation of Luxembourg to establish the contemporary notions of sovereignty and legality in the decades prior to the Luxembourg Affair. I show that the dispute over the legality of this occupation reflected a larger dispute over the legitimate source of political sovereignty in the nineteenth century. The attempted purchase of Luxembourg in 1867 finds a parallel in the purchase of Lauenburg by Prussia two years prior, a significant comparison which offers potential for future research. This comparison has been understudied but offers significant possibilities for understanding competing notions of sovereignty. In comparing the purchases of Lauenburg and Luxembourg, I argue that the practice of purchasing territory was not considered unusual. However, differences between the two purchases lie in the framing both France and Prussia presented to justify these purchases, which suggested two distinct understandings of sovereignty. Prussia justified the purchase of Lauenburg by deploying dynastic and monarchical claims, deriving sovereignty from a dynastic principle. France, by contrast, justified the purchase of Luxembourg by appealing to popular sovereignty, rather than dynasticism. Sovereignty, for Napoleon, was derived from the *volonté nationale* and was to be ratified through plebiscitary consultation.

How could, and why did, Napoleon III attempt to purchase Luxembourg? Furthermore, what does this attempt reveal about Napoleon's foreign policy, and nineteenth-century notions of nationality and sovereignty? Previously, the distinctive implications of the Luxembourg Affair have been overlooked in diplomatic history. This thesis' unique perspective on the Luxembourg Affair addresses the existing historiographical gap. In light of recent global events, with nationalism and geostrategic concerns rife in the world, this thesis has real-world significance in discerning the origins of popular sovereignty, and Napoleon's principle of nationalities.

CHAPTER ONE: NAPOLEON III, THE RHINE, AND GEOSTRATEGY

Yes, the Rhine is a noble river – feudal, republican, imperial – worthy, at the same time, of France and of Germany. The whole history of Europe is combined within its two great aspects – in this flood of the warrior and of the philosopher – in this proud stream, which causes France to bound with joy, and by whose profound murmurings Germany is bewildered in dreams.[27] Victor Hugo, *The Rhine*

INTRODUCTION

The attempted purchase of Luxembourg in 1867 must be read in the context of a larger debate about the *frontières naturelles de la France* – the natural borders of France. This chapter traces the justifications and ambitions for French territorial expansion in Europe during the nineteenth century and will determine which areas the imagined 'natural borders' of France included, and how the French understanding of these borders changed over the course of the nineteenth century. While the origins of these ideas predate the French Revolution of 1789, the conceptualizations, and realizations of these French *frontières naturelles* reached a zenith under the First Republic and the First Empire. This chapter argues that French debates about natural borders, particularly around a French Rhine, during the nineteenth century came into conflict with burgeoning ideas of nationalism. The Rhine Crisis of 1840 will be used as an example of the interaction between French designs on the left bank of the Rhine and a growing consciousness of German nationalist obstacles to these designs. The Republican ideological basis of French claims to the Rhine in 1840 will be contrasted to the later policies of Napoleon III, who incorporated an ideological 'principle of nationalities' into the foreign policy of the Second Empire (1852-1870).[28] The principle of nationalities

[27] Hugo, Victor. *The Rhine: A Tour from Paris to Mayence by the Way of Aix-la-Chapelle, with an Account of Its Legends, Antiquities, and Important Historical Events...* Jansen, McClurg & Company, 1874. P. 125

[28] Echard, William. *Napoleon III and the Concert of Europe,* p. 2-7

advocated national self-determination and placed emphasis on the choice of the population in choosing a national destiny. This ideology complicated strategic territorial ambitions by necessitating a consideration of the will of the local population.

I evaluate Napoleon's commitment to the principle of nationalities to national self-determination and consider if Napoleon could have sacrificed his ideological commitments to nationality for French geopolitical interests. Following this, the chapter will situate the Luxembourg Affair of 1867 within a larger foreign policy undertaken by Napoleon III**.** I argue Napoleon abandoned traditional French claims on the Rhineland, opting instead to pursue the annexation, or *réunion*, of smaller, yet strategically critical areas previously held under the First Empire. The annexation of these areas, consisting of Savoy and Nice in 1860, and Luxembourg in 1867, were consistent with a larger geostrategic foreign policy developed by Napoleon to rectify the geostrategic borders of France established in 1815. Additionally, this chapter will argue new geostrategically valuable French borders were intended to combat egregious military spending and economic weakness. The attempted purchase of Luxembourg in 1867 represented the interplay of Napoleon's principle of nationalities, rising European nationalism, and the necessity of French geopolitical security, previously focused on the annexation of the left bank of the Rhine.

THE NATURAL BORDERS OF FRANCE

Various kinds of appeals have been made at different times and places to justify territorial claims, and could be based on historical claims, natural law, or cultural and national justifications.[29] The natural borders of France — *frontières naturelles de la France* – are one such example. To better understand how European statesmen redrew the maps of

[29] Murphy, Alexander B. "Historical justifications for territorial claims." *Annals of the Association of American Geographers* 80, no. 4 (1990): 531-548. P. 534-535

Europe in the nineteenth century, it is necessary to understand how these ideological and philosophical claims underpinned the debate over the natural borders of France.

These 'natural borders' were best, though not first, conceptualized during the Revolutionary period. These conceptualizations asserted that the destiny of France lay in extending state borders to the 'natural borders' of the Alps, the Pyrenees, and the Rhine river. A leading figure in the French Revolution, Georges Jacques Danton, describes the concept and defines the desired borders:

> The limits of France are marked by Nature, we will reach the four corners of the horizon, to the edge of the Rhine, to the edge of the ocean, to the edge of the Pyrenees, to the edge of the Alps. The boundaries of our Republic must be there.[30]

French ambitions for the left bank of the Rhine during the nineteenth century were intricately tied up with a political and geographical ideology that privileged France as the natural inheritor of the larger part of western Europe. Similarly, the boundaries being 'marked by Nature,' harkened back to a philosophical basis for French expansionism based upon natural law; law that was based on 'Reason', and stemmed from Enlightenment thinkers such as Montesquieu, Locke, and Rousseau.[31] These philosophers built upon previous philosophies of historical claims – France, as the inheritor of ancient Gaul, should seek to replicate Gaul's borders. Peter Sahlins traces the concept of France's natural borders back further, noting that the comparative equations between ancient Gaul and contemporary France were encouraged as early as the seventeenth century, under Cardinal Richelieu.[32]

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[30] Danton, Georges. *Le Moniteur universel*, 15, no. 32 (February 1, 1793): 154

[31] Pounds, Norman JG. "France and "les limites naturelles" from the seventeenth to the twentieth centuries." *Annals of the Association of American Geographers* 44, no. 1 (1954): 51-62.

[32] Sahlins, Peter. "Natural frontiers revisited: France's boundaries since the seventeenth century." *The American Historical Review* 95, no. 5 (1990) : 1423-1451.

The Rhine River was key to the idea of French natural borders; borders along the Pyrenees, the Alps, the Atlantic Ocean, and the English Channel had more or less been acquired by France by the time of the French Revolution. Consequently, accepting the French conception of natural borders meant conceding the legitimacy of France extending itself to the left bank of the Rhine. These philosophical discussions of the natural borders of France focused on the territory involved as a geographic space; the sympathies of the Rhenish inhabitants to French annexation and their own national aspirations were secondary considerations prior to the reign of Napoleon III.[33]

The Rhine was also desired for its strategic value and this idea too was popularized during the Revolutionary period. Georges-Guillaume Boehmer, a founder of the short-lived Republic of Mainz (1793) published a compilation of dissertations advocating for French annexation of the left bank of the Rhine, stating:

> France will become very strong on this side, having the same defence that the Gauls opposed to the invasions of the Romans. Indeed, the Rhine appears to be one of the natural limits of France.[34]

Through this extract, we can see that the Rhine, especially at the time of the French Revolution, had come to take on certain connotations in the mind of the French. These connotations included primordial links to ancient Gaul, philosophical ideas of the natural borders and limits of France, and the strategic value of the Rhine. Rivers, such as the Rhine, provide a delay to any would-be invader, enabling more time to react on the part of the defender. Additionally, an extension of the French border to Rhine would provide further strategic depth and was intended to prevent an army descending on Paris.

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[33] Rovère, Julien. "La rive gauche du Rhin : II : l'opposition a la prusse et les fluctuations de la politique française (1848-1870)." *Revue Des Deux Mondes (1829-1971)* 42, no. 1 (1917) : 127-163.
[34] Böhmer, Georg Wilhelm. *La rive gauche du Rhin, limite de la Republique Française : ou recueil de plusieurs dissertations,* Vol. 2. Desenne, Louvet et Devaux, 1795. P. 66

THE RHINE CRISIS

In the decades after the restoration of the Bourbons in 1815, the Rhine came to represent a zenith of French power on the continent to the French people, particularly during the reign of Napoleon I. *However,* French ambitions for the left bank of the Rhine were not entirely dominated by a link to the Napoleonic legacy. In the decades between Napoleon I's exile to St Helena, and Napoleon III's sweeping presidential election, a curious episode regarding France's 'natural' borders took place. In 1840, French Prime Minister Adolphe Thiers claimed that the north-western border of France should extend to the left bank of the Rhine river. Orchestrated during the reign of King Louis-Philippe, a period known as the July Monarchy, French ambitions for the Rhine border were made known internationally. Thiers, future President of the later Third French Republic, was responding to an international snubbing by the other Great Powers of Europe – Britain, Prussia, Russia, and Austria. The agreement came as a surprise to the French, as British Foreign Secretary Lord Palmerston had organized it without French involvement. Thus, French support for the Egyptians had led to being excluded from the 'Quintuple Alliance,' or the Concert of Europe created following the defeat of Napoleon at Waterloo.[35] The exclusion of France from the Concert of Europe revived memories of the anti-French coalitions in the final years of the First French Empire, 1814 and 1815. This "diplomatic Waterloo" was outrageous to the French public, who only 30 years prior had dominated the European continent under Napoleon I.[36]

In response to this diplomatic insult, Thiers claimed the left bank of the Rhine as the rightful French border, prompting a great deal of upset in the German states. Contemporary writings from the period support this: "We remember well enough the irritation produced in

[35] On the concept of the Concert of Europe, see: Albrecht-Carrié, Rene. *A Diplomatic History of Europe Since the Congress of Vienna*. Harper & Bros., 1958, p. 23-29; Echard, William E. *Napoleon III and the Concert of Europe*. Louisiana State University Press, 1983, p. 1-8.

[36] Albrecht-Carrié, *A Diplomatic History of Europe*, p. 54.

France by the treaty of July 15, 1840, and the kind of challenge thrown at Europe by the French government and by the greater part of the periodical press".[37] Historian James M. Brophy is succinct on the matter: "The French state thus compounded a diplomatic setback with a political dispute over natural borders."[38] Inadvertently, at the time of the Rhine Crisis, Napoleon I's remains were transferred from St. Helena to Paris, provoking memories of France's glorious military past.[39] Louis-Philippe later recanted this claim, and Thiers resigned, but Republican and patriotic sentiments that argued for this border had roots in the Revolutionary and Napoleonic periods.

For the French public, this retreat made little sense. Under Napoleon I, France had not only secured the Rhine, but had fought most of Europe. Not even thirty years later, French leadership was unable to regain the Rhine. Hence, the Rhine Crisis showed that France had failed to live up to the ideas of the national and military greatness that the country had shown during the Revolutionary and Napoleonic periods.[40] The emphasis on the loss of prestige and military prowess may have contributed in turn to the return of the Bonaparte dynasty to the French throne. Such failures to project power by France, indeed even being excluded from the 'Great Powers,' would have influenced the French public's desire for a Napoleonic return, and the glory associated with that period.

The importance of the Rhine crisis to this chapter lies in providing evidence of sustained calls for a French frontier on the Rhine, independent of the Bonaparte dynasty: "To destroy the treaties of 1815 was the objective not only of the Bonapartists, but also of the

[37] Cazalès, Edmond de. "Etudes historiques et politiques sur l'Allemagne." *Revue des Deux Mondes (1829-1971)* 29, no. 1 (1842): 36-80.
[38] Brophy, James M. "The Rhine crisis of 1840 and German nationalism: Chauvinism, skepticism, and regional reception." *The Journal of Modern History* 85, no. 1 (2013): 1-35. p. 1
[39] Vanchena, Lorie A. " "The Rhine Crisis of 1840: Rheinlieder, German Nationalism, and the Masses." In *Searching for Common Ground: Diskurse zur deutschen Identität 1750-1871, ed. Nicholas Vazsonyi. Weimar: Böhlau 2000*. 239-51. P. 240
[40] Leerssen, Joep. "The Never-ending Stream: Cultural Mobilization over the Rhine." In *The Rhine: National Tensions, Romantic Visions*, pp. 224-261. Brill, 2017. P. 236-237

Republicans and the Liberals".[41] Marc Thuret argues that the Rhine Crisis of 1840 offers an example of the national rivalries of the modern era, and that national sentiments, both in France and Germany, had to come fruition.[42] Such an "expression of national passions" necessitated a reconsideration of the paradigm of France's natural borders. The tentative conceptions of a German national consciousness shown during the Rhine Crisis would delegitimize French possession of the Rhine. The nineteenth century saw a refocus away from geographic space and territory towards populations. This change is embodied by the modifications made to the styling of the French sovereign from 1830 onwards. Previously titled the King of France, Louis-Philippe took the title King of the French. This new emphasis, not on territory but on people, ensured that legitimate territorial claims would need to be augmented by a consideration of the national character of a given population. While the Rhine was certainly popular for the French public and considered an inexorable French goal by other European states, Napoleon III augmented French foreign policy goals by implementing his principle of nationality. Napoleon differed himself from previous governments, even from his own uncle, by acknowledging that the principle of nationalities would come to dominate Europe. Additionally, he understood that a failure to embrace this principle would serve to ruin France.

Napoleon understood the innate conflict between his own ideals of nationality and the need for French security, making mention of this to the Austrian ambassador, Prince Metternich:

> The provinces of the Rhine in distant perspective made me hesitate a long time over my choice. Today I have completely abandoned any idea of this kind and having

[41] Rovère, Julien. "La Rive Gauche Du Rhin : I : La Résistance A La Conquête (1815-1848)." *Revue des Deux Mondes (1829-1971)* 41, no. 3 (1917) : 512-545.
[42] Thuret, Marc. "La crise du Rhin et le malentendu franco-allemand (1839-1841)" : Krebs, Gilbert (ed.) *Aspects du "Vormärz" : société et politique en Allemagne dans la première moitié du XIXe siècle* 4 (1984) : p. 27-40

> made the sacrifice I tell myself that I have nothing to gain from an agreement with Austria.[43]

It appears Napoleon's decision to abandon French designs on the provinces of the Rhine was made with the consideration to the German national character of the provinces. The attraction of various French governments towards a border on the Rhine provides a larger context to understand Napoleon III's decision to forego the river.

NAPOLEON III AND THE RHINE

Napoleon III's claim to fame was directly situated in a larger Napoleonic legacy. Where Napoleon I would establish the First Empire, Napoleon III would establish the Second Empire. However, the lack of a Rhenish border during the Second Empire cast Napoleon III as a shadow of his uncle, Napoleon I, and the Second Empire a mere shadow of the First. Thus, issues of French military security and Bonapartist dynastic security became intertwined on the banks of the Rhine. Yet for all this strategic necessity of a Rhenish border, Napoleon III foresaw the destabilizing effects of the rise of nationalism. As mentioned, "[Napoleon's] personal wishes did not lie in that direction [the Rhine]. He wished to avoid the necessity for an accession of territory that might be accompanied by drawbacks."[44] The incorporation of millions of Germans within France would undoubtably pose a larger security threat than the security of the Rhine would bring. Thus, Napoleon abjured claims to a Rhenish border, instead favouring a geostrategic north-western border centring on the acquisition of Luxembourg. This represented a unique foreign policy for a French leader. In revoking French claims over the Rhine, Napoleon opted for a conciliatory foreign policy, restricting any ambitions over claiming territory inhabited by German-speakers, who wanted to be included in any future national German state. Such a measured geostrategic policy was

[43] Prince Metternich to Count Mensdorff, Paris, 6th June 1866. *Conversations with Napoleon*. P. 274-278

[44] Count Goltz to Count Bismarck, 8th May 1866, in *Conversations with Napoleon III*, p. 259-266

unique to Napoleon III, especially in reference to the preceding French governments, who failed to consider the looming spectre of nationalist movements. Napoleon's ideological commitment to the principle of nationalities overruled, to a large degree, any more ambitious French geopolitical concerns. The Rhine would not become the north-western border of France, as Napoleon came to consider the Rhineland a German space and understood such an annexation as needing the approval of the German-speaking inhabitants. Napoleon thus broke with the traditional French aims over the Rhine in favour of his own principle of nationalities.

THE PRINCIPLE OF NATIONALITIES

Napoleon was a firm believer in the principle of nationalities and supported the creation of new nation-states in Europe established by self-determination. The essence of the principle included the freedom of the people concerned to choose their national fate. Put simply, speaking the same language was no longer a pre-requisite or reason for unification. For example, not every German speaker was destined to accede to a German nation-state; political agreement, expressed by plebiscite, was a necessary factor for the principle of nationalities. In the words of Napoleon III: "Alsace is French, although of Germanic race; the cantons of Vaud and Neuchâtel are Swiss, despite their French affinities".[45] French and Prussian diplomatic officials engaged in a flurry of despatches in the lead-up to the 1866 war between the Austrian Empire and the Kingdom of Prussia. Count Goltz of Prussia reported that Napoleon III was sympathetic to some extension of power by Prussia over northern Germany, seeing Prussia as the preferred candidate for northern German national unity.[46] Yet, in a letter to Drouyn de Lhuys, Napoleon made clear his desire for the southern German states to form a confederation, "a closer union, a more powerful organization, a more

[45] Ollivier, Émile. "La Fin De L'Empire Autoritaire." *Revue des Deux Mondes (1829-1971)* 39, no. 2 (1907): 276-313. p. 301
[46] Count Goltz to Count Bismarck, 6th March, 1866, in *Conversations with Napoleon III*, p. 240-43

important role".[47] A unified Germany, involving both the German states of the North and the South, was not considered inevitable by Napoleon; however if the South voted to join the North, Napoleon would find it "difficult to oppose it".[48] Despite Napoleon's apprehension to see a unified Germany "at the head of fifty million men of one and the same nationality", he nevertheless supported the right of the German people to self-determine.[49] This attitude broke with French public opinion, which was terrified by the "phantom of Germany unity".[50] For Napoleon, the principle of nationalities was not simply an idea, but a political maxim that overrode more limited national concerns and also informed his approach to diplomacy, even when it differed from the opinion of his countrymen.

Rather than the older monarchical and dynastic ties that had created the empires of Austria, Russia, and the Ottomans, Napoleon foresaw a European state-system based upon national identities.[51] Nevertheless, while Napoleon did not go to war for German nationalism, like he had for the Italians in 1860, in 1865 the Emperor had promised a 'benevolent neutrality', promising not to involve France in the event of a war between Austria and Prussia. However, this neutrality would be exchanged for Prussian consent for the French acquisition of fortresses in the north – "if other countries gain anything, France must gain something also."[52] This particular quote from Napoleon, predating even the acquisition of Savoy and Nice, demonstrates the attitude of the Emperor towards the potential nation-states of Europe. Napoleon considered France as the 'first' nation-state, which had the least to lose

[47] Napoleon III to Drouyn de Lhuys, June 11, 1866, in Ollivier, *L'Empire liberal*, VIII, p. 188
[48] Ollivier, Émile. " La Fin de L'Empire Autoritaire." Revue des Deux Mondes (1829-1971) 39, no. 2 (1907) : 276-313. P. 301
[49] Prince Metternich to Count Mensdorff, 14th April 1866, in *Conversations with Napoleon III*, p. 254
[50] Emperor Napoleon III to King William I, 15th July 1866, in *Conversations with Napoleon III,* p. 298
[51] One 'future map of Europe' showed the continent divided into Scandinavian, Iberian, Gallic, Italian, Greek and German confederations. See Echard, William. *Napoleon III and the Concert of Europe,* p. 163-164
[52] Lord Cowley to Lord Malmesbury, 31st October 1858, in *Conversations with Napoleon III*, p. 153-54

from the reorganization of Europe along national lines.[53] Napoleon only intended to acquire the necessary strategic frontiers to ensure French pre-eminence in Europe, which would allow Napoleon to benevolently help other potential nation-states.[54] These aspirations were limited; Napoleon had "no ambitious views like the first Emperor" and knew that a border on the left bank of the Rhine, touted at the start of the century as France's natural frontier, would only invite contentions based on nationality.[55] The grandeur of the first Empire cast a long shadow, but Napoleon assumed that the "satisfaction of nationalities" would result in peace and contentment in Europe.[56] In a letter from Benedetti, French ambassador to Prussia, to the French foreign minister the Marquis de Moustier, Benedetti states that "natural borders are no longer an absolute necessity in our time: the real ones are those which are or can become national borders".[57] In other words, the mid-nineteenth century saw the focus upon national borders, and the populations therein, replaced the desire for natural borders.

A confidential dispatch between Bismarck and Count Goltz, the Prussian ambassador to France, made just prior to the Austo-Prussian war, reveals the difference between Napoleon's own thoughts of where the French borders ought to lie, and where the French public thought it they ought to:

> In the contingency of Prussian extension, the French populace required "something on the banks of the Rhine, in the direction of Moselle & Rhenish Bavaria". His personal wishes did not lie in that direction. He wished to avoid the necessity for an accession of territory that might be accompanied by drawbacks.[58]

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[53] Napoleon attributed the unity of the French nation to the Napoleonic Code, see: Napoléon III. *Œuvres de Napoléon III.* Vol. 1. p. 360-361
[54] Echard, William. *Napoleon III and the Concert of Europe,* p. 7
[55] Lord Cowley to Lord Malmesbury, 31st October 1858, in *Conversations with Napoleon III*, p. 153-54
[56] Echard, William. *Napoleon III and the Concert of Europe,* p. 303
[57] Benedetti to Moustier, January 26th, 1867, in *Origines,* XIV, p. 184-188, no. 4116
[58] Count Goltz to Count Bismarck, 8th May 1866, in *Conversations with Napoleon III*, p. 259-266

If Napoleon's ambitions over the left bank of the Rhine certainly did not match that of the French population, popular ambition considered such expansion inevitable under another Bonaparte.

Napoleon III offered a range of reasons why France's natural frontiers should *not* include the Rhine. A border based on the Rhine's left bank would incorporate millions of German-speakers, undermining the rule of an 'Emperor of the French' who justified his foreign policies upon a principle of national self-determination. Similarly, such a border appeared to Napoleon as strategically infeasible:

> If, said His Majesty, France was to go to Mayence (Mainz), she would require to go to Coblence (Coblenz), and from thence to Cologne, and if once at Cologne she would be further obliged to the Zuyder-Zee (Zuiderzee), which would committing over again the faults of the First Empire.[59]

Napoleon's ambitions may not have been centred around the Rhine, but foreign diplomats remained unconvinced that he would not follow in the footsteps of his uncle, Napoleon I. A British diplomat, Lord Cowley, expressed concern at the possibility of Napoleon asking for the "frontier of the Rhine", a border commonly associated with the First Empire.[60] The Napoleonic legacy was prominent enough for Cowley to claim that there was "nothing new in these ideas of the Emperor".[61] Cowley's expression serves to emphasise the continued foreign reception Napoleon III invited by attaching his legitimacy to "Little Boney",

[59] Lord Augustus Loftus to Lord John Russell, Vienna, 19th April 1860, in *Conversations with Napoleon III*, p. 377-78

[60] Lord Cowley to Lord John Russell, Paris, 10th February 1860, in Conversations with Napoleon III p. 178-79

[61] Lord Cowley to Lord John Russell, 2nd May 1860, in Conversations with Napoleon III p. 182

Napoleon I, who was still reviled in Britain.[62] While Napoleon's name was vital to his political success within France, the same name was a burden to him outside of France.[63]

NAPOLEON'S GEOSTRATEGY

Lord Cowley, British Ambassador to France from 1852 to 1867, writing to the Conservative MP Lord Stanley, said:

> Goltz [the Prussian ambassador to France] holds the same opinion that I do – that this demand is an afterthought, brought about by the state of public opinion in France.[64]

At the time of the attempted purchase of Luxembourg in 1867, the diplomats of Europe considered the attempt to purchase Luxembourg Grand-Duchy was an afterthought for Napoleon III. The political situation of Europe was reshaped following the Battle of Königgrätz (Sadowa), yet this was essentially without the involvement of the French nation, *la grande nation*, "the lion whose movements must disturb the world of lesser creatures".[65] Following this proverbial slap to the moustachioed face of Napoleon III, and to France itself, French public opinion demanded some form of concession.[66] It may be simple to believe that Luxembourg, a small *pouce* (inch) of territory on France's borders, would provide such an ample concession, and that is why Napoleon entered into negotiations with the Dutch king William III to purchase the Grand Duchy. Certainly, Goltz and Cowley thought so. Nevertheless, I identify Napoleon's designs on Luxembourg as purposeful and intentional, in line with a longstanding foreign policy, rather than merely coincidental. The attempt to purchase Luxembourg by Napoleon was part of a larger geostrategic foreign policy that aimed to redress French borders.

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[62] Hicks, Geoffrey. "An Overlooked Entente: Lord Malmesbury, Anglo-French Relations and the Conservatives' Recognition of the Second Empire, 1852." *History* 92, no. 306 (2007): 187-206.
[63] Echard, William. *Napoleon III and the Concert of Europe,* p. 303
[64] Lord Cowley to Lord Stanley, 10th August 1866 in *Conversations with Napoleon III*. p. 303
[65] Echard, William. *Napoleon III and the Concert of Europe,* p. 5
[66] Case, Lynn M. "French Opinion and Napoleon III's Decision after Sadowa." *Public Opinion Quarterly* 13, no. 3 (1949): 441-461. P. 455-456

Geostrategy is, simply, "the geographic direction of a state's foreign policy".[67] Thus, this thesis will define geostrategy as the application of strategic considerations, be they military or diplomatic, to geopolitics. Geopolitics, in turn, is the study of foreign policy through the dimension of geographical factors; geopolitics emphasizes "the impact of geography on politics".[68] Napoleon's 'geostrategic' foreign policy considered the geography of French borders, the strategic value of these borders in achieving sovereignty, and impact of geography on French political goals.

A confidential letter dated 26th November 1859, from Prince Richard von Metternich to the Austrian ambassador to France, Count Rechberg-Rothenlöwen, clearly outlines Napoleon's larger geostrategic ambitions, his desire for Luxembourg, and it does so even before the Treaty of Turin (1860). He writes on Napoleon's aims for rectification of France's borders:

> After the Emperor had insinuated that the limitations which the Treaty of 1815 imposed on France necessitated the maintenance under arms of 600,000 men, he said: "Europe grasped the fact that, to prevent a fresh debacle in France, it is necessary to contract her boundaries sufficiently to enable a foreign invader to cross the Alps or the Rhine without being disturbed – he must be able to enter through Savoy or Luxembourg. Consequently, it is my duty to try to modify the parts of those treaties which are dangerous to France. By dispelling the anxieties of Europe which originated these terms, I believe I shall dispel those of France, and she will no longer

[67] Meena, Krishnendra. "Munesh Chandra Asked: What is the Difference Between Geo-politics and Geo-strategy." *Institute for Defence Studies and Analyses* (2016).
[68] Brzezinski, Zbigniew, *Game Plan: A Geostrategic Framework for the Conduct of the U.S.-Soviet Contest*. The Atlantic Monthly Press, Boston. 1986. XIV.

> be burdened with the maintenance of a large army. *The day I obtain Savoy and Nice in the South and sufficient fortresses in the North, my mission will be accomplished.*[69]

Napoleon considered Luxembourg as key to having "sufficient fortresses in the North", and expressly refers to Luxembourg earlier in the extract. Luxembourg was distinguished by the Emperor as being crucial to the interests of French security, either in its neutralization as the route of attack by foreign powers, or in its immense capabilities to provide France a strong fortress in the North. Napoleon had clearly envisioned the annexation of Luxembourg as a crucial to a larger geostrategic foreign policy.

Napoleon's attempt to purchase Luxembourg was not, as Cowley and Goltz had thought, a mere afterthought.[70] Rather, the attempt was made as part of a larger geostrategic foreign policy that sought to provide France with defensible borders, which would facilitate the reduction of the large standing army France maintained at the time. The British ambassador to France, Lord Cowley, had received such intimations from other European diplomats, especially from Austrian ambassador Metternich, and was explicit in his wording regarding this intent to disarm - "the necessity of satisfying the legitimate expectations of France by giving her such a frontier as will enable her to disarm".[71] Disarmament would provide France the ability to redirect the large amount of resources, 600,000 men and millions of francs, away from the army and towards economic and commercial productivity.[72]

Napoleon was explicit about the relationship between gaining strategic borders for France and the economic benefits that would follow disarmament. A memorandum written by Lord Augustus Loftus, who was to become British ambassador to Prussia in 1865, recounts

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[69] Prince Richard Metternich to Count Rechberg-Rothenlöwen. Very confidential. 26th November 1859, in *Conversations with Napoleon III*, p. 303. Emphasis added.

[70] Lord Cowley to Lord Stanley, 10th August 1866, in *Conversations with Napoleon III*, p. 303

[71] Lord Cowley to Lord Stanley, 2nd May 1860, in *Conversations with Napoleon III*, p. 182

[72] Prince Richard Metternich to Count Rechberg-Rothenlöwen. Very confidential. 26th November 1859, in *Conversations with Napoleon III*, p. 303

that Napoleon found it necessary to "rectify the frontiers of France in such a manner as to render her secure from attack and thus enable her to diminish her army and her military expense."[73] Loftus relates that the origin of Napoleon's intent to disarm, or at least reduce the immense cost of the French army, was in due in part to his time spent exiled in England. Napoleon had been struck by the enormous commercial and economic strength that Great Britain had enjoyed, and "had often asked himself how it was that France with equal elements for commercial greatness still remained far behind England in commercial wealth and activity".[74] Napoleon concluded that the reason for this disparity was the difference in the maintenance required for defence; Britain's entirely maritime borders were defensible and required less soldiers. Thus, if France were similarly to acquire strategic and defensible borders, resources could be directed instead towards "reproductive labour" and commercial activity.[75] Loftus, writing in 1860, relates that following the acquisition of Savoy and Nice in the south-east, the Alps had served to provide a safe frontier from invasion. Thus, there "only remained the frontier towards Germany".[76] Luxembourg served as a menace to the French frontier in the north-east, and thus the acquisition of Luxembourg would provide a further bolster to Napoleon's geostrategic aims for strong French borders. In turn, the impetus behind Napoleon's border rectifications was to promote economic, industrial, and commercial activity.

The value of strategic borders for the French government were not restricted to communications in French diplomatic spheres; a letter between Lord Cowley and Lord Stanley stresses the importance of strategic borders for France. Considering the Austro-Prussian settlement in central Europe after the battle of Sadowa, Napoleon "intimated to the

[73] Lord Augustus Loftus to Lord John Russell, Vienna, 19th April 1860, in *Conversations with Napoleon III*, p. 377-78
[74] *Ibid.*
[75] *Ibid.*
[76] *Ibid.*

Prussian government that France would require a better strategic frontier for her defence than she now possessed".[77] France's need for strategic borders was not an internal memorandum, but rather a known topic of international diplomatic conversation.[78] Similarly, the frontiers of France were not introduced as a topic of conversation merely following the restructuring of Central Europe in 1866 – such considerations were known to Lord Cowley prior to the Treaty of Turin in 1860, which allowed the *réunion* of Savoy and Nice with France. Cowley's conversation with Napoleon highlights the Emperor's intent to redress the south-eastern frontiers of France "if Northern and Central Italy were to be fused into one kingdom".[79] Cowley in turn remarked that the French desire to claim Savoy and Nice were not unnatural but was wary of the possibility of the French marching to the Rhine to address the weak border in the north-east.[80] This exchange provides an understanding of Napoleon's clear intentions, and how he explicitly communicated these concerns with foreign diplomats.

Similarities between the acquisition of Savoy and Nice and the attempted purchase of Luxembourg were numerous. Both, as mentioned, provided routes of foreign attack into France, which were intentionally constructed against France following the Hundred Days of Napoleon I's campaign in 1815. Additionally, the terminology used in diplomatic documents imply references to the First French Empire, when these territories had been previously attached to France.

The implications of language were deeply intertwined with the project of nationalities, and the choice of language reinforced national claims. The wording of the Treaty of Turin, which dealt with the transfer of Savoy and Nice to France, was revised to make use of the term *réunion* to describe the annexations, instead of the original term *cession*:

[77] Lord Cowley to Lord Stanley, 10th August 1866, in *Conversations with Napoleon III*, p. 304.
[78] Lord Cowley to Lord John Russell, 10th February 1860, in *Conversations with Napoleon III*, p. 178-79
[79] Lord Cowley to Lord Stanley, 10th February 1860, in *Conversations with Napoleon III*, p. 178-79
[80] *Ibid.*

> *His Majesty the King of Sardinia consents to the reunion of Savoy and the district of Nice with France… this reunion will be carried out without any constraint of the will of the populations.*[81]

This particular revision was insisted upon by Count Cavour, prime minister of Sardinia-Piedmont.[82] An internal memorandum between French diplomats, the Count Walewski and Édouard Thouvenel made explicit use of this term, asserting that the "reunion of Savoy and of the County of Nice was not improbable."[83] Similarly, a dispatch from Moustier to Baudin in 1867 makes use of the same term, "*une réunion du Grand-Duché à la France"* – a reunion of the Grand Duchy with France.[84]

A draft treaty dealing with the French annexation of Luxembourg was produced by Baudin, French minister at the Hague, using similarly language of *réunion*, "on the basis of what was done in 1860, during the *réunion* of Savoy".[85] In addition to similar language, the structure and articles of the Treaty of Turin served as a draft for the proposed treaty. Baudin's appendix to this letter contains the drafted treaty, which make explicit mention of two significant points. The first, from article one, states:

> It is understood between Their Majesties that this reunion will be carried out without any constraint of the will of the populations, and that the Imperial and Royal-Grand-Ducal Governments will consult together as soon as possible on the best means of appreciating and noting the manifestations of this will.[86]

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[81] Treaty of Turin, 24th March 1860, in *Archives Diplomatiques,* I, 1861, p. 370-372
[82] Varaschin, Denis, ed. *Aux sources de l'histoire de l'annexion de la Savoie*. Peter Lang, 2009. 15-16
[83] Walewski to Thouvenel, 31st March 1860, in *Conversations with Napoleon III*, p. 180-81
[84] Moustier to Baudin, February 28th, 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793
[85] Baudin to Moustier, January 13th, 1867, in *Origines,* XIV, p. 98-99, no. 4054
[86] Appendix to the private letter from the Hague, January 13th, 1867, in *Origines,* XIV, p. 100-102, no. 4055. Emphasis added.

Thus, the basis for the annexation was to be based on the "will of the populations", a clear manifestation of Napoleon's principle of nationalities. It seems that this draft extends the will of the population down to the level of the individual, allowing the possibility of "Luxembourg subjects who intend not to take French nationality" in article two.[87]

The acquisitions of Savoy, Nice and Luxembourg were all bound into the same strategic and geographic concerns. Continuous reference to Luxembourg, either explicitly or implicitly through "fortresses in the North", over half a decade prior to the attempted purchase, can only be understood as part of a larger strategic vision for the borders of France.[88] Such evidence of a sustained, long-sighted intention by Napoleon to redress France's borders, particularly in areas such as Savoy, Nice, and Luxembourg, demonstrates Napoleon's larger foreign policy goals. As a result, the attempt to purchase Luxembourg in 1867 was a purposeful move by Napoleon, one part of a larger geostrategic vision. This discovery challenges the notion that the Luxembourg purchase was a "mere afterthought", rather than a persistent and clear aim.

Following the restructuring of Central Europe in 1866, and the growing military strength of the nascent Prussian state, the north-east frontier of France bordering Germany, became a priority for Napoleon. Circumstances had changed, and while previously Luxembourg had served to provide Prussia a defensive position for Germany, action was concentrated in Prussian hands, and now instead served as an "offensive position against France".[89] Explicitly, the acquisition of Luxembourg would "give our [French] defensive system a solidity to which we can legitimately claim", covering the "approaches to Metz".[90]

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[87] Appendix to the private letter from the Hague, January 13th, 1867, in *Origines,* XIV, p. 100-102, no. 4055

[88] Prince Richard Metternich to Count Rechberg-Rothenlöwen. Very confidential. 26th November 1859, in *Conversations with Napoleon III,* p. 303

[89] Lord Stanley to Lord Cowley, 10th April 1867, in *Archives Diplomatiques,* II, 1867, p. 821-822

[90] Moustier to Baudin, February 28th, 1867, in *Origines,* XIV, p. 380-383, no. 4270

Napoleon, considerate of French geostrategic realities, entered into negotiations to purchase Luxembourg from King William III to resolve this issue.

CONCLUSION

The rise of nationalist sentiments during the nineteenth century complicated debates in France over the territorial legacy of the Revolutionary and Napoleonic wars, and the subsequent peace settlement of 1815. French ambitions to its supposed 'natural limits' were based both on ancient, historical claims and the philosophical ideas of natural law that arose during the Enlightenment. The left bank of Rhine River was chief amongst the territorial ambitions for France and had come to be understood at the end of the eighteenth century as the inevitable borders of France. Additionally, the Rhenish border had come to be associated with the First French Empire, and thus the zenith of French power in Europe. Further claims to the Rhine were also based upon the strategic considerations of France, with little regard given to those living on the left bank. The Rhine Crisis of 1840 highlighted the sustained tendency of French foreign policy to opt for this most romantic and 'strategic' border. Nevertheless, as French Republicans, monarchists and Bonapartists alike sought to redraw the map of Europe to include a French Rhine, they had to deal with the reality of a German speaking population on the river's left bank. The rise of German national sentiment complicated French ambitions over the Rhine, as notions of national self-determination challenged the legitimacy of borders based purely on strategic value. Territorial ambitions in nineteenth century Europe became intimately tied to national considerations, and in turn, debates about the natural borders of France were tied to the rising national movements in both Italy and Germany.

Napoleon III established his claims to power by relying on redrawing the map of Europe decided in 1815, which had been directed at preventing a French hegemony in Europe. Napoleon, the namesake of his uncle, was thought to have ambitions over the left

bank of the Rhine by both the French public and European diplomats. However, it is clear Napoleon thought a such a border was indefensible, despite the strategic value of the Rhine, due to the 'German' character of the Rhineland. Napoleon, styled as 'Emperor of the French', could not justify French rule over millions of Germans on the left bank in a period of rising German nationalism. Instead, he had foreseen the growing political power of nationalism, and articulated an ideological commitment to the principle of nationalities, the right of national groups to self-determination. Napoleon desired defensible borders, but only those that would be acceptable to this national principle Napoleon restricted French territorial claims to areas that could be termed 'justifiably French', and in doing so, broke with the established French foreign policy objective of the Rhine.

At the same time, the issue of French geostrategic security also loomed large for Napoleon, who sought to reduce military spending in favour of economic development. Foreign control of mountain passes in the Alps and the fortress of Luxembourg in the north threatened invasions of France. Napoleon III's foreign policy planned for the reorganization of French borders based on geostrategic considerations. These borders, exemplified by the acquisition of the Alpine passes of Savoy and Nice and the fortress of Luxembourg, all from his perspective "French", would allow him to reduce the standing army of France, which in turn would allow the redirection of resources from the military to economic and productive outputs. Napoleon clearly stated such a policy in a conversation between himself and Prince Metternich; "The day I obtain Savoy and Nice in the South and sufficient fortresses in the North, my mission will be accomplished."[91] Further evidence for such a programme may lie in the terminology used in both 1860 and 1867, namely in the term "*réunion"*, which helped to imply a political and national legitimacy in the reacquisition of Luxembourg, Savoy and

[91] Prince Richard Metternich to Count Rechberg-Rothenlöwen. Very confidential. 26th November 1859, in *Conversations with Napoleon III*, p. 303

Nice. Napoleon's attempt to purchase Luxembourg in 1867 was part of a larger foreign policy, rather than a mere afterthought, based on both geostrategic aims and the limitations of his policy of nationalities. His foreign policy thus sought to resolve contradictions between French debates over its natural borders with larger European discussions about nation-states. In light of any potential contradictions between his geostrategic aims and ideological beliefs, Napoleon opted to remain principled, reducing his aims in line with the principle of nationalities. His designs over Luxembourg, rather than the Rhine, represented a France considerate of the growing national movements of Europe. Consequently, Napoleon's foreign policy was unique in marrying national self-determination with French security.

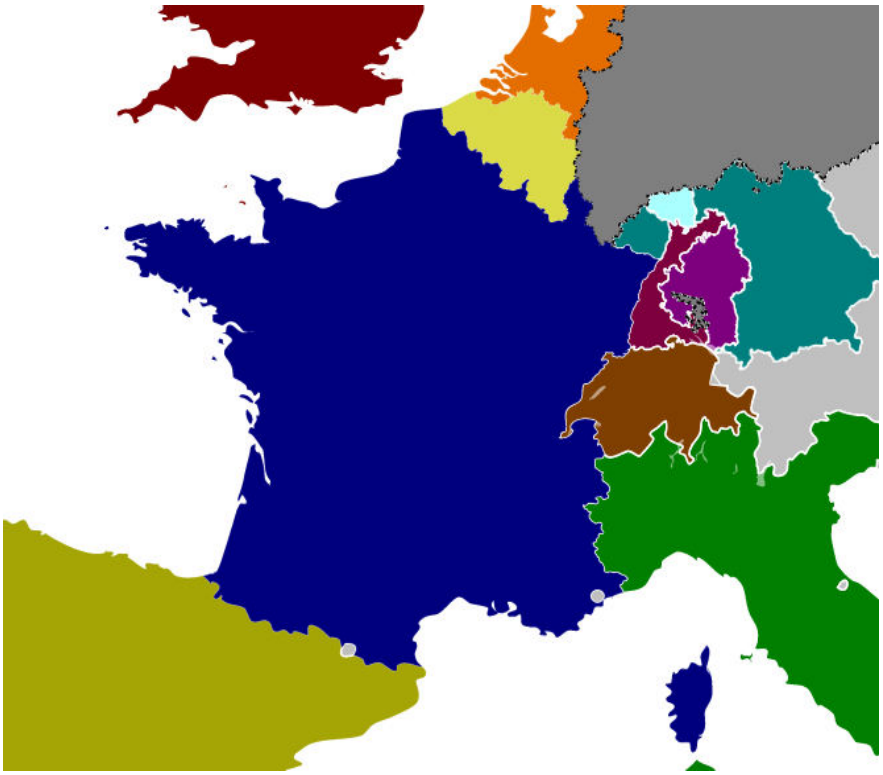

Figure 1: The French Empire with the envisioned 'defensible borders'. Note the inclusion of Luxembourg, Savoy and Nice.

CHAPTER TWO : LUXEMBOURG, LUXEMBURG, OR LËTZEBUERG?

But what are nations? What are these groups which are so familiar to us, and yet, if we stop to think, so strange…?[92] Walter Bagehot, *Physics and Politics*

INTRODUCTION

A borderland is an area of contestation and negotiation based on a multiplicity of national and political claims, both to the sovereignty of a given territory and to the incorporation of those inhabiting the territory.[93] These national borderlands provide examples by which to understand a larger, state-level nation-building process; a similar account to understand French nation-building has been made by Peter Sahlins, using the example of the Franco-Spanish border.[94] Assessments of specifically Franco-German borderlands, such as the areas of Alsace and Lorraine, have been made by scholars such as Catherine Dunlop.[95] Yet, no prominent literature, if any, has sought to understand Luxembourg as a Franco-German borderland, and furthermore, to understand the Luxembourg Affair as a nation-building process. The case of Luxembourg is unique, as this Franco-German borderland would maintain independence and eventually develop a national identity centred around being both French and German, yet neither at the same time.

In the mid-nineteenth century, Luxembourg was a contested territory, not only due to the Grand-Duchy's strategic value, as discussed in Chapter One, but additionally through

[92] Bagehot, Walter. "Physics and Politics." *The Fortnightly Rev* (1868): 456. P. 29
[93] Diener, Alexander C., and Joshua Hagen, eds. *Borderlines and Borderlands: Political Oddities at the Edge of the Nation-state*. Rowman & Littlefield, 2010.
[94] Sahlins, Peter. *Boundaries: the making of France and Spain in the Pyrenees*. Univ of California Press, 1989.
[95] Dunlop, Catherine Tatiana. *Cartophilia: maps and the search for identity in the French-German borderland*. University of Chicago Press, 2015.

competing French and German national claims. Luxembourg was an area to be contested, to be 'made' French or German, and to be inevitably integrated into a nation-state. Few, if any, considerations were made of any local national feelings; arguments and claims were instead based upon a consideration of Luxembourg as either French or German. Claims made over Luxembourg reflected the distinct differences between French and German nationalism. The legitimizing elements of these two nationalisms differed, and thus both French and German claims to Luxembourg operated on two different precepts. French and German nationalists invented their nation-states in different ways. French nationalists, drawing on the traditions of French republicanism that emerged during the Revolutionary Era, privileged civic culture and the political will of the people. Conversely, German nationalists held language, ethnicity, and soil to be the primary ties that bound the nation together.[96]

The differences in these national arguments, however, were not necessarily due to an innate quality; rather, these differences were reflective of the historical and political contexts of both France and Germany at the time. By using French language diplomatic documents, newspapers, and language maps, this chapter will argue the significance of the Luxembourg Affair in providing an analysis of Luxembourg as a Franco-German borderland. This assertion will be based on the arguments of Benedict Anderson's *Imagined Communities*, which posits that national identity is a social construction process, enacted by political states.[97] To quote Anne-Marie Thiesse, *les identités nationales ne sont pas des faits de nature, mais des constructions* - "National identities are not facts of nature, but constructions."[98]

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[96] Thiesse, Anne-Marie. *La création des identités nationales*. Europe, XVIIIe-XXe siècle, Paris, Seuil, 2001, p. 12 ; Cabanel, Patrick. *La question nationale au XIXe siècle*. Paris, La Découverte, 1997, p. 12

[97] Anderson, Benedict. *Imagined communities: Reflections on the origin and spread of nationalism*. Verso books, 1983.

[98] Thiesse, Anne-Marie. *La création des identités nationales*. P. 1-5

To better understand Luxembourg as a Franco-German borderland, I will build on the previous chapter by nuancing understandings of French and German nationality during the nineteenth century. The previous chapter discussed the issue of nationality in deciding Napoleon's policy towards the Rhine and his attachment to the national ideal in his foreign policy, but what did he consider a French or German person or land to be? I examine French claims to Luxembourg and analyse the foundation of legitimacy for these national claims in order to determine the characteristics of French nationalism. A similar treatment of German national claims to Luxembourg will be made, with a corresponding analysis of the characteristics of German nationalism. I position the contestation of national claims between France and Germany over Luxembourg to reflect the debates of the national character of the Grand-Duchy. Finally, an understanding of the perspective of the population in question will be posited, in order to consider whether the Luxembourgish felt themselves to be either French or German. Luxembourg became a borderland because of competing French and German nationalists' claims over the Grand-Duchy.

FRENCH CLAIMS TO LUXEMBOURG

The diplomatic, and nearly military, conflict over Luxembourg in 1867 was framed by larger debates in Europe concerning the question of national self-determination, and more specifically, the question of who belonged to each European polity and on what grounds.[99] Napoleon III's reign coincided with the unification movements in Italy and Germany, when questions of who or what exactly constituted an Italian or a German were abound. Such questions of national identity were not limited to the Italian peninsula, nor to the heart of Central Europe; debates and discussions over such topics inevitably prompted, or perhaps reignited, similar questions in other European polities, not least of all France. Napoleon's own title, Emperor of the French, presented a grand question: Who was to be considered

[99] Burbank, Jane, and Frederick Cooper. *Empires in World History: Power and the Politics of Difference*. Princeton University Press, 2011. P. 366

French? To speak plainly, the French claims to the area, and thus French nationalism, were based upon the conception of a 'political will of the people'.[100] Émile Ollivier, the last Prime Minister of the Second Empire, was concise on this point:

> The real frontiers are those constituted by the will of the populations, the others are the walls of a jail that we always have the right to break down.[101]

Thus, national borders ought to be established on the political will of a given population; the validity of the claims were based on a right to self-determination. Napoleon III, Emperor of the French, exemplified such an attitude privileging the right of self-determination. The right to self-determination, at least of European people, framed Napoleon III's understanding of both domestic and international politics.[102] A crucial element to his 'principle of nationalities' was not simply the political grouping of states based on national identities, but additionally the ratification of these nation-states by referendums. Napoleon III intended to ratify his purchase of Luxembourg, and thus his annexation of the Grand-Duchy, by consulting the 'political will' of the local population through a plebiscite. Such a plebiscite, based on the "consent of the people" was stipulated as necessary in the preliminary negotiations for the purchase of Luxembourg.[103] Furthermore, the manner of this plebiscite was to be carried out by means of "universal [male] suffrage".[104] While the local population of Luxembourg mainly spoke a German dialect, this factor did not preclude the possibility of *la Luxembourgeois* becoming French citizens, and thus, being included in the French nation.

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[100] Engel, Steven T. "Rousseau and imagined communities." *The Review of Politics* 67, no. 3 (2005) : 515-537.
[101] Ollivier, Émile. *L'empire libéral : Du principe des nationalités. 1895*. Vol. 1. Garnier frères, 1895. P. 168
[102] Napoleon's attempts to situate the principle of nationalities in French Algeria, termed the *Royaume Arabe*, have been the subject of recent historical inquiries. See Murray-Miller, Gavin. "A conflicted sense of nationality: Napoleon III's Arab Kingdom and the paradoxes of French multiculturalism." *French Colonial History* 15 (2014): 1-38; Carroll, Christina. "Imperial ideologies in the Second Empire: the Mexican expedition and the Royaume Arabe." *French Historical Studies* 42, no. 1 (2019): 67-100.
[103] Moustier to M. Baudin, March 21st, 1867, in *Archives Diplomatiques,* II, 1867, p. 794-795
[104] Moustier to the Senate, April 8th, 1867, in *Archives Diplomatiques,* II, 1867, p. 818-819

The annexation of Nice in 1860 provides an interesting parallel to this variant of nationalism. Count Cavour, the Prime Minister of Sardinia-Piedmont, wrote:

> As regards Nice, the question was different; its people owed their origin, their language, and their customs more to Piedmont than to France, so that their accession to the Empire would be a direct contradiction of the very principle for which they were fighting.[105]

While the Niçois were linguistically influenced by Italian, especially in contrast to the French speaking Savoyards, their inclusion into the French nation was not prohibited by linguistic affiliations. The Niçois voted overwhelmingly to be 'reunited' with France through a plebiscite during a period of Italian unification. Thus, Napoleon could incorporate areas of contestable nationality by invoking to the self-determination through plebiscite. The parallels of a small, linguistically distinct borderland voting to join France at the time of national unification, seen both in Nice and Luxembourg, should not be understated.

Henri Courriere, a Professor at the University Côte d'Azur, considers the annexation of Nice by France in 1860 through the language used by Napoleon III, the principle of nationalities.[106] The value of Courriere's research lies in the theoretical parallels between his study of Nice and my own of Luxembourg. He asserts that the national principle ultimately played a relatively minor role in the annexation and was instead a classic operation of strategic concerns; though it was nonetheless useful as an "ideological screen", to legitimize the annexation. He states that though the notion of nationality may be effective at the state level, complexities arise at the local level, particularly in the Franco-Italian borderland of Nice. The national principle is a double-edged sword: history can show Nice both as French

[105] Cavour to King Victor Emmanuel, 24th July 1858, in *Conversations with Napoleon*, p. 142-146 (Originally from Carteggio Cavour-Nigra)

[106] Courrière, Henri. "L'annexion du comté de Nice et la frontière franco-italienne dans les Alpes-Maritimes. Du principe des nationalités au tracé (1858-1861)." In *Fixer et franchir la frontière. Alpes-Maritimes, 1760-1947. Actes du colloque international de Nice (9-11 juin 2016)*. 2016.

and Italian, depending on the choice of events, history, or evidence that one chooses. Thus, both Napoleon III's and the French conception of nationhood is tested most thoroughly not in the heartlands of a given nation, but at its borders. Courriere goes on to highlight the need of plebiscitary politics to disguise the strategic intentions of Napoleon, and to confer a legitimacy to a new border that was removed from any historical, geographical, or linguistic considerations. Of particular note is his argument that these borderlands operate as a place for the construction of national identities; the annexation reflects the changes experienced by the notions of citizenship and national identity under the Second Empire. Courriere's research presents an exceptional parallel to the Luxembourg Affair. Luxembourg, like Nice, was prized by Napoleon for its geostrategic value. Similarly, by offering the choice to gain French citizenship through plebiscite, Napoleon reinforced the notion of political will and self-determination, to *choose* to become French, in French national identity. While the principle of nationality remained the ideological justification for the purchase of Luxembourg, strategic considerations, as discussed in the previous chapter, motivated the purchase. Similarly, Napoleon's ideal of a Europe of nation-states, freed from the inexorable chafing caused by dynastic pre-national states, is theoretically sound on a state level. Nevertheless, the devil is in the details. The areas between the nation-states, the borderlands, are local areas that do not strictly conform to political and cultural boundaries. Bismarck complained in 1866 that following the principle of nationalities in contested areas like Schleswig was impossible:

> Full application of the principle of nationalities is not possible in Schleswig; it can only take place roughly speaking, since the populations mingle and become entangled in it in such a way that there is no real, national border anywhere.[107]

Just as Nice can be seen as a Franco-Italian borderland, so too can Luxembourg be seen as a Franco-German borderland, where the exact point of where France stops and Germany

[107] Speech delivered by Bismarck, December 22nd, 1866, in *Origines,* XIII, p. 341-345, no. 3958

begins, or vice versa, is not instinctive. Luxembourg could be seen as either French or German, depending on what evidence was presented; historical appeals are one such example. Napoleon suggested that as Luxembourg was "more French than German, the fortress itself having been constructed by Vauban, the fortress and territory should be made over to France".[108] Indeed, the French government would "limit itself to expressing the opinion that [Luxembourg] is not a German province".[109] Moustier, the French foreign minister, would even go as far to state that Luxembourg was politically detached from Germany, and was "still more foreign to her [Germany] from the point of view of ethnography and history".[110] Furthermore, Baudin, the French ambassador to the Netherlands, made a compelling case for French annexation to the Prime Minister of Luxembourg:

> Since you agree that you cannot remain Luxembourgish, since you do not want to be Prussians, the consequences are very easy to draw: become French… the interest of all the classes of your country leads you there, without speaking of the memories, of the community of religion, language, legislation, etc. etc.[111]

French claims to Luxembourg consisted of a shared confession of Catholicism, a propensity for the French language, and even a common civil law – the Napoleonic Code of 1804 had been adopted in Luxembourg back under the First French Empire. And yet, Rudolf von Bennigsen, leader of the liberal opposition in the North German parliament, would still declare Luxembourg as having "always been a German country".[112]

Thus, French claims to Luxembourg reflected a strain of French political thought concerning 'legitimate' nationalism. The French conception of nationalism argued that

[108] Lord Cowley to Lord Stanley, 8th May 1866, Paris, in *Conversations with Napoleon III*. p. 329
[109] Lord Stanley to Lord Cowley, April 10th, 1867, in *Archives Diplomatiques,* II, 1867, p. 821-822
[110] Moustier to Baudin, February 28th, 1867, in *Origines,* XIV, p. 380-383, no. 4270
[111] Baudin to Moustier, 15th March, 1867, in *Origines*, XV, p. 73-79
[112] Interpellation of M. de Bennigsen and reply of M. de Bismarck. 1st April 1867, in *Archives Diplomatiques,* II, 1867, p. 800-807

national borders and nation-states should be informed by a consultation of the political will of the population, and as such, Napoleon stressed the necessity of a plebiscite following the purchase of Luxembourg. Napoleon's ideological commitment to the 'principle of nationalities' was to be legitimated by a commitment to plebiscitary verification. The annexation of Nice and Savoy in 1860 provide a prior example of a French annexation of a territorial borderland, where contestations of nationality were to be quelled by an appeal to universal male suffrage. In short, if a population chose their nationality, there could be no rival national contention based on political will.

GERMAN CLAIMS TO LUXEMBOURG

German nationalists at the time, conversely, focused upon the cultural and ethnic signifiers of a given population as determining national identity; prime amongst these was language. Legitimacy thus stemmed from a cultural analysis of the population, usually from afar, or top-down. But who could be considered German? This pressing question at the time of the Luxembourg Affair, certainly in light of the political reorganization of the former German Confederation, the debates centred around German identity, and the limitations of this identity, played an influential role in the conflict over Luxembourg.

German-language cartography offer an excellent opportunity to examine pre-unification visions of the borders of a future German state. Catherine Dunlop's *Cartophilia* provides an excellent analysis of the relationship between German language maps, *Sprachkarten*, and the idea of German national land.[113] In particular, German linguist Karl Bernhardi's *Sparchkarte von Deutschland* (1843) provides a representation of the idealized potential limits of a German national state.[114] Bernhardi's inclusion of Luxembourg, the Netherlands, Flanders, parts of Alsace, Lorraine, and Switzerland, and even Denmark and

[113] Dunlop, Catherine Tatiana. *Cartophilia: maps and the search for identity in the French-German borderland*. University of Chicago Press, 2015. P. 70-92
[114] Karl Bernhardi, *Sprachkarte von Deutschland,* 1843. See Figure 1.

Sweden into a 'German language area', or *Sprachgebiet*, reflects the political reality of Germany at the time; namely, it didn't exist as a single state. Napoleon commented:

> Germany is also divided into federal states which have their federal Diet, and their troops united in a single army corps; but do they form a nation?[115]

Thus, in the absence of political realities and necessities, an idealized German nation could be proclaimed by a map; official state boundaries were not even included. As Anderson argues, this type of birds-eye map invoked a "totalizing classification", where languages did not intermesh, but were instead clearly delineated.[116]

Dunlop argues that such a map effectively demonstrated the reasons behind the influence of language borders in nineteenth century Europe, stating that they provided a visual thinking tool for national construction, for "nations in the making".[117] Thus, prior to the establishment of a German national state, idealized and enlarged claims could extend the limits of what was to be 'Germany', unfettered by concerns of political reality.

[115] Napoléon III. *Œuvres de Napoléon III.* Vol. 2. p. 343
[116] Anderson, Benedict. *Imagined communities: Reflections on the origin and spread of nationalism*. Verso books, 1983. P. 170-178
[117] Dunlop, *Cartophilia.* p. 77-78

Such idealized and ambitious claims mirror the larger political debate with Germany at the time, referred to as the 'German question'. Briefly, the German question was a debate over the political unification of Germany, and whether to include German-speaking Austria within a national Germany. Two solutions arose: Kleindeutschland, or Little Germany under Prussian leadership, and Großdeutschland, or Greater Germany under Austria. While history

Figure 2 Karl Bernhardi, Sprachkarte von Deutschland (Kassel: Verlag von J. J. Bohné, 1843).

would see the Kleindeutschland solution become a political reality in 1871, the debate over the German question still raged at the time of the Luxembourg affair. As such, German nationalists claimed Luxembourg as German territory, informed by these *Sprachkarten.*

A telling piece of evidence regarding the internal debate in Germany at the time of the Luxembourg Affair lies in the interpellation of Rudolf von Bennigsen, leader of the liberal

opposition in the Diet, or Parliament, of the North German Confederation. Delivered following the publication of Napoleon's secret attempt to purchase Luxembourg, the choice of words used by Bennigsen denotes that German unification was not to be limited to the new Confederation. In this interpellation, he refers to Luxembourg as having "always been a German country", calling on the members of parliament to defending "German territory against the unjust lusts of the foreigner". The message is simple; despite the failure of Luxembourg to join the North German Confederation, the Grand-Duchy was still considered German.

Furthermore, Bennigsen claims the reasons for the failure to integrate Luxembourg into the North German Confederation lay not in a lack of German national character, but in the political and economic drawbacks that would come along with electing to join the new Confederation:

> We are in danger of losing a country whose population is essentially German and does not dream of becoming French, where no doubt there reigns a certain reluctance to lend itself to the heavy military demands imposed on all members of the North German Confederation; but where one is German and where one wants to remain German.[118]

German nationalists, such as Bennigsen, were concerned that while the political state of Germany was being renegotiated, this temporary lapse in asserting the national character of Luxembourg would lead to losing a German "frontier province" forever.[119]

More importantly, this brief extract, while rejecting the likelihood of Luxembourg wanting to become French, nevertheless implies the possibility of "becoming French", further

[118] Interpellation of M. de Bennigsen and reply of M. de Bismarck. 1st April 1867, in *Archives Diplomatiques,* II, 1867, p. 800-807
[119] Interpellation of M. de Bennigsen and reply of M. de Bismarck. 1st April 1867, in *Archives Diplomatiques,* II, 1867, p. 800-807

implying that the work of acquiring a nationhood is not intrinsic, but an intentional process. Similarly, to privilege German nationality as something considered at the time incontestable would be a grave error. Though considerations of a German national culture, based upon a shared language, were made by contemporaries, the North German Confederation was not the arbiter of German nationality. The new Confederation was seen by some Germans as merely an enlarged Prussian state. For the population of Luxembourg the danger of a looming annexation of the Confederation, into an enlarged Prussia, resulted from the view that the "Prussian regime at that time was synonymous with oppression and brutal stiffness… [the Prussian garrison] were foreigners who were tolerated because it was necessary." [120] Similarly, de Moustier writes that "the avowed sympathies of the populations distance [the Luxembourgeois] from any union with Germany; their aspirations are much more oriented towards France".[121]

Germanness and German nationality were not congruent categories and the complex identities living in the German state encompassed local, regional, and national sentiments. Even in 1884, an architect named Narjaux lamented foreign representations of Prussia as German:

> You confuse too often in France, Prussia and Germany. Remember that here, in the Rhine provinces, in Bavaria, or in the Southern states to call someone a Prussian, a Prussian from Berlin, is to address him with the bloodiest insult.[122]

In other words, following the unification of Germany over a decade prior, the national identity of a German was still contested. Localism and particularism augmented and undermined these national feelings. While language maps and politicians could claim

[120] Wampach, Gaspard. *Le Luxembourg neutre : étude d'histoire diplomatique et de droit international public*. A. Rousseau, 1900. P. 111
[121] Moustier to M. Baudin, 28th February 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793
[122] Rovère, Julien. "La Rive gauche du Rhin III. Entre deux guerres (1870-1914)." *Revue des Deux Mondes (1829-1971)* 42, no. 3 (1917): 597-629. P. 623-624.

Germany extended over the majority of Central Europe, those within a German nation-state could still question this 'innate' national fraternity.

An examination of the constitutional articles of German unification, established in 1866 and 1867, may shed further light on any German political designs over Luxembourg, especially those based on national claims. Bismarck, the statesman responsible for the later unification of the German states under Prussia, expressed a vision for the German national state in these documents. In the final days of the Austro-Prussian war, a founding document for the North German Confederation was signed on the 18th of August 1866. This *Augustbündnis*, or alliance treaty, states in the second article that this alliance are to be secured by a federal constitution, "based on the Prussian principles of June 10, 1866".[123] These 'Prussian principles' refer to the proposals made by the Prussian government on the 10th of June to reform the German Confederation. This proposal was intentionally inflammatory, calling for the exclusion of Austria from the Confederation. War would be declared 4 days following the proposal. The first article of the proposals holds a valuable insight into the intended status of Luxembourg:

> Article 1: The federal territory embraces the states that have hitherto been part of the Confederation, with the exception of the federal provinces of the Austrian Empire and the Kingdom of the Netherlands.[124]

Luxembourg fell under the 'federal provinces' of the Kingdom of the Netherlands. Thus, the future German national state was not intended to include every German speaker, nor every German polity included in the German Confederation, at least in Bismarck's vision. Political reality, for Bismarck, trumped visions of an idealized national Germany that included every German speaker. *Kleindeutschland* was to be chosen over *Großdeutschland*. Nevertheless,

[123] Huber, Ernst Rudolf. *Dokumente zur deutschen Verfassungsgeschichte / 2 Deutsche Verfassungsdokumente 1851 – 1918*. 1964.
[124] *Projet de réforme de la constitution fédérale allemande,* 10th June, 1866, in *Archives diplomatiques*, III, 1866. P. 346-349

this intended future Germany, and its intended limitations, did not prevent the making of claims to, and the contestation over, the national character of Luxembourg.

CONTESTATIONS OF NATIONALITY

Statesmen of the time of the Luxembourg Crisis certainly considered national character as fluid, at least to a degree. In a letter to Bismarck sent by the Prussian ambassador to France, Count Goltz, the diplomat relays Napoleon's hesitation to claim the left bank of the Rhine in 1866.

> "I could not conceal the utmost anxiety concerning the severance of Prussian or German territory that might be claimed. Here the Emperor interrupted with the remark that his statements of a week ago had been made under the impression that war was imminent. He had esteemed it his duty to draw our attention to the trend of popular opinion. In the contingency of Prussian extension, the French populace required "something on the banks of the Rhine, in the direction of Moselle & Rhenish Bavaria". His personal wishes did not lie in that direction. He wished to avoid the necessity for an accession of territory that might be accompanied by drawbacks. Was he even sure that the population was willing to become French?"[125]

This letter, written a month prior to the Austro-Prussian war, concerned the 'promises' made between the Emperor and Bismarck at Biarritz in 1865; these promises ensured French neutrality during the event of a war between Austria and Prussia, in exchange for small territorial concessions.[126] As mentioned, French popular opinion favoured the annexation of areas on the left bank of the Rhine, such as "Rhenish Bavaria", rather than Luxembourg.[127]

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[125] Count Goltz to Count Bismarck – Confidential. By Hand. 8th May 1866. Paris. *Conversations with Napoleon III.* P. 259-266

[126] Echard, William E. *Napoleon III and the Concert of Europe*. Louisiana State University Press, 1983, p. 217

[127] Case, Lynn M. "French Opinion and Napoleon III's Decision after Sadowa." *Public Opinion Quarterly* 13, no. 3 (1949): 441-461.

These areas had previously been part of France under the départements of *Mont-Tonnerre* and *Sarre*.[128]

However, the value of this document lies not in the context surrounding it, but in the content, particularly the closing sentence. The inclusion of the term "willing" signifies a key element of the French attitude towards nationalism, specifically, the political will of a population to choose a national identity. Certainly, the emphasis of a population's political will was held in high regard by Napoleon III himself, considering his emphasis on plebiscitary legitimacy. Similarly, the phrase "become French" implies that such a transformation was possible; however, this is not to say that 'Frenchness' had an unusual quality about it. Rather, contemporary commentary on the possibility of such a transformation implies that statesmen and diplomats at the time of the Luxembourg Affair did not, at least to some degree, hold national identity as an unalterable category. National identity could be changed, developed, or transformed. Eugen Weber's *Peasants into Frenchmen* asserts that even the French peasant had to be made into a French national citizen, a citizen with a shared sense of community.[129] Clearly, the category of 'Frenchness' or 'Germanness' was not an inherent identity. While the inhabitants concerned in the above letter between Goltz and Bismarck were not the Luxembourgish, the implication of Rhenish Germans being able to, however unlikely, become French further implies a fluidity to national character and identification.

For Napoleon, language was not an indisputable indicator of a population's nationality. His conversation with the Prussian diplomat Count Goltz was the subject of another letter, though this letter was between British diplomats.

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[128] Testu, Laurent-Étienne. *Almanach impérial an Bissextil M.DCCC.XII, Présenté A.S.M. L'empereur Et Roi.* Paris. 1812 P. 354

[129] Weber, Eugen. *Peasants into Frenchmen: the modernization of rural France, 1870-1914*. Stanford University Press, 1976.

> [Napoleon]…had suggested that, as the Grand Duchy of Luxembourg was more French than German, the fortress itself having been constructed by Vauban, the fortress and territory should be made over to France.[130]

While a mere suggestion by Napoleon, his consideration of Luxembourg as being more French than German suggests that the national character of Luxembourg was not, at least to Napoleon, indisputably German. Thus, with the contestation of this national character, Napoleon could assert other means of legitimacy to validate a French purchase of Luxembourg. A rejection of cultural signifiers, such as language, as the prime indicator of a population's national sympathies supported French claims to Luxembourg and other non-French speaking areas, such as Alsace-Lorraine. In the words of the Emperor, "German nationality, no more than French nationality, cannot include all those who speak the same language. Alsace is French, although of Germanic race; the cantons of Vaud and Neuchâtel are Swiss, despite their French affinities".[131]

While the Luxembourg Affair could be interpreted as a crafty attempt by Napoleon to claim a 'non-French' population and territory as rightfully French, his sentiment ought to be considered as sincere. For Napoleon, a French population was one that would agree to join France legitimately through plebiscite, in accordance with the principle of nationalities. For the purchase of Luxembourg to be considered legitimate by his own ideological principles, he had to consult the Luxembourgeois. This consultation was stipulated as one of three conditions for the purchase of Luxembourg.

> He [Napoleon] had subjected this cession to three conditions: the consent of the Grand Duke, the acquiescence of the populations, and the consultation of the interests of Europe. The first condition had been realised; *the second there had been no*

[130] Lord Cowley to Lord Stanley, 8th May 1866, Paris, in *Conversations with Napoleon III*. p. 329
[131] Ollivier, Émile. *La Fin de l'Empire autoritaire*. Revue des Deux Mondes, 5e période, tome 39, 1907 (p. 276-313). p.301

> *opportunity of establishing, but His Majesty did not doubt of the sympathy of the Luxembourg population for annexation to France…*[132]

Napoleon, it seems, did not doubt that the population of Luxembourg would consent to an annexation to France, despite the purportedly German character of the population.

In accordance with Napoleon's principle of nationality, the Luxembourgeois had to choose to become French. But what was the best way to consult the population? A plebiscite was Napoleon's intended method of both consulting the population and legitimizing the purchase.[133] The nature of plebiscitary politics of the nineteenth century, while appealing to democratic sensibilities, would be considered less than democratic today. In preparation for the annexation, French agents prepared and roused the population of Luxembourg to vote in favour of annexation; these agents included "Frenchmen of all qualities, administrators and railway employees, bankers, officers and even tourist who were not afraid of winter".[134] However, Gustave Rothan, a French diplomat and later historian of the Luxembourg purchase, states that these agents "had no great eloquence to expend in converting them, their sympathies were ours".[135] This evidence invites us to reconsider an understanding of the Luxembourg purchase as untenable under a principle of nationality; an understanding that emphasizes that the Luxembourgish spoke a German dialect, and thus ought to be part of a German national state, rather than a French national state.

French diplomatic documents reference a certain necessity of any German national state to limit its national claims. Two dispatches, penned by the Marquis Lionel de Moustier,

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[132] Lord Cowley to Lord Stanley 19th April 1867, in *Archives Diplomatiques,* II, 1867, p. 339. Emphasis added.
[133] Baudin to Moustier, January 13th, 1867, in *Origines,* XIV, p. 98-99, no. 4054
[134] Rothan, Gustave. *L'Affaire du Luxembourg Revue des Deux Mondes*, 3e période, tome 47, 1881 (p. 803-834). p. 810
[135] Rothan, Gustave. *L'Affaire du Luxembourg Revue des Deux Mondes*, 3e période, tome 47, 1881 (p. 803-834). p. 810

the French Minister of Foreign Affairs at the time of the Luxembourg Affair, elaborate on these urgings.

> We might apprehend that, under the influence of certain theories, Prussia, instead of shutting herself up within her uncontested frontiers, was induced… to look beyond.[136]

Moustier's mention of 'certain theories' likely reference the internal debate within Germany, between *Kleindeutschland* or *Großdeutschland*.[137] The difference between a necessary consideration of political reality and ambitious national claims over disputed frontiers, or borderlands, characterized the Prussian contestation of a French annexation of Luxembourg.

German public opinion concerning Luxembourg differed with that of the government. Bismarck had originally proposed the purchase of Luxembourg as acceptable to Prussia, provided it was presented as a *fait accompli*.[138] The North German liberal opposition, headed by Bennigsen and in tune with public sentiment, refused to relinquish the German character of Luxembourg. Following the publicization of a potential French purchase of German land, Bismarck would retract Prussian consent to the purchase, presenting himself as "helpless before the people's fury", despite having defied attacks from the press and parliament for the last four years. [139] French diplomats saw Bismarck's supposed capitulation to the public will as a dangerous tactic to enlarge Prussian, and later German, national territory, at the expense of neighbouring states:

[136] Moustier to Baudin, February 28, 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793
[137] "Little Germany" and "Greater Germany" respectively.
[138] Rothan, Gustave. *L'Affaire du Luxembourg Revue des Deux Mondes*, 3e période, tome 47, 1881 (p. 803-834). p. 814-823
[139] Pflanze, Otto. *Bismarck and the Development of Germany, Vol. 1 The Period of Unification, 1815-1871* (1964). P. 378

> The President of the Council [Bismarck] certainly has the moral authority and the courage necessary to draw the limits for German patriotism which it cannot cross without hurting the patriotism of others.[140]

The influence of an agitated parliament, an inflamed public opinion, and ultimately, ambitious German nationalist claims would provoke Bismarck to retract his acceptance of the purchase. Thus, Luxembourg was not annexed by either France or Germany. This was the result of the political considerations and realities of the time, rather than a settling of a national character. The failure of Napoleon's attempt to purchase Luxembourg was not due to a concession that Luxembourg was more innately German than French, but a matter of historical circumstance.

THE PERSPECTIVE OF LUXEMBOURG

Luxembourg remained independent, and Luxembourgish, alongside French and German, is the official language of Luxembourg today. However, at the time of the Luxembourg Affair, the likelihood of annexation to either France or Germany was seen as increasingly possible. Even Victor de Tornaco, the Prime Minster of the Luxembourg Government, was "very decidedly French; he says that annexation is the only desirable solution for Luxembourg."[141] It is necessary to consider that the political trends of the time were tending towards unification, towards the merging of a multitude of polities. Germany, at the time of the French Revolution, consisted of well over two hundred and fifty separate states. Following the war of 1866, there technically remained only five independent states – the North German Confederation, Bavaria, Hesse, Württemberg, and Baden – that would come to form the future German Empire. Similarly, the Italian peninsula had seen the

[140] Moustier to Baudin, April 1, 1867, in *Archives Diplomatiques,* II, 1867, p. 799
[141] Rothan, G. "Souvenirs Diplomatiques : L'Affaire du Luxembourg : III. Les négociations avec la hollande. —les perplexités du roi des Pays-Bas et de son gouvernement." *Revue des Deux Mondes (1829-1971)* 47, no. 4 (1881): 803-834. P. 812

consolidation of different states into a single Kingdom of Italy. In the words of Baudin, the mid-nineteenth century was "a time when the wind is not favourable to small states".[142] A circular by the Marquis de la Valette, written September 16, 1866, comments upon this trend:

> An irresistible power, it is to be regretted, pushes the peoples to meet in large agglomerations by causing the secondary States to disappear. This tendency arises from the desire to provide the general interests with more effective guarantees. Perhaps it is inspired by a kind of providential forecast of the destinies of the world.[143]

The question became that in an increasingly small Europe, where was room for Luxembourg to be found?

In the light of territorial consolidation and movements for national unification of the time, anxieties regarding the annexation of Luxembourg by either France or the nascent Prussian-led North German Confederation prompted the inhabitants to consider the 'lesser of two evils', so to speak. Petitions made to the Grand-Duke concede that if independence could not be maintained, the Grand-Duke ought to "accede to the desire of France". The same petition juxtaposes French freedom to German, or Prussian, autocracy; "We admire Germany, but our sympathies, our customs, our traditions, our energetic feeling of equality draw us towards France". [144]

In addition to the sense of an inevitable annexation, the modern language of Luxembourg, Luxembourgish, was not held as distinct from German at the time of the purchase and was instead considered a dialect. An article from a French-language Luxembourgish newspaper, *Courrier du Grand-Duché de Luxembourg,* dated 1844,

[142] Baudin to Moustier, March 15th, 1867, in *Origines*, XV, p. 73-79
[143] Circular of the Marquis de la Valette to the diplomatic agents of the Emperor. September 16, 1866, in *Archives Diplomatiques,* IV, 1866, p. 335-340
[144] Wampach, Gaspard. *Le Luxembourg neutre : étude d'histoire diplomatique et de droit international public*. A. Rousseau, 1900. P. 111-112

illustrates the Luxembourgish perspective plainly: "The French and German languages are the two national languages of the country."[145] Both languages were taught in schools, though French was also retained as the language of the law. [146] Borrowing from Anderson's arguments regarding the printed language, such a bilingual education system allowed those living in Luxembourg to comprehend the millions of French and German speakers, and vice versa; French speakers could read the *Courrier du Grand-Duché de Luxembourg,* and German speakers the *Luxemburger Wort*. [147] The introduction of a shared, standardized language, be it French or German, created the basis for understanding the Luxembourgers as part a larger, imagined community, either by others or by themselves. It was not only the French and Germans who considered the Grand-Duchy as an area of national contestation; so too did the Luxembourgers consider the Grand-Duchy a Franco-German borderland. Luxembourgish identity is best summed up by the national motto of the country - *Mir wëlle bleiwe wat mir sinn* - "we will remain what we are". The Luxembourgish national identity destabilized, to a degree, normative notions of Frenchness and Germanness by containing both elements of French and German national identity; this unique mixture was the defining national element of Luxembourgish identity. In embracing Luxembourg's status as a national borderland, the Luxembourg identity emerged.

CONCLUSION

Understanding the Luxembourg Affair as a contestation over a Franco-German borderland reveals a valuable insight into how national identity was constructed in the nineteenth century. Both French and German nationalists contested the national character of Luxembourg at the time of the attempted purchase. French claims to Luxembourg reflected a

[145] *Grand-Duché de Luxembourg*. Luxembourg, 14 August. In : *Courrier du Grand-Duché de Luxembourg*, 1, nº 13 (14.08.1844), p. 2.
[146] Fehlen, Fernand. "L'imposition du français comme langue seconde du Luxembourg. La loi scolaire de 1843 et ses suites." *Synergies Pays Germanophones* 8 (2015) : 23-35.
[147] Anderson, Benedict. *Imagined communities: Reflections on the origin and spread of nationalism*. Verso books, 1983. P. 37-46

'French' nationalism, one that legitimated the basis of nation-states upon the political will of the population. In the event of an affirmative plebiscite in Luxembourg to join France, the *Luxembourgeois* were to be considered French, just as the Niçois had done in 1860. In aligning himself to this French sense of nationalism, Napoleon reinforced his political and strategic claims to Luxembourg with an "ideological screen" of nationalism. Nevertheless, Napoleon's ideological commitment to the principle of nationalities was real and it might have been legitimated by plebiscite, a plebiscite that would be incontestable by other national claims as it was based on the will of the population.

By contrast, German claims to Luxembourg reflected a particularly 'German' nationalism; one that made national claims not on the basis of political will, but cultural signifiers, such as language. Political claims to the borders of a future German nation-state were informed by visual language maps, known as *Sprachkarten*, which came to represent an idealized German state. In the absence of a politically unified Germany, these idealized and ambitious claims were not impeded by political reality or necessity. Furthermore, these claims were situated within a larger national debate known as the 'German question', a debate over the limits of a German nation-state. German nationality was nevertheless contested and negotiated, exemplified by foreign confusion between an enlarged Prussia and Germany.

Franco-German contestations over Luxembourg represented respective characteristics of French or German nationalisms, and the rejection of the legitimizing basis of the 'opposite' nationalism. The French rejected language as the basis, and the Germans rejected the political will of the population. Contemporary documents conceded the possibility of 'becoming French', implying that those in the nineteenth century considered national character as, at least partially, acquired and fluid. Finally, an examination of the Luxembourgish perspective demonstrates a contemporary understanding of national

unification as inevitable; the question was unification with France or Germany, rather if it were to happen at all. Additionally, this chapter shows the perspective of Luxembourg as a Franco-German borderland as one held not just by the French or Germans, but additionally by the native Luxembourgish.

CHAPTER THREE: AGAINST THE DIVINE RIGHT OF KINGS

The Sovereign is he who decides on the exception.[148]

Carl Schmitt, *Political Theology*

INTRODUCTION

Napoleon III's attempt to purchase Luxembourg in 1867 was not the first time Luxembourg was purchased, nor the first time it had been integrated into France. In 1409, Antoine de Bourgogne married Elisabeth of Görlitz, and the Duchy of Luxembourg was pawned to finance Elizabeth's dowry, which came to a sum of 120,000 guilders. It was decided that if Elizabeth died without children, her rights to the Duchy of Luxembourg would be inherited by Antoine, and Luxembourg would join the growing Burgundian State.[149] Instead in 1441, Elizabeth would go onto sell her rights to Luxembourg to Philip the Good of Burgundy, and the Duchy finally ceased to be sovereign in 1443, instead becoming a possession of a string of rulers and empires for many centuries to come.[150] The Duchy of Luxembourg would fall under the rule of the Spanish and Austrian Habsburgs, with brief intervals of French rule during the time of Louis XIV, when the French engineer Vauban bolstered the defences of the fortress. Luxembourg would remain a Habsburg possession until the War of the First Coalition, when in 1795 the First French Republic annexed the duchy. The French annexation of Luxembourg was formalized in the Treaty of Campo-Formio (1797) and became part of the *département des Forêts*. However, the Luxembourg Affair

[148] Schmitt, Carl. *Political theology: Four chapters on the concept of sovereignty*. University of Chicago Press, 2005. P. 1
[149] Stein, Robert. *Magnanimous dukes and rising states: the unification of the Burgundian Netherlands, 1380-1480*. Oxford University Press, 2017. P. 41-45
[150] Reid, Andrew. *Luxembourg: The Clog-shaped Duchy: a Chronological History of Luxembourg from the Celts to the Present Day*. AuthorHouse, 2005. P. 22-23

invites inquiries into what exactly constituted sovereignty in the nineteenth century, and whether this sovereignty could be sold.

In this chapter, I will show, through the Luxembourg Crisis, how the French and the Prussians mobilized competing notions of sovereignty to justify their geopolitical manoeuvring in the French and German borderlands. This political dispute not only helped to answer whether or not France could buy Luxembourg, but also set the stage for the normalization of popular legitimacy as vital to state sovereignty in Europe in the nineteenth century. In other words, while Napoleon III was ultimately unable to purchase Luxembourg, the French were successful in promoting the idea that sovereignty derived from the popular consent of the governed rather than a dynastic claim.

For the purposes of clarification, this chapter will borrow definitions of sovereignty from Barry Buzan. Buzan establishes that the essence of the modern state relies on three factors: sovereignty, territoriality, and nationalism.[151] Sovereignty defined the nature of the political claim, territoriality defined the scope of the claim, and nationalism defined the legitimacy of the claim. It is during the nineteenth century that this third element of nationalism came to augment political sovereignty. In short, the acquisition of additional territory, especially within Europe at the time, had to be legitimated by a national element. For example, France could not legitimately own Catalonia, or the Rhineland, or Croatia, unless these areas expressed a willingness to join the French nation-state.

Buzan emphasizes that during the course of the nineteenth century, definitions of sovereignty were undergoing change. In particular, Buzan states that the inclusion of nationalism as the legitimizing force behind political claims replaced “dynastic right with

[151] Buzan, Barry. "Universal sovereignty." *The globalization of international society* (2017): 227-247. P. 227-228

popular sovereignty".[152] The nineteenth century was a period of transition, a complicated period in which the ramifications of the French exportation of the Revolution under Napoleon I had shattered the foundations of feudal and dynastic political structures. Sovereignty in the nineteenth century became a contested category, and a growth of ambiguity as to what defined sovereignty prompted inquiry.

Considering that Napoleon supported the principle of nationalities, and considering these changing notions of sovereignty, the question then becomes: how and why would a country allow itself to be sold?

IMPLICIT AND EXPLICIT SOVEREIGNTY

How could a country allow itself to be sold? Changes in how politicians and ordinary people understood sovereignty – towards notions of popular sovereignty – can help explain why Napoleon III might have been able to buy Luxembourg and why the Luxembourgeois would have allowed their country to be purchased. In the early 19th century, however, Luxembourg's sovereignty was determined not by the will of the population, but by an intricate web of dynastic relations and legal treaties. From 1815 to 1867, a Prussian garrison had occupied the fortress of Luxembourg. The legal basis for the occupation of the fortress was embedded in a federal structure created through the redrawing of the map of Europe in 1815. And yet, this redrawing was not done by the people of Europe, but the kings and diplomats of the European states. In a country as small as Luxembourg, the significance and value of its fortress becomes immense. While the French purchase of Luxembourg would necessarily involve a selling of sovereignty de jure, the Prussian occupation of Luxembourg's fortress involves a de facto cessation of sovereignty. Max Weber's definition of sovereignty

[152] Buzan, Barry. "Universal sovereignty." *The globalization of international society* (2017): 227-247. P. 228

illustrates this idea of a 'de facto' sovereignty. In his essay *Politics as a Vocation*¸ Weber defines the state as an entity that possesses a monopoly on the legitimate use of force within a territory.[153] The centrality of the fortress meant that though legally it was owned by Luxembourg, in practice, the Prussian occupation contested the monopoly on violence held by Luxembourg. This is especially true following the dissolution of the German Confederation when the legal basis for the occupation had been terminated, and Luxembourg had no meaningful recourse to force this garrison to leave. As such, the foreign occupation of the fortress involved de facto cessation of sovereignty.

In the absence of force, the Luxembourg government had opted for words, contesting the occupation on the basis of legality. A note from Baron de Tornaco, the Prime Minister of Luxembourg, to the Count Perponcher, Prussian ambassador to the Netherlands, concerns the continued occupation of the fortress of Luxembourg. The fortress of Luxembourg was designated a federal fortification in the German Confederation, a shared designation with the bastions of Landau and Mainz. The occupation of these fortresses relied entirely on a federal legal structure which, following the dissolvement of the German Confederation in June of 1866, no longer existed. Baron de Tornaco's protest of the continued occupation by Prussian soldiers was not held as illegal per se, but certainly no longer necessary or explicitly legal. He goes as far to cite the Prussian government having declared the "federal link severed".[154] This protestation was in response to a letter from Perponcher to Tornaco a day prior, in which the Prussian minister Perponcher argues that the basis of Prussia's right to garrison the fortress precedes any federal links.

Perponcher maintained the legality of the Prussian occupation of Luxembourg on the basis of a bilateral agreement between Prussia and the Netherlands, created in the wake of

[153] Weber, Max. *Max Weber's complete writings on academic and political vocations*. Algora publishing, 2008. P. 156
[154] Tornaco to Perponcher, July 2nd, 1866, in *Archives Diplomatiques,* II, 1867, p. 782-784

Napoleon I's final defeat at Waterloo. However, Tornaco and the Luxembourg government maintained that the legal basis for occupation had dissolved alongside the Germanic Confederation in 1866, and thus protested its continuation. Perponcher, speaking on behalf of the Prussian government, stated that these rights to occupation "have not been altered by the dissolution of the Germanic Confederation, given that the rights and obligations, stipulated outside of the Diet, continue to remain in force".[155] Perponcher asserted that Prussian right to garrison lay between the King of the Netherlands and the King of Prussia, thoroughly unrelated to and pre-emptive of any federal legal ties. He makes this point explicit:

> It was not until October 5th, 1820, that the Germanic Diet… recognizing the right to garrison… was based on European treaties…The Prussian garrison had therefore been in the fortress of Luxembourg for four years without it having the status of a federal garrison, solely by virtue of the stipulations of the convention of November 8, 1816. The right of garrison in Luxembourg which results therefrom, was not ceded by Prussia to the Germanic Diet.[156]

While Luxembourgeois statesmen held the position that the legal right to occupy the fortress had lapsed, Prussian diplomats insisted that this right had not lapsed, and that the Prussian occupation was entirely legal.

The dispute over the legality of the Prussian occupation reflected a larger dispute over the legitimate source of political sovereignty in the nineteenth century. In an attempt to provide stability to a war-torn continent, the Congress of Vienna had established the German Confederation to replace the Holy Roman Empire. And yet, the basis of the previous political structure had origins in feudalism, a system of personal vassalage and reciprocal obligations, while the replacement was based on a confederation of territorial states. Sovereignty, and the

[155] Perponcher to Tornaco, July 1st, 1866, in *Archives Diplomatiques,* II, 1867, p. 781-782
[156] Perponcher to Tornaco, July 1st, 1866, in *Archives Diplomatiques,* II, 1867, p. 781-782

obligations of territorial states, like Luxembourg, within a larger political entity, such as the German Confederation, had become unclear. The lack of clarity allowed the advancement of legal arguments to guarantee state interests; Luxembourg argued to end the occupation, and Prussia argued to maintain it. Establishing sovereignty in an organization like the German Confederation is complicated enough; attempting to reclaim sovereignty in the wake of the Confederation's collapse proved significantly more problematic.

The imposition of the German Confederation, intended to replace the older feudal Holy Roman Empire, introduced imperfect structures and vague origins of sovereignty. As such, it was unclear if the legality of the occupation derived from federal or bilateral agreements, and in turn, whether the complicated basis for sovereignty for Luxembourg derived from the settlements of Vienna. Tornaco's response to Perponcher cites further treaty stipulations from 1816, which states that the Luxembourg fortress must be "regarded as a responsibility of the entire Confederation".[157] While this exchange gives the appearance of mere legal bickering, it demonstrates the complicated nature of sovereignty during the mid-nineteenth century. Sovereignty was being disconnected from dynastic relationships, instead linking to a rudimentary international legal system through diplomatic treaties. Tornaco's arguments were left unanswered by the Prussian government.

French diplomats also weighed in on the issue. Gustave Rothan, a French diplomat during the Luxembourg Affair and later historian of the event, later made mention of Bismarck's thoughts on the Prussian occupation of Luxembourg.

> M. de Bismarck admitted that the treaties conferring on Prussia the right to occupy the citadel of Luxembourg had expired as a result of the last events, and he was personally of the opinion that, if it pleased the King of the Netherlands to make us the

[157] Baron de Tornaco to Count de Perponcher-Sedlnitzky, July 2nd, 1866, in *Archives Diplomatiques,* II, 1867, p. 782-784

> cession of the Grand Duchy, not only would the Prussian Government have nothing to complain about, but that all he would have to do is recall his troops, without even waiting for us to ask him to do so.[158]

Despite such an admission from the leading Prussian minister that legally the Prussians no longer had a right to garrison the fortress of Luxembourg - who was to make them vacate? Luxembourg provided an excellent rebuff against any possible French incursions into the Rhineland, and the Dutch government did not intend to allow any dynastic commitments to Luxembourg jeopardise Dutch national security. As William III was simultaneously the sovereign of the Netherlands and of Luxembourg, any international difficulties arising from the sale of Luxembourg would inevitably drag the Dutch people into a potential war. Considering the "Dutch government and people do not regard [Luxembourg] as adding anything to the strength, security and prosperity of their country", the Dutch would not threaten war if the Prussians maintained an occupation.[159]

Following the dissolution of the German Confederation in 1866, the Prussian government would continue to interpret the federal treaties as defunct yet irrelevant – the right to occupy Luxembourg was stressed as originating in a bilateral agreement, and nothing more. Since Napoleon's election in 1848, international law (as agreed upon by the Congress of Vienna) had repeatedly been shaken, and as a result mostly disintegrated. Wars between the Great Powers had occurred in 1853, 1859, and 1866. German federal law had been dissolved by 1866, and no formal multilateral legal organization concerning Luxembourg remained. Without the agreement of the Great Powers, and with the breakdown of the

[158] Rothan, G. "SOUVENIRS DIPLOMATIQUES : L'AFFAIRE DU LUXEMBOURG : III. LES NÉGOCIATIONS AVEC LA HOLLANDE. —LES PERPLEXITÉS DU ROI DES PAYS-BAS ET DE SON GOUVERNEMENT." *Revue des Deux Mondes (1829-1971)* 47, no. 4 (1881): 803-834. p. 812-813

[159] Answer of Lord Stanley to the interpellations of Sir R. Peel in the sitting of the House of Commons, April 5th, 1867, in *Archives Diplomatiques, II,* 1867, p. 808-812.

settlements of 1815, all involved parties would make legal arguments. These arguments served to merely reinforce the position of governments making them: Rothan reported that a semi-official journal in France claimed that "France considers any intervention by Prussia in the question of Luxembourg to be contrary to international law".[160] Despite these legal arguments, it was the military prowess of the states involved that determined the course of the Luxembourg Affair. As Napoleon III himself had stated, "it is still might and not right that decides the fate of peoples."[161] The Prussians would continue to garrison the fortress until the Treaty of London in 1867. It was only after an international congress of the six Great Powers (Austria, Britain, France, Italy, Prussia, and Russia) that it was agreed that Prussia would evacuate, and the fortress would be demolished.

Aside from the question of legality, the French government also contested the Prussian occupation on the grounds of French defence. A dispatch from the French minister of foreign affairs, the Marquis de Moustier, to the French ambassador at the Hague, Baudin, expressed the interests of France succinctly; "the evacuation of the fortress of Luxembourg by the Prussian garrison which occupies it".[162] This dispatch also reveals the French understanding of the Congress of Vienna, and by extension the German Confederation, as hostile to France – considering it a "system of mistrust inaugurated against [France]".[163] The French minister confirmed the Dutch interpretation of the dissolution of German Confederation as having freed Luxembourg "from all servitude" and considered the Prussian right to garrison the province rescinded with the dissolution. The 'servitude' of Luxembourg to the German Confederation is quite explicitly noted as being founded on the political

[160] Rothan, G. "SOUVENIRS DIPLOMATIQUES : L'AFFAIRE DU LUXEMBOURG : IV. LA RUPTURE DES NÉGOCIATIONS. —L'INTERPELLATION DE M. DE BENNIGSEN. — L'ATTITUDE DU COMTE DE BISMARCK." *Revue des Deux Mondes (1829-1971)* 48, no. 1 (1881) : 75-105. p. 86-87

[161] *Des idées napoléoniennes* in *Œuvres de Napoléon III*, Book I, 154-155.

[162] Moustier to Baudin, February 28th, 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793

[163] Moustier to Baudin, February 28th, 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793

system established against France following the Congress of Vienna. Thus, the French perspective considered the Prussian garrison as illegitimate, based upon superseded treaties, and quite explicitly aimed against France.

The French were also quite aware of the geostrategic implications of the continued presence of the Prussian garrison. As the French diplomat de Moustier said:

> The Prussian government… has premeditated to keep, against any kind of law, outside its frontiers and so close to ours, a garrison useless from the point of view of its natural defence, and whose character, eminently offensive towards us, could not fail to fix our most attentive concern.[164]

It appears that the legal justifications for the Prussian right to garrison were considered illegitimate by both the Dutch and French governments and presented a menacing threat to French security. Similarly, Prussian concerns mirrored an obsession with strategic considerations to the fortress of Luxembourg. There is a clear interplay of arguments asserting the legality of the actions of France, Prussia, the Netherlands, and Luxembourg peppered with statements regarding the strategic value of controlling or occupying Luxembourg.

An interjection directed at Bismarck in parliament by *Nationalliberale Partei* leader Rudolf von Bennigsen, head of the liberal party of the North German Confederation, stresses the strategic value of Luxembourg:

> To these considerations is added that with Luxembourg we would be abandoning an important military position, a fortress which was built by means of pecuniary

[164] Moustier to Baudin, February 28th, 1867, in *Archives Diplomatiques,* II, 1867, p. 791-793

> indemnities which were imposed on France in the wars of 1814 and 1815, with a view to the defence of Germany against the same France.[165]

The difference between the two cessations of sovereignty, implicitly through occupation and explicitly through annexation, lies in the basis of legitimacy for the two acts. The Prussian occupation, as mentioned, was largely considered as having originated with the Vienna settlement of 1815, even by Bismarck himself. The legitimacy of the Vienna treaties lay in the decisions of dynastic princes, kings and emperors, and the sovereignty emanating from within the person of these rulers. Additionally, the practical cost of abandoning a fortress "built by means of pecuniary indemnities where were imposed on France in the wars of 1814 and 1815" appeared to justify Prussian claims to occupation.[166]

In short, the sovereign embodied the state, and legitimacy arose from the dynastic right of these rulers. Alongside the general breakdown of the Vienna diplomatic situation, with events like the creation of the Kingdom of Italy and the Second Schleswig-War, the basis of political legitimacy began to shift. As Buzan writes, the nineteenth century saw a redefinition of the "foundations of sovereignty, replacing dynastic right with popular sovereignty".[167]

LAUENBURG AND LUXEMBOURG

To better show how the French and Prussians mobilized competing notions of sovereignty to justify their geopolitical annexations, I will compare the French attempt to purchase Luxembourg in 1867 with the earlier purchase of Lauenburg by Prussia in 1865.

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[165] Interpellation of Bennigsen to Bismarck, April 1st, 1867, in *Archives Diplomatiques,* II, 1867, p. 800-807

[166] Interpellation of M. de Bennigsen and reply of M. de Bismarck. 1st April 1867, in *Archives Diplomatiques,* II, 1867, p. 800-807

[167] Buzan, Barry. "Universal sovereignty." *The globalization of international society* (2017): 227-247. p. 228

Specifically, I will comparatively analyse the rhetoric of legitimacy deployed to justify these annexations.

Superficially, the purchases of the Duchy of Lauenburg and the Grand-Duchy of Luxembourg appear to be exceptionally similar. Both purchases involved the exchange of sovereignty of a small unit of land (Duchy and Grand-Duchy alike) for currency, orchestrated in the wake of a large political reshuffling: for Lauenburg, this reshuffling followed the Second Schleswig War, and for Luxembourg, the Austro-Prussian War. Both purchases involved terminology relating to the purchasing of rights or claims to the areas. The Gastein Convention, the diplomatic document concerning the purchase of Lauenburg by Prussia, states this clearly:

> His Majesty the Emperor of Austria cedes the rights to the Duchy of Lauenburg acquired in the Vienna Peace treaty to His Majesty the King of Prussia, whereas the royal Prussian government committed to the Kaiserl. [Kaiserliche] to pay the Austrian government the sum of two million and five hundred thousand Danish thalers.[168]

The sale of Austria's rights to the Duchy of Saxe-Lauenburg to Prussia for the sum of 2,500,000 million Danish thalers, or *rigsdalers*, mentioned in this convention prompts a consideration of the terminology involved. The Austrian surrender of "acquired" rights invokes an almost dynastic language for the legitimacy of the sale. In the case of Lauenburg, the legitimacy of sovereign rule lay in dynastic claims, or rights, over territory. Thus, the cession of 'rights', in exchange for a monetary amount, imparted a dynastic framework to the legitimacy of this purchase.

Moreover, the purchase was made contrary to the actual dynastic claims – rather than the political realities – of the Elbe Duchies. The legal claimant to the Duchies was Frederick

[168] Article Nine, Gastein Convention, 14 August 1865. *Archives Diplomatiques*, IV, 1865. p. 8-9.

of Augustenburg, who would style himself Frederick VIII, Duke of Schleswig-Holstein. French foreign minister Drouyn de Lhuys railed against the two German powers for the failure to "return the disputed inheritance to the most authoritative claimant", Augustenburg, instead "dividing it among themselves".[169]

In other words, the language used in the Gastein Convention that couched the purchase in a legitimacy relying on dynastic and monarchical sovereignty flowed more from a concern with form, legitimacy deriving from dynastic sovereignty, than from the actual claims of members of a political dynasty. A speech given by the Count of Arnim-Boitzenbourg proclaiming the incorporation of Lauenburg into Prussia closes with the following:

> I ask you to repeat with me the cry of long live His Majesty William I, King of Prussia, Duke of Lauenburg![170]

The unity of Lauenburg and Prussia was to be found within the personage of the Prussian king, and the titles he had acquired, rather than a sense of national unity. Hence, Prussia's acquisition of Lauenburg took the form of acquiring a personal union over the duchy; while later simply annexed and incorporated into the Prussian kingdom, the sale's basis of legitimacy was in dynasticism, not popular sovereignty. Nevertheless, Prussia, at least to some degree, justified the purchase of Lauenburg to the French government under the notion of popular sovereignty. Stacie E. Goddard describes the Prussian mobilization of popular sovereignty in the instance of Lauenburg has been described by as a "rhetorical trap".[171] She argues Prussia utilized nationalist rhetoric in dealing with Napoleon; if he was to oppose

[169] Circular addressed by Mr. Drouyn de Lhuys to the diplomatic agents of the France concerning the Gastein Convention. August 29, 1865. *Archives Diplomatiques*, IV, 1865. P. 10-11
[170] Speech of the Count of Arnim-Boitzenburg after the reading of the royal patent that incorporates Lauenburg into Prussia. *Archives Diplomatiques*, IV, 1865. P. 22-23
[171] Goddard, Stacie E. "When right makes might: how Prussia overturned the European balance of power." *International Security* 33, no. 3 (2009): 110-142.

Prussian expansion in Schleswig-Holstein, and in turn place Germans under the Danish yoke, France would be revealed as a hypocrite in international politics. Thus, while France and Prussia had divergent notions of sovereignty, Prussia mobilized the notion of popular sovereignty to appeal to the French Emperor. This ensured that no French opposition to Prussia's expansion in Northern Germany would materialize. The mobilization of popular sovereignty by Prussia in Lauenburg was self-serving, rather than a sincere appeal to the principle of nationalities and Napoleon's ideas.

Otto Pflanze, in his *Bismarck and the Development of Germany*, elaborates that the issue for Bismarck, and those advocating the annexation of Lauenburg had relied upon a principle of national self-determination; yet the local population favoured Augustenburg, not the Prussian king William I. Lauenburg was later annexed, and the right of self-determination was to be limited where "the general interest of the German nation was concerned."[172] In light of Buzan's definitions, the superficiality of the similarity between the Lauenburg and Luxembourg purchase becomes explicit. The reasoning behind this claim lies with the legitimizing justifications for both purchases.

By contrast, one of the stipulations necessary for the French purchase of Luxembourg involved the consent of the population of Luxembourg.

> The Emperor agreed directly with King William III to obtain, in return for sufficient compensation, the cession of his sovereign rights, and he undertook to attach the Grand Duchy to France only after consulting the populations.[173]

The legitimacy of the Luxembourg purchase not only relied on the sovereignty of the King-Grand Duke William III and his consent, but so too the consent of the Luxembourgeois. This

[172] Pflanze, Otto. *Bismarck and the Development of Germany, Vol. 1 The Period of Unification, 1815-1871* (1964). P. 262-284

[173] Rothan, Gustave. *L'affaire du Luxembourg : le prélude de la guerre de 1870*. Vol. 3. Calmann Lévy, 1884. p. 808. Emphasis added.

stipulation differentiated the purchase of Luxembourg from that of Lauenburg by affirming the importance of popular sovereignty. Obviously, due to the bellicose threats from the Prussians to the Luxembourg purchase, as mentioned in the previous chapter, such a plebiscitary referendum never went ahead. Nevertheless, the circumstances of the annexation of Nice and Savoy in 1860, in addition to his rhetoric of popular sovereignty, point to such a plebiscite being implemented in the event of a successful purchase. Two weeks before the purchase became public news, the Prime Minister of Luxembourg, Baron de Tornaco revealed to the French ambassador, Baudin, that if the question of French annexation were put to a vote, "three-fourths of the suffrages would decide for the annexation to France".[174] As such, it appears that Napoleon's purchase of Luxembourg did not fail due to the ridiculousness of buying a country, nor the hostility of the Luxembourgeois to French annexation. Protestations against the purchase were not made with recourse to illegality and were instead made references to the 'German' character of the area.

Following the Treaty of Turin in 1860, plebiscites were made in the areas of Savoy and Nice to legitimize the annexation of these territories to France. While studies regarding the technical legitimacy of these plebiscites have contested the actual will of the populations exist, such a question remains outside the scope of this thesis. Rather, such a comparison between Savoy and Nice to Luxembourg focuses instead on the language of the purchase, as mentioned in the previous chapter, which appealed to a popular sovereignty as the legitimizing element of the intended annexation. Paola Casana, a scholar at the University of Torino, has similarly contended this argument in the case of Savoy and Nice: "Plebiscite

[174] Baudin to Moustier, 15th March, 1867, in *Origines*, XV, p. 73-79

consultation, by universal male suffrage, made it possible not only to consolidate popular consent in favour of unification, but also to legitimize government action".[175]

But why would Napoleon feel the need to purchase Luxembourg if he had anticipated the territory becoming French through a plebiscite, and by extension, through popular sovereignty? The answer lies, I argue, in the fact that Napoleon was not a lone arbitrator of European affairs; he had to contend against and co-operate with other states in order to achieve his goals. While Napoleon's espousing of popular sovereignty granted him legitimacy internally, the rulers of Europe at the time of the Luxembourg Affair still paid homage to ideas of dynastic inheritance. The Dutch King William III tentatively accepted an offer of five million guilders for the purchase of Luxembourg, and negotiations could "only take place between the King of the Netherlands, in his capacity as Grand Duke, and the Emperor of the French".[176]

An exceptionally telling dispatch between British Lords Cowley and Clarendon illuminates the extent to which Napoleon's conception of sovereignty informed his foreign policy.

> [Napoleon] would be glad to see a good understanding between all governments which spring from the same roots, viz. the people, including his own among them; in other words, he would like to see popular government pitted against the divine right of Kings.[177]

This dispatch, written less than half a year following Napoleon's restoration of the French Empire, reveals Napoleon's distinction between his own government and the governments of Europe. Despite Napoleon's monarchical title, which he held in common with the kings of

[175] Casana, Paola Vittoria. "Les accords de Plombières dans la perspective du consentement des peuples." (2013): 255-263. Translation by Jackson Dehring.
[176] Baudin to Moustier, April 6th, 1867, *Archives Diplomatiques*, II, 1867, p. 816-818
[177] Lord Cowley to Lord Clarendon, 25th March 1853. *Conversations with Napoleon III*. P. 47

Europe, he considered his basis of legitimacy stemming primarily from popular sovereignty rather than solely through divine right. Yet, he did not hesitate to invoke a divine claim. The opening to the Imperial Decrees issued by Napoleon during his time as Emperor usually began with *Napoléon, par la grâce de Dieu et la volonté nationale, Empereur des Français.*[178] These examples reveal the degree to which he valued popular sovereignty, or "national will", as he considered it as legitimating as the "grace of God".

The distinction that Napoleon made between his government and others was informed by his consistent recourse to the political will of the people through plebiscites, notable for universal male suffrage. This recourse enabled Napoleon to become well associated with the use of plebiscites, and at large, popular sovereignty, not only to justify external conquests, but even his own internal political legitimacy. In 1851, then-president Louis Napoleon held a referendum to legitimize a self-coup staged in order to continue his term in office, in addition to the rewriting of the French constitution. The following year, Louis Napoleon would become Napoleon III, Emperor of the French, following another plebiscite on the restoration of the French Empire. Even three years after the attempted purchase of Luxembourg, Napoleon would hold another constitutional referendum in 1870, asking voters whether they approved of the liberal reforms made to the constitution since 1860. Neil Rogachevsky states it succinctly: "Rule by plebiscite had always been a core principle of Napoleon III's Bonapartist politics."[179] Napoleon, who derived his legitimacy from popular sovereignty, held himself apart from the other monarchs of Europe, who based their legitimacy from dynasticism. However, this distinction did not compel Napoleon, in his capacity as Emperor, to call for the fires of revolution to be relit, and for dynastic kings to be torn down. Napoleon

[178] "Napoleon, by the grace of God and the national will, Emperor of the French". *Archives Diplomatiques,* III, 1865. P. 24,25, 39-42, 48-53.
[179] Rogachevsky, Neil. "Are plebiscites constitutional? A disputed question in the plebiscite campaign of 1870." *French History* 27, no. 2 (2013): 249-270.

would repeatedly advocate for the adoption of popular sovereignty throughout Europe rather than enforce it by arms.

However, Napoleon's advocacy of popular sovereignty was regarded with irritation outside France. An article in *Le Temps*, titled 'Letters from the Hague', relates the Prussian attitude towards Napoleon's insistence upon popular sovereignty through correspondence from The Hague.

> It seems that in Berlin, we don't really like your quickness to put the populations in a position to even decide on their fate. This will have an unfortunate effect in Schleswig and elsewhere. We would almost prefer that you take possession in the name of "reasons of state", of unavoidable political necessities. This would stamp the "*Il le fallait!*" which has so far served as an excuse for the Prussian annexations.[180]

The implications of championing popular sovereignty would provoke questions outside of Luxembourg, prompting such calls in "Schleswig and elsewhere", and delegitimizing the actions of political actors who chose not to consider to popular sovereignty.

To continue on the idea of popular sovereignty, one must make mention of Napoleon III's 'principle of nationalities', particularly in reference to the idea of popular sovereignty contained within. Napoleon III's ideas of nationality were nuanced and augmented by the necessity of "universal suffrage". In a letter to Émile Ollivier, Prime Minister of France during the Franco-Prussian war, Napoleon III emphasizes that "if the South of Germany, consulted by universal suffrage, wanted to unite with the Confederation of the North, it would be difficult to oppose it."[181] In championing the restructuring of Europe along national lines, Napoleon III made sure to emphasize the right of self-determination to national groups; not

[180] *Le Temps*, Paris, March 31st, 1867. p. 2
[181] Ollivier, Émile. "LA FIN DE L'EMPIRE AUTORITAIRE." *Revue des Deux Mondes (1829-1971)* 39, no. 2 (1907): 276-313. p. 301

every French speaker, for example, must be included in the French nation. "German nationality, no more than French nationality, cannot include all those who speak the same language."[182] Ollivier agrees with Napoleon's conception of the principle of nationalities in his response, restating the Emperor's emphasis on popular sovereignty:

> The law of nationalities is created neither by the conformity of race and language, nor by simple geographical configuration: it has no other origin and no other sign than the will of the populations freely manifested.[183]

For Napoleon, political legitimacy derived from popular sovereignty, rather than ideas of ethnicity or language. Émile Ollivier, in his later apologist writings, would help to illustrate the Emperor's ideas, particularly the principle of nationality. He writes:

> The will of the people is therefore the dominating, sovereign, unique, absolute principle from which the entire modern law of nations must issue, by a series of logical deductions, as if from an inexhaustible source. It is the principle of freedom in international relations which replaces geographical and historical fatality.[184]

Though written by Napoleon's final prime minister, this extract provides a conception of Napoleon's thoughts on popular sovereignty. Napoleon conceptualized this as the clear underpinning of international relations. This sentiment has been reproduced in the twentieth century, especially in the creation of entities such as the League of Nations and the United Nations due to the spreading of nation-state concept. The dissemination of ideas of

[182] Ollivier, Émile. "LA FIN DE L'EMPIRE AUTORITAIRE. p. 301
[183] Ollivier, Émile. "LA FIN DE L'EMPIRE AUTORITAIRE. p. 302
[184] Ollivier, Émile. *L'empire libéral : Du principe des nationalités. 1895*. Vol. 1. Garnier frères, 1895. P. 169

nationalism, both within Europe and around the world, would become a significant theme throughout the twentieth century.[185]

CONCLUSION

The Luxembourg Affair represented a symbolic transition away from earlier conceptions of sovereignty as stemming from dynastic rights towards popular sovereignty. These opposing forms of sovereignty are respectively mirrored in the different political justifications between the Prussian occupation of Luxembourg fortress and the potential annexation of Luxembourg by France. While the Prussian occupation was underpinned by an international settlement that emphasized political legitimacy as stemming from dynastic rights, the French purchase was not. Instead, the French purchase emphasized the necessity of a plebiscite. Despite these differences, both occupation and annexation involved a cessation of sovereignty, de facto and de jure, respectively. Additionally, the Luxembourg Affair provides a key example of early plebiscitary politics, which sought to establish the people as the origins of political legitimacy. The nineteenth century saw the rise of nationalism as an integral part of political sovereignty. Nationalism, however, was contested and nuanced by political leaders like Napoleon III, who sought to establish a further element of popular sovereignty into resolutions of national tension. His principle of nationalities and emphasis on popular sovereignty augmented his decision to purchase Luxembourg. Napoleon broke with the traditions of purchasing territory within Europe, opting not to rely upon dynastic and monarchical legitimacy as the basis for political legitimacy. Such traditions and implications were explored alongside the 'precedent' of Lauenburg, which provides a similar example of purchasing territory in Europe. Lauenburg, similar to Luxembourg in terms of size, population, and the context in which a purchase was attempted, still differs in significant regard. As mentioned, both the Lauenburg and Luxembourg purchases were attempted in the

[185] Berberoglu, Berch. *The national question: nationalism, ethnic conflict, and self-determination in the 20th century*. Temple University Press, 1995. P. 1-11

wake of war, wars that saw the political reshaping of Central Europe. And yet, the point of convergence lies in the language of legitimizing the purchases. The purchase of Lauenburg was couched in dynastic terms, while Luxembourg was to explicitly consider the views of the local population before the purchase could be enacted. Plebiscitary language and action, in contrast to the decisions of dynastic rulers, offered the Luxembourgish the potential of a choice in the purchase, the potential of popular sovereignty. The question of how a country can allow itself to be bought implies either the voice of a local population or government decision. The de facto cessation of sovereignty through the occupation of a major fortress and the established precedent of purchasing territory in Europe were both, previous to the Luxembourg Affair, legitimated by appeals to dynastic sovereignty. The Luxembourg Affair, however, represented a transitional period away from dynastic rights to popular sovereignty. This transition was informed by Napoleon's own principle of nationalities. Throughout this chapter I have demonstrated a clear link between Napoleon's principle of nationalities and its relation to popular sovereignty. This in turn provided a basis for the political legitimacy of the purchase and heralded the political attitudes toward popular sovereignty we maintain today.

CONCLUSION

Annexations, national unifications, and appeals to the principle of national self-determination have occurred in very recent times. These issues have been notable not only within the past year, but also at the time of the Luxembourg Affair. However, recent scholarship has not paid enough attention to them, nor to the Luxembourg Affair. While French language scholarship still finds a fascination with the final Emperor of France, English language scholarship on Napoleon III, especially with regards to his foreign policy, is rarer, with the exception of his invasion of Mexico. As Michele Cunningham and James McMillan agreed, the definitive history of Napoleon III's foreign policy is still to be written. His renovation of Paris, his larger political career, and his imperial and colonial adventures have populated the field.[186]

This thesis aimed to contribute to scholarship surrounding Napoleon III's purchase of Luxembourg, and to the larger rehabilitation of the figure of Napoleon III. I reiterate, in the lineage of Pottinger and Echard, that Napoleon's principle of nationalities was a defining aspect of the foreign policy of the Second Empire.

In chapter one, I situated the Luxembourg purchase within a larger political discussion about the natural borders of France, particularly around the French ambitions to the Rhineland. The rise of nationalism in Europe, exemplified during the Rhine Crisis of 1840, complicated these French ambitions. Napoleon rescinded French claims to the Rhine, based on the national character of the region, and broke with traditional French policy aims. I argue that Napoleon held the principle of nationalities as a maxim of his foreign policy, augmenting traditional French claims to the Rhineland with considerations of national

[186] Pinkney, David H. *Napoleon III and the Rebuilding of Paris*. Princeton University Press, 2019; McAuliffe, Mary. *Paris, City of Dreams: Napoleon III, Baron Haussmann, and the Creation of Paris*. Rowman & Littlefield, 2020; McMillan, James F. *Napoleon III*. Routledge, 2014; de la Rosa, Miquel. "French Liberalism and Imperialism in the Age of Napoleon III: Empire at Home, Colonies Abroad." (2022).

identity. Napoleon endeavoured to realign the borders of France and pursued a geostrategic foreign policy with consideration of the principle of nationalities. I argue that Napoleon's territorial ambitions lay with the acquisition of Savoy, Nice and Luxembourg, and compared the usage of the French term *réunion* in both the Treaty of Turin (1860) and the draft treaty for the purchase of Luxembourg to denote political and national legitimacy. Napoleon's geostrategy, acquiring Savoy, Nice and Luxembourg, was intended to facilitate the reduction of French military spending. This disarmament would in turn stimulate the industrial and economic capabilities of France. As such, Napoleon's intent in purchasing the Grand-Duchy of Luxembourg was to resolve national disputes over the Rhineland, provide geostrategic security and reduce military spending.

In chapter two, I argue that Luxembourg should be understood as a Franco-German borderland and then compare the national claims made to Luxembourg by both French and German nationalists. French nationalism maintained that national borders ought to be established on the political will of a given population. Napoleon legitimised the purchase of Luxembourg by appealing to the political will of the Luxembourgeois through plebiscite. The plebiscite was a political tool commonly used by Napoleon both internally, to legitimate his rule, and externally, in the annexations of Savoy and Nice. Additionally, the annexations of Savoy and Nice were to serve as a framework for the annexation of Luxembourg; the drafted treaty for the annexation was based on the Treaty of Turin (1860). Conversely, German national claims to Luxembourg were based in cultural and ethnic terms. German nationalists believed that Luxembourg was a German territory by merit of the language of the inhabitants, which was considered a German dialect. The use of German *Sprachkarten*, or language maps, serve to outline the frontiers of a future German state, which did not exist at the time of the Affair. It is apparent in the German claims to Luxembourg that political disunity did not preclude a territory from being considered German, reflecting the lack of a cohesive German

political state. My analysis of Napoleon's attempt to purchase Luxembourg also indicates that national identity was considered, at least to some degree, extrinsic by statesmen and diplomats in the nineteenth century. I situated the Luxembourg Affair contextually, during a period when nationalist movements almost guaranteed that Luxembourg would be annexed either by France or a Prussian-led Germany eventually. The inhabitants of Luxembourg considered themselves sympathetic to annexation by France, though considered both French and German as national languages. Certainly, the Luxembourgeois considered themselves as living in a Franco-German borderland.

In chapter three I traced the origins of the Prussian occupation of Luxembourg back to the Congress of Vienna, an international settlement legitimated by dynastic and divine rights. I position the arguments made by statesmen over the legality of the Prussian occupation to illustrate the contested nature of sovereignty during the nineteenth century. The distinct lack of clarity regarding the origins of sovereignty, that is, from which political principle legitimate sovereignty sprang, coloured these arguments. This vagueness stemmed from the shattering of feudal and dynastic political structures following Napoleon I's exportation of the French revolution. The contested nature of sovereignty, in turn, prompted states to simply pursue state interests, such as the occupation of a strategic fortress. Essentially, might, and not right, still decided the right of peoples. Additionally, I demonstrate that the notion of purchasing a sovereign territory was not outlandish or ridiculous, but rather, an established means of acquiring territory. I compare the purchases of Lauenburg by Prussia in 1865 to Napoleon's attempt to purchase Luxembourg in 1867, and though superficially similar, these purchases reveal the mobilization of competing notions of sovereignty. Prussia justified the purchase of Lauenburg by means of dynastic right. Conversely, France justified designs over Luxembourg by appealing to notions of popular sovereignty. French appeals to popular

sovereignty were informed by Napoleon's own principle of nationalities, or the right of peoples to self-determine.

Further exploration of the Luxembourg Affair could enrich our understanding of the past in many ways. Additionally, research opportunities exist in historicizing attitudes towards national identity; statesmen at the time of the Luxembourg Affair certainly considered national identity to be fluid, even extrinsic. The questions of popular sovereignty proposed by my research invite us to trace the origins of this notion. Additionally, the comparison between the purchases of Lauenburg and Luxembourg is a novel one and could spur further research into the diplomatic practice of buying a country. Opportunities for future research lie in extending my research towards a broader understanding of both diplomatic histories of the Second Empire and Napoleon's foreign policy, particularly with reference to geostrategy. To echo the words of Michele Cunningham and James McMillian, the definitive history of Napoleon III's foreign policy is still to be written.

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