

# 'SO GREAT A REVOLUTION'

## CHARLES TOWNSHEND AND THE PARTITION OF THE AUSTRIAN NETHERLANDS, SEPTEMBER 1725.

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### I. INTRODUCTION

*Ces Provinces sont si puissantes & si riches, elles sont si bien situées, ses habitans sont si industrieux, si vaillans, si fidelles à leur Prince, que si la France, ou la Grande-Bretagne, ou les Provinces-Unies en étoient en possession; il n'y auroit plus d'Equilibre de Pouvoir en Europe. La France doit donc renoncer pour jamais à l'espérance de cette Conquête.*

Rousset de Missy, *Les intérêts présens des puissances de l'Europe* (1733<sup>2</sup>)

#### *A. UTRECHT AND THE NEW HORIZONTAL ORDER*

The geostrategic position of the Southern Netherlands has been a hotly debated topic in both older and modern historiography, up to the point where it has become a commonplace to refer to the “pistol on the heart of England<sup>3</sup>” or to the “barrier<sup>4</sup>” between France and Holland. After the Peace of Utrecht <sup>5</sup>, the Netherlands went over to the Austrian Habsburg Emperor Charles VI. His possessions seemed however to have become strategically “landlocked” between the conflicting geopolitical ambitions of Great Britain<sup>6</sup>, The Dutch Republic<sup>7</sup>, France<sup>8</sup> and the German princes<sup>9</sup>. All of their contradicting long term aspirations were mutually exclusive. Consequently, their realization became utterly utopian and the object of their desires nothing but a shared neutral zone.

Throughout the seventeenth century, France had battled to regain the initiative in the North, to the detriment of the declining Spanish Empire (1635-1659<sup>10</sup>). Once this was accomplished, Louis XIV invaded the Dutch Republic (1672), causing the Regents to balance his ascendancy by pooling forces together with the waning Spanish Netherlands. British intervention during the Nine Years war (1688-1697) and the War of the Spanish Succession (1702-1713) brought the imposition of a third-party sovereign: Emperor Charles VI, linked to his new possessions by dynastic rather than geostrategic considerations<sup>11</sup>. A protecting trilateral barrier fortress regime on several strategic towns was arranged by the three “victorious” allies Habsburg, Britain and Holland (1715 Treaty of Antwerp). France could now be contained.

However, the ensuing peaceful “trente heureuses” (1713-1743<sup>12</sup>) saw structural change in the international environment. Utrecht did not amount to a mere territorial consolidation against an aggressive would-be hegemon, but installed a system whereby France and Britain *jointly* managed to uphold a horizontal and stable international order<sup>13</sup>. Unilateral claims and aspirations did not stand a chance against coupled intervention in the system of “Stanhope and Dubois<sup>14</sup>” (1715-1721), followed by that of “Walpole and Fleury” (1726-1742)<sup>15</sup>.

The new diplomatic system had profound consequences for British policy. Contrary to the myth of a “second hundred years war<sup>16</sup>” stretching from 1688 (Glorious Revolution) to 1815 (Battle of

Waterloo), Britain had no serious issues with France for almost three decades<sup>17</sup>. This article aims to demonstrate how the position of the Southern Netherlands was affected by the new configuration and how this expressed itself in the ideas uttered by political practitioners.

### *B. EUROPE THUNDERSTRUCK: THE 1725 RIPPERDA TREATY*

The text<sup>18</sup> I treat as a case-study for this changed British attitude towards the Southern Netherlands, is a handwritten letter by Charles Townshend (1674-1738), secretary of State for the Northern Department, to Horace Walpole (1678-1757)<sup>19</sup>, ambassador of George I<sup>20</sup> in Paris, dated 16 (Old Style)/27 August (New Style) 1725. The dispatch is to be situated in a year of high international tension or even “cold war”<sup>21</sup>, with the (first) Treaty of Vienna of May 1725 potentially leading to a new European-wide war of the importance of the above mentioned conflicts.

By the Treaty of Vienna, Emperor Charles VI (1685-1740<sup>22</sup>) and Philip V (1683-1746<sup>23</sup>) of Spain decided to end the legal quarrel that had been dividing them for twenty-five years: Charles VI abandoned his claims to Spain, whereas Philip V relinquished his pretensions to the Austrian territories in Italy<sup>24</sup>. Relations of enmity transformed into a full-fledged defensive and offensive alliance, oiled by Spanish subsidies. In addition, Charles obtained commercial privileges in the Spanish colonies for his Imperial Trading Company at Ostend<sup>25</sup>.

Two camps built up in the aftermath of the Ripperda Treaty (named after the Dutch adventurer Johan Willem van Ripperda (1680-1737), who negotiated the whole undertaking in Vienna). On the one hand, a coalition of the dissatisfied, consisting of Spain, the Emperor and Tsarina Catherine of Russia. On the other, George I and Louis XV of France<sup>26</sup>, who defended the Utrecht settlement as it had been confirmed in the treaty of the Quadruple alliance.

This combination was quite novel. During Louis XIV’ wars, it had been the tradition to pool the forces of (threatened) Habsburg with the Maritime Powers (Holland – Britain<sup>27</sup>). This “old system”<sup>28</sup> functioned on the basis of two conflicting premises: the Emperor occupied considerable territory, but, by contrast, had strenuous “sinews of war”<sup>29</sup>, alimeted by Britain and Holland. Taken in isolation, the Habsburg Monarchy was not able to dominate Europe. In a coalition, it depended on the Maritime Powers.

However, towards the end of the War of the Spanish Succession, Austria gained in strength, up to a point where Britain deserted its cause (and that of the Dutch Republic<sup>30</sup>) to arrange a separate peace with France (Preliminaries of London, October 1711). Louis XIV’ grandson, Philip of Anjou, was left in place as King of Spain, even though it had been the initial goal of the 1701 “Grand Alliance” against France to displace him. However, if this outcome unsettled the new Emperor Charles VI (1711), it was not satisfying to Philip V either. Both monarchs were deemed to be each other’s main competitor in the aftermath of Utrecht. This was most evident in Italy, where Philip V had to abandon the Aragonese heritage of Ferdinand II the Catholic (1479-1516) and the ensuing enlargement by Charles V and Philip II. Austria installed itself in a new power position, able to dominate Italy<sup>31</sup>.

Philip’s invasion of Italy in 1717-1718 was the clearest illustration of the latter antagonism. Franco-British intervention, siding with the Emperor (Treaty of the Quadruple Alliance, 1718), imposed a mediated solution to Spanish-Austrian rivalry in the peninsula. The ensuing Congress of Cambrai (1722-1725) stranded in mistrust between the players<sup>32</sup>.

The result of the Ripperda alliance, namely Austrian territorial ascendance, reinforced by an enlarged taxable basis of commercial prosperity, created a strong geopolitical challenge to the Franco-British duopoly. Moreover, the Spanish court did its utmost best to obtain a mixed marriage between either of the Spanish princes and either of the Austrian archduchesses, heiresses to Charles VI's throne. In the Spanish interpretation, the infant Carlos (1716-1788) was to marry the archduchess Maria Theresia and thus become the heir to the Emperor. In reaction to this potential reversal of European order, France and Britain used the summer to assemble a league of Northern sovereigns and German princes at Hannover, where George I made his annual *peregrinatio*<sup>33</sup>.

For the Southern Netherlands, the unashamed reversal of the '*ancien système*' created an entirely different game. Until 1714, the lines of defense were oriented against France. However, with the supposed support of the Maritime Powers, France was now encircling a vulnerable Habsburg possession (North-West-South). Consequently, since the diplomatic roadmap had changed, British military policy had to change as well, to adapt to a new geopolitical vision.

My approach will be source-based, as the letter from Townshend to Walpole has not yet been thoroughly analyzed in old and new historiography<sup>34</sup>, but rather used as an example of an unrealized scheme. I formulate the hypothesis that this letter actually contained more than an individual *escapade* from a prominent "aggressive" Whig-minister. It incorporated necessary strategic changes to the main narrative of British foreign policy towards the European continent and was more representative of values within the diplomatic community than a brief treatment would suggest.

I will proceed in an analytical way, briefly situating authors and personal context, to proceed to the actual narrative and its possible explanations. In a second move, I will broaden the spectrum to general European politics in the 1710s, 1720s and 1730s.

## II. A CONVERSATION BETWEEN TWO "MEN IN OFFICE"

*Dear Horace [...], I shall open my mind to you fully & freely without any Reserve, upon a point of such importance, that in my opinion, our freeing ourselves from our present difficulties as well as from many things that may happen hereafter will entirely depend upon our well or ill regulating this single article, and as you must agree with me, the present posture of the King's affaires abroad, & the crisis they are now at, require the utmost application & attention from those his Maj[es]ty is pleased to employ.*

The conversation between Townshend and Walpole is one between two monuments of British 18<sup>th</sup> Century foreign policy. Its circulation is extremely restricted ('Very private'), since the scheme proposed by Townshend is only in a nascent form. It comes forward as a combination of short-term political conjuncture and long-term geostrategic structure.

Horace Walpole, brother to 'Britain's First Prime Minister' Robert (1676-1745)<sup>35</sup>, is only to share this information with him and the Duke of Newcastle, Secretary of State for the Southern Department, who stayed in London while Townshend accompanied George to Hannover<sup>36</sup>. Horace Walpole is often portrayed as his brother's "walking treaty dictionary". During Robert's ministry (1721-1742), he occupied the prominent posts in Paris (1723-1730) and The Hague (1722, 1734-1740). During his stay in France, he succeeded in cultivating an excellent

relationship with French decision makers, foremost with the future prime minister, Cardinal Fleury (1653-1743)<sup>37</sup>. Consequently, he was the essential go-between for all European schemes arranged between the two powers. Not an ordinary ambassador, but more of a Secretary of State on a permanent mission<sup>38</sup>.

The explicit mentioning of Newcastle is not a coincidence, as Townshend was the more bellicose of the two ministers for Foreign Affairs<sup>39</sup> and known for his visceral opposition to the Emperor<sup>40</sup>. If he wanted his scheme to succeed, his colleague, with whom Horace Walpole had a substantial correspondence in view of his French embassy, had to be kept out of the affair as long as possible.

In his answer<sup>41</sup> to the letter, Horace Walpole avoids going too strongly against Townshend's reasoning, and refers to the difficulties linked with its application. This is not merely a form of politeness, but essentially an *interpretative guideline*: this conversation between diplomats takes place within a prevailing, internationally shared, professional discourse, which operates as a vector for shared values within a determined field of action. Since 1713, balance of power, multilateral intervention and mediation occupy the scene, rather than military action or coalition building.

Consequently, rather than concentrating on the effects of what they are writing (e.g. an actual partition following these lines was never effectuated, due to arguments further cited in Horace Walpole's letter), as a traditional political historian should have done, our attention should focus on the *framework* used to deal with potentially incendiary political issues.

Townshend's partition plan is that of an iconoclast. It places itself in rupture with ongoing British policy. Walpole answer seems to be diametrically opposite. However, the analytical framework proposed by Townshend (A – Bilateral/Internal Issues ⇔ B – multilateral embedding) is applied by his counterpart as well. Both men's assessment of context and short term priorities do differ, but their objectives and normative hierarchy, inspired by the 1713 multilateral framework, are parallel.

### III. THE PARTITION OF THE SOUTHERN NETHERLANDS: THE LOW COUNTRIES INTO OUR OWN HANDS

#### *A. THE BRINGING IN AND OUT OF A THIRD PARTY*

Townshend starts his reasoning with a reference to James Stanhope (1673-1721), the deceased architect of the European peace system of the Quadruple Alliance. The Netherlands, in the disappeared statesman's views, should be apportioned to the Duke of Lorraine (sovereign over territories encircled and repeatedly occupied by France). In case this would exceed the Duke's financial and administrative capability, Stanhope saw a possible union with Cologne or Treves. The latter two ecclesiastical German electorates ought to be 'secularised' and the present rulers (princes of the church, implying their title ends with their lives and cannot pass on to their children, as was the case with secular princes) duly compensated. Consequently, the Duke would rule a buffer state stretching from the Lys to the Rhine, become a *sensu lato* territorial neighbour to the electorate of Hannover and be able to meddle seriously in both European and German political affairs. However, many practical and legal inconveniencies rendered this 'solution' rather fictitious: to begin with, the Imperial Diet would have to pronounce itself on the

recomposition or the secularization of territories sending delegates (and even two electors in the college choosing the Emperor) to Regensburg<sup>42</sup>. *'It was the vainest of imaginations to think it could ever be brought to bear'*.

Nevertheless, this was not the main reason for Townshend to reject Stanhope's chimerical idea. *'[...] neither can I see any reason why England & Holland should be looking out for a third prince to give these Dominions to, after the Experience they have had for many years, that when they are in weak hands, the excessive Burthen of defending them lies wholly upon those two powers, & when they are in hands in some degree strong enough to defend them, they are made use of against them'*<sup>43</sup>.

### *B. THE BRITISH CLAIM ON FLANDERS*

The originality of Townshend's plan boils down to the following idea: *'so much of these [the Low Countries] countrys as is absolutely necessary for their security, ought to be put into their own hands respectively, and so much [...] should be allotted to each of those powers [...], f. 108v.] that what remains may safely be put into the hands of France'*<sup>44</sup>. In other words: the hypothesis to be avoided at all costs, is and remains the occupation of the Low Countries by France. However, this only comes into being when French domination reaches a *critical point*. If Britain and Holland, together, or with the help of a third power<sup>45</sup>, manage to separately control and isolate the choke points, a minimal French presence would not be an obstacle to the stability of the situation.

Townshend has his list ready: *'Ipres, Newport, Ostend, Plassendahl'*<sup>46</sup> & Bruges, with a territory annexed to them sufficient to maintain the garrisons in these places [...] & to keep the fortifications in repair'. Ghent, however, is excluded from it:

*As to Ghent, its situation with respect to Trade, standing upon the Schelde, & having a Canal which leads to Bruges & thence to Ostend, it should in my opinion be declared a free town under the protection of England & the States & no other Dutys ought to be suffer'd [109r] to be imposed or laid on goods there, than such only as should be sufficient to support the government and magistracy of the town'*<sup>47</sup>.

This looks like a new Anglo-Dutch Condominium (1706-1715), after the system that controlled Brabant and substantial parts of Flanders after the battle of Ramillies<sup>48</sup>. Townshend allots further territories to the Dutch: *'Antwerp & Dendermonde & so much of the Country as they should be given'*<sup>49</sup>. Finally, *'the rest'* (the Duchy of Brabant, the County of Namur, the County of Chiny, the Duchy of Luxemburg, the city of Tournai) *falls upon 'France & such other princes as may be agreed upon'*. In other words, Britain and Holland claim the coastal zone and indirectly control administration in Ghent<sup>50</sup>.

However, Townshend is oblivious of one crucial cultural factor: religion. In Horace Walpole's words, *'the Gentry and common people I fear are so bigoted, and so absolutely under the influence of the priests, that they will never sit quiet under the government of protestant powers, tho' never so mild and easy, and tho' their religion and priviledges be entirely preserved to them'*<sup>51</sup>. Both in the long (the failed union of the XVII Provinces) and the middle run (Anglo-Dutch occupation during the War of the Spanish Succession<sup>52</sup>), cultural issues have had a devastating effect on bringing two nations as diverse as the Southern Netherlands and the Dutch Republic together, making a 'civil government' nearly impracticable.

### C. THE BALANCE OF POWER REVERSED ?

As a well versed 'honnête homme', Townshend includes a preliminary *refutatio* of his formulated scheme. First, *'taking the Low Countries from the Emp[ero]r would be weakening him too much & consequently overturning the Balance of Power in Europe'*<sup>53</sup>. An argument not at all convincing, since *'the Emperor does not draw one shilling of money from those countrys, neither can he call away one Regiment from thence to the assistance of any other part of his Dominions'*<sup>54</sup>. Even more, weakening Charles VI would be to the advantage of the other powers:

*He will then indeed have it no longer in his power to engage us in a warr, whenever he thinks fitt, upon terms never so unreasonable (as whilst those [f. 110r.] countrys are in his hands he really may) nor treat us ill, & force us into all the unreasonable measures he thinks fitt to prescribe.*

Consequently, the *arbitrium* of the Emperor to engage a European war is considerably reduced. The Maritime Powers *'shall not be less in a condition [...] to help him, whenever the Balance of Power requires it [...] the Emp[ero]r, by losing these countrys, will have lost the unreasonable hold he has over Us, & must make it his principal aim to cultivate the friendship of the King & the States, because having lost the means of obliging us to do whatever he pleased [...] he will be forced to make his court to us himself, in order to have our assistance for preserving Sicily & his dominions in Italy'*.

However laudable the objective and elaborated the preventive attack on criticism may be, Walpole sees weaknesses. Both in method and in heavy dependence on political conjuncture. As of August 1725, he interprets the Imperial threat as real, but still far from material. Sudden ill health with children being not uncommon at the time, either the Archduchess or Don Carlos could die before Charles VI himself. Moreover, the marriage had until then only been a rumor and in no sense a publicly announced diplomatic fact. Firmness should thus be expressed in negotiations, and not in confrontational threats of intervention<sup>55</sup>.

In order to achieve the latter (bringing the Emperor to reason through talks), France, Britain and Holland are tied together through the system of the Triple (Holland-Britain-France, 1717) and Quadruple Alliances (cf. supra). If the Emperor was to effectively announce a wedding between his eldest daughter and Don Carlos, Townshend's plan could be brought in as a modality of execution against the Emperor. But not in any way as a preventive means of action.

To Walpole's impression, the Balance of Power-thinking by which Townshend is guided, is a concept of the diplomatic community, but does not represent the confrontational and xenophobic public opinion<sup>56</sup>. *'[...] the people of England and Holland must see in a [f. 123 r.] clearer light than I apprehend they do at present, how dangerous the Emperor's views are like to be to the liberties of Europe, before they will relish a disposition which will interfere with some popular notions of their own, and is contrary to the maxims upon which the present possession of the low countries is founded, as expressed in the 2. Article of the Barrier Treaty'*<sup>57</sup>.

### D. HOLLAND: THE (UN)TREATABLE ALLY ?

Townshend has to integrate a second factor into his analysis: will the Dutch react as he suspects? Control of Ostend<sup>58</sup> *'would have startled them some time ago'*. Townshend admits the point is sensible, but thinks the Emperor's aggressive behavior more than tips the balance in the matter.

The Dutch have no alternative but to consent to a joint initiative in the Southern Netherlands. Under the Stanhope-hypothesis (a third party administrating the entire territory, including the ports and Ghent), the risk remains that the new sovereign will behave in the same way Charles does: making arrangements with either of the other players, and, most of all *'endeavour from thence to revive & reestablish trade that once flourished to so great a degree in that country'*<sup>59</sup>. Townshend preaches a double remedy to the commercial problem: on the one hand, the Republic already controls *'the embouchure of the Schelde & all the canals of that side'*. In his scheme, Dendermonde adds up to this. Sufficient to keep trade in Antwerp low and control of the Scheldt high. On the other hand, the joint supervision of Ghent and an interdiction to modify customs and excises will render it easy for (mainly Dutch) exports to inundate the markets.

Possession of Ostend and Bruges seems thus a reasonable concession, and allows Britain to balance the Dutch in the region. Consequently, tariffs will have to stand at the same rate and will be equally applicable to both nations' commerce<sup>60</sup>. Rejecting this scheme would be an act of folly. Next to the fact that considerations of trade with the southern neighbours should only come second to those concerning *'peace & safety, as well as the wealth & power of the States'*, the States-General should consider *'the cast summs the preservation of those countrys has cost them & the miserable condition they are in with regard to their barrier there'* (the latter being dependent on the Emperor's execution of the 1715 Barrier Treaty)<sup>61</sup>.

Although the political arguments are sound, Walpole (who occupied the post in The Hague for several years) doubts they will be of sufficient priority to lure the States General into agreeing. As long as the Dutch Republic does not want to give up the barrier (the maintenance of which is theoretically possible, since the system –merely lodging troops in foreign fortresses- does not imply a transfer of sovereignty), it will not agree to British military control of anything else than Ostend (where the Imperial Trading Company is a nuisance to Dutch commerce). Moreover, there is few certainty to be attached to Townshend's affirmation of a long-term British occupation. The Dunkirk garrison, established in 1658, was already given up in 1662, with the city sold to Louis XIV<sup>62</sup>. A change in administration could let the house of cards collapse.

#### *E. EXPLAINING THE MOVE TO PARLIAMENT*

As to internal British objections, Townshend sees Flanders as a second Ireland: strategically vital, so a heaven for troops without the slightest need for specific approbation. Moreover, the case of the Dunkirk garrison<sup>63</sup> supported the continuous geostrategic attention Britain ought to devote to Flanders. Walpole, on the contrary, is extremely skeptical. Raising even eight to ten thousand men will cause political problems in Britain, which were already present during the War of the Spanish Succession, where the military threat was evident. Without a major incident, this costly move will not be paid for.

### IV. 'BRING THIS MAD WOMAN TO REASON': THE AUSTRIAN NETHERLANDS IN EUROPE

#### *A. AMBITIOUS ELISABETH*

According to William Stanhope (1690-1756<sup>64</sup>)'s latest dispatch, to which Townshend explicitly refers, Philip V's temper is such, that the Spanish monarch is determined to come to a rupture with Britain over the question of Gibraltar<sup>65</sup>. Although George I assured Philip of his good will concerning the restitution of the rock at the time of the Quadruple Alliance (1718), this promise was barely enforceable. Philip V had been deceived, since parliamentary approval in the

Commons was a legal condition sine qua non to any territorial alienation or cession to a third party. The fact that George came back on his earlier promise, infuriated Queen Elisabeth Farnese (1692-1766), who dramatically produced the said letter before ambassador Stanhope's eyes. Townshend interprets this as a symbolic act, serving communicative purposes, and does not doubt that Spain was aware of the nature of George's engagement. The Secretary of State links Spanish hostility to Viennese intrigues.

Gibraltar was far from the predominant bilateral issue between Madrid and London. Britain went to war in 1701 because of commercial interest in the American territories and obtained a permission vessel, as well as the exclusive black slave contract (*Asiento de Negros*<sup>66</sup>) at the Peace of Utrecht in 1713. A suspension of peaceful relations thus amounted to a suspension of commercial relations as well, at a moment where Spain was according a comparable trade permission to the Imperial Ostend East India Company. In other words, Britain's prime national interest, maritime dominance, was at risk<sup>67</sup>. At the same time, the structural condition for maintaining the latter situation consisted in a territorial balance in Europe. Allowing Vienna access to the Spanish overseas commercial potential was a threat in the long run<sup>68</sup>.

### *B. HAUGHTY EMPEROR*

By contrast, it was far from realistic from the Habsburg point of view to challenge British commerce at unfavorable odds. Townshend suspects the Ripperda Treaty-tandem to exert pressure on Parliament: if Britain accepts Maria Theresia's succession and abandons her support for France, the urge to return Gibraltar to Spain could suddenly weaken considerably<sup>69</sup>. In this game, his judgment of Queen Elisabeth is particularly severe:

*having thrown herself entirely into the hands of the Imp[eria]l court, & having such an ascendant over the King of Spain, and being so charmed with the prospects of Grandeur for her son, which the Emp[ero]r has displayd to her in such a light, as to make her forget her Husband's interest, Spain & the Spaniards. We may with great probability conclude that all our force used against Spain only & its dominions, even though it should go to the depriving them of their possessions in the E[ast] & W[est] Indies, would not bring this mad woman to reason<sup>70</sup>.*

Townshend sees the resolution of this enigma in a concentration of efforts on Vienna:

*by well concerted alliances so to terrify the Emp[ero]r, as that he may think it for his own interest to abandon the ambitious projects he is now forming & consequently make it his business to appease and pacify this wild Queen.*

In other words, Spain is a freely rolling reversed pawn on the chessboard, willing to go in the direction indicated by the predominant player of the moment. Once brought out of control by Britain's main challenger, the Emperor, it will realize its relatively weak position.

However, Townshend sees Britain isolated in September 1725. The 'haughty & ambitious<sup>71</sup>' Charles VI will need serious arguments to change his mind. Consequently, Britain will have to mount the coalition on its own, in view of 'the weakness of the people in whose hands the Government of France is at present'.

The only way in which to make the Emperor realize the seriousness of the British threat, is to solve the problem of the Southern Netherlands. Because of recent history (1667-1672-1688-1701), it is very unlikely to Vienna that *'England or Holland can [n]ever joyn heartily with France in a War against His Imp[eria]l Ma[jest]y, lest by that means we should give that crown an opportunity of getting possession of the Low Countrys, which the Court of Vienna thinks (& with reason) We can never submit to'*.

Townshend gives this element even more importance:

*The firm persuasion they [the Court of Vienna] are in as to the truth of this particular was the main inducement H[is] Imp[eria]l Ma[jes]ty had for entering into this scheme for marrying his daughter to D. Carlos (which may be so fatal to [f. 107r.] the libertys of Europe) & has even been the sole foundation of all the ungratefull, dishonourable & even barbarous treatment his Ma[jes]ty both as King & Elector, the British nation & Holland have received from him.*

Consequently, Britain needs to frighten off the Emperor with

*(1) a Scheme or concert formed (2) among powers able to put it in execution, by which, (3) in case they think fit to provoke us, the Netherlands may be taken out of their hands, & so disposed of, as that England & Holland may not only find no inconvenience (4) but even security & advantage from such a disposition.*

The literal use of 'frighten' is in no ways insignificant: Townshend's reasoning goes in realist and harsh terms: the material building up of absolute force needs to scare away the counterpart<sup>72</sup>.

### *C. 'GALLIA AMICA ET VICINA' ? FRANCE IN THE PARTITION PLAN*

Townshend has little faith in the Duke of Bourbon's government (1723-1726). The Duke, a sibling of the Bourbon-Condé-branch of the French Royal family, occupied the post of Prime Minister as a consequence of the Regent's decease<sup>73</sup>. Although Louis XV (°1710) had reached legal majority since 1723, he left the business of government into the hands of others and kept only his preceptor Fleury as a confidant. One of the Duke's major policy decisions, the sending back of Philip of Spain's daughter María Anna Victoria, Louis' *fiancée*, was the immediate pretext for the conclusion of the Ripperda Treaty. The young King had had a chocolate indigestion, caused by *diablotin-bonbons*<sup>74</sup>, prior to the dismissal of the Infanta. Fears for his life pushed to the decision to expulse the princess, who was still minor and could thus not produce an heir to the throne in case of urgency. Bourbon found Louis another spouse with the Polish princess Maria Leczynska. He gradually lost power to the intriguing Cardinal Fleury, the King's former praeceptor<sup>75</sup>.

Consequently, this unstable situation did not inspire Townshend any confidence. *'They are terribly afraid of anything that looks like engaging in a War'*. Nevertheless, the scheme is not envisaged as an actual war plan, but as a means of pressure on the Imperial court, to relieve the pressure on Philip V and Elisabeth Farnese. If explained correctly –and who could better do this than Horace Walpole, ambassador in Paris ?– the weak French court might go ahead with the

plan. Here lies the reason why Jean-Baptiste Fleuriau de Morville (1686-1732), French Secretary for Foreign Affairs<sup>76</sup>, should not be informed of its content under any circumstance.

However, the whole barrier system was set up in order to prevent France from gaining control of the Southern Netherlands. Could the historical aggressor in Versailles be reasonably expected to enter into a deal with Britain and Holland, likely to tie his hands in the long run? Townshend makes a parallel reasoning with the Dutch case. Both states have had an evolving relationship during the 17<sup>th</sup> century, from natural allies against Spain (1635) to aggressor versus Protestant spider in an anti-French web (1672-1715). On a continuum between 1635 and 1715, both states' position seems to be closer to the latter than to the former.

Horace Walpole's main objection lies with the *vagueness* of the territorial division. If everything North of a line stretching from Ghent to Maastricht were given to the Dutch Republic<sup>77</sup>, what was to become of the remaining cities (Namur, Luxemburg, Mons, Menin, Courtray) and their provinces? If France were to obtain a free hand in the Southern Netherlands, it would not be impossible to witness another time the mechanism of the 1668 Treaty of Aix-la-Chapelle, whereby France obtained "corridors" in the Southern Netherlands<sup>78</sup>. Both impossible to defend and a tempting motive to attack the interlocked territories of the others, they formed the main reason for the constitution of Vauban's *pré carré*.

The alternative to a broad but expensive and ineffective barrier of a minimal Dutch occupation not going further than the Demer, would have the disadvantage of giving France a free run at the rest. Townshend's partition plan would thus be enthusiastically received at the French court, putting an end to the Dutch credo of *Gallia Amica, Sed Non Vicina*<sup>79</sup>. Moreover, if the balancing of France were executed in a way as to install a plethora of independent princes around the French corridor, it would be all too easy, once France has regained its military strength, to annex the principalities one after the other<sup>80</sup>.

## CONCLUSION: DIPLOMACY, IDEATIONAL POWER AND THE TRENTE HEUREUSES

*En cas de rupture avec l'Empereur, il n'y avait pas d'autre moyen pour le ramener à l'exécution des traités que d'agir dans les Pays-Bas, en assurant bien d'ailleurs, pour ne point laisser naître de défiance des desseins du Roy, que S.M. ne veut ni conquêtes, ni agrandissements, ni du côté des Pays-Bas, ni d'autre côté.*

Instructions for French Ambassador Broglie, 1725<sup>81</sup>

The Utrecht solution seemed to have finally imposed a lasting regime on the Southern Netherlands. In the hands of a faraway monarch in Vienna, the territory could not be used to threaten one of the prominent neighbours. However, this could only be valid in a hypothesis where relations between the Emperor and the Maritime Powers remained cordial. Nothing prevented the Emperor from using the Southern Netherlands as a subsidiary trump card in the European game. Although it was unlikely anything would fundamentally alter their status as a *de facto* neutralized zone, they could offer a valuable bargaining chip. The swing in British diplomacy after 1716<sup>82</sup> would almost inevitably lead to frictions where the question would come forward again.

The case of the Ostend Company and the Ripperda Treaty offered the potential to rethink British strategy. An inventive and assertive politician as Charles Townshend offered a supplementary

hypothesis amidst the ever-recurring standard solutions<sup>83</sup>. Neither a republic of independent cantons (as dreamt of by Richelieu or proposed during the War of the Spanish Succession), nor a French annexation, or administration by a third party (as envisaged by the French for Elector Max Emmanuel of Bavaria during the War of the Spanish Succession<sup>84</sup>), but the installation of a *sui generis* regime. Not between the mere Maritime Powers, but between them, France, and a possible fourth player. The Emperor's behaviour had made it clear that no good was to be expected from an independent sovereign, who could combine his alliances into constellations alien to the British interest.

Townshend's solution recalls the Anglo-Dutch condominium (1706-1715). However, instead of cooperation with the local elites, the impetuous secretary of state chose a radical option: direct British sovereignty on the continent over Ostend. Consequently, at home, this would bring him in collision with Robert Walpole's prudent non-interventionist maxim, allowing him to keep taxes low and Whig-electoral scores high. Almost fifteen years earlier, Britain quit the War of the Spanish Succession mainly out of country discontent with the heavy land tax<sup>85</sup>.

Nevertheless, the lack of success of such a solution should not occult Townshend's imaginative scheme. He leant himself to the key diplomatic exercise: translating political preferences into a generally acceptable terms. Or, to gain horizontal and actor-constructed legitimacy for one's actions, which is situated on a procedural (consent-based), as well as ideational (conceptual) level<sup>86</sup>. Thus, in order for his plan to succeed, he needed to put it within the *continuity* of treaties and international relations since the Peace of Utrecht. Partitioning the Southern Netherlands required French and Dutch approval, but foremost rhetorical conformity with the overarching balance-principle grounded in the treaties.

Townshend's letter also sheds light on a historical interpretative problem. The enormous body of diplomatic Franco-British correspondence between the wars of the Spanish and the Austrian Succession is to be seen on a continuum between transformative cooperation and the pursuance of traditional national interest. In view of the pervasiveness of equilibrium-discourse and the common interests, it is misleading to overemphasize the "breakdown" of alliances between 1727 and 1731<sup>87</sup>. Before the Europeanisation of the War of the Austrian Succession (1743), turning points were virtually inexistent.

As the 1733 Neutrality Convention on the Barrier in the Southern Netherlands (France/Dutch Republic) illustrates, the Franco-British dyad was not conditioned by short term politics, but by long-term trends. On the basis of the (second) 1731 Treaty of Vienna, Britain was technically obliged to come to the rescue of Emperor Charles VI during the War of the Polish Succession (1733-1738<sup>88</sup>). In order to avoid opposition, Cardinal Fleury offered the Dutch Republic beforehand to keep the terrain out of the war, knowing that Britain would then remain aloof. With success, since Britain only offered its mediation and no military help to Vienna. Consequently, the defeated Charles VI had to acquiesce to the start of bilateral negotiations between Fleury and Sinzendorf, leading to preliminaries in 1735 and finally to the (third) Treaty of Vienna (1738).

Even at the height of international tension between their sovereign and their most recent invader, the Southern Netherlands remained sheltered behind the Utrecht agreement. Their position is therefore the perfect illustration of continuity in Franco-British relations, or, structural British aversion for the court of Vienna's foreign policy. The resignation of the

polarizing Townshend (1674-1738) in 1730 did not alter this. Moreover, the Whig ministry clung again to French friendship after the struggle over the Polish Succession<sup>89</sup>. As James Waldegrave (1684-1741), Walpole's successor as ambassador in Paris, stated in the middle of the war:

*None can deny how much, ever since Europe was unhinged in the beginning of this century, Great Britain has toiled, how great treasures consumed to form an equilibrium in Europe, and settle a general peace. This end would have been attained to, had the court of Vienna concurred with the same zeal and sincerity; but ill fortune will have it so, that his britannick majesty must feel the sorrow of seeing, that his great work has been destroyed by the conduct of the Vienna ministry, who, above all others, ought to have studied most how to preserve it, for their own interest's sake<sup>90</sup>.*

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<sup>1</sup> Ph.D.-Fellow of the Research Foundation Flanders (FWO) at Ghent University. This article is a product of a lecture at the *Deuxièmes rencontres d'histoire du droit de la fondation Biermans-Lapôte* (2010). We would like to thank Professors D. Heirbaut and G. Martyn for their remarks.

<sup>2</sup> Jean Rousset de Missy, *Les intérêts présents des puissances de l'Europe, Fondés sur les Traitez conclus depuis la Paix d'Utrecht inclusivement, & sur les Preuves de leurs Préentions particulières* (The Hague: Adrien Moetjens, 1733), 339.

<sup>3</sup> "un pistolet chargé au coeur de l'Angleterre" (Napoleon; J. MICHELET, *Oeuvres de M. Michelet*, Bruxelles, Meline, Cans & Cie., 1840, III, p. 196).

<sup>4</sup> E. Willequet, *Histoire du système de la barrière dans les négociations antérieures à la paix d'Utrecht*, Annales Des Universités De Belgique (Bruxelles: Lesigne, 1849).

<sup>5</sup> Lucien Bély, "Les trois paradoxes du Congrès d'Utrecht," in *Les fondements de la Paix. Des origines au début du XVIIIe siècle*, ed. Pierre Chaunu (Paris: PUF, 1993).

<sup>6</sup> John B. Hattendorf, *England in the War of the Spanish Succession: A Study of the English View and Conduct of Grand Strategy, 1702-1712*, Modern European History (New York: Garland, 1987).

<sup>7</sup> Wouter Troost, *Stadhouder-Koning Willem III. Een Politieke Biografie* (Hilversum: Verloren, 2001); Olaf Van Nimwegen, *De Republiek der Verenigde Nederlanden als grote mogendheid: buitenlandse politiek en oorlogvoering in de eerste helft van de achttiende eeuw en in het bijzonder tijdens de Oostenrijkse Successieoorlog (1740-1748)* (Amsterdam: Bataafsche Leeuw, 2002).

<sup>8</sup> Peter Sahlins, "Natural Frontiers Revisited: France's Boundaries since the Seventeenth Century," *American Historical Review* XCV, nr. 5 (1990), 1223-41; Gaston Zeller, "La Monarchie d'Ancien Régime et les frontières naturelles," *Revue d'histoire moderne* VIII (1933), 305-31.

<sup>9</sup> Karl Otmar von Aretin, *Kaisertradition und Österreichische Grossmachtspolitik (1684-1745)*, (Stuttgart: Klett-Cotta, 1997).

<sup>10</sup> Randall Lesaffer, *Defensor Pacis Hispanicae. De Kardinaal-Infant, de Zuidelijke Nederlanden en de Europese Politiek van Spanje: Van Nördlingen tot Breda (1634-1637)* (Kortrijk-Heule: UGA, 1994); René Vermeir, *In Staat van Oorlog: Filips IV en de Zuidelijke Nederlanden, 1629-1648* (Maastricht: Shaker, 2001); Geoffrey Parker, *The Army of Flanders and the Spanish Road, 1567-1659: The Logistics of Spanish Victory and Defeat in the Low Countries Wars*, Cambridge Studies in Early Modern History (Cambridge: Cambridge University Press, 1984).

<sup>11</sup> On Charles VI and the nature of his regime in the Southern Netherlands, see Klaas Van Gelder, "Charles VI et les Pays-Bas méridionaux (1716-1725)," *Revue d'histoire moderne et contemporaine*, LVIII (2011), nr. 1, 53-79.

<sup>12</sup> "Les trente heureuses" (Emmanuel Le Roy Ladurie, *L'ancien Régime. II: l'absolutisme bien tempéré (1715-1770)*, Collection Pluriel (Paris: Hachette, 1991).

<sup>13</sup> Evan Luard, *The Balance of Power: the System of International Relations, 1648-1815* (London: MacMillan, 1992).

<sup>14</sup> Basil Williams, *Stanhope. A Study in Eighteenth-Century War and Diplomacy* (Oxford: Clarendon Press, 2000), Émile Bourgeois, *La diplomatie secrète au XVIIIe siècle, ses débuts. I: le secret du Régent et la politique de l'abbé Dubois (triple et quadruple alliance) (1716-1718)* (Paris: Armand Colin, 1909), Guy Chaussinand-Nogaret, *Le Cardinal Dubois, 1656-1723 ou une certaine idée de l'Europe* (Paris: Perrin, 2000).

<sup>15</sup> Cf. Paul Vaucher, *Robert Walpole et la politique de Fleury (1731-1742)* (Paris: Plon, 1924);

<sup>16</sup> J.S. Bromley, "The Second Hundred Years' War (1689-1815)" in *Britain and France: Ten Centuries* (François Bérarida, François Crouzet and Douglas Johnson, ed.), (Folkestone: Dawson, 1980).

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<sup>17</sup> The controversy over e.g. the demolition of the Dunkirk harbor cannot be seen as fundamental as that on the legitimacy of the Glorious Revolution and William III's accession (see the comprehensive memorandum by Nicolas-Louis Le Dran, 1731 in Archives du Ministère des Affaires Étrangères et Européennes (further: AMAE), Mémoires et Documents (further: M&D), France, v. 1566).

<sup>18</sup> Charles Townshend to Horace Walpole, 16/27 August 1725, Hannover, British Library, Additional Manuscripts, 48981 (Townshend Papers), ff. 105v.-114r. (further: "Townshend").

<sup>19</sup> William Coxe, *Memoirs of Horatio, Lord Walpole: Selected from His Correspondence and Papers, and Connected with the History of the Times, from 1678 to 1757 (I: 1678-1740)* (London: Longman, 1820).

<sup>20</sup> Ragnhild Hatton, *George I*, Yale English Monarchs (New Haven: Yale University Press, 2001 [1978]).

<sup>21</sup> Jeremy Black, "British foreign policy in the eighteenth century: A survey", *Journal of British Studies*, XVIII (1987), 50.

<sup>22</sup> Virginia León Sanz, *Carlos VI. El Emperador que no pudo ser rey de España* (Madrid: Aguilar, 2003); Bern Rill, *Karl VI. : Habsburg Als Barocke Grossmacht* (Graz: Verlag Styria, 1992). An excellent introduction to Charles VI's intricate court politics is the work of Theo Gehling (*Ein englischer Diplomat am Kaiserhof zu Wien, François Louis de Pesme, Seigneur de Saint-Saphorin, als englischer Resident am Wiener Hof, 1718-1727* (Bonn: Röhrscheid Verlag, 1964),

<sup>23</sup> See the monumental work by Alfred Baudrillart, *Philippe V et la Cour de France : d'après des documents inédits tirés des archives espagnoles de Simancas et d'Alcala de Hénarès et des Archives du Ministère des Affaires Étrangères à Paris*, 5 vols. (Paris: Didot, 1890).

<sup>24</sup> On the Spanish Succession and its legal implications, see Frederik Dhondt, "From Contract to Treaty: The Legal Transformation of the Spanish Succession (1659-1715)", *Journal of the History of International Law – Revue d'histoire du droit international* XIII (2011), nr. 2 (in print).

<sup>25</sup> Thereby coming back on the traditional royal exclusion of the Southern Netherlands' inhabitants from trade with the colonies of their own Spanish overlords, as confirmed under Dutch pressure at the Münster and Rastatt treaties (see Nicolas-Louis Le Dran, *Mémoire historique sur l'exclusion des Flamands de tout commerce direct aux Indes espagnoles, de 1580 à 1728*, Paris, 1729, AMAE, M&D, Pays-Bas, vol. 4). The legal controversy on the Ostend Company gave occasion to numerous publications, amongst others by imperial legal counsel Jean Dumont de Carelskroon (1666-1727). See Frans De Pauw, *Het Mare Liberum van Grotius en Pattijn* (Brugge: Die Keure, 1960).

Geopolitically, Charles' award of the *patente* holding the trading privileges in July 1723 came after his ordinances dated June 1717 and March 1719, declaring respectively free trade on the Adriatic (to the detriment of Venice, installing Fiume and Trieste as Imperial free ports) and creating an Imperial Oriental Trading Company (Dureng, *Le Duc de Bourbon et l'Angleterre (1723-1726)*, Thèse pour le doctorat ès-lettres présentée à la faculté des lettres de l'Université de Paris (Toulouse: Impr. "du Rapide", 1911, 44). Consequently, British naval supremacy was under threat in more than one theatre. According to Höfler's interpretation, Charles VI needed to turn Austria from a landstate into a maritime state, since Italy was untenable without supremacy in the Mediterranean (C. Höfler, *Der Congress von Soissons. Nach den Instructionen des Kaiserlichen Cabinetes und den Berichten des Kaiserlichen Botschafters Stefan Grafen Kinsky*, Fontes Rerum Austriacarum - Diplomataria et Acta – XXXII (Wien: Kaiserlich-Königlicher Hof- und Staatsdruckerei, 1871), XXV; Franz Pesendorfer, *Österreich – Großmacht im Mittelmeer ?* (Wien: Böhlau, 1998).

See further: Michel Huisman, *La Belgique Commerciale Sous L'empereur Charles VI : la compagnie d'Ostende: étude historique de politique commerciale et coloniale* (Bruxelles: Lamertin, 1902); Gerald B. Hertz, "England and the Ostend Company," *English Historical Review* XXII, nr. 86 (apr. 1907) and Jan Parmentier, *De maritieme handel en visserij in Oostende tijdens de achttiende eeuw : een prosopografische analyse van de internationale Oostendse handelswereld, 1700-1794* (Ghent, diss. doc., 2001).

<sup>26</sup> Bernard Hours, *Louis XV. Un portrait* (Toulouse: Éditions Privat, 2009).

<sup>27</sup> Hugh L.A. Dunthorne, *The Maritime Powers 1721-1740. A Study of Anglo-Dutch Relations in the Age of Walpole* (New York: Garland Publishing, 1986).

<sup>28</sup> 'ancien système' (words by Imperial Court Chancellor Sinzendorff, reported in a common dispatch drafted by British Ambassador St-Saphorin and French Ambassador du Bourg, 11 June 1725, Vienna, National Archives, State Papers (Foreign), 80-55 (Vienna, 1725), s.f.).

<sup>29</sup> John Brewer, *The sinews of power: war, money and the English state, 1688-1793* (Boston: Routledge, 1994).

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<sup>30</sup> This fitted a broader evolution, where Britain's ascent was the product of both inspiration and shameless pillaging of the Dutch model, see Lisa Jardine, *Going Dutch: How England Plundered Holland's Glory* (London: HarperPress, 2008).

<sup>31</sup> See Derek McKay, "Bolingbroke, Oxford and the defence of the Utrecht Settlement in Southern Europe", *English Historical Review* LXXXVI (1971), nr. 339, 264-284. This situation caused confusion between Charles VI's two main policy objectives: either pursuing the Spanish inheritance, or consolidation of his succession within the hereditary lands, which needed approval by the other European sovereigns (Theo Gehling, *Saint-Saphorin*, 55 and Johannes Kunisch, *Staatsverfassung und Mächtepolitik* (Berlin: Duncker & Humblot, 1979)).

For a challenging analysis of the Italian quarrels (which are still seen as a mere direct confrontation between Philip V and Charles VI) through the lens of the Parmezan court, which co-directed Spanish policy in an anti-hegemonic coalition against Habsburg, see Émile Bourgeois, *La diplomatie secrète au XVIIIe siècle, ses débuts: II. Le secret des Farnèse, Philippe V et la politique d'Alberoni* (Paris: Armand Colin, 1909).

<sup>32</sup> M. Starkey, "La diplomatie britannique au congrès de Cambrai (1722-1725)," *Revue d'histoire diplomatique* LXXXV (1971), 98-115; Karl-Heinz Lingens, "Kongresse im Spektrum der Friedenswahrenden Instrumente des Völkerrechts," in *Zwischenstaatliche Friedenswahrung in Mittelalter und Früher Neuzeit*, ed. Heinz Duchhardt, *Münstersche Historische Forschungen; 1* (Köln: Böhlau, 1991), 205-26; J.H. Jones, *Great Britain and the Tuscan Succession Question, 1710-1737* (New York: Vantage Pr, 1999).

<sup>33</sup> J.F. Chance, *The Alliance of Hanover. A study of British foreign policy in the last years of George I* (London: John Murray, 1923). The reactive character of the alliance ought to be minimized: according to Dureng, Townshend's enmity towards the Emperor was such, that projects already circulated in 1724, a year before the break-up of the Cambrai Congress and the Ripperda Treaty (Dureng, *Le duc de Bourbon*, 234). Already in 1723, Townshend wanted the Company of Ostend to qualify as a *casus foederis* in the framework of the Triple Alliance, concluded in 1717 between Britain, the Dutch Republic and France (British Library, Add. Ms. 22 519, f. 144r., cited in Dureng, *Le duc de Bourbon*, 81).

<sup>34</sup> Brendan Simms, *Three Victories and a Defeat: The Rise and Fall of the First British Empire, 1714-1783* (London: Allan Lane, 2007), 189.

<sup>35</sup> Whig Minister during the Spanish Succession, Robert Walpole was evicted from cabinet after the Tory victory in 1710. Walpole came out victorious after several internal Whig-quarrels, to become prime minister after James Stanhope's decease in 1721. See Edward Pearce, *The Great Man Sir Robert Walpole: Scoundrel, Genius and Britain's First Prime Minister* (London: Jonathan Cape, 2007); Brian William Hill, *Sir Robert Walpole, "Sole and Prime Minister"* (London: Hamish Hamilton, 1989); William Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford*, 4 vols. (London: Longman, Hurst, Rees, Orme, and Brown, 1816 [1798]).

<sup>36</sup> Townshend, f. 114r. On Newcastle: Reed Browning, *The Duke of Newcastle* (New Haven: Yale University Press, 1975).

<sup>37</sup> Guy Chaussinand-Nogaret, *Le Cardinal de Fleury: le Richelieu de Louis XV* (Paris: Payot, 2002).

<sup>38</sup> We can add but little to Dureng's very literary characterization: '*Gros homme, haut en couleurs, aux traits forts, d'apparence frustré, dépourvu d'élégance [...] son éducation classique, complétée par de fortes études juridiques, lui donnait un fond plus solide que n'en avait la majorité des hommes de sa classe. Comme négociateur, il posséda à un degré éminent la conscience, la ténacité, la clairvoyance, le sang-froid et la décision qui apparaissent être l'apanage des bons diplomates britanniques. Trop vanté par Coxé, trop dénigré par ses ennemis, il compte certainement parmi les meilleurs.*' (Dureng, *Le duc de Bourbon*, 83-84 and 85).

<sup>39</sup> Townshend did not have a good press with his French counterparts: '*Une physionomie hautaine, des traits forts, un teint coloré, des yeux gros et exorbités, des manières brusques et cassantes, voilà l'homme. Au moral, beaucoup de droiture et de franchise, une intégrité immaculée, mais aussi de la passion et un entêtement irréductible. Il n'est ni un humaniste, ni un lettré: ses études à Eton ou à King's-college n'ont guère laissé de traces. A peine parle-t-il le français [...] il ignore l'art oratoire; il écrit sans souci du style; ses dépêches se distinguent par une clarté primesautière et une précision tranchante. C'est un pur Anglais, aimant l'action, énergique, plein d'une confiance sans bornes en lui-même, orgueilleux et souvent crédule, sachant toujours nettement ce qu'il veut et où il va*' (Dureng, *Le duc de Bourbon*, 292).

<sup>40</sup> Dureng, *Le duc de Bourbon*, 65.

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<sup>41</sup> Horace Walpole to Charles Townshend, 30 August/10 September 1725, Fontainebleau, British Library, Additional Manuscripts, 48981 (Townshend Papers), ff. 115r.-124r. (further "Walpole").

<sup>42</sup> Albrecht Randelzhofer, *Völkerrechtliche Aspekte Des Heiligen Römischen Reiches Nach 1648*, Schriften Zum Völkerrecht 1 (Berlin: Duncker & Humblot, 1967).

<sup>43</sup> Townshend, f. 108r.

<sup>44</sup> Townshend, ff. 108r.-v.

<sup>45</sup> Townshend, f. 108v.

<sup>46</sup> The fort of Plassendale was vital for the control of the canal between Ostend and the French port of Dunkirk (Frederik Dhondt, *Op zoek naar Glorie in Vlaanderen. De Zonnekoning en de Spaanse Successie, 1707-1708* (Kortrijk: UGA, 2011), in print).

<sup>47</sup> Townshend, f. 108v.

<sup>48</sup> Augustus Johannes Veenendaal sr., *Het Engels-Nederlands condominium in de Zuidelijke Nederlanden tijdens de Spaanse Successieoorlog* (Utrecht: Rijksuniversiteit Utrecht, 1945).

<sup>49</sup> Somewhat surprising, Townshend admits "I am not well enough acquainted with the country, to know what would be sufficient for them" (although he was the author of the 1709 Barrier Treaty on the Southern Netherlands and negotiated directly with the States General, see Johanna Geertruida Stork-Penning, *Het grote werk: vredesonderhandelingen gedurende de Spaanse Successie-Oorlog 1705-1710*, Historische Studies; 12 (Groningen: Wolters, 1958)).

<sup>50</sup> Through the common appointment of the military governor, the presence of a British and a Dutch battalion. Of course, these elements are but formal safeguards to ensure the local magistrates do not abuse their liberties to change customs and excises for goods transiting from Bruges and Ostend to Antwerp or the remainder of the Southern Netherlands (ff. 108v.-109r.).

<sup>51</sup> Walpole, f. 118r.

<sup>52</sup> "I need not tell our Lordship how inveterate the people of the Low Countries were and have constantly been against the English and Dutch ever since they were under their government during the Last War" (Walpole, f. 118v.)

<sup>53</sup> For the use of this argument with respect to the disruption caused by the Ripperda Treaty at the Cambrai Congress, see Frederik Dhondt, "The Law on Stage: The 1725 Ripperda Treaty," in *Yearbook of Young Legal History 2010*, ed. V. Draganova et al. (München: Martin Meidenbauer Verlag, 2011), 303-24.

<sup>54</sup> Precisely the argument used by Eugen of Savoy at the negotiations of Rastatt with Marshall Villars: Eugen tried to exchange the Southern Netherlands for the Duchy of Bavaria occupied by Austria during the War of the Spanish Succession. Without the control of Bavaria, Austria had a potential open highway for invasion on its Western flank, whereas the Southern Netherlands were at 800 kilometers from Vienna and thus indefensible. Consequently, Britain and Holland imposed the Barrier fortress regime, to ensure Dutch troops were present *in situ*. Without this latter arrangement, the Utrecht settlement would have been insufficient to scare France off. Cf. Luc Dhondt, *Verlichte Monarchie, Ancien Régime en Revolutie : een institutionele en historische procesanalyse van politiek, instellingen en ideologie in de Habsburgse, de Nederlandse en de Vlaamse politieke ruimte (1700/1775-1790)*, 6 vols., Studia; 89 (Brussel: Algemeen rijksarchief, 2002), II, 196.

<sup>55</sup> Walpole, f. 121r.

<sup>56</sup> Paul Langford, *The Eighteenth Century 1688-1815*, ed. Malcolm Robinson, British Foreign Policy (London: A & Black, 1976), 25. See Christine Gerrard, *The patriot opposition to Walpole: Politics, poetry and national myth, 1725-1742* (Oxford: Oxford UP, 1994).

<sup>57</sup> Walpole, f. 123r. (by which it is stipulated that no part of them shall ever be given to any prince of the House of France, or to any other who shall not be the successor and possessor of the Austrian Dominions in Germany). However, if the Emperor announces a wedding and thus designates Don Carlos as his successor, the article is violated: Don Carlos, as the son of Philip V, and great-grandson to Louis XIV of France, is a Bourbon. According to Walpole, this could be sufficient to tip the balance in Holland. Nevertheless, the event is far from certain.

<sup>58</sup> Besieged during the 80 Years War and an important logistical bridgehead during the War of the Spanish Succession.

<sup>59</sup> Townshend makes reference to the success of Ghent (12<sup>th</sup>-13<sup>th</sup> Century) Bruges (14<sup>th</sup>-15<sup>th</sup>) and Antwerp (16<sup>th</sup>, overtaken by Amsterdam, which then ceded precedence to London).

<sup>60</sup> Townshend, f. 111r.

<sup>61</sup> The Republic can find additional funding for its troops by suppressing the top-heavy Austrian administration, draining 'vast number of pensions' to Vienna and entertaining an expensive court at

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Brussels (Townshend, f. 111v.). By contrast, Walpole warns this pension system works very well in keeping local elites allied to the Viennese court (Walpole, f. 118r: *'The nobility will apprehend their being deprived of those employments and pensions, which support the state and splendor they enjoy under the present government'*).

<sup>62</sup> Walpole, f. 120r.

<sup>63</sup> Louis XIV bought Dunkirk from Britain in 1662. After the Battle of the Dunes (1658) during the Franco-Spanish War (1635-1659), Oliver Cromwell claimed the strategically important city. This intuition proved to be right. Britain lost its previous 'pied-à-terre' on the continent with the loss of Calais, which had been French since the Hundred Years War, in 1558. After its sale to Louis XIV, during the Nine Years War and the War of the Spanish Succession, numerous French corsairs sailed out from Dunkirk to harass British ships in the Channel. Consequently, the Treaty of Utrecht foresaw the demolition of its port, which led to the construction of an alternative port at Mardyck, provoking constant British complaints. Townshend suggests the sale of Dunkirk, an important spoil of war, was a blatant mistake (ff. 113r.-v.):

*'the person that was the occasion of parting [f. 113 v.] with that town escaped losing his head, was banished & dyed in foreign parts, and one should hope that when they consider the fifty millions debt, & the 150 millions more that we spent for the preservation of these countrys during the last war, & reflect at the same time upon the great mischiefs that do now actually threaten us upon their being in the possession of the Emp[ero]r, they will grow wise, & conclude from past & present experience, that such parts of them as relate to our own immediate security, ought to be trusted in no hands but our own'.*

<sup>64</sup> Whig politician and diplomat, cousin to James Stanhope (cf. supra), Ambassador in Spain from 1721 to 1727, Secretary of State of the Northern Department (Lord Harrington) 1730-1742.

<sup>65</sup> Townshend, f. 105v. See Henry Kamen, *Philip V of Spain: The King Who Reigned Twice* (New Haven: Yale University Press, 2001), 131.

<sup>66</sup> Andrea Weindl, "The *Asiento de Negros* and International Law", *Journal of the History of International Law – Revue d'histoire du droit international* X (2008), nr. 2, 229-58.

<sup>67</sup> The issue was very sensitive with British public opinion. The Bills enacted against the Ostend company in 1723, equaling participation to its activities with high treason, contributed to Townshend's and Robert Walpole's public credit. Townshend explicitly pushed the Ostend trade to the forefront of the Cambrai discussions, where it could become a multilateral issue, defended by the French as well, instead of a mere bilateral one between the Emperor and the sole Maritime Powers (Dureng, *Le Duc de Bourbon*, 66 and 185).

<sup>68</sup> Commercial motives can equally be found in the Italian quarrels, which the Cambrai Congress did not resolve (Franz Pesendorfer, *Österreich -Grossmacht Im Mittelmeer? : Das Königreich Neapel-Sizilien unter Kaiser Karl VI (1707/20- 1734/35)* (Wien: Böhlau Verlag, 1998).

<sup>69</sup> Townshend, f. 105v.

<sup>70</sup> Ibid., f. 106r.

<sup>71</sup> Ibid., f. 106v.

<sup>72</sup> *'He [Charles VI] will flatter himself, that should he even suffer matters to come to extremitys upon the foot of that article [subsidies from Britain to Holland, not relevant to our present contribution], England & Holland would be more frightend than he at seeing a French army in the heart of Flanders, though they came for no other end than, in consequence of our Treatys, to assist the Dutch in raising contributions by a military execution, & would be impatient to come to any terms with him in order to get them out again, lest the French, were they permitted to make any stay in that country, should make use of it towards making themselves masters of it.'* (ff. 170r.-v.).

<sup>73</sup> The Duke has not a very flattering image in historiography. E.g. this quote of Lassay (*Recueil de différentes choses*, IV, 118) by Dureng, who devoted him the most comprehensive study: *'il voulait le bien, mais la route qu'il prenait pour y arriver n'était jamais la bonne, de sorte qu'il eut peu d'amis, fut dénigré par presque tous et n'a pas même conservé devant l'histoire le mérite de ses intentions.'*

<sup>74</sup> Dureng, *Le duc de Bourbon*, 244.

<sup>75</sup> Peter R. Campbell, *Power and Politics in Old Regime France, 1720-1745* (London: Routledge, 1966).

<sup>76</sup> Ambassador at The Hague 1718-1720, Plenipotentiary Ambassador at the Congress of Cambrai 1721-1723, Successor of Cardinal Dubois as Secretary of State for Foreign Affairs, 1723-1727. His bad health caused him to rely on Bourbon, whereas he had come into conflict with Fleury in 1724 over the pursuance of the Quadruple Alliance (thus tying France's hands to Austria, rather than pursuing a balancing policy with Britain between the antagonists, as Fleury wished). See Emmanuel Pénicaut,

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"Fleuriat De Morville, Charles Jean-Baptiste," in *Dictionnaire des ministres des Affaires étrangères*, ed. Lucien Bély, et al. (Paris: Fayard, 2005), 120-26 and Dureng, *Duc de Bourbon*, 140.

<sup>77</sup> Walpole, f. 116r.

<sup>78</sup> Nelly Girard d'Albissin, *Genèse de la frontière franco-belge: les variations des limites septentrionales de la France de 1659 à 1789* (Paris: Picard, 1970), 101.

<sup>79</sup> Formulated by John De Wit in 1667-1668, this Dutch policy wanted to keep France at a distance through the interposition of a third neutral party in the Southern Netherlands and was the main reason why, in case of the latter's weakness or deficiency, the occupation of military places had to stretch as far South as possible.

<sup>80</sup> Walpole, f. 117v.

<sup>81</sup> AMAE, Correspondance Politique, Angleterre, 347, f. 267r, cited in Dureng, *Le duc de Bourbon*, 221.

<sup>82</sup> Before devising the Triple alliance with Dubois, James Stanhope tried to lure the Emperor into an alliance, promising him the acquisition of Sicily at the occasion of the Treaty of Westminster (Gehling, *Saint-Saphorin*, 119).

<sup>83</sup> John C. Rule, "Louis XIV, Roi-bureaucrate", in *Louis XIV and the craft of kingship*, ed. John C. Rule (Columbus: Ohio State UP, 1969), 13.

<sup>84</sup> Reginald De Schryver, "Who had sovereignty in the Southern Netherlands during the War of the Spanish Succession (1700-1715)?" in *Liber amicorum Jan Buntinx. Recht en instellingen in de oude Nederlanden tijdens de middeleeuwen en de Nieuwe Tijd* (Leuven: Universitaire Pers, 1981), 483-97.

<sup>85</sup> "We have now been twenty years engaged in the two most expensive wars that Europe ever saw. The whole burthen of this charge has laid upon the landed interest during the whole time" (victorious Tory-leader Bolingbroke in 1710, quoted in Brewer, *The sinews of power*, 200). See also Edward Pearce, *The great man sir Robert Walpole: scoundrel, genius and Britain's first Prime Minister* (London: Jonathan Cape, 2007), 485.

<sup>86</sup> Ian Clark, *Legitimacy in international society* (Oxford: Oxford UP, 2005).

<sup>87</sup> Jeremy Black, *The Collapse of the Anglo-French Alliance, 1727-1731* (New York: Saint Martin's, 1987).

<sup>88</sup> J.L. Sutton, *The King's Honour and the King's Cardinal: the War of the Polish Succession* (Lexington: Kentucky UP, 1980).

<sup>89</sup> Jeremy Black, "Recovering Lost Years: British Foreign Policy After the War of the Polish Succession", *Diplomacy & Statecraft* XV (2004), nr. 3, 472.

<sup>90</sup> James Waldegrave to Robert Walpole, s.d., s.l., National Archives, State Papers, 78 (France), 205 (1734), ff. 194r-196v.