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Diplomatic negotiation : essence and evolution

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CHAPTER VIII

The Nineteenth Century: Inclusiveness and Exclusiveness

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CHAPTER VIII: THE NINETEENTH CENTURY: INCLUSIVENESS AND EXCLUSIVENESS

The nineteenth century witnessed a multitude of inter-state negotiation processes and this chapter will analyze the most outstanding: the Vienna Congress of 1814–1815. All of the concerned parties were invited to the congress, whether they were the former victims or the former allies of Napoleon. There were two reasons for inviting all of the relevant countries – irrespective of size or importance – to participate: first, for a legitimate conference and therefore a legitimate Final Act, all stakeholders had to be present; and second, if one country could be left out, why not another? Even for the Great Powers, this would be a dangerous precedent. What would the criteria be for excluding a country from the congress as a whole? This would be a political decision to be negotiated, and there was no way to do that. To exclude those who had been in the enemy's camp could not be a criterion as – apart from Britain – all of the stakeholders had been with Napoleon at a certain time. The duration of that connection was not a criterion either, although in the political process of the congress, duration did work to the detriment of some countries, such as Denmark and Saxony. What could be done, however, was to create inclusiveness and exclusiveness inside the congress itself: some negotiators were allowed to be a decision-maker, but most were kept at bay. There was neither a procedure nor a principle for this either; it was just decided by the Great Powers and the others had no choice but to allow it, notwithstanding the fact that the decisions of the Great Powers would have consequences for them: 'It is accepted wisdom that negotiations often have consequences for a broader group of actors than the parties directly involved in the talks' (Troitskiy, 2013: 10).

Important sources for this chapter are the eye-opening book *Rites of Peace* by the English/Polish academic Adam Zamoyski (Zamoyski, 2007) and the works on the Vienna negotiation processes by Christophe Dupont (Dupont, 2003; and Dupont and Audebert-Lasrochas, 2005). The Zamoyski book takes both a broad and a deep view into the Vienna negotiations and the negotiators. It is broad in the sense that it connects the Vienna Congress with its wider context – politically, psychologically, sociologically, historically and geographically. We say politically, because Zamoyski gives us an insightful analysis of the political currents and interests at the time; and psychologically, because Zamoyski shows us the capacities – both positively and negatively – of the main negotiators and the consequences for the negotiation process. He does this by going through the archives of the Austrian secret police, as Austria's Prince Metternich had spies in nearly all the embassies (although they had problems in penetrating the British and French legations), as well as in the Austrian Imperial Court. Zamoyski does so sociologically, as it tells about the mores of the time and the underlying network of mistresses – through bed and ball – who cater for an indirect and unseen back-channel of communication between

the main players; historically, because his story is deeply embedded in the developments leading up to the Vienna Congress and the events thereafter; and geographically, as *Rites of Peace* shows us the importance of understanding the geographic situation if we want to understand the countries' political interest.

Other important sources are the works by the father of modern French negotiation research, the late Christophe Dupont. It is perhaps telling for the non-linkage between historical and negotiation research that Dupont is not among the sources used by Zamoyski. Dupont focuses on the negotiation process in Vienna in a chapter (Dupont and Audebert-Lasrochas, 2005) and an article (Dupont, 2003) in publications from – or related to – the work of the PIN program. In both papers, Dupont deals with the question of coalition-building. In the book chapter, he tries to show the proximity and distance between the main negotiators as far as the main negotiation problem of Vienna is concerned: Poland/Saxony. In the journal article, he puts the Vienna Congress in the context of modern approaches to coalition-building. He distinguishes three phases in the negotiation process at Vienna. After a pre-negotiation process, the Russians, Austrians, Prussians and British managed to establish the Vienna Congress through the First Peace of Paris. In Vienna itself, the Great Powers – including France for a time – first move from unity to less cohesiveness; they then stumble in disruption; but third, they reconstitute themselves in order to determine the Final Act. In the post-negotiation process, after Vienna, their cohesion starts to disintegrate, most notably when France is excluded from the negotiations on the Second Treaty of Paris after the second downfall of Napoleon. As such, Dupont distinguishes five phases if we take the treaties of Paris into account as well. In Vienna itself, the flow from unity to loss of cohesion to reconstitution has to do with the question of Saxony, which split the coalition into a camp of three and a camp of five: Britain, France and Austria, against Prussia and Russia. This nearly led to war.

Another interesting analysis of the interrelationships of the Great Powers and their perceptions of themselves and of the other four has been made by Charles Doran (Doran, 1971). Doran asks the question: if all the powers try to dominate the others, how do you assimilate them into the circle? The answer: through trade-offs until a balance is reached with which everyone can live.

The Vienna Congress is, of course, a subject widely studied by historians and political scientists (Kissinger, 1957), but much less so by the 'newcomers' devoted to the research of international negotiation processes (Dupont, 2003), who are trying to understand the negotiation intricacies of the Vienna Congress, particularly as the classical diplomatic negotiation historians, such as François de Callières, wrote their treatises before the Vienna Congress took place.

In order to prevent too much repetition and description, this chapter attempts to take the different constituent parts of the Vienna negotiations apart. First, it deals with the question of choice and thereby of inclusion and exclusion: who will be in, and who will be out of the actual decision-making, separating the participating powers into different circles of influence? Then, the chapter will sketch the context of the negotiations and the construction of the Vienna Congress: the procedural perspectives. The chapter next turns to the main counterparts, the characteristics of the negotiators representing their countries, followed by their process of interaction under the heading 'Conversations'. After this, the chapter deals with the process of convergence of positions and interests as

a means of closure. For this, a few general politico-historical works (apart from Zamoyski and Dupont) were consulted (Albrecht-Carrié, 1970; and Luykx, 1971), as well as some specific studies (Webster, 1919; and Gruner, 1993), and others that set 'Vienna' in a larger diplomatic and security perspective (Kissinger, 1994; and Holsti, 1991). On negotiation itself, Zartman's concepts of negotiation as a choice of partners (Zartman, 2009) and the necessity of creating ripeness (Zartman, 2005) are referred to in this chapter. The conclusion of the chapter will comment upon Zartman's 'Lessons Learned from "Vienna"'.

Choice

Our main focus will be on the dilemma of inclusiveness and exclusiveness and its consequences. Negotiation can be seen as a choice of partners. In general, negotiation is defined on the basis of its content. What are the positions of the contending parties and how far are they apart, and therefore how difficult will the negotiation process be? However, we can also define negotiation on the basis of the participating actors, and – in the case of diplomatic negotiations – the countries and their representatives, their agents. From this perspective, negotiation can be defined as 'a process of identifying an appropriate partner and constructing a joint pact' (Zartman, 2009). From such a perspective, it is as much the contending counterparts around the table as the distance between their interests that will determine the flow of the process, the options for convergence and closure by means of an agreement. Leaving a party outside of the process could have grave consequences for the value and viability of the treaty, but taking the party into the negotiations could obstruct the process too much, thereby never allowing closure of the negotiation process.

The main criteria for co-opting a party into the day-to-day negotiation process of the Congress of Vienna were twofold: did the party belong to the anti-Napoleonic alliance; and was it so powerful that a peace treaty could only be implemented if that power participated fully in the central negotiation process? This principle implied that Russia, Austria, Prussia and Great Britain would be included, but that France would not. For power political reasons, France was allowed into the inner circle shortly after the bargaining process got underway, as at least three out of four Great Powers saw the benefit of it, skilfully clarified by the French plenipotentiary. Power politics dominated and the mistake of the later Paris Peace Conference of 1919 – to keep two of the main powers outside the inner circle because it had been the enemy (Germany) or was seen as a potential enemy (the Soviet Union) – was not made in Vienna. French participation did not obstruct the negotiation process and the question of 'what to do with France?' did not dominate the proceedings. On the contrary, to have an uneven number of actors on board proved to be vital for avoiding durable stalemates.

For the implementation of negotiated outcomes, it is vital to have as many relevant parties as possible in support of the final agreement. However, a successful negotiation process with more than five parties seems to be very difficult to achieve. Complexity hampers effective negotiation; the number of parties matters. One could postulate that the greater the number of parties, the richer the process, because the more choices are available, and the more opportunities, the more integrative the final outcome. This is certainly true, but to manage a very complex multilateral process is often a burden, especially if, as in the nineteenth century, rules and regulations were rather absent. The

Vienna Congress, for example, never decided on uniform procedures and, without such protection of the bargaining process, it is very difficult to move the parties in the desired direction. It was only in the twentieth century that we started to manage multilateral negotiations through rules that were embedded within international organizations. Even then, we bounce at the boundaries of negotiation. It is perhaps no coincidence that it is the Security Council of the United Nations where the main decisions can be taken, and within that Council, five countries play a decisive role – a ‘pentacracy’ of the victors of the Second World War, indeed, but still. We see this in 1919 in the Paris Conference, where five countries formed the nucleus of the conference, although only three really played a decisive role. Meanwhile, in 1814–1815 at the Vienna Congress, we had Austria, Russia, Prussia, Britain and France taking the lead, effectively excluding the other countries from real participation.

The exclusion of France at the beginning of the process was not in the long-term interest of – foremost – Austria and Britain. France had to be included in order to control it. After all, Austrian Prince Klemens Lothar von Metternich said that ‘When Paris sneezes, Europe catches cold’ (Davies, 1996: 762). Furthermore, Austria needed a counter-balance against its greatest competitor, Prussia. Britain needed to keep both Austria and Prussia in check, and therefore France had to become an integral part of the deliberations. Another reason for integrating the French enemy had to do with the unreliability of Russia on the one hand, and the need to control the Bonapartists and Republicans in France itself. It was self-evident that only France’s inclusion could provide a balance of power in Europe, a balance that was needed to secure the peace wished for by the monarchies. Excluding a major power from the negotiation process – as with Germany and the Soviet Union in 1919 – would have had disastrous consequences, especially as other major powers like Spain and Poland had lost their former strength or vanished completely. Excluding the minor powers, however, was in the interest of the negotiation process and the need to reach an agreement within a certain time. The Vienna Final Act was signed nine days before Napoleon Bonaparte escaped from Elba, but the powers were not aware of this threat. His escape, on the other hand, would have been instrumental in forcing the allies to come to closure if their business had not yet been done. External threats forge internal agreement, but in the Vienna case, such a push was not necessary. The process itself managed to converge into closure.

Excluding other powers from real participation did not mean, however, that they had no influence at all. Hundreds of their representatives – and their mistresses – were also gathered in Vienna, and this closeness to the actual process gave them some kind of leeway. They were, however, dependent on the benevolence of the main negotiating parties, and sometimes literally had to beg for attention. In order to keep them busy, an enormous circus of events was established. These festivities were far more lavish than those we know about in earlier congresses like Westphalia and Utrecht, or the conferences that came after. While the costly social events kept the minor powers at bay, they also provided them with opportunities to lobby the negotiators of the five powers that were central to the process. These powers could afford to keep the middle and smaller powers at a distance, as long as they could be sure that they could control them afterwards. The decisions at Vienna would not be of value if the five powers themselves did not stick to them, nor if the secondary powers could not be forced to obey them. In order to keep the

excluded powers in check, a two-tier system was of help. One group of excluded parties was given a quasi-permanent position as consulted constituencies. Although they were not allowed into the inner circle, they were in part included on an intermittent basis. Countries like Bavaria, Württemberg, Saxony, Spain, Portugal, Naples and the Netherlands had to go along with this in order to be able to push the truly small powers – for example, the small states in Germany and Italy – in check.

Stratification of countries into ‘great powers’, ‘middle powers’ and ‘small powers’ helps us to get a better understanding of the functioning of the Vienna system (Holsti, 1967: 73). The trickling down of power on the basis of inclusiveness and exclusiveness could only be effective if there was a layer of middle powers who were both included and excluded: included because they were regularly consulted; and excluded because they did not have a ‘permanent seat’ in the negotiation process. We could label them ‘involved parties’. As the middle class in a society provides stability in the social and economic sense, these countries provided the sustainability that was needed for the nineteenth century to be reasonably peaceful.

One other condition for the success of the Vienna framework was the willingness of the major powers to act ‘in concert’. Like in the European Union of today, the smaller countries are needed to cement the interrelationships of Germany, France and Britain. If these three cannot agree among themselves, the Union will not be able to make any progress. At the same time, some dissent among the main powers is needed to give the auxiliary states the opportunity to influence their behaviour, and thereby the course of the Union.

Another condition for the Vienna framework was the absence of a major threat from the outside. As the United States was not yet a world player, as China and Turkey were in decline, and as Russia was included in the process, the centre – being Europe – could set the rule. Including Russia was a problem, however. This thesis is of the opinion that a Russia that was too close to Central Europe was seen as a threat to peace. This is why the Austrians, Prussians, British and French tried to keep the Russians out of Poland. They did not manage, however. It is fascinating to see how Russia entered the heart of Europe as a consequence of the Napoleonic defeat, was thrown out again after the Russian Revolution and the end of the First World War, came back in as a consequence of Germany’s defeat in the Second World War, and threw themselves out again after the downfall of communism.

This problem of inclusiveness and exclusiveness in the European realm became less relevant as the world enlarged through imperialism and its demise. Through imperialism, Europe’s potential was turned outside, therefore allowing for a more or less peaceful episode inside nineteenth-century Europe itself. It was only through the rise of nationalism that Europe fell on its own sword at the beginning of the twentieth century.

Here we have yet another condition for a peaceful Europe along the lines of the ‘Holy Alliance’: a common ideology, meaning the legitimacy of the ruling parties, foremost the monarchies. We therefore witness throughout the nineteenth century – most notably in 1830 and 1848 – collective attempts by the five Great Powers to subdue democratic and nationalistic uprisings, although ‘liberal’ Britain hesitated about the need for and the wisdom of such repressive actions. As the collective security arrangement fell apart in the middle of the nineteenth century, nationalism ran out of control and democracy started its triumphal march to power. Those who had been excluded took over, and half a

century after the *de facto* demise of the Vienna system, Europe broke down, allowing the rest of the world to rob it of its central position in the world. Europe lost its hegemony, a hegemony that was still undisputed when the victors over Napoleon sat down to negotiate in order to preclude further war, but more importantly to safeguard their own interests by peaceful means.

Context

How shall we structure post-Napoleonic Europe? This was the central question that gave rise to the Congress of Vienna in 1814–1815. An exhausted Europe needed a new order. What should the new order be and what should it be about? Or better still, to what extent will we restore the pre-revolutionary Europe, and how are we going to do this? One can go back into history a very long way in order to explain the Vienna context. For the purpose of this chapter, a brief description of the developments after the Peace of Utrecht 100 years earlier in 1713) suffices.

As discussed in chapter VII, Britain and Austria, as the winners of the Spanish War of Succession from 1701–1713, became the main beneficiaries of the Peace of Utrecht. France managed to keep most of its newly conquered territories, because of its early wartime successes, but the country was completely exhausted. French King Louis XIV had a family member on the throne of Spain, although Spain itself slowly but truly lost its role as a major player on the European scene. With the rise of Prussia and severely weakened by the Swedish invasions and its own shaky political system, Poland – the other flank power of Europe – was erased from the map at the end of the eighteenth century. Prussia, Austria and Russia swallowed its remains. However, Poland's dissolution and its consequence would be one of the main issues at the Vienna Conference of 1814–1815. In the north, Sweden had lost its position as the hegemonic power in the Baltic, giving way to the Tsarist empire. The south witnessed the expansion of the Ottoman Empire, with Turkey still being the main threat to the Christian European order for most of the century (Black, 2010: 61).

As France was heading towards bankruptcy because of its inadequate political system and its inability to modernize itself, the political scene in Europe was changing dramatically. The roots of the Vienna Congress can easily be traced to the French Revolution of 1789 and its Napoleonic aftermath, events that the congress sought to reverse. The French Revolution was not just an event upsetting the balance of power. Wars in (especially) the seventeenth and eighteenth centuries were very much rulers' attempts to acquire a dominant position on the continent, while other rulers sought to prevent this. In other words, many wars were dynastic wars, although they often wore the mask of religion to rationalize the war effort. The French Revolution and the Napoleonic Empire added a new, more political, rationalization to the struggle for the balance of power: the overthrow of the crowned heads who ruled the continent. Revolution juxtaposed the 'will of the people' as equal, or even superior, to the legitimate powers outside the revolutionary areas. Napoleon sought to dominate the old elites with his own newcomers to the scene: himself; his family; and some of his marshals (Black, 2010: 138–149).

Revolution and Bonapartism did not disappear after the victory of the European Restoration. There were problems in getting rid of the idea of the 'sovereignty of the

people' in many of the 'liberated' countries where these ideas had taken root. As far as Napoleon is concerned, he had been beaten in the second battle of Leipzig in October 1813 and also at Waterloo in June 1815 (during the last few days of the Congress of Vienna's procedures), but he remained the nightmare of the negotiators and their negotiations. After all, apart from Britain, all of the victorious allies had at one time or another been his allies. This implanted mistrust among the allies, haunting the negotiations from the very start until the end. Moreover, in the period between Leipzig and Waterloo, Napoleon had not been thrown out of Europe completely, but was still sitting on the island of Elba and was still a potential ally for some of the powers, which mistrusted their newly acquired coalition partners. Europe was still in flux and every potential player still counted. As for the British, such flux seemed to be to their advantage, as long as it did not culminate in one of the parties obtaining too dominant a position and threatening to upset the power balance, thereby creating a new threat to the British Empire in waiting (Black, 2010: 138–149).

Napoleon's retreat from Russia in November and December 1812 marked the beginning of the end of French dominance over Europe. While Emperor Napoleon returned to Paris, Prussian General Yorck negotiated a truce with the Russians at Tauroggen, thereby removing Prussia as a stumbling block for France's most dangerous adversary. It is interesting to note that this move by part of the Prussian military was not legitimized by Prussian King Frederick William III, who still felt loyalty to his ally Napoleon, notwithstanding the fact that he himself had been Napoleon's enemy and forced into an alliance with France. From a political point of view, the Prussian king still feared Napoleon and was not too sure about the future course of events, but on 28 February 1813, he signed the Treaty of Kalisz with Russian Tsar Alexander I. At a later stage, this alliance of Prussia and Russia against Napoleon proved to be the nucleus of a coalition with Austria and Britain, joined by Sweden. As a consequence of this alliance, the Prussians had to give up a big part of their Polish possessions, a problem that would bedevil the Vienna talks, as the Prussians wanted to be compensated with Saxony, an ally of Napoleon. To the Austrians, such an exchange would be difficult to swallow as it would bring both Prussia and Russia closer to their country, so that Austria would then have to compete with Prussia for dominance in Germany, while Russia would become a competitor in East-Central Europe. Both Saxony and Poland would later prove to be major diplomatic issues (Zamoyiski, 2007: 195–196).

Frederick William III, King of Prussia, proved to be quite right in his doubts concerning the waning of Napoleon's strength, for the emperor defeated the Prussians twice, in Lützen and Bautzen in May 1813. The Austrians, still neutral at the time, mediated the armistice of Pläswitz, followed by a less neutral stand when Austrian Foreign Minister Metternich concluded the Treaty of Reichenbach with Russian Tsar Alexander I on 24 June 1813. Austria, which was technically still a French ally, decided to open negotiations with Napoleon. Metternich wanted to keep his options open, being wary to take sides while the overall situation remained unclear. He met Napoleon on 26 June 1813 at Dresden and on 10 July 1813 in Prague, resulting in Napoleon's acceptance of Austria as a mediator, as well as of a suspension of hostilities between Prussia and France. Meanwhile, the British commander Wellington defeated the French in Spain at the Battle of Vitoria in June 1813, thereby threatening the southern border of France itself. For Napoleon, the odds seemed

to change in his disadvantage in August 1813, when he lost the battles of Grossbeeren, Katzbach and Kulm in Germany, although he was the winner at the Battle of Dresden. The Napoleonic Army's strength was severely undermined by the loss of Napoleon's most experienced soldiers during the Russian campaign. Although he managed to raise new armies of numerous soldiers, these men did not have the stamina to fight as successfully as their predecessors. At the same time, Napoleon had to watch his back in France, where monarchist and old revolutionaries became restless. The same happened in subdued countries like the Netherlands, where people resisted French conscription and economic exploitation (Schama, 1977: 611–645).

In October 1813 Napoleon won the first Battle of Leipzig, but lost the second in the 'battle of the nations' against the combined armies of Russia, Prussia and Austria, strengthened with German and Italian deserters from the French ranks. Napoleon thereafter retreated into France itself, while the allied monarchs and their diplomats met at Frankfurt to discuss the follow-up to the campaign. On behalf of the gathering, Metternich launched the Frankfurt Proposals (Zamoyski, 2007: 126–128), which would allow Napoleon to rule France within its natural borders. It should be noted that the allies were still quite forthcoming, as the 'natural boundaries' of France would allow the Napoleonic Empire to keep the left bank of the Rhineland, which was roughly the Rhineland occupied by the French after the First World War. After some hesitation from the French side, new French Foreign Minister Armand Caulaincourt accepted the terms set at Frankfurt on 5 December 1813, but he did not receive an allied answer to this compliance because of British opposition to the Frankfurt Proposals.

In January 1814, the British Foreign Secretary Lord Castlereagh – the British had been facilitating the anti-Napoleonic alliance with money from the very start – met Austria's Chancellor Metternich in Basle. They discussed the succession of Napoleon, highlighting that the Frankfurt Proposal had lost their momentum. They agreed on some major issues, notably the British demand to exclude the question of maritime rights from the overall negotiations to be held in Vienna. Apart from a 'just equilibrium' on the continent, the British saw their freedom at sea as their second most important priority, if not the first. They did not want any intervention on their freedom at sea, as this would undermine their attempts to enlarge and strengthen their colonial empire. The day after their bilateral meeting, they travelled to France to meet Tsar Alexander at Langres. On 23 January 1814, the Austrians and Russians proclaimed a 'General Alliance'. They called for a congress in Vienna and the restoration of the Bourbon monarchy in France. As a consequence, the war inflamed again and several battles were fought in eastern and south-western France. On 5 February 1814, the allies met at Châtillon in France (Zamoyski, 2007: 156–160), whose conference was only dissolved on 19 March 1814 after the allied offensive against Napoleon was finally successful.

On 9 March 1814 the allies signed the Treaty of Chaumont (Zamoyski, 2007: 166–168), which was published on 31 March when the allies entered and occupied Paris. In this treaty, the allies labelled themselves the 'Grand Alliance', also named the 'Quadruple Alliance', and the nucleus of the 'Holy Alliance' was proposed by Tsar Alexander one year later and signed by most continental powers, surviving for another twenty years. Chaumont was the first treaty in history that ruled that the parties had to act in the interest of peace in general. In Paris, the French negotiator and Foreign Minister to Vienna,

Charles-Maurice de Talleyrand Périgord, re-entered the stage. As mentioned earlier in this thesis, Talleyrand had been politically active during the *Ancien Régime*, the Revolution and the Empire – as Foreign Minister of Napoleon – and seized his chance by installing a provisional government in Paris. He was supported by the allies and, on 2 April 1814, the Senate voted to force the abdication of Napoleon. On 6 April 1814, the Senate adopted a constitution and offered Louis XVIII de Bourbon the throne of France. On 11 April 1814, the allies offered Napoleon the Treaty of Fontainebleau, in which he accepted Elba as his fiefdom. Napoleon ratified the treaty the following day, after a failed attempt to kill himself. After a fortnight, British Foreign Secretary Castlereagh signed parts of the treaty, signalling British hesitance about some of its provisions. On 9 May 1814, Russia, Prussia, Austria and Britain established a conference between them, where they negotiated on a proposal by Prussia's Chancellor Hardenberg concerning the division of Europe, the overseas territories, the question of reparations by the French and the restitution of stolen objects. However, they could not reach an overall agreement and they decided to sign a peace treaty with France before tackling the issues to be resolved among themselves.

On 30 May 1814, the first Peace of Paris (Zamoyski, 2007: 197–203) came into being. In June 1814, the allies decided that with regard to the unresolved territorial questions, no military action should be taken. It is interesting to note here that, with the sidelining of Napoleon, there was a growing risk of an inter-allied war. This risk only disappeared when Napoleon escaped from Elba in 1815, an event that finally pushed the allies to finalize their proceedings in view of a common enemy. Napoleon's return would then be the stalemate breaker, creating the ripeness that was needed to strike a deal. In summer 1814, however, four issues seemed to be unsolvable: the Rhineland, Poland, Saxony and the fortress city of Mainz. These problems were aggravated by the position of Tsar Alexander on Poland, when he visited London in summer 1814, which opened the option of an Austrian–French alliance, although in the end this threat to the alliance's cohesion was averted in a London meeting of sovereigns, their ministers and their ambassadors. They decided on a date and a temporary agenda for the Vienna conference. However, the Russian stand also raised the possibility of a Russian–French rapprochement, which did not materialize thanks to strong pressure from Britain's Castlereagh on Talleyrand in Paris on 8 August 1814. From July until September 1814, the heads of state, ministers and ambassadors trickled into Vienna, and on 1 November 1814 the Congress of Vienna started, although the British had proposed 15 August and the Russian Tsar had opted for 1 October. The Congress of Vienna was about to begin: 'the last, and temporarily successful attempt at [the] preservation [of the *Ancien Régime*]' (Hroch, 1993: 43). Although the road to Vienna was long, most delegates were not prepared for it.

Counterparts

The Russians were personified by Tsar Alexander I (Rey, 2012), an autocratic, imperious, generous, bullying and spiritual ruler, who thought of himself as an enlightened man whose destiny it was to bring prosperity and stability to Europe. As years went by, Alexander I became more spiritual, influenced by Baroness Julie von Krüdener (Rey, 2012: 491–492), and this made him even more inaccessible to his colleague negotiators than before. He saw himself as the liberator of the European continent, and in a way he was precisely that,

although he had been Napoleon's ally for quite some time. He both admired and despised Napoleon.

It was difficult to negotiate with Alexander. Negotiations very much depended on his mood. Although he could easily be influenced, it was hard to steer him in the desired direction of a compromise. He had been educated in an enlightened way, but he had to rule over a feudal, theocratic country. In essence he lacked self-confidence, but compensated for this by acting in public in an overly confident way. In his private life, especially with the many ladies with whom he had liaisons, he could be very open and vulnerable. He was in need of attention and wanted to please others, while he could be rude one moment later, for example to the Tsarina, with whom he had a lukewarm and complicated relationship. In other words, Tsar Alexander I was not too predictable and, as predictability is an essential element of a stable negotiation process, this created problems in his dealings with the other negotiators. Although the Tsar had enlightened ideas, in the end he never brought them to materialization, and the weight of the Russian Empire in Europe and on the peace negotiations was a hot potato for his counterparts, especially for the representatives of smaller states.

Alexander's entourage included the Polish Prince Adam Czartoryski, the most skilful Russian negotiator. Depending on the Tsar's mood, Prince Czartoryski could be very influential, using his influence to get the Tsar to agree to as much Polish autonomy as possible, if not independence. Czartoryski's relationship with Alexander was a complicated one, partly because he was in love with the Tsarina, and as time went by, the relationship between the prince and his master deteriorated. Another important advisor, and at a later stage minister and negotiator, was the Prussian patriot Karl Heinrich vom Stein, who had been born in Nassau and who fell out of favour with the Prussian king as he hated the French, while Prussia's Frederick William III was of the opinion that an alliance with Napoleon would be beneficial for Prussia. While Tsar Alexander and his advisers tended to look at Turkey as the future prey of Russia, Stein sought to change their course in the direction of German confederation, which he hoped to unite after the Russians had freed it from French dominance and occupation. Both Czartoryski and Stein failed to convince the Tsar to create a unified Poland and Germany, as Alexander I did not see this to be in Russia's national interest. Stein, however, laid the foundation of German unification by restructuring Prussia. The same is true for the Ionian diplomat in Russia's service, Count Ioannis Capodistrias, who pleaded for Greek independence, did not get it, but laid the foundations for the Greek state that emerged fifteen years later, with himself as the first president. Furthermore, Count Charles Nesselrode played his – quite passive – part in the negotiation process as Russia's acting foreign minister, at the time in competition with his predecessor Prince Nikolay Petrovich Rumiantsev (Rey, 2012: 67).

Count von Metternich (Sandeman, 2006), who was Austria's Foreign Minister for 39 years, was the nucleus of the Vienna Congress. His wait-and-see policy after Napoleon's retreat from Moscow gave him the role of mediator, which he skilfully exploited. When he finally took sides, he managed to convince the allies to have the peace negotiations in the Austrian capital, giving him the opportunity to play a home match. One of the advantages of this was the opportunity to build an Austrian spy network, which was extremely successful in giving Metternich an information advantage. His spies were active – for example, as servants – in nearly all the foreign residences, including the Austrian court

itself. Metternich spied on his own emperor and empress. The only embassies that were difficult to penetrate were the British and the French. One of his disadvantageous character traits was his extremely high self-esteem. This blinded him in many instances, with so-called 'egotiation' – a negotiation process in which his ego gained priority over the interests of country and of the Congress – as a consequence.

As a counter-revolutionary, Metternich believed in the restoration of the old order. In that sense he was much more conservative, or actually reactionary, than Tsar Alexander I, who was Metternich's headache. Metternich managed to implement his plans, which were not to the liking of the British, who feared unrest among the European populations, and rightly so. The people had sniffed freedom and political influence, of which they were again deprived. Metternich's backward-looking policies resulted in resistance against the new old order, notably in the revolutions of 1930 and 1848. They also facilitated the return of Napoleon in 1815, and perhaps even the rise of nationalism that brought Austria to its knees in 1918. For the moment, however, Austria came out of the Napoleonic Wars as Europe's power balancer, while remaining a vulnerable state because of its nationality problem.

Like all of the other negotiators in Vienna, crowned heads such as Russian Tsar Alexander I or Frederick VI of Denmark, and noblemen like the brilliant French negotiator Talleyrand and the Prussian envoy Wilhelm von Humboldt, Metternich had mistresses, of whom Wilhelmina of Sagan has been the most influential. He was in love with her and their tempestuous relationship distracted him from the affairs of state at crucial moments. Another mistress was Princess Catharine Bagration, with whom he had a child and who had been the Russian Tsar's mistress as well. Metternich's friend, Friedrich von Gentz, became Secretary of the Vienna Congress, which gave him – and thereby Metternich – the advantage of setting the agenda, reporting and drafting. Metternich managed a good relationship with his nominal superior, Emperor Francis I of Austria. Although Metternich staged many performances to entertain the Congress participants, with one reason being that it kept them busy and distracted them from the ongoing negotiations, Emperor Francis I did not fancy this ongoing and very costly circus. He actually threatened to abdicate if these feasts continued. After Austria's defeat against France in 1809, Emperor Francis had to give his daughter Marie-Louise as the Empress of France and Napoleon's wife in 1810, which hampered his freedom of action *vis-à-vis* his 'ally' and enemy Napoleon Bonaparte. Emperor Francis was a conservative man and suspicious of change, but loved by his people (Zamoyski, 2007: 313). This made it difficult for Metternich to manage him if change was needed, but which made life easier as he did not intervene in day-to-day processes.

The Prussian Chancellor, Baron (later Prince) August von Hardenberg, was the Prussian chief negotiator. Born in Hanover, he had therefore been in the service of George III, King of England and Elector of Hanover. He had to leave England, however, when his wife started an affair with the Prince of Wales that became public. Hardenberg became Prussia's foreign minister and later its chancellor. He had to struggle with the Prussian military – which even mutinied against its political authorities and demanded a high price for Prussia's switch from France to Russia, a price for which the negotiations did not allow. Although Hardenberg did everything that he could to defend Prussia's interest, he was not seen as a very successful negotiator. His 'take-it-or-leave-it' demands on Saxony

as compensation for Polish lands nearly wrecked the Vienna Conference. Wilhelm von Humboldt, a Prussian academic and ambassador to Vienna, was Hardenberg's 'aide-de-camp'. After Hardenberg's death, he tried to gain the position of Chancellor, but the King did not grant it to him (Zamoyksi, 2007: 536).

King Frederick William III of Prussia came with his sons to Vienna, where he played a more active role than Emperor Francis, but much less so than the Russian Tsar, who was his own chief negotiator, the only crowned head in the inner circle of day-to-day negotiation. After being forced to ally with Napoleon, King Frederick William III changed camps after his retreat from Moscow, although not immediately, and became a very loyal ally of the Russian Tsar. As Russian troops had occupied Prussia, he had no other choice, but it did bring him into a difficult negotiation situation and reduced his alternatives and his flexibility to zero. He was in fact a vassal of Russia until the end of the Congress of Vienna. Like Tsar Alexander, he turned away from liberalism as time went by, and by the end of his life he was a true reactionary. Apart from being enslaved by the Russian Tsar, he was – during the Vienna Congress – also enslaved by Countess Julie Zichy. The Austrians saw him as their main threat to Austria's interests, because both Prussia and Austria were competing for dominance in Germany.

The British had been out of tune with continental Europe for a long time, and it took some trouble for them to become accustomed to the continental ways of life, including fashion. British Foreign Secretary Lord Castlereagh headed the British delegation. Viscount Robert Stuart Castlereagh, later Second Marquess of Londonderry, was a figure with revolutionary ideas in his early years, and briefly an Irish patriot. He was seen as an honest man forced into dishonest proceedings. While Castlereagh saw Russia as a natural ally, Tsar Alexander I regarded Britain as his rival because of its maritime power and interests in the Mediterranean and Asia. Castlereagh tried to be a mediator, but he was fully drawn into the give-and-take of the Vienna Congress, including so-called 'soul trading': decisions taken about nations and minorities without consulting them. Souls were considered important, as their number was directly linked to the potential army that a country could field if needed. As Castlereagh had to deal with politics in Britain, at the beginning of 1815 he was briefly replaced as chief negotiator by Arthur Wellesley, Duke of Wellington, who then had to leave the negotiation table when Napoleon fled from Elba, before returning to Vienna after his victory at Waterloo in June 1815. The Duke of Wellington had an Irish background like Castlereagh, and – having been educated in France – had a good understanding of the French and their culture, which he liked, even after his battles against Napoleon. He warned the allies to distrust Napoleon, not the French people, and he fiercely objected to grave punishment of France, which would raise grief and endanger a peaceful Europe in the future. He was the British ambassador to France (Zamoyksi, 2007: 347) when he had to replace Castlereagh in Vienna in early 1815.

Other British negotiators were as capable as their masters. George Gordon, Earl of Aberdeen, was only 28 years old and was the British ambassador to Vienna. Unlike many other British diplomats, Gordon realized how far the British government had been driven apart from mainstream European politics during the two decades of French upheaval and conquest. Like the other British participants in and around the Vienna Congress, he did not like the political intrigue that was so characteristic of the Vienna negotiations. Sir Charles Stewart was the British ambassador to the Prussian court. He was a

soldier by origin and had served under the Duke of Wellington in Spain. His escapades in Vienna partly undid the image of the British as being of reasonably impeccable behaviour. As the British had their own servants in their embassy, Metternich's police could not report much on them, apart from when some of them went outside to the whores. General Charles Murray, Earl of Cathcart, was also a soldier and represented the British at the Russian court. In Vienna, Murray suffered from the continental ways of political and diplomatic horse-trading, which he had in common with the other British negotiators. His signature is under the Final Act of the Vienna Congress. Finally, there was Richard Trench, Earl of Clancarty, who was the British ambassador to The Hague. All of the British negotiators, and Castlereagh above all, had to take into consideration the position and opinion of the British Prime Minister in London, Robert Banks Jenkinson, Earl of Liverpool, whose cabinet was heavily criticized by the British Parliament and – after the Battle of Waterloo – by the British population, which wanted harsh measures to be taken against France. Britain's Prince Regent, the future King George IV, did not play a role of significance, primarily because of the parliamentary system that was in place in Britain.

France was only invited into the inner circle of negotiations after the discussion was well under way. Charles-Maurice de Talleyrand-Périgord (Bernard, 1973), France's chief negotiator and minister of foreign affairs, had survived at least four regime changes in France and was still to survive another two. Some of the *coups d'état* had been engineered by him; in others he had participated as a conspirator. Once a bishop of the Roman Catholic Church, although he had never preached (his family had bought the job to generate income for him, as they saw their limping son as incapable of earning a decent living), he developed to become a Machiavellian politician of the highest grade. Talleyrand's aim was to save as much for France as he could – and as far as money is concerned for his own pockets as well – and he managed to maintain French territory after the Congress of Vienna as it had been before the Revolution, even a bit bigger. His farsightedness was combined with extreme pragmatism, his eloquence was merged with a creative mind, and his opportunism was coupled with a seemingly French legalistic approach, making him an example for diplomats even today. Nobody, however, is perfect, and his secret alliance with Austria and Britain nearly wrecked the Congress, which would have been to the detriment of France in the longer run.

Nevertheless, Talleyrand's skill as a negotiator made him an enigma in the history of diplomatic negotiation. An example of his outstanding abilities is the way he managed the very difficult and important factor of trust. 'Talleyrand [...] was not even trusted by his own constituents and even less by the king he was representing. However, in that case, he had outstanding technical skills and could show enough credibility in the arguments he used' (Faure, 2012: 371).

Talleyrand, like Metternich and most other negotiators, had love affairs, such as with the Duchess of Courland and, during the Congress, with her daughter Dorothée, Comtesse de Périgord, but these liaisons did not distract him from the negotiation process. Dorothée helped him, one of the few unmarried men at the Congress, to stage his social life. His table became famous as he took the best cook in Paris, Carême, with him to Vienna (Bobot, 2008). Everyone wanted to attend his dinners, giving Talleyrand the best channels of influence that he could want. The French chief negotiator had several noblemen to assist him: an expert on German questions, the Duc de Dalberg; the Comte de la Tour du

Pin; and the Comte Alexis de Noaille. Finally we should mention Jean-Baptiste de Gouey, (later) Comte de la Besnardière, the French diplomat who worked with the Austrian diplomat Friedrich von Gentz to draft the final versions of the Final Act.

Another Frenchman, the Crown Prince of Sweden and Napoleon's former Marshal, Jean-Baptiste Bernadotte, had to act from the outer circle, together with the monarchs of the other middle-ranking states. His ambassador at the conference was Count Charles Axel Löwenhielm. Bernadotte opted to be the successor of Napoleon on the French throne, and for a very long time he had the staunch support of Tsar Alexander. However, Metternich and others wanted the Bourbons to be restored to the French throne, as they gave precedence to the principle of the legitimacy of the dynasties, for if they had not done so, other dynasties would also be in trouble in claiming dynastic rights to a country. In the end, Bernadotte had to give in, surrendered Finland to Russia – which Russia had already occupied – and received an unwilling Norway in return, to the detriment of Denmark, which had been an ally of Napoleon until the bitter end. Denmark's King Frederick IV had the respect of the Congress of Vienna, contrary to Bernadotte, who was generally despised. However, this esteem did not help the Danish king, who was in a hopeless position, as he did not have the opportunity to leave the Napoleonic camp on time. Although the Congress of Vienna assured him of at least his own Danish territory and German Schleswig-Holstein, it took him until close to the end of the conference to get Russia's Tsar Alexander to sign the Treaty of Kiel. Only after Frederick directly confronted the Tsar with his failure to sign, did the Tsar fulfil his obligation (Zamoyski, 2007: 388).

Of the many German monarchs and princes, and representatives of smaller states with noblemen as rulers, a few stand out. Although they were also in the outer circle, they could exert some ad-hoc pressure on the five main negotiators. King Maximilian I of Bavaria saw Prussia as his main adversary. He had married his daughter to Prince Eugène, Viceroy of Italy, who had to beg the Congress of Vienna for a fiefdom during its entire duration. King Maximilian had been the first of the German monarchs to join the alliance against Napoleon and he wanted to be rewarded for it. His claim to Mainz had been one of the thorns in the side of the conference. King Frederick I of Württemberg used the Congress of Vienna to eat and drink as much as possible. His son, the Prince Royal, future King William of Württemberg, saw the Vienna event as a chance to enjoy himself as well, although he prioritized women and dancing. Perhaps the biggest victim among those who were present at the conference was King Frederick Augustus of Saxony. Like the King of Denmark, he had supported Napoleon from the start, being afraid of Prussia and Austria at the same time. The Tsar was so angry at him that he wanted to go against the principle of legitimacy by wiping him off his throne. In the end this did not happen, but Frederick Augustus and Saxony only survived because of Austria's fear of Saxony becoming part of Prussia, thus strengthening Prussia too much. However, as the Tsar wanted big chunks of Polish Prussia, Frederick Augustus had to cede the northern half of Saxony to his colleague in Berlin. Hardenberg and Humboldt demanded the whole of Saxony for a long time, and this became one of the conference's seemingly intractable issues.

Finally, we should mention some negotiators of minor powers and minorities at the Congress of Vienna, although by no means a complete listing. These included Cardinal Ercole Consalvi, the Pope's envoy; Joaquim Lobo da Silveira and António de Saldanha da

Gama, Count of Porto Santo, representing Portugal; and Spain's envoy Don Pedro Gomez Havela, Marqués de Labrador, who wanted to restore as many Italian fiefdoms to Spain as possible. From the Kingdom of Sardinia came the Marchese di San Marzano and Count Rossi. The Marchese de Brignole-Sale represented the Republic of Genoa, but Genoa disappeared from the map as an independent country. There were representatives of minorities, such as Jewish leaders from Bremen, Frankfurt, Hamburg, Prague and Lübeck, who pleaded for equality rights for the German Jews. As Metternich did not want to have the Jewish demands on the agenda, he ordered the police to expel them from Vienna. The Prussians and British supported the Jews, however, so they were allowed to stay, one reason (and perhaps the main reason) being the loans provided by the Jews to the rulers in their fight against Napoleon, for example from the British Rothschilds (Zamoycki, 2007: 379).

Structure

Communications in Vienna were facilitated by the use of French – the language of the 'enemy' – as the lingua franca, but of course a common language did not lead to common ground. From a procedural point of view, the Vienna negotiations were quite messy. This had to do with the structure–content dilemma. The structure of the conference would, of course, have a large impact on the way in which the parties were going to deal with the content. A well-regulated Congress of Vienna, with clear procedures and an opportunity for all to participate and to vote on the Final Act, would give the small and middle powers a very strong finger in the pie. Even then, however, they would have to reckon with the Great Powers, as is the case in the European Union. Although all EU member states are reasonably equal and although they all have a say, they cannot act if there are not at least two of the Great Powers in agreement with each other. Indeed, the power of the countries is, to a certain extent, reflected in the votes that they can cast in the Council of Ministers, but the very small and small states have, relatively speaking, more votes for fewer people. Even then, there is political reality, and the EU has clearly been structured around Germany, France and the United Kingdom, with Italy, Spain and Poland as a second circle. Also in the EU, we see a certain measure of inclusiveness and exclusiveness, but this is very much in the more informal negotiations – the bilateral, trilateral and back-channel, etc. Officially, nobody can be excluded, but countries can be out-voted.

A voting system would have been out of the question in the seventeenth, eighteenth and nineteenth centuries. It only became feasible in the twentieth century with the League of Nations. At the Congress of Vienna it was completely out of the question to limit sovereignty in any way, as this would undermine the system of formally independent states and the legitimacy of their rulers. Such a precedent would not only touch upon the small powers, which did not want to be vassals – although many of them were – but would also affect the Great Powers. After all, being a Great Power today does not guarantee your status for the future. The Polish example is a gloomy one, as it was once a Great Power that was completely eradicated, although the so-called 'Polish Question' was alive and kicking. Perhaps the fading of the Holy Roman Empire – actually Rome itself – could be seen as a warning to those who thought that great kingdoms would be there for eternity. It is telling that the downfall of the western and the eastern Roman Empires has never been

completely accepted. They linger on spiritually today as the Roman and Greek Catholic Churches. It is difficult even nowadays to imagine that vested powers might crumble, and the shock and the after-shocks of the relatively recent downfall of the Soviet Union and even of Yugoslavia have still not been fully digested today (Davies, 2011).

One of the signals for the compensation dilemma was Prussia's struggle, mentioned earlier, to have as many 'souls' within its border as possible. One could image a system of weighing these souls – for example, is a Polish farmer more or less worthy than a Saxon? – and indeed, a statistical committee was established to try to refine the system of population counting (Dupont *et al.*, 2005: 42). Yet without universally accepted norms, such a methodology could not work. Norms could not be universally adopted, because the Congress of Vienna did not have a procedure to allow for that. A universal system would endanger absolute sovereignty, as the Great Powers (especially) would be limited by it, and they, of course, wanted to keep their hands free, just as they still want today, although they are now much more fenced in than before. Only a system of exclusion could therefore work. The Great Powers decided over the middle and smaller ones, who were given influence but no powers. The Great Powers were equal among themselves, and in that sense there was already a veto system at the Congress of Vienna. Consensus among the 'Big Five' was needed, as it is needed today in the Security Council of the United Nations.

How did the Congress of Vienna tackle the problem of its own structure and what did it structure? In late August 1814, more than two months before the official opening of the conference, the representatives of the four main allied powers – the Quadruple Alliance – met in Vienna: in the first meeting, this was Metternich, Hardenberg, Nesselrode and Castlereagh. They decided on an 'Inner Circle' consisting of themselves, and several 'Outer Circles' with a growing number of counterparts. The Inner Circle of Austria, Prussia, Russia and Britain would also be present in the other circles. In the first Outer Circle, France and Spain were added as Great Powers. As time went by, France – thanks to Talleyrand's skills – would move to the Inner Circle, but Spain would ever reach there. As well as the Four and the Six, a 'Circle of the Eight' was created, adding Sweden and Portugal to the others. With that last Circle, all signatories of the first Peace of Paris, the treaty that laid the foundation for the Vienna Congress, were brought together in an institutional, although politically more or less irrelevant, setting. The more participants that the Circle had, the less important the issues with which they were going to deal. However, it was the Eight that were formally entitled to direct the conference, as they were the participants in the constituent first Peace of Paris treaty – the second treaty (Dupont *et al.*, 2005: 70) was signed after Napoleon had been defeated at Waterloo.

In a meeting on 20 September 1814, Talleyrand questioned the authority of the Inner Circle of the Four to decide on questions that would involve the sovereignty of other nations. His argument touched upon the principle of legitimacy, and as this principle was the foundation of the whole exercise, the other powers could not neglect his reasoning. To Talleyrand, territorial issues could only be decided upon by the Congress of Vienna as a whole. His tactics delayed the official opening of the Congress and brought him into the Inner Circle on 9 January 1815, which was then referred to as the Five instead of the Four. It should be added that there were power-political reasons for the original Four to incorporate France. The British were of the opinion that a stable Europe would not be

possible without France; the Austrians needed France as a counterweight to Prussia; and the Russians could not do without France because of its maritime power to balance the British as much as possible, and also because France could become valuable to counterbalance Prussia or Austria in the future. Only the Prussians were against France being included, but they could not sustain their resistance for more than a few months. As soon as Talleyrand was on board, he dropped his wish to deal with territorial issues in the Congress of Vienna as a whole. None of the original Four regretted his opportunism on the issue.

As discussed earlier in this thesis, the three conference circles conferred on different topics: the most important ones were dealt with by the Four; the next of importance by the Six; and the leftovers by the Eight. The rest of the Congress of Vienna only participated on the issues where they were stakeholders, and this was done in committees, as will be discussed later in this chapter. What was the content with which the circles were dealing? The Four, and after four months the Five, negotiated the position of France, Poland and Saxony. As already mentioned, Poland and Saxony were connected questions that had to be solved in a package deal, and the trade-off was done just before Napoleon came back on the stage. The Four initially decided on procedures, but after the main procedure were established, it was the Eight that formally decided on them. Furthermore, the Eight dealt with the question of what should be done with Italy, Switzerland and Germany. Yet there were separate meetings of the Four/Five on Germany and Switzerland as well. Actually, the Five pre-negotiated all the main issues in informal bilaterals as well. For example, the issues of Spain and France were negotiated in a mainly bilateral fashion (Dupont *et al.*, 2005: 46–47).

However chaotic and ambiguous the rules of procedure were, and even if one could talk about official rules of procedure, they were a novelty to conference diplomacy in the sense that they established a structure consisting of circles and committees. The committees were meant to get all of the relevant countries involved, both for reasons of principle and practice. With the creation of the committees, those powers that could not participate in the core negotiations could be given some kind of legitimate place in the conference processes, which avoided – also through the adoption of France – further complaints about the hegemony of the Inner Circle.

The committees had specific tasks, dealing with specific issues. The following committees were installed: on Germany; Switzerland; Tuscany; Sardinia; Genoa; Bouillon (on the border between France and the Austrian Netherlands, now Belgium); on international rivers; the slave trade; statistics; diplomatic precedence; and, finally, on drafting the Final Act. The German Committee can be seen as the most important, most tricky and most emotional, as kings, princes, dukes, counts, barons and other noblemen depended on this committee for their survival, and on the question of how they would survive. The German Committee was also responsible for tackling the Jewish issue – that is, the rights of the Jews in Germany. As we have seen above, the Jews tried to retain the rights bestowed upon them by Napoleon Bonaparte.

Other conferences in the nineteenth century profited from the procedural innovations that were made during the Congress of Vienna. They learned from its successes and from its failures. The Vienna Congress's construction tried to balance inclusion and exclusion in such a way that the number of decision-makers would be limited through exclusion,

thereby avoiding too much complexity. The Great Powers were kept on board through inclusion, thereby avoiding the risk of deciding on a Final Act that would not survive the Congress for more than a few years. The procedures thus assured a European political constellation that would survive until deep into the nineteenth century. The procedures therefore helped to build a forward-looking state system. Yet the content was mainly reactionary and backward-looking, and this undercut the effectiveness of the forward-looking aspect. While the structure of the Congress of Vienna fostered institutionalization for the future, the content undermined it. It is therefore now necessary to turn to content by looking at the process of negotiation – in other words, the conversations between the main actors about their common and diverging interests and how they managed to make them converge into a single agreement.

Conversations

To gain a better understanding of the interactions of the contending parties, or counterparts, we will focus mainly on the Inner Circle, the Four and then the Five, and on their biggest headache: Poland. This understanding of the negotiation process is vital for a comprehension of the outcomes to which we will turn in the convergence section of this chapter. There is a legal reason for focusing on the Inner Circle, although being legal it might not be legitimate. The Treaty of Paris of 30 May 1814 (Zamoyski, 2007: 197–203) gave the mandate to the Vienna Congress to negotiate the issues to be settled after the Napoleonic Wars. Its article 32 invited all of the involved and relevant powers and parties to send their plenipotentiaries, and over 100 did so, including the Pope in Rome and the Sultan in Constantinople. However, a secret provision in the treaty limited the decision-making to the four members of the Quadruple Alliance. Although Portugal, Spain and Sweden were signatories of the Treaty of Paris, they – let alone the other participants – were not aware of this secret article. This created communication problems, despite the fact that using French as the single language of the Congress of Vienna facilitated mutual understanding, and expectations could not be fulfilled, which led to some bitterness among those who were excluded from the very heart of the process. Not being able to sit around the table severely hampered their influence, and as an unknown diplomat in Brussels said on the occasion of the UK's unwillingness to help the euro countries out in 2012: 'if you are not at the table, you are on the menu'.

The middle and minor powers had an opportunity to participate in committees, but as there were no in-between plenary sessions, their voices could not be heard in public. The only plenary sessions of the Congress of Vienna were the opening and closing meetings. Although there are very good political reasons for keeping the decision-making group as small as possible, it is still a strange fact that those who stood at the outset of the Congress of Vienna – being signatories to the Treaty of Paris – and who signed the Final Act were kept out of the decision-making process. When Talleyrand managed to move into the Inner Circle – as France from a power-political perspective could not be left outside – the resentment of the others was raised further. This would create problems at a later stage, as Spain did not want to sign the Vienna Final Act in the end, but this did not stop the Act from coming into being. One would expect consensus among the Eight to be a prerequisite for the Act to be legal, but as the principle of consensus among the

eight signatories of the Treaty of Paris was never literally stipulated as a precondition, it did not stop the others from overruling Spain.

How should we analyze the manoeuvring of the different actors involved? Even limiting ourselves to the Four/Five does not help much in gaining a better insight into the question of why the negotiation process resulted in the Final Act. The father of modern French diplomatic and political negotiation research, Christophe Dupont, gave it a try as far as the Polish question is concerned (Dupont and Audebert-Lasrochas, 2005: 46–47). How to deal with France was the main issue of the Vienna Congress, but this question was relatively easy to manage as long as Napoleon would not be involved. The Polish question, however, being connected to that of Saxony, was the toughest political problem with which to cope. In two interesting models, Dupont and Audebert-Lasrochas try to show the distance or proximity between the counterparts within the Inner Circle of the Five, and how and why their positions changed.

Castlereagh wanted an independent and strong Poland, as it was in the British interest to have a barrier against Russian and Prussian ambitions. Along the same line, the British supported the unification of the Northern and Southern Netherlands as a barrier against France and Prussia. As the others opposed the British position in August 1814, and as Talleyrand was moving closer to Russian Tsar Alexander I in June and July 1814 (with France not yet a member of the Five), Castlereagh felt isolated and invited Talleyrand to establish a coalition of Austria, Britain and France against Russia and Prussia. One thing to observe is the fluency of the negotiation process. It was all about power and the impact of the negotiators' personalities acting within the boundaries of the circles, unless those boundaries hampered politics too much, in which case they did not matter at all. To construct a three powers' arrangement was only possible with France on board. How reminiscent this is of the give and take in other (simulated) diplomatic realities (Sharp, 1978). Only after a row between Austria's Metternich and Russian Tsar Alexander did this coalition materialize. The agreement was made and remained a secret until Napoleon, upon his return from Elba, found the text in the archives of the French Foreign Office and sent it triumphantly to Tsar Alexander. The Tsar was not shocked. Castlereagh then tried to get Alexander – who was not aware of the secret treaty during that phase of the Congress of Vienna – to drop his plan to construct an 'independent' Poland with himself as king, as this resolve would only end up in an enlarged Russia, as it did. Castlereagh failed, however, to convince the Tsar. He tried again to change the Tsar's mind, this time by applying pressure on him through a common front with Hardenberg and Metternich (Webster, 1931).

Metternich started off with a position close to Castlereagh's: Poland should not become a part of Russia. His difference from the British position, however, was that the Austrians were very hesitant about an independent Poland, for two reasons. First, an independent Poland could be a weak and internally divided country and a hearth of political unrest in the heart of Europe. Poland had always been a country in which others than the ruling elite intervened in the affairs of the state. The Polish system of electing the king through councils of the *Szlachta* – nobles from very low to very high rank, and from very poor to extremely wealthy – was seen as a danger to political stability, particularly as these 'elections' could, and were, manipulated by other European powers to their own interest. The second objection can be found in the linkage with the Saxony

problem. As already mentioned, an independent Poland would mean that Prussia would lose even more of its eastern territories than if Poland was divided between it and Russia. As a consequence, the Prussians would demand an even bigger part of Saxony and it was not in Austria's interest to lose such a rich, and therefore important, buffer state. A meeting between Metternich and Russian Tsar Alexander I on 31 October 1814 resulted in a temporary breakdown of their relationship. Although they had to remain on speaking terms for political reasons, the personal relationship deteriorated further, and at the beginning of 1815 the Tsar could not even stand the sight of Metternich, not only because of their differences of opinion, but also because of Metternich's manipulating style, which was connected to rivalries between their mistresses, as well as mistresses they shared, such as the Princess Catherine Bagration (Zamoyski, 2007: 258–259) and therefore had a very personal dimension.

Talleyrand, for his part, also favoured an independent Poland. After all, Poland had been an old and trustworthy ally. Napoleon had resurrected Poland as his vassal state, the Duchy of Warsaw. France's dilemma was the Saxon question. If Saxony was part of Prussia, Prussia would be so strong that it would be a threat to France. On the other hand, if Prussia did not get enough of Saxony in compensation, it would be compensated with more territories in the Rhineland, resulting in a strong Prussia directly bordering on France – an even less attractive prospect. Talleyrand, being realistic enough to see that an independent Poland would not be an option, opted for Polish partitioning as his second best priority – in other words, the status quo ante, as it was before the Napoleonic Wars. This was an important tactical move, as it is easier to converge on secondary priorities than on first priorities. It would not allow Prussia to gain too much of the Rhineland, nor of Saxony. Already in October 1814, the French plenipotentiary pressured Britain's Castlereagh to join him in his resistance to the annexation – or partitioning – of Saxony. In the end, Talleyrand presented proposals to avoid the annexation of Saxony by Prussia on 19 and 26 December 1814. Castlereagh and Metternich went along with this, with the conditions being laid down in the secret treaty of 3 January 1815, as mentioned earlier in this chapter. An important point is the awareness of the three negotiators of the position of the minor German powers. These powers also opposed the annexation or division of Saxony as a precedent that would endanger their own attempts to continue their rule over their own lands, and in view of their position in the future German Bund to come. This is another example of the non-watertight boundaries between the Inner Circle and the Outer Circle. The position of the German states strengthened the hands of the tripartite negotiators of the Inner Circle. It would have been unrealistic to take an anti-Prussian – and thereby anti-Russian – stand if the other German states would not bandwagon with them. This was of the utmost importance for Austria, as it in fact meant that most German states preferred an Austrian umbrella, rather than Prussian, above their heads – a victory in its battle with Prussia for hegemony over Germany (Zamoyski, 2007: 432–436).

Prussia's Chancellor Hardenberg took a very tough position on Poland and Saxony from the very start. The last thing that his sovereign Frederick William III wanted was a breach in the relationship with Russia. Prussia's king was a staunch ally of Russian Tsar Alexander I, as he had been with Napoleon earlier. Keeping this alliance intact meant giving up more than half of the Prussian Polish territories – a loss of many souls. The threat of a weakened Prussia with an insufficient population to sustain its army in the future forced

King Frederick William III to demand compensation, primarily through Saxony, otherwise Prussia would be a victorious power that would not win anything from its sacrifices. The age-old competition between Prussia and Saxony encouraged the Prussians in their eagerness to annex it. Both rulers did not particularly like each other and would not be unhappy if their counterpart lost face, and if possible his throne. A very tough proposal by Hardenberg on 27 November 1814, demanding the annexation of the whole of Saxony, pushed the Five to the brink of war.

Tsar Alexander I, in the meantime, did not change his position at all. As stated earlier, he wanted an 'independent' Poland under his own rule: a Personal Union of Poland and Russia, just as he wanted a Personal Union of Finland and Russia, with himself as Grand-Duke. He foresaw a liberal constitution for Poland, thereby materializing his beliefs in a liberated Europe that would neither be oppressed by its own rulers, nor by neighbouring countries. By following his scheme in Poland, Alexander I did not need to liberalize Russia itself – something that he wanted to avoid at all costs. While he saw Poland as a developed country with some kind of 'democratic' past, where an experiment with some rights for the people – meaning the upper classes – might work out fine, he saw his own country, Russia, as backward. Sharing power with others in Russia, a land without any tradition and experience of power-sharing (perhaps only the Cossack communities could be seen as an exception here) would only lead to chaos according to him, thus undermining his dynasty. Alexander's ideas about Poland were 'a bird in the sky' and the other four negotiators were aware of it. After the Polish insurrections in the years to come, Tsar Alexander I had no problem in eliminating the liberal constitution, which was not actually liberal at all, indeed being one of the reasons for the ongoing Polish resistance against Russian rule. Soon afterwards, the Personal Union was discarded and Poland became an integral part of the Tsarist Russian Empire (Zamoyski, 2007: 532).

The negotiators defended their country's interests and tried to get their own opinions through, which was not always the same thing. They kept an eye on the importance of a peaceful balance of power in Europe, as this was in the interests of all of them: a balance of power among them, allowing for the submission of the middle powers and, through them, of the many minor powers. This was seen as power-sharing under the maintenance of freedom of manoeuvre, which was quite a balancing act as they were all suspicious of the others.

The situation can be seen as competition and cooperation out of fear, both inside and outside the Inner Circle. Like today, there could be a sharp contrast between 'playing for the public eye' and the actual give and take. A famous example is the discussion between Napoleon and Metternich in 1813, at the time when Emperor Napoleon was back from Russia but had already returned to Germany as he was trying to keep his hold over it. Metternich went to visit Napoleon, offering Austrian mediation, as it was too early for Austria to take sides. The two men met in Dresden in Napoleon's camp, trying to negotiate a new status quo. The conversations got nowhere and Metternich was about to leave, already with his travelling clothes on, when Emperor Napoleon asked him to stop by. Napoleon was in the same non-negotiable mood as he had been during their meeting earlier, complaining, shouting and threatening. He then ordered Metternich into a small room and became very friendly, accepting the Austrian offer to mediate without setting any conditions for it. They agreed to set up a conference in Prague, which occurred,

although nothing came out of it as the parties only used their meeting to mask further preparations for war. The time for decisions through negotiation was not yet ripe, as war still had the upper hand. Shortly afterwards, however, Napoleon was beaten at the Battle of Leipzig and negotiation ripeness was there to be exploited, without Napoleon however.

Convergence

Why and how did the main negotiators converge their contradictory stances into common positions? Chapter III of this thesis acknowledged six main reasons for this. First, there was a geographic need to deal with border issues and thereby with questions of sovereignty. These were the main questions with which the negotiators had to deal, and this also attached their countries' interests to the position of all the states in Europe. The main negotiators therefore only included the major Christian European powers in their decision-making process. The question of territory was closely linked to that of population and therefore also to military strength. No power should become too small, nor one too big. At the same time, it was essential to respect the Middle Powers, as they played an important role in coalition-building. The Great Powers did not trust each other and therefore tried to create equilibrium of territory and population. A Statistical Commission was established to help with this, but the Commission's efforts to introduce wealth as a factor as well – thereby softening the difficult problem of counting and shifting populations – and their proposals of balancing wealth with numbers of people were seen as too soft and unreliable (Dupont and Audebert-Lasrochas, 2005: 42). As the Great Powers therefore looked for equilibrium among them, they needed the Middle Powers as neutral buffers and – if needed – as potential allies. The Middle Powers – countries such as Bavaria, Württemberg, Hannover, the Netherlands, Sweden, Naples, Savoy/Sardinia, Tuscany, Portugal, and perhaps still the victimized Saxony and Denmark – had to help the Great Powers to keep the small countries in check. The Middle Powers were often strong enough to counter revolutions, but the small ones were prone to them.

This did not stop the Great Powers from installing some – not all openly accepted – zones of influence. Austria saw Italy as its zone of influence and managed to sustain this to the detriment of Spain, which lost much of its former status on the Italian peninsula. France regarded Switzerland and the Netherlands as its potential zones of influence. In order to be successful in the Netherlands, France had to help to break up the United Kingdom of the Netherlands. It managed to do so in 1830, when Britain no longer worried about France as it had done before and therefore did not resist when the United Kingdom of the Netherlands fell apart into more or less neutral (the north) and Francophone (now Belgium) parts. On the province of Luxembourg, formally part of the German Bund, a typical distributive fifty-fifty negotiation solution was reached: Western Luxembourg went to Belgium; and Eastern Luxembourg stayed in the Netherlands, but only connected with it through a Personal Union with King William I of Orange-Nassau. The Luxembourg issue surfaced almost half a century after 1830, when France's Napoleon III wanted it, but Prussia's Chancellor Bismarck would not allow it. Although the question did not lead to an immediate war between Prussia and France, it lingered on and contributed in the second half of the nineteenth century to further tension, culminating in the Franco-German War of 1870–1871, a war that upset the balance of power in Europe. This war finished off the

last arrangements put in place by the Congress of Vienna, unbalancing Europe in its wake and in due course igniting the First and Second World Wars and the Cold War.

A second reason for the convergence by the main negotiators is the systemic dimension – in this case the strength of the states and of the system made up by them. This study has already mentioned that the Statistical Committee had to inform the negotiators about population figures, thus allowing the Great Powers to remain the same in the future. Their interests converged on that in the end, but it was a tough fight and some of the issues could not be solved. Spain, for example, did not sign the Final Act, as it was unhappy with Austria's position in Italy and the loss of Spanish possession there, particularly as the question of Naples could not be solved before the Congress of Vienna came to closure. The great systemic question of Poland and Saxony – both of which were important to the inner strength of at least two of the Great Powers and of the state-system of Europe as a whole – came to closure on 3 February 1815, which was relatively early in the process. It was clear that there would not be any contextual change on Poland and Saxony in the near future, so the Great Powers ended the 'mutual hurting stalemate' by taking the 'enticing opportunity' of compromising in such a way that nobody would lose face and interests. Poland thus became nominally independent, as Britain, France and Austria had wanted, but it became *de facto* Russian, as the Tsar demanded full control over it. The Prussians were compensated in the Rhineland, as the British wanted, while Saxony was divided into an independent (as Austria wanted) and a Prussian half, which was a nice combination of distributive and integrative bargaining, fifty-fifty solutions and package deals. The French got what they wanted as well: they could keep some of the minor territorial gains that they had made after the Revolution.

However, the conviction of the Great Powers – especially Austria's Metternich – that the pre-Revolutionary order should be restored undermined their attempts to erect states with a strong and durable system. The old regimes had lost much credibility in the eyes of the European population and this meant repressing revolts all over Europe if needed. The Great Powers therefore had to act together in the future as well, and the Russian Tsar in particular believed that for such action a common system should be erected. To strengthen the European system as a whole, the Five formed the Holy Alliance at the initiative of the Tsar (Davies, 1996: 762–763). The other powers did not see much value in the Holy Alliance, just as the Great Powers did not believe too much in the League of Nations 100 years later, but they thought that it would do no harm to accept it. With or without such an alliance, the Congress of Vienna gave Europe a relatively long period of stability. The nineteenth century would indeed become one of the more peaceful eras in history (Taylor, 1954: xxi).

Part of that system leant on the colonies of the countries attending the Congress of Vienna. It was therefore important to take into account not only the situation inside Europe, but the wider world as well. The British had great difficulties with this. They were afraid that involvement by the Congress of Vienna into those external issues would limit their freedom of behaviour outside Europe, which was exactly the reason why they had gone to war on the continent in the first place: to prevent one of the powers from dominating and thereby threatening British commercial and political interests, both on the continent and beyond. The British therefore kept the colonial issues off the agenda and prevented the others from establishing a committee on colonial and maritime issues.

Under pressure from public opinion at home, however, they pushed for the slave-trade issue – but not slavery as such! – to be considered. The other powers agreed to this and a Committee on the Slave Trade was formed. It never came to real agreement, however, as the interests of powers such as Spain, Portugal, the Netherlands and France did not – yet – allow for it. In other words, it was not possible to converge the interests of the stakeholders, as they were too far apart and as the British had already gained their first priority: no interference in blue-water and extra-continental territories. Losing one's second priority in order to safeguard one's first priority, and negotiating on what is not too important – and taking the risk of losing it – while avoiding any negotiation on one's main issues – these proved to be excellent strategies, worthy of the British. No negotiation is negotiation. It should be added, however, that the British also pre-empted serious talks on the colonies through parallel informal bilateral negotiations with the countries from which they had taken colonies during Napoleonic times. In particular, the British struck a deal with their maritime arch-rivals the Dutch, to whom they returned Indonesia and supported in gaining the Southern Netherlands, while they could keep Dutch possessions in Africa (*inter alia* South Africa) and Asia (*inter alia* Ceylon) in this trade-off.

As a third dimension, it is relevant to look at the parties' needs and to see how it was possible to find enough common ground between them. Earlier paragraphs have already partly dealt with the question of interests and positions. As none of the Great Powers desired to be the new hegemonic power of Europe – with the Russian Tsar as a potential exception to this – and as they all wanted a European system that would allow them to deal with their own interests without interference, there was a great potential for convergence. We saw with the Polish/Saxony example how the negotiators moved from their initial stances to converted positions through compromise (including distributive bargaining and distribution of spoils) and collaboration (including integrative bargaining through packages deals, trade-offs and value creation). This was a mixed approach that worked well to manage complexity, with ambiguity facilitating this process. The spoiler, however, was their mutual distrust, which pushed the Congress of Vienna close to the edge, especially on the almost intractable Polish issue. It might not be a coincidence that this question endangered convergence so much, because it was about one of the former Great Powers of Europe, whose dissolution in 1795 unbalanced Europe for a very long time, in a way until after the Second World War. The other former Great Power, Spain, was still around and therefore did not pose a real threat to the agreement. The Spanish question was dealt with during the conference, but it was not absolutely necessary for the balance of power to have the solution in the Final Act. Again, it might not be a coincidence that this Great Power issue could not be solved, and Spain was therefore not part of the Congress of Vienna's agreement. Through the inclusion of France, no major interests were kept outside, and the interests converged, therefore avoiding the threat of an early collapse of the Congress of Vienna's system (Davies, 1996: 763).

Dimension four is about the resources that were involved, which were partly discussed above when we wrote about the soul-trading, shifting populations around to please rulers and the Great Powers, and disregarding the wishes of the lower nobility and the ordinary population of those areas. We saw that attempts to value the potential of the different regions under scrutiny did not materialize, mainly because of a lack of 'hard' criteria, and partly because it was not in the interest of some of the powers to do so. Perhaps

it was also about perception. From early times onwards, rulers were used to looking at the extension and population density of countries as a token of their value. It was only later in the nineteenth century that this perception started to change as broader layers of the populace became involved in politics. Cities became ever more important and agriculture dwindled. City inhabitants looked much more at trade and industry as sources of power, and those who stuck to the traditional view of linking land to power lost their influence in the state system. At the same time, the expansion of Europe overseas diluted the tensions within Europe itself; the power struggle went on, but in the colonies. The colonies' material resources replaced some of the resources in Europe itself, also helping to delink European territory and population as a power resource in negotiation processes. It is perhaps telling that the Great Powers of the Congress of Vienna did not really struggle with collective resources, such as waterways. The Committee on International Rivers fairly easily converged on the interest of the relevant participants at the Congress of Vienna.

The fifth dimension concerns the role of regulators: rules and regulations; and norms and values. With regard to norms and values, there was a lot of talk about them, but they were not prioritized at all. Norms and values were used as arguments, as tools in the defence of the Great Powers' interests. They did not have much intrinsic value, and none at all for the British, French and Prussians. France – that is, Talleyrand – was a master in using principles to argue for his interests, but he dropped them without any problem if they became counterproductive to his intentions. This was perhaps also a little the case for the Austrians and Russians. As Austria was a potentially weak power, open to all sides for foreign intervention (although it thought that the threat of the Ottoman Empire could by now be discarded), some norms and values were of more than a propagandistic significance. 'Ironical as it may seem, Metternich presaged Wilson (the US President who played such an important role at the Paris negotiations of 1919) in that he believed that a shared concept of justice was a prerequisite for international order' (Kissinger, 1994: 79). The Russian Tsar did not need these principles. Indeed, they were actually a threat to his material interests as they could mean that he might have to give up some political influence to his underlings. Tsar Alexander really believed in his mission to enlighten and liberate Europe, and he made such a show of it, that he could hardly disband it. Actually, as he really believed in them in a spiritual way – not to be implemented, but to be admired – values and norms played some role in his posture. He went as far as to propose the creation of a European army, offering the Russian Army as its nucleus. It was striking, however, that Alexander I could also be very brutal and blunt, as were his soldiers. Meanwhile, as far as rules and regulations were concerned, we have already seen that the time was not yet ripe for them, as was the early part of the twentieth century. The international system was just too weak. The Congress of Vienna itself had hardly any fixed procedures and those that it did have were ignored if needs be. Still, it was the Final Act that provided Europe with some regulations that it had hardly had before, as those from Westphalia and Utrecht were washed away by the political currents of their time.

Finally, the sixth dimension is about the role of time as a boundary to the negotiation process. Did time help the convergence of the interests to come to closure? It did, but it had to be helped along. The negotiations had a tendency to drag on, and there was not an outside power to drive the Great Powers in the direction of a Final Act. The Great Powers knew that time was limited. If they went on spending their time on negotiation,

they would endanger the stability of their own countries. For Austria's Metternich, it was not too much of a problem, as he played a home duel, but even Metternich had to reckon with Austrian Emperor Francis I, who became weary with the Congress of Vienna for social and financial reasons. The conference, with all of its festivities, cost much more than the money spent by the royals and their delegations, apart from the quite common habit of foreign delegations becoming indebted. Much of the money that they owed to the Viennese tenants and shopkeepers was never repaid, the same phenomenon that had been observed in Utrecht, Münster and Osnabrück. Who, in the absence of international private law, could force the foreign sovereigns to pay? As well as the political scandal that it would arouse, this repayment of debts was an issue that Emperor Francis I did not want to take upon his shoulders. The emperor was an old man, however, and his successor might be less malleable. The Prussians had to go home as there was much unrest in their army, unrest that eventually died down after Field Marshall Gebhard Leberecht von Blücher acted in a successful way at Waterloo, allowing the Duke of Wellington to win the battle. The Russians also needed to attend to their interests at home and – like Prussia – they had to integrate new populations into their realm. Russian Tsar Alexander I had been away for a long time, and although his administration was extremely obedient to him, he had to attend to his business. He became a little estranged from Russia through his long absence. He had enjoyed all the balls and the ladies in Vienna, had delighted in Paris and had seen London, for after all, he was not really of Russian descent. His German roots made him feel a stranger in his own country – understood abroad but not at home. This was perhaps one of the reasons why he surrounded himself with foreign administrators (mainly Germans).

For two negotiators, it was absolutely vital to go home (Zamoyski, 2007: 418 and 516). Castlereagh was summoned home in early 1815 by British Prime Minister Liverpool, who had grave political problems in the British Parliament. The prime minister was so much in need of his foreign minister that he sent the Duke of Wellington to Vienna to allow Castlereagh to return to London, which was when the Poland/Saxony issue was settled. France's negotiator Talleyrand had to manage King Louis XVIII of Bourbon, who was destroying his relationship with his own population by giving in to ultra-royalist nobles who wanted an extreme restoration, undoing as much as possible of what the French Revolution and Napoleon had brought to the people. The French people, having smelled the potential of participation in political life, were not easy to convince of this reversal. This was on top of all the other material issues that had to be settled. When Napoleon came back from Elba, all French resistance to him melted away, like snow from the sun. All of the armies sent out against him by King Louis XVIII joined his cause without exception, including the last and the biggest: the army under Marshall Ney. No shot was fired, and no person killed, but the French king had to flee and, with some difficulty, the British managed to convince him not to cross the Channel but to stay in Ghent. As far as Louis XVIII's legitimacy was concerned, it was next to nothing. It is a wonder that the alliance put him back on the throne after Napoleon had been chased out again, but this was just to implement its principle of the legitimacy of rulers. Fifteen years later in 1830, the Duke of Orléans, supported by Talleyrand, successfully claimed the French throne. This was Talleyrand's last regime change, and as a reward he became the French ambassador to London.

The convergence of interests came to closure with the Final Act of the Vienna Congress, the drafting of which started just before Napoleon landed in southern France to start his march on Paris. The Final Act was signed on 9 June 1815, nine days before Napoleon was to be defeated at Waterloo. All of the countries participating in the Vienna Congress – apart from Spain, the Holy See and Turkey – were signatories. Following Napoleon's abdication, the second Treaty of Paris was signed on 20 November 1815. It provided some changes to the Final Act of the Congress of Vienna, mainly to the detriment of France's northern border. France had to pay reparations and allow an allied occupation force of 150,000 men. The allies were in pains not to punish France too harshly for its recent behaviour, as they did not want to undermine France's role as a future balancer in Europe, although severe punishment was demanded by public opinion. Talleyrand was kept out of the negotiations between the Four, but was eventually invited in for a conference without negotiations, which were already concluded. Talleyrand and his two plenipotentiaries were excluded from the final decision-making. Britain's Castlereagh, opening the meeting, spoke first to the Prussian plenipotentiaries, making it clear that no further argumentation would be allowed. This was an indication that Prussia's inclination was to be much tougher on France, while Russia, Austria and Britain thought that this would be counterproductive in the long term. It also confirmed that the Prussians had been the most anti-French negotiators during the meetings of the Four/Five in Vienna as well, as they were the ones who felt most humiliated by Napoleon and in a way by their own king. In the meantime, Russian Tsar Alexander I had become disillusioned with conference diplomacy and had designed his own plans for eternal peace – including his dictum that all men should be treated like brothers – to be tabled in a different format by Tsar Nicholas II at The Hague Peace Conventions in 1899 and 1907, of which he was the initiator.

A comparison between 'Vienna' at the beginning, and of 'The Hague' at the end of the nineteenth century, favours Vienna over The Hague as far as effectiveness is concerned. It is true that the First World War precluded the Peace Conventions and The Hague Academy of International Law from being implemented (Hoogstraten, 2008: 131). The conventions themselves, however, came to hardly any conclusion. The problem of the 1899 convention, where 108 delegates from 26 countries convened, was the 'ambivalence of the agenda, concerned on the one hand with peace by arbitration and on the other with the conduct of warfare' (Tuchman, 1966: 251). However, 'This was the first ever occasion on which an intergovernmental, in technical terms a "diplomatic" conference was accompanied by a great show of organized public opinion in its support' (Best, 1999: 623). The convention decided to create a Permanent Court of Arbitration and called for a follow-up meeting. At the second convention in 1907, 44 countries sent 256 delegates. However, 'Once more the nations found themselves committed to The Hague and intensely disliking the prospect' (Best, 1999: 277). A Permanent Court of International Justice was discussed, but not accepted. While Vienna settled a war, The Hague could not prevent one. Perhaps the inclusiveness of the conventions, as consensus between all of the nations had to be reached, was one of the main factors for its unsubstantial outcome.

In Conclusion

Inclusiveness and exclusiveness helped to get the work done at the Congress of Vienna in the early nineteenth century. The mass of the interested parties were included in the process through a series of festivities, but were excluded from the day-to-day decision-making process. This ongoing process took place between the five Great Powers. To include all of the major powers into this process was one of the Congress of Vienna's wise decisions, although it was not self-evident at the time. This inclusion had to do with the interests of most of the victorious powers, and with the negotiation skills of the French plenipotentiary, Talleyrand. At the very start, and at the very end after Napoleon's defeat at the Battle of Waterloo, the French were excluded, but as they took full responsibility for the Final Act of the Congress of Vienna and the negotiation process leading up to this agreement, the Final Act was carried out by all five major European powers.

This Great Power inclusiveness gave the Congress of Vienna its forward-looking outlook and secured the survival of its accomplishments until the European revolutions of 1848. The Great Power inclusiveness in the Inner Circle of the Five, while excluding the smaller powers, gave the negotiators the opportunity to manage complexity, or even better to avoid complexity. It allowed for a rather smooth – be it ambiguous – bargaining process. The process involved playing chess with five parties and trying to forge majorities, although only a four-to-five stand-off could really be expected to wrench the isolated power into the agreement that the others wanted, and was achieved through political and, on a few minor occasions, through the threat of war.

An alternative process could have been to include more parties, but strict procedures plus strong presidents would then have been needed to facilitate this process. The world was not up to that at the start of the nineteenth century, as it was not a century later at the Paris Peace Conference in 1919, which was even more exclusive than the Congress of Vienna. At a time when seventeenth- and eighteenth-century questions of precedence were still unresolved and were still a nut to be cracked, the instalment of fixed chairs was not workable. The countries would not be able to allow their counterparts to take a formally higher position; everybody had to be equal, at least in theory.

Procedure was still too much of a political issue. It often is today as well, but we have overarching international structures and organizations that have a mandate to deal with those issues. Leaving it to the individual countries would even be a problem in today's world. Procedure also had to do with the perception of sovereignty and legitimacy, not only with power and equality. In an official sense, a breach of sovereignty was considered unacceptable, although it happened on a large scale when the Five thought that it was necessary, as on the 'soul trade' issue. Having the kind of organization that would have a mandate of its own, with powers to do what states would normally be allowed to do, was not imaginable for the Great Five. It all had to come from their consensus-seeking proceedings, without any possibility of out-voting anybody in the Inner Circle. The lack of internal procedures created great flexibility and opportunities, but grave technical problems at the same time.

The importance of the Circles is mirrored by the number of times that these groups met. The Four/Five had 41 sessions, while the Eight, also signatories to the conference that gave Vienna its mandate and legitimacy, as well as the circle that had to ratify its Final Act,

met only nine times. The Five then consulted – and negotiated with – members of the Eight during these nine sessions, but they had bilaterals with them as well, and they met them in the committees on specific subjects. Spain, Portugal and Sweden were thus not completely neglected. One could say that they were partially excluded and partially included in the process. The fact that Spain refused to sign the Final Act, which strangely enough did not make the Act invalid, signals the danger of leaving some relatively important powers out of the process. However, if seven of the eight powers agree, what can the isolated party do? One might conclude that in the end the decision-making procedure of the Congress of Vienna was consensus, but consensus minus one could still be regarded as a forum that could make a legitimate conclusion. This was a lesson learned by the Conference (later Organization) on Security and Cooperation in Europe (CSCE, later the OSCE) nearly 200 years later, when the issue of Yugoslavia had to be agreed. This issue of inclusion and exclusion is, of course, quite a dilemma, as the country that will resist until the end will probably be a main stakeholder, and excluding a stakeholder raises problems in implementing the agreement.

Excluding the vast majority of the stakeholders, who numbered approximately 200, could be seen as a bigger possible threat to the value creation of the Congress of Vienna and its sustainability over time. However, the Middle and Minor Powers of Europe were too dependent on the Great Alliance to be able to undermine the new old order. They had to cling to the Great Powers, as nearly all of these less-powerful countries were under increasing pressure from a growing middle class demanding more political influence, or at a later state political independence if they were from a sizeable minority. Monarchs were pressured by their own populace and had to cling together as an overarching European ruling class, severely weakened by the ideas of the Enlightenment and the American and French Revolutions, not to forget the smaller spontaneous rebellions such as those in the Southern and Northern Netherlands, which had swiped away their rulers even before the French had staged their own regime change.

It should be noted, however, that the old order from before the French Revolution had been restored *de jure*, but the Congress of Vienna *de facto* sustained much of the status quo of 1813 and not the *status quo ante* of 1789. So did most of the countries. The vast majority of the civil servants in the new United Kingdom of the Netherlands were people who served the Batavian Republic and then Napoleon. King William of Orange preferred those who knew how to direct a centralized state over those who wanted to go back to the old particularism and regionalism, the 'Orangists'.

In his 'Seven Lessons Learned from the Congress of Vienna', Guy-Olivier Faure (Faure, 2004: 12–13) concludes that the lessons from the Vienna negotiations are still highly relevant today. First, the effectiveness of a negotiation correlates strongly with the amount of advance preparation on formula and detail. This is certainly true. It is striking that the parties to the Congress of Vienna were ill-prepared, and the same is true for the other great congresses in European history, as discussed in the preceding chapters: the Münster/Osnabrück conference in 1848; the Peace of Utrecht in 1713; and the Paris Peace Conference in 1919. The effect of this in Vienna was a long search for common ground, which greatly undermined the effectiveness of the negotiation process and the durability of its Final Act, a Final Act that was basically a basket of different agreements, not the kind of Single Text that we know today (if any). Of course, today's preparedness

for multilateral negotiations differs from country to country. In general, however, the meetings are well prepared and will often only materialize if the chances of success are more than 50 per cent at least. The pre-negotiation phase is often more important than the negotiation itself, especially in the European Union.

Faure's second point in enhancing effectiveness is about the importance of information-gathering, be it before the meeting starts, or during the meeting itself. We saw that diplomats at the Congress of Vienna tried to gather as much information as possible, often in undiplomatic ways through secret police, festivities and mistresses. They were aware of the importance of information and it helped them to oversee the process. They did not have the problem that information could leak to a strong public opinion at home and they could thus be more focused than diplomats in the new millennium.

The third point is about division of labour within the delegation, which should be adequate. In some delegations at the Congress of Vienna, there was indeed a division of labour, especially in the delegations of countries with a populace that was used to voicing its concerns, such as Great Britain and France. It seems that the British delegation under Castlereagh, and later Wellington, had the best division of labour. Diplomats were on the same wave-length, at a distance steered by the London cabinet. It was more difficult for the French, as Talleyrand had to manage ultra-royalists within his team who were influenced by their constituencies back home, while King Louis XVIII was not able to discipline them.

For the three authoritarian monarchies to the east, there was not much of a team. Austria's Metternich, in close cooperation with Gentz, did not allow for any aberrations, not even by his own emperor. Prussia's Hardenberg and Humboldt had to get their own act together, as their king did not bother about the process, as long as it went in the desired direction. When it did not, the Prussians became extremely stubborn, and indeed nearly killed the Congress of Vienna's process. As for the Russians, the Tsar and his delegation were personified in one actor: the Tsar himself. Of course, Tsar Alexander's ambassadors and ministers did play a role, but they could not do anything without his permission and a *de facto* division of labour was out of the question. Did this mean that the eastern delegations were therefore less effective than the western ones? Not necessarily, as the advantage of mono-action created clarity, saved time and strengthened decision-making. The downside, however, was the character of the Tsar, who could be very unpredictable. For a stable negotiation process, predictability is of the utmost importance and present-day processes are indeed more stable and more predictable – in general – than the Congress of Vienna. With all its ups and downs, Vienna was a rollercoaster.

Faure's fourth point is to be soft on form and tough on which goals to achieve, which is in line with the ideas of Willem Mastenbroek that were mentioned in earlier chapters (Mastenbroek, 1989 and 2002), as well as with the profile of the average British negotiator (Meerts, 2012b). In other words, be soft on the software of negotiations (for example, relationships and exploration), and tough on the hardware, interests and power. For the Congress of Vienna, this seems to be true for all five main negotiators, except for the Russian Tsar, who could be unnecessarily rude, while giving away some of his goals too easily. For example, he gave in without any ado on the idea of putting Napoleon on Elba.

The fifth point is to prepare concessions carefully and to time them well. The impression of the Congress of Vienna is that concessions were often not prepared and not timed,

leading to unnecessary mayhem. Diplomats nowadays will dig into the likeliness of their counterparts conceding on certain issues, while already asking themselves what they might give them in return. In long-lasting processes, like those in the European Union, the diplomats know perfectly well what the balance of concession is and when the time is ripe to strike the deals. The balance of interests in the EU changes slowly over time, but in general there are hardly any structural changes. On security, for example, the United Kingdom and the Netherlands are pro-Atlantic, joined by Portugal; France and Spain are pro-continental, joined by Germany; plus there are powers such as Poland and Italy who try to keep the balance between the two.

The countries' positions are quite predictable, so concessions can be timed, and normally they are done at the very end of the process. Sometimes the concession kills that process, but as everybody knows that time is just a tactical device and not many want to derail the process, they normally succeed in solving the problem. Here we see a huge difference between 'Vienna' and 'Brussels'. Its root cause is the difference of organization between the two: 'Vienna' was under-organized; 'Brussels' is over-organized.

The sixth point, Faure states, is that when involved in multilateral negotiations with coalitions, it is easiest to start by stating what one refuses to do. It is quite clear that this was very much the way in the Congress of Vienna. Actually, they were hardly able to move from 'no' to a 'yes', something that we still notice today in negotiations with representatives from countries south-east of the city of Vienna. Starting with a 'no' might be easy indeed, but perhaps it is too easy. It often gives rise to 'positional bargaining'. It would therefore be better to start in a positive way by indicating options for convergence and stressing potential common ground. If stating demands, these should be linked to an indication of the trade-offs that one is willing to concede, provided that one's main priorities are met. As noted above, however, to bargain secondary priorities is often much easier than primary, implying that the negotiator will have to be very aware of his or her priorities.

Ambiguity is of the essence, as stated in point seven. Ambiguity helps the negotiator to manage complexity and to circumvent contradiction. This was true for Vienna and remains true today. Comparing the negotiations at the beginning of the nineteenth century and those in the twenty-first century, however, shows that there was more tolerance for ambiguity 200 years ago. The Congress of Vienna was as ambiguous as it could be, and not always in a constructive way, and this was broadly accepted by the negotiators. It served its purpose, which was one of the reasons why we had a Final Act at all. In today's world, ambiguity is much less tolerated, as it undermines control. Control is the password for conference diplomats in the new millennium.

The Congress of Vienna was chaotic, but because of its construction in several layers of influence, its relative power balance within the Inner Circle and the relatively wide common ground among the Great Powers, it did reach a substantial outcome, an outcome that created stability, as well as laying the foundations for a lot of instability to come. Nevertheless, the system of the Congress of Vienna did prevent another pan-European war in the nineteenth century, although it could not prevent the world wars in the twentieth century.

Serious attempts had already been made to guarantee a more stable Europe. Already before the Vienna Congress, Britain and Russia had agreed in 1805 on three principles to

stabilize the continent: small states should be united in some kind of regional federation; an acceptable law of the nations should be established; and an international arbitration authority should be created in order to mediate disputes between states. In addition, the 1814 Treaty of Chaumont ruled that 'the signatories were obliged, even after a treaty of peace, actively to promote an international peace' (Gruner, 1993: 24). 'Vienna' had a positive effect on peace and stability in Europe, or at least on the balance of power among the powers. Notwithstanding local uprisings and wars, the balance among the sovereigns was largely maintained for seven decades after Metternich lost control: 'The European balance worked untrammelled in the seventy years between the fall of Metternich and its several repudiations by Lenin and Wilson' (Taylor, 1954: xxi). This did not mean, however, that 'Vienna' could be seen as the beginning of a series of effective international conferences to secure the peace: 'The Great Coalition was thus finally dissolved; the Concert of Europe had disintegrated, the Holy Alliance had succeeded in destroying the Quadruple Alliance, the Conference System had failed' (Nicolson, 1946: 271). Vienna did not yet provide the world with a 'conference system', which came into being at the very end of the nineteenth century with – as a first step – the Convention for the Pacific Settlement of International Disputes (1899), the so-called 'The Hague System' (Karns and Mingst, 2010: 67).