CHAPTER 1

Introduction

This book is concerned with borderlands and transitions. Geographically, it examines a region bordering Germany and France; chronologically, it spans the Old Regime, French Revolution, Napoleon and Restoration. Two reasons justify this focus. First, the Rhineland experienced with unique intensity episodes that shaped modern Germany: the Enlightenment, French Revolution, Napoleon, Prussian reform movement and industrialisation. Each contributed to the development of the state. Second, the modern state that eventually triumphed represented only one of several competing forms that for centuries had co-existed in Europe. Alternatives – the city state, the ecclesiastical state and universal empire – remained uniquely strong and able to command allegiances in the Rhineland until the late eighteenth century, when they were finally overthrown by outside forces. The transformation was completed in a generation.

The Rhineland was especially exposed to the French Revolution. This swept away old structures and created the modern state with its absolute claims to sovereignty. In itself, the state’s triumphant progress is a familiar story, often recounted in different contexts. The eventual outcome never appears in doubt, despite resistance and continuities that persist for several generations before succumbing. Yet, such an account is incomplete. It represents the centre’s perspective, epitomised by Napoleon’s interior minister who impatiently expected government commands to flow to every locality with electric speed. It dismisses opposition as futile and obstructive to progress. It ignores that politics in Germany at least remained primarily local until the late nineteenth century. It ascribes to the locality the status of victim. It fails to recognise that historically peripheries have often ended

From Reich to State

up dominating the centre and that they produce the small sparks that start great fires, to paraphrase Braudel.²

The Rhineland’s historiography reflects its status as a borderland. It mirrors the present and reflects the past, with each generation of historian addressing contemporary concerns. The comparatively brief period of French dominance during the revolutionary era has attracted controversy ever since the departure of the last Napoleonic grognard.³ Until the mid-twentieth century, competing French and German national agendas dominated. For Germans, the Rhine became a symbol of resistance to French imperialism, whilst generations of Frenchmen were taught that the river represented civilisation’s frontier with barbarism. Rhinelanders, caught in-between, felt obliged to assert their essentially German culture against claims from both sides that they tended towards francophilia and ultramontanism.⁴ Nationalistic stridency increased in times of Franco-German conflict, especially in the aftermath of the First World War, when historians sought to justify their countries’ claims to the Rhineland by reference to Napoleonic rule a century earlier. Only those least preoccupied with contemporary politics and closest to the sources – local historians and archivists – then produced scholarly works that have withstood the tests of time.⁵


³ The historiography of the Rhineland in the revolutionary age is itself the subject of a number of articles and at least one doctoral dissertation. An accessible survey is provided by T. C. W. Blanning, The French Revolution in Germany. Occupation and Resistance in the Rhineland 1792–1812 (Oxford, 1983), pp. 1–17.

⁴ Justus Hashagen, for example, felt obliged to introduce his in other respects scholarly study of the Rhineland under French rule with an explicit refutation of accusations that Rhinelanders were somehow pro-French. Justus Hashagen, Das Rheinland und die französische Herrschaft, Beiträge zur Charakteristik ihres Gegensatzes (Bonn, 1908), p. 2. Such accusations were no more forthrightly expressed than by Heinrich von Treitschke, who compared Prussia’s fight for German freedom with the ‘weak willed population’ of ‘the crozier-ridden lands of the Rhine’, who had ‘become so foreign to the nation’. Heinrich von Treitschke, History of Germany in the Nineteenth Century (translated by Eden Paul and Cedar Paul, London, 1915), pp. 31–2, 59, 73, 107, 118, 146, 149, 200–3, 359. For the anti-Catholicism of the small-German school, see Helmut Walser Smith, German Nationalism and Religious Conflict. Culture, Ideology, Politics, 1870–1914 (Princeton, 1995), pp. 27–34.

⁵ Two representatives of the post-First World War nationalistic French genre are L. Engerand and Jean de Pange, listed in the bibliography. Equally nationalistic, though of greater scholarly worth, is Philippe Sagnac, Le Rhin français pendant la Révolution et l’Empire (Paris, 1918). On the German side, see the works by Herrmann Oncken, Alexander Conrady and Max Springer, also listed in the bibliography. Not all publications produced in the interwar period can be dismissed as crudely nationalistic. Max Brauch’s contributions on the history of electoral Cologne, for example, remain of great value. See especially Max Franz von Österreich, letzter Kurfürst von Köln und Fürstbischof von Münster (Münster, 1951). Amongst the best products of Landesgeschichte are Carl Georg Buckenheimer’s various publications on the history of Mainz and the numerous contributions published in the Zeitschrift des Aachener Geschichtsverein. As for the professional archivist, a great debt is owed by historians of...
Introduction

Franco-German reconciliation in the 1950s and intellectual developments in the 1960s transformed Rhenish historiography. However, it remained heavily politicised, as it was now enlisted to endow the two German successor states with historical legitimacy. For West Germany, this required emphasis on links with the west, not the discredited Prussian east. Observations such as that of Friedrich Engels the previous century, that the 'character trait of the Rhineland' was 'hatred of Prussianism', were helpful. They played on the notion of Germany's essentially Janian character, the idea one encounters from Madame de Staël to A. J. P. Taylor that Germany possessed a benign western and barbaric eastern face. This justified Prussia's abolition (February 1947) and its replacement by a 'Prussia in the West' (Rhineland-Westphalia, in June 1946) as the new Federal Republic's core. It re-emerged in 1991, with the transfer of reunited Germany's capital to the Spree, in the form of well-worn clichés about Germany 'edging away from Anglo-Saxon & Latin influences'. Politically, this view was exploited by the Federal Republic's first chancellor, Konrad Adenauer, with his vision of a reformed Germany firmly embedded within a western Europe defined by a common Christian heritage. A vision of Germany and Europe centred on Cologne cathedral. It is within this context that one must place Adenauer's reference to his native Cologne as embodying centuries-old western democratic traditions.

For historians it was less medieval civic traditions and Christian heritage, and more the establishment in Mainz in 1792–3 of the first modern republic on German soil, that provided historical justification for membership of the Atlantic world discovered by Palmer and Godechot. It was upon the Mainz Republic and its 'Jacobins' that the postwar generation of Marxist the Rhineland to Joseph Hansen of the Historisches Archiv der Stadt Köln, whose vast collection of annotated documents from the 1780s and 1790s, first published in the 1930s, remains an invaluable source (Joseph Hansen (ed.), Quellen zur Geschichte des Rheinlandes im Zeitalter der französischen Revolution 1780–1804 (4 vols., Bonn, 1931–8)). The 'inversed Prussianism' that arguably legitimised the Federal Republic ironically drew upon many of the previously accepted Borussian myths. For more on this, see Stefan Berger, 'Prussia in History and Historiography from the Nineteenth to the Twentieth Centuries', in Philip G. Dwyer (ed.), Modern Prussian History 1830–1947 (Harlow, 2001), pp. 21–40 (and especially pp. 33–8).


See, for example, the British press reaction to the move to Berlin, as reflected in The Times, 8, 11, 14, 17, 20, 21, 22 June and 12, 15 July 1991.


From Reich to State

historian – both East and West German – lavished attention in order to provide the German states with radical, democratic traditions. The resulting research blossomed in a profusion of publications in the 1960s and 1970s. These have added to our knowledge of one aspect of Rhenish history, but also distorted the overall picture.

Since then, the eastern bloc’s collapse and reunification have undermined the context within which Jakobinerforschung flourished. Jacobins were not especially prominent in the commemorations held in Rhenish cities in 1994 to mark the bicentenary of French rule. Nor, at a time of European integration, was nationalism. Rather, the commemorations stressed the French contribution to Germany’s ‘modernisation’, though in a less critical way than the academic literature, which sandwiches the concept between qualifying inverted commas. Absent, for example, was the nuance contained in the concept Gleichzeitigen des Ungleichzeitigen – the ‘deficit of simultaneity’ – that arguably distinguishes Germany’s path to modernity. Also absent were the sinister overtones associated with another concept linked to modernisation, ‘Sozialdisziplinierung’ – the state’s disciplining of society and the individual – which runs through much of the recent scholarly literature in publications devoted to such areas as public administration, health reform, social relief, prisons and conscription.


© Cambridge University Press

www.cambridge.org

4

From Reich to State

© Cambridge University Press

www.cambridge.org
of ‘collaboration’ and ‘resistance’, when its does arise, is now examined through sociological rather than national lenses.\textsuperscript{15}

Though displaying distinct features, the Rhineland is an ideal region to test general theories and engage with wider debates concerned with Europe’s development in the revolutionary period. Three debates are of particular relevance for this study. The first revolves around the nexus Reich, Land and Stadt, on the eve of its dissolution. For the first 150 years after its demise, and especially after German unification in 1871, the old Reich was dismissed by the bulk of historical literature. This instead focused upon Prussia’s inexorable rise, for which the Holy Roman Empire merely provided a foil. It was only in the 1960s that the Reich’s rehabilitation began.\textsuperscript{16} This depended upon changing the criteria against which the Reich and its competitors, the territorial states, are judged. Previously, resource mobilisation – the size of armies and tax revenues – provided the yardstick. Today, in this less belligerent age, the emphasis is on conflict resolution. Measured against this criterion, the Empire does well as a surprisingly effective ‘community of law and justice’\textsuperscript{17} that retained public confidence until the bitter end.

The revisionism has now extended so far as to elicit a warning from John Breuilly against naively replacing the distorted Borussian and Marxist teleologies with a new one, that discovers in the Empire a precursor of the European Union. This fear is exaggerated, as the extent to which the Reich proved capable of evolution remains controversial. However, historians have at least rediscovered the imperial reform debate of the 1780s and 1790s.

\textsuperscript{15} For this approach applied on a European level, see Michael Broers, Europe under Napoleon 1799–1815 (London, 1996).


\textsuperscript{17} To use John G. Gagliardo’s apt formulation, employed in Reich and Nation, pp. 42–3.

The Rhineland formed the western extremity of the 'unique combination of centrifugal dispersion of political authority counterbalanced by the centripetal forces of imperial law and German culture\footnote{Another pithy summary that encapsulates the essential nature of the Reich, on this occasion from T. C. W. Blanning, Joseph II (London, 1994), p. 9.} that was the Empire. More than any other region apart from the south-west, it epitomised the values upon which the Empire rested. Its political landscape, dominated by ecclesiastical electorates, imperial cities, home towns, imperial abbeys, counts and knights, and a plethora of other entities that elsewhere had succumbed to early-modern state formation, survived so long thanks to the protective legal cocoon provided by the Reich. In that sense, the parochial depended upon the universal, a connection still evident in Cologne whose gothic cathedral boasts prebendal stools reserved for the Emperor and Pope. Historically, the Rhineland is rich in other sources that help us better understand the alternative order the Reich represented: its foundations, legitimacy and potential for reform.

Rehabilitation of the Reich has extended to encompass entities dependent upon it. These included the ecclesiastical states, the archetypal territorial unit in the pre-revolutionary Rhineland that earned it the unflattering sobriquet 'die Pfaffengasse' ('the priests' alley'). Worthy of ridicule and condemnation for their religious intolerance and lack of dynamism, earlier generations of nationalist historian identified their major failing as their inability to protect Germany's western marches from French expansionism.\footnote{Within this context, it is worth noting that German travellers returning from Paris during the French Revolution commonly held up the ecclesiastical Rhenish states as a foil to the dynamism and progressiveness of France. Uwe Hentschel, Revolutionserlebnis und Deutschlandbild, Zeitschrift für historische Forschung 30 (1993), pp. 331–44.} However, as with the Reich, the adoption of criteria other than military power as a measure of success, including education, culture and general quality of life, has shed a more positive light on these states. They might have represented the antithesis of the Protestant work ethic, but (probably for that reason) commanded the allegiance of their subjects.\footnote{Peter Hersche, 'Intendierte Rückerziehung: Zur Charakteristik des geistlichen Staates im Alten Reich', in Georg Schmidt (ed.), Stände und Gesellschaft im Alten Reich (Stuttgart, 1989), pp. 147–8. In English, see above all T. C. W. Blanning, Reform and Revolution in Mainz 1743–1803 (Cambridge, 1974).} The same
Introduction

applies to the imperial cities and home towns, entities that also previously faced condemnation as conservative bastions against 'movers and doers', but have more recently enjoyed some rehabilitation as a result of a separate debate over the origins of early German liberalism, discussed below.22

Research into the origins of German liberalism and constitutional development connects with another institution dependent upon the Reich for survival in the eighteenth century, the representative estates (Landstände). These, whose precise composition varied where they persisted, not only survived but experienced a revival before the French Revolution. They served to check the onward march of princely absolutism. Scholarly debate revolves around the extent to which they represented precursors of nineteenth-century parliaments. Opinions remain divided on this, and the danger of assessing the Landstände according to whether they resembled nineteenth-century assemblies needs to be recognised. Those who argue that they offered no prospect for further development point to their foundation upon the concept of a society of orders, and failure to embrace the notion of individual rights that underpins all modern constitutions. According to this line, the intervening phase of 'bureaucratic state absolutism' of the Napoleonic period that destroyed the old estates was, paradoxically, a necessary precursor for later liberal constitutional development. The alternative explanation asserts that whether or not the Landstände were open to reform depended upon the nature of the society they represented: in places like Württemberg, where the bourgeoisie provided the dominant element, the estates were more progressive than in the Mecklenburg duchies, dominated by the landed nobility. This explanation privileges the socio-economic over the institutional. Whether the Landstände were ‘Reformfähig’ depends upon where one looks.23 Certainly, the Landstände remained significant in the eighteenth-century Rhineland, and this did have implications for later developments, as this book will show.

Whether the order of Reich, Land and Stadt was ‘Reformfähig’ in the late eighteenth century might appear pointless speculation. After all, did not Napoleon sweep aside this order, preparing the ground for the sovereign

22 For an accessible and still useful example of the older, more negative literature on the home towns, see Mack Walker, German Home Towns: Community, State, General Estate, 1648–1871 (New York, 1977).

state? This might be considered especially true of the Rhineland, where Napoleonic hegemony was experienced most intensely. However, such a position is only defensible if it is accepted—as much of the literature does—that Napoleon was a revolutionary whose rule marked a new beginning. It is this study’s contention that whilst French rule did result in momentous change, the new order that eventually emerged represented a synthesis that drew on the Old Regime’s legacy. The older literature, which portrays the eighteenth-century Rhineland as a backward region distinguished by a conservative *Volkskultur*, tends to exaggerate the drama of French rule. The period of French domination can only be comprehensively assessed by placing it within the context of what happened before and after, as well as by looking at the principles of Napoleonic governance elsewhere in Europe.

This leads to the second great historiographical debate, that concerned with Napoleon. Napoleon has inspired a mass of research. One dimension of this concerns his location within the revolutionary tradition and in particular, on the social basis of his regime. Beginning in the 1970s, research on the so-called *notabilités* undermined the Marxist notion of 1789 as a bourgeois revolution, and instead demonstrated that the Napoleonic elite consisted of essentially the same fusion of elements that were already emerging into prominence under the auspices of the Old Regime.24 A second, related area of research that has resulted in several important publications over recent years concerns the state-formation process. Based upon local as well as national archival resources and hence better informed on the perspective from below, this research questions the extent to which the Napoleonic state—an institution that appeared uncompromisingly formidable on paper—penetrated downwards in practice.25 Though it ultimately imposed its will in the key areas that really mattered to Napoleon—taxation and conscription—it did so through a process of negotiation and adaptation as well as brute force. Napoleon emerges from these studies less as a revolutionary or counter-revolutionary than as a pragmatic manager who drew on dominant elements and traditions within a locality where they served his interests. With respect to the Rhineland, it might be believed that there were few...


such elements and traditions that might be profitably drawn upon. After all, did not the region historically represent the very antithesis of the demanding sovereign state that was Napoleonic France? Yet, it will be argued, Rhinelanders found much in the Napoleonic system they liked. It was not just that Napoleon was adept at rallying established elites—that in itself is not startling—but rather, that he allowed reinvigoration of practices, traditions and, more subtly, mentalités commonly associated with the old order. This was especially apparent in the area of law, conflict-resolution and those institutions that mitigated the authoritarianism also inherent in the Napoleonic style of government. Napoleonic institutions ultimately enjoyed such longevity in the region—the Code Napoléon remained in effect until 1900—not because they swept away the previous order or imposed ‘social discipline’, but because they were in harmony with what went before.

Reappraisal of the Old Regime and Napoleon has implications for our understanding of developments following Napoleon’s fall and hence connects with a third historiographical area, concerned with nineteenth-century Germany. Over the last decades, this has been especially focused on the middle class (Bürgertum) and its attendant ideology, liberalism, both of which were peculiarly strong in the Rhineland. Two projects begun in the 1980s, in Bielefeld (‘Sozialgeschichte des neuzeitlichen Bürgertums: Deutschland im internationalen Vergleich’) and Frankfurt (‘Stadt und Bürgertum im 19. Jahrhundert’) have contributed to our understanding. The second project—led by Lothar Gall—with its focus on the interaction between the historically rooted town burghers (Städtebürger) and the emerging middle class defined by wealth (Besitz) and education (Bildung), is especially interesting for this study.26 It gives due weight to the contribution made by old civic traditions to Germany’s modern political development. Early liberalism, according to this interpretation, was founded socially upon an amalgamation of the new middle classes and the Städtebürger, and hence represented an uneasy compromise between two value systems, the one based on individualism and private property and the other on notions

26 The Frankfurt project, headed by Lothar Gall, examined seventeen cities, including Aachen and Cologne. Apart from specialised studies on the cities themselves, this project has also produced several edited collections that present the research findings. These include Lothar Gall (ed.), Vom alten zum neuen Bürgertum. Die mitteleuropäische Stadt im Umbruch 1780–1820 (Historische Zeitschrift Beiheft 14, Munich, 1991); and idem (ed.), Stadt und Bürger im Übergang von der traditionellen zur modernen Gesellschaft (Munich, 1993). Also, more recently idem (ed.), Bürger und bürgerlich-liberale Bewegung in Mitteleuropa seit dem 18. Jahrhundert (Historische Zeitschrift Sonderheft Band 17, Munich, 1997), which includes an excellent survey of the current state of research on the emergence of the modern bourgeoisie and liberalism, Elisabeth Fehrenbach, ‘Bürger um und Liberalismus. Die Umbruchperiode 1770–1815’, pp. 1–62.
of commonweal and civic autonomy. The first, ‘newer’ value system pre-
dominated in north German liberalism, the second ‘older’ ingredient in the
south, with the divide running through the Rhineland. What united both
was a shared hostility to the nobility as well as to the arbitrary exercise of
power by the prince. This socially broad-based liberal ideology emerged at
the end of the eighteenth century, and dissolved under the pressures of the
second great revolution, the industrial, which hit Germany with full force
in the mid-nineteenth century. Thereafter, liberalism degenerated into an
elitist class ideology of the upper bourgeoisie that withered electorally in
the face of new mass movements, political Catholicism and socialism.

Gall’s thesis of a socially broad-based liberalism is not universally ac-
cepted. Doubts centre on the ability of the old Städtebürger to liberate
itself from a social vision centred on privileged orders. According to this
critique, the emergence of modern liberalism depended upon the rise of a
new elite that defined itself through wealth and talent rather than through
ancient civic affiliations. This study draws on and seeks to contribute to
this debate, a debate of especial significance for a region whose political
culture was dominated by the Bürgertum in the nineteenth century. On
its conclusions rest our assessment of how deeply rooted and hence how
durable its values were. To this end, this book is divided into three parts.
The first examines developments under the Old Regime and ends with
consideration of the French Revolution’s impact, the Revolutionary Wars,
and the establishment in Mainz of the first modern republic on German
soil. The second focuses on the Napoleonic episode, exploring how Bona-
partism functioned in practice, the degree of continuity and change, social,
economic and cultural developments, attempts by the French to mould
identity, and military conscription. The third, finally, examines the tran-
sition from French to Prussian/Bavarian rule, including an assessment of
German nationalism, debate over the French legacy, and the successor
states’ attempts to integrate their new trans-Rhenish territories on their
own terms.

27 For this point of view, see Fehrenbach, ‘Bürger und Liberalismus’, pp. 16–22. For an intermediate
position, see Michael Stolleis, who argues that the old Bürger did not make the switch to modern
individualism, but that its self-perceptions nonetheless developed into a new form. Michael Stolleis
of the debate hinges around changing perceptions of commonweal and private property. For this, see
Winfried Schulze, ‘Vom Gemeinnutz zum Eigennutz. Über den Normenwandel in der ständischen