



CHAPTER ONE  
GERMANY UNDER NAPOLEON

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Writing at the turn of the eighteenth to the nineteenth century the whimsical German writer Jean Paul commented that providence had given the French the empire of the land, the English that of the sea and the Germans that of the air. He would have been at a loss to define what exactly he meant by the “Germans” and most likely would have found the question pointless. It could hardly have been confined to those who lived in the territory of the Holy Roman Empire of the German Nation, for that would have excluded a large number of German speakers, including the Prussians. Nor would he have included all those areas where German was spoken. The German empire indeed existed in the air. It was a threadbare patchwork of innumerable political entities, from the European states of Austria and Prussia to the fiefdoms of the imperial knights, imperial monasteries, independent towns, and even villages.

All this was to change under the impact of the French revolutionary wars and above all of Napoleon. The French seized the territory on the left bank of the Rhine and in 1803 the map of Germany was redrawn as a result of the lengthy deliberations of an Imperial Deputation which did little more than add its seal of approval to a plan presented by the French and Russians. The deputation's Conclusions (*Reichsdeputationshauptschluss*) of February 25, 1803, resulted in the secularization of the territorial possessions of the Catholic Church including those of the Prince Bishops of Mainz, Cologne, and Trier. Archbishop Dalberg of Mainz, a crafty politician, retained his princely estates and his electoral title, was made grand duke of Frankfurt and continued in office as chancellor of an empire that was soon to vanish. A host of smaller units were annexed (mediatized) and absorbed by the larger states under the guise of compensation for territory lost to the west of the Rhine. The remains of once influential states such as the Electoral Palatinate vanished overnight. More than 3 million Germans were given new identities, and most of the “petty sultanates” that had been the butt of Jean Paul's mordant wit disappeared.

The southern and southwestern states profited the most from these changes. Bavaria, Baden, and Württemberg were greatly strengthened as a counterweight to Prussia and Austria, but such power as they had resulted from their dependence on France. Clearly the empire was now doomed, and Dalberg's efforts at reform proved to no avail.

Shortly after the publication of the Conclusions, France and England once again went to war. The French promptly occupied Hanover, which was in personal union with England and now directly threatened Prussia, in spite of the provisions of the Treaty of Basel of April 1795 that guaranteed the neutrality of northern Germany. The southern German states, determined opponents of the empire that constrained their sovereignty, joined in with their French masters in an attack on Austria in 1805. On October 17 Napoleon scored a great victory over the Austrians at Ulm, but four days later Nelson destroyed the French fleet at Trafalgar in the most decisive naval victory in history. Britain now had absolute command of the seas, leaving Napoleon no alternative to a land war on the Continent.

The southern German states were rewarded with spoils from the Habsburg empire. Bavaria and Württemberg became kingdoms, Baden and Hesse-Darmstadt grand duchies. Napoleon's adopted daughter, Stephanie Beauharnais, was married off to the odious Karl, grand duke of Baden. The Holy Roman Empire was formally dissolved in 1806, and in July of that year the south German states were reorganized in the Confederation of the Rhine, a military alliance with the Emperor Napoleon in the self-appointed role of protector. The majority of the tiny states, which had remained independent after the Conclusions, were now absorbed by their larger neighbors.

Brandenburg-Prussia remained quixotically defiant in its isolation, its army a pathetic shadow of Frederick the Great's, its leadership decrepit and incompetent. The French made short shrift of them at the twin battles of Jena and Auerstedt in October. The once powerful Prussian state collapsed, Berlin's chief of police announcing that: "The king has lost a *bataille* and it is the responsibility of all citizens to remain calm." The phrase "Ruhe ist die erste Bürgerpflicht" (a citizen's prime responsibility is to remain calm) and the clear distinction made between the king and his subjects were classic expressions of the spirit of Brandenburg-Prussia.

After an indecisive battle against the Russians at Preussisch-Eylau in early 1807, Napoleon smashed the tsar's army at Friedland in June and peace was concluded at Tilsit. Prussia nearly vanished from the map of Europe. It only survived because of the intervention of the tsar and Napoleon's calculation that a buffer state between France and Russia might be desirable. Prussia lost all its territory west of the river Elbe, much of which went to make up the kingdom of Westphalia for Napoleon's worthless brother Jérôme. The smaller duchy of Berg was awarded to his brother-in-law Murat. Prussia was stripped of its recent acquisitions of Polish territory. They became part of the new Grand Duchy of Warsaw. It was obliged to pay horrendous reparations and was subjected to French occupation until such a time as they were paid in full.

The map of Germany had thus been radically redrawn and Prussia reduced to insignificance. In 1802 Hegel wrote:

All component parts would benefit from Germany becoming a state, but such will never come about as a result of deliberations, but only of force that is in tune with the general level of education and combined with a deeply and clearly felt desire for the need for unification. The common mass of the German people along with the estates, who only know of the separation of the various regions and who think of unification as something quite foreign to them, must be brought together by a conqueror's power. They must be coerced into regarding themselves as belonging to Germany.

Napoleon, Hegel's "world spirit on horseback," destroyed the old empire and inaugurated a new period in German history. Small wonder that Hegel stood in awe of the French emperor, as did so many of his contemporaries, but his admiration remained on a lofty philosophical plane. There were only a few opportunists and disgruntled ideologues who came to terms with the sordid reality of French domination.

The empire was a ramshackle affair, but it had many virtues. Most found it far more congenial than revolutionary France. Benjamin Franklin admired its federal structure and argued that it should be used as a model for the constitution of the United States. The old empire was destroyed by blood and iron, just as some seventy years later the new empire was to be created by the use of force. Germany was subjected to Napoleon's will, and his empire was now greater than that of Charlemagne. Only an uneasy Austria remained semi-independent.

## The Continental System

The German economy was seriously disrupted by Napoleon's continental blockade that in 1806 banned imports from and exports to Britain. It also applied to neutral countries,

thus representing a fateful step towards a total war in which there was no distinction between combatants and non-combatants. The blockade proved hard to enforce. It was tightened in 1807, but it was still far from effective. German smugglers were so successful that the French felt obliged to occupy Holland and the German coast as far as Lübeck in 1810; but British goods still found their way in. The French took draconian measures against those found in possession of such contraband. This only served to fuel resistance to the occupiers, thus strengthening national self-consciousness. The situation was further exacerbated by the "Continental System" that subordinated the German economy to French needs. German goods could not be exported to French-controlled Europe, while French goods could be freely imported into Germany.

The traditional export of wood, wool, grain, and linen to England was now rendered virtually impossible, but some manufacturers seized the opportunities afforded by the exclusion of British competition. They were ruined after 1815 when British goods once again flooded the German market. All Germans were affected by sharply rising prices, by heavy taxes, and by frequent controls by the French authorities.

By 1808 the Confederation of the Rhine was forced to provide Napoleon with 119,000 soldiers, thus placing a further burden on the unfortunate Germans. French officials supervised the minutest details of each state's administration, a rigorous censorship was applied, and the nationalist opposition hunted down. In such circumstances it is hardly surprising that attempts to give the Confederation of the Rhine a federal constitution failed. The southern German states, on whom the obligation to provide troops fell hardest, jealously guarded what remained of their sovereignty. The French did not wish to risk further alienating their German vassals for fear that they might emulate the Spanish by rising up against a despotism that proclaimed itself to be a harbinger of liberty, equality, and fraternity.

## Resistance to Napoleon

The uprising in Spain was an inspiration to many Germans, particularly in Prussia, which although it had not been forced to become a member of the Confederation of the Rhine was suffering terribly under the burden of reparations. It had been confidently assumed that the French would not demand more than a grand total of 20 million francs. The final bill was for 154 million. The end of the occupation, the staggering cost of which the Prussians were obliged to pay, was thus postponed indefinitely. The first minister, Baron vom Stein, at first had argued in favor of trying to meet the French demands, but once he heard of events in Spain he argued in favor of a popular revolt against French rule. He was a singularly poor conspirator; the French got wind of his schemes and secured his instant dismissal. Stein's property was seized, but he managed to escape to Bohemia having been tipped off by a friendly French official. Henceforth he was a major figure in the European struggle against Napoleon. Leading military reformers such as Scharnhorst and Gneisenau also discussed a comprehensive reform plan to be coupled with a revolt against French rule.

Although the Prussian government would not entertain such schemes, Napoleon felt obliged to make some concessions to ease this mounting tension. In the Treaty of Paris of September 1808 reparations were somewhat reduced and the occupation was ended, but some 10,000 French troops remained to guard military roads and to man the fortresses on the Oder. The costs were borne by Prussia. They were more than the state could bear. Prussia's finances were in a parlous condition and not even Hardenberg, who was appointed

chancellor in June 1810, was able to improve the situation significantly, for all his considerable administrative talents. Frederick William III, never the most decisive of monarchs, relapsed into a torpor on the death of his resourceful and immensely popular queen, Luise, in 1810. She was to become the object of a romantic cult, with poets such as Novalis as its priests. She was transformed into an idealized daughter, wife, and mother and Gottfried Schadow's erotically charged statue of the young Luise with her sister Friederike was withheld from public view until the revolution of 1848 heralded the beginning of a less prudish age. This masterpiece of German classicism suggests that there was much more to Luise than a prototypical bourgeois Hausfrau.

The poetic notion that the people would arise and a storm would be unleashed was hopelessly unrealistic. The regular army was no match for Napoleon's, the new Territorial Army (Landwehr) was militarily worthless. This fact was somewhat obscured when the Austrians defeated Napoleon at Aspern in May 1809 as he attempted to cross the Danube. Jubilation at this surprising victory was premature. Support from the other German states was minimal. Some adventurers, such as the Prussian Major Schill, joined the fray. Frederick William III closed his ears to entreaties from the military reformers to do the same. There was a poorly organized peasants' revolt in Westphalia, but most Germans remained passive bystanders. Napoleon crossed the Danube at night, exploited the division between the two Austrian armies, and confronted the Archduke Charles' army at Wagram on June 5. Charles fought well, and the first day was indecisive, but on the second Napoleon's brilliant use of artillery resulted in a crushing defeat. Shortly afterwards Napoleon entered Vienna.

The only successful revolt was in the Tyrol, which had been annexed by Bavaria in 1805. Andreas Hofer, supported by the Archduke John, led a brilliant guerrilla campaign in the mountains, defeating the French and Bavarian forces in a rapid series of engagements. But this was a traditional, Catholic, and regional movement at odds with the spirit of the age. Hofer was eventually captured and executed in Mantua. Major Schill and the patriotic publisher Palm shared a similar fate, to become the first three martyrs of the German cause, whose memory was recalled in the 22-year-old Ludwig Uhland's "Ich hatt' einen Kameraden" ("I had a comrade") which became an immensely popular patriotic anthem later to be appropriated by the nationalist and militaristic right.

In the Peace of Schönbrunn Austria ceded further territories and was obliged to pay crippling reparations. Most of Europe was under Napoleon's sway. Only Spain offered fierce resistance to the French in a guerrilla war, the ferocity and brutality of which were immortalized in Goya's shattering etchings. Austria sought to appease and accommodate Napoleon, who became the emperor's son-in-law, having been rebuffed by the tsar, whose sister he had hoped to marry. Metternich, who always put security above legitimacy, encouraged Napoleon's social climbing in the hope that the marriage would spare Austria from further deprecation.

Russia was always an uneasy partner for Napoleon. There were so many points of conflict between the two states that conflict seemed increasingly likely. Austria and Prussia now had to choose between the two sides. Metternich, assuming that Russia was unlikely to be able to withstand an invasion, proposed giving France limited support so as to come out on the winning side. In Prussia Gneisenau pleaded for an alliance with Russia combined with a popular uprising. The king dismissed such romantic notions as "mere poetry." Napoleon demanded the right to march his forces across Prussia and insisted that 20,000 men from the Prussian army, which had been reduced to a mere 42,000, should take part in the campaign. Hardenberg saw no alternative but to accept these humiliating conditions.

The reaction among the patriots was instant. About one-quarter of the officer corps resigned their commissions, among them Clausewitz and Boyen, both of whom went to Russia. The chief of police offered his services to the tsar. Frederick William III thus no longer enjoyed the loyalty of many of his most prominent officials, who now saw themselves as serving the nation and the people rather than the monarch. Such was the force of revolutionary ideas that they affected even those who were the most ardent opponents of their Bonapartist manifestation.

## The Prussian Reform Movement

Although outwardly Prussia seemed weak and feeble, its government aimless, the period from 1806 to 1811 was one of astonishing and rapid reform. Drastic changes were needed were the state ever to free itself from French domination. But it was not simply a matter of power politics. The French Revolution had swept aside the old aristocratic society based on the estates and replaced it with the bourgeois concepts of freedom and equality. These were notions fraught with contradictions, as critics never tired of pointing out, but there was a general recognition that a state could only survive if the people identified with it to some degree. Subjects had to become citizens were the gulf between the state and society to be bridged.

These were revolutionary ideas, as conservative reformers like Hardenberg knew full well. For this reason they were determined that it should be a revolution from above, controlled and channeled by the bureaucracy, so that the state could be immunized against a revolution from below. It was to be a revolution based on the rule of law, the application of logical reasoning, and concern for the good of the state. A monarchical government was to be given a degree of popular legitimacy in order to avoid the horrors of revolutionary democracy and a reign of terror.

Although there had been some efforts at reform before 1806, it was the virtual collapse of the Prussian state in that fateful year that convinced all but the most purblind of conservatives that drastic changes were needed. The Prussia of Frederick the Great had been an exemplary absolutist state, an example to the rest of Germany, a European power of consequence. But by 1806 Prussia was lagging behind the southern German states, its sclerotic social order hopelessly out of tune with the times. For years reformers had been calling for major changes, but they had been blocked by an aristocracy determined to defend its privileges and by a reluctant monarchy. Now they seized their opportunity.

The reformers were inspired by Kant's lofty concept of individual rights, obligations, and reasoned self-interest that was taken up by such influential figures as Fichte and Pestalozzi. The individual citizen was to come of age, be self-actualizing, free from the restraints of a hierarchical society, free to develop his own talents and abilities, free to contribute to the common good. The enlightened absolutism of the old regime was to be replaced by the enlightened absolutism of the self, which lay at the heart of the liberal humanism of the bourgeois epoch. Obligations were emphasized at the expense of rights. For many this vision of the new man was exciting, but for others it was terrifying. When combined with the economic theories of Adam Smith it was to condemn the old order to extinction. Since the motive force behind the reforms was to free Prussia from the French, the reforms aimed to strengthen patriotic and nationalistic sentiments, thus further subordinating individual liberties to a common cause.



It was an ambitious program aimed at a thorough overhaul of the state. The administration was to be rationalized and careers open to the talents. The economy was to be released from the shackles of the past, and *Manchesterismus* was to be its guiding principle. The army was to be reformed, with promotions based on talent rather than on social status. Society was to be freed from the restrictions and inequalities of the old order. There was to be full equality before the law. The creative power of the people was to be devoted to a common cause.

So much for the lofty ideals – the reality was somewhat different. There was considerable resistance to reform in some quarters, particularly at court and among conservative aristocrats. There were also many differences between the reformers themselves. Baron vom Stein, who was principal minister from 1807 until his dismissal at Napoleon's command in the following year, was the initiator of the reform movement. As an imperial knight with an impeccable aristocratic lineage he detested the absolutist state and urged the devolution of power, thereby strengthening traditional rights and privileges. He was also suspicious of economic liberalism, which he felt would lead to the sacrifice of individual rights to the exigencies of the market.

By contrast Hardenberg, who became chancellor in 1810 and remained in office until his death in 1822, believed in the centralization of state power and a liberal economic policy. Less troubled by moral and philosophical concerns, he argued that, with the guarantee of property rights, equality before the law, and fair taxation, the individual should be able to fend for himself, while recognizing the need for the firm guiding hand of an autocratic state.

The first priority was the reorganization of the administration. The late absolutist state was a shambolic affair with no identifiable areas of competence, a myriad of conflicting interests and institutions, and no clearly defined order of government. The chaotic old cabinet system was swept aside and the king could now only act through his ministers. The absolutist state gave way to bureaucratic governance.

Under Stein the ministers were treated as equals in a collegial system. He had hoped to create a council of state, composed of a wide range of prominent people, to act as a kind of surrogate parliament, keeping a watchful eye on overly ambitious ministers. Hardenberg had no sympathy for such ideas. He created the office of chancellor, who controlled the access of subordinate ministers to the king.

At the local level Prussia was divided into districts (*Regierungsbezirke*) each with an administration (*Regierung*) in which the district president (*Regierungspräsident*) was treated as first among equals. Prussia was thus a federal state with each district enjoying a degree of autonomy, and the president was responsible to the local diets (*Landtage*), which were introduced in 1823/4. They were based on the estates and thus dominated by the aristocracy. Only those who had owned property for many years were eligible to vote. Many highly educated men were thereby disenfranchised. Church affairs, education, health, and road-building were among the presidents' other responsibilities. At Stein's insistence there was a strict division of powers between the judiciary and the executive.

Beneath the districts were the circles (*Kreise*) which were supervised and controlled by the district president. At this level Hardenberg hoped to realize his centralizing vision. A state-appointed director was to take the place of the *Landrat* ("District Commissioner" or "District Officer") who was elected by the local aristocracy. He was to be assisted by an administration elected by the aristocracy, the towns, and the peasantry in equal parts, and by a state-appointed judge. Gendarmes were to take over the function of local policing,

thus putting an end to the aristocracy's right to police their own estates. Aristocratic resistance to these proposals was so strong that they were shelved, leaving the old order entrenched on the land, the *Landrat* remaining as an organ of a patriarchal-feudal order. Given that there were only 1,300 policemen in all of Prussia, policing rights of the aristocracy further strengthened the old order. Members of the bourgeoisie who purchased aristocratic estates were denied all the special privileges that went with them. In the Rhineland aristocratic rights that had been abolished were reinstated, causing much bitterness among the bourgeoisie. Tensions between the aspiring middle class and the aristocracy were more noticeable in Prussia than elsewhere in Germany.

Stein's notion of self-government as a counterweight to an all-powerful state was best realized in the towns. Ancient rights and outmoded privileges were abolished, leaving the administration of justice in the hands of the state. Towns became self-governing. A college of electors was chosen by districts rather than by estates. Passive voting rights were given to all who met certain minimal requirements of property, profession, and length of residence. Active voting rights were more restrictive. The propertyless, soldiers, and Jews were not regarded as burghers and were excluded from participation at either level. Councilors were elected for a term of twelve years, honorary councilors for six years. Both the mayor and the salaried councilors had to meet state approval.

The reform of municipal government resulted in the creation of a highly professional class of civic administrators and served as a model for similar reforms in other European states. But it was not an unmitigated success. The reforms were ordered from on high, they were not a response to pressure from below. Their emancipatory effect was thus of little consequence. Furthermore, since they did not coincide with similar reforms in the countryside, the divisions between town and country were further accentuated.

The most radical of the reforms in Prussia was the liberation of the peasantry from the remnants of the feudal order. Serfdom was repugnant to enlightened bureaucrats, its abolition seen as a blow at the very foundations of the absolutist, aristocratic social order. Stein entertained the Romantic notion that the brutish and enslaved peasantry would become proud yeomen who would form the backbone of a revitalized nation. Added to this mixture of Kantian morality and Rousseau's Romanticism came a large dose of Adam Smith's economic liberalism. It was argued that only if property and labor were freely brought to market could an economy flourish. Aristocratic estates henceforth could be freely bought and sold so that wealthy bourgeois could invest in the land. Serfs would become wage laborers. A traditional, aristocratic, semi-feudal society was to give way to capitalist agriculture.

Once again the impetus for reform came from above, from the liberal bureaucracy, and not from below. There were precious few instances of peasant protest prior to the reform – indeed some peasants regretted the passing of a familiar patriarchal order. Similarly, few aristocratic landowners realized the opportunities that a free market economy offered. Resistance to reform was so strong that it was only after the collapse of Prussia in 1806, when the state was faced with a crippling economic burden, that Stein was able to sweep all objections aside. On October 9, 1807, ten days after his appointment as minister, he issued the "October Edict" that announced the abolition of serfdom in Prussia by St. Martin's Day (November 11) 1810.

The peasants were now free subjects before the law, able to own property, to marry as they wished, and free to move and to practice any trade or profession. Aristocrats were also free to sell their estates and to enter professions that had previously been reserved



for the bourgeoisie. In theory a society based on the estates was replaced by a class society that allowed for a high degree of social mobility. In practice there were many remnants of the old regime. No edict could ever fundamentally alter the habits, customs, and mentalities that had been ingrained over generations. Nevertheless this was a radical step forward that changed Prussia in a number of ways. Many aristocrats sold their estates to bourgeois entrepreneurs, and the close association of the aristocracy with the land was now little more than a Romantic myth. By mid-century about half of the aristocratic estates had passed into bourgeois hands. As elsewhere in Europe, wealthy entrepreneurs longed to become country gentlemen, but although some were subsequently ennobled, unlike in England, where titles did not pass on to younger sons, a strict segregation of classes was maintained and intermarriage between aristocrats and bourgeois were extremely rare.

The peasantry was no longer protected by the obligations owed by lords to their serfs so that the pressure of population caused widespread poverty on the land. Conservative opponents of reform argued that capitalism resulted in benevolent feudal lords being replaced by rapacious creditors who bled their wretched victims white. They were well organized with their exclusive representative bodies and their own banking system, to say nothing of their close ties to the court and to the upper echelons of government. They prepared to fight back as soon as the state of emergency had passed.

Many concessions were made to the aristocracy. Cheap credit was made available to landowners who were suffering the consequences of drastically falling prices for agricultural produce. The law of 1810 governing the treatment of servants and laborers (*Gesindeordnung*) was hardly in the spirit of the reformers. Landlords kept their manorial courts that meted out corporal punishment. They could thus demand unquestioning obedience from their underlings. They kept their exclusive hunting rights, were given many tax exemptions, and appointed the local minister and schoolmaster. The law turned a blind eye when aristocrats fought duels, a way of settling disputes denied to lesser breeds. The entrenched powers of the aristocracy were such that there were strict limits to the reform.

A particularly intractable question was that of appropriate compensation for the loss of feudal obligations. This could hardly be in the form of immediate money payments since the peasantry was miserably poor and the state overburdened with debt. Compensation in land was even harder to determine. A decision was therefore postponed. It was not until 1821, when the reaction was winning the upper hand, that a commutation was finally put into effect. Landowners were compensated either by the transfer of land or by the payment of rents. They further profited from the conversion of common lands into private property and by a land settlement designed to bring about a more rational allocation of acreage. Stein and Hardenberg's vision of a proud yeomanry was thus never realized. Few liberated peasants were able to survive as independent farmers. In Prussia east of the Elbe the Junker estates profited considerably as a result of the liberation of the serfs. It remained an area of large estates rather than modest farms. This was to have far-reaching social and political consequences. In the Prussian provinces west of the Rhine, where the Napoleonic code had been applied, the smaller farmers were in a far more favorable position.

For all its shortcomings and injustices the reform on the land was a vital step forward in the process of modernization. Agricultural capitalism replaced a feudal cooperative mode of production. Custom, habit, and tradition gave way to scientific farming and double-entry bookkeeping. The larger estates were reorganized into effective productive units that swallowed up many a small farm unable to compete. But the reform

was incomplete. The manorial estates retained many of their ancient rights and privileges within the context of a modern economic order.

The reformers placed economic freedom above individual freedom. The power of the guilds was broken by the Trade Edict (*Gewerbeordnung*) of 1810. The legal distinctions between town and country were abolished. Church lands were secularized, and much of the royal demesne placed on the market. Hardenberg's determined efforts to reform the tax system so as to make it both equitable and even-handed were only partially successful. A purchase tax on selected items met with fierce resistance and was later abandoned. Taxes on businesses were applied in both town and country, but the opposition of the Junkers was so strong that an attempt to make them pay equal land taxes failed. In 1811 and 1812 a one-time income tax with a marginal rate of 5 percent was introduced, but this occasioned frantic protest by the wealthy against the violation of the private sphere by the state and the assault on private property rights. In 1820 a "class tax" was introduced which combined a poll tax with a sort of income tax. This, combined with the remaining forms of indirect taxation, was a particularly heavy burden on the poor and contributed to the growing disparities of wealth and income.

## Prussian Military Reforms

There was one issue on which the reformers and the conservatives could agree. Prussia could never be liberated without fundamental improvements in the army. The Prussian army, once the finest in Europe, had failed to keep pace with fundamental changes both in military science and in society at large. It had failed miserably in 1806. Its tactics were outmoded, commissions in its superannuated officer corps were given on the basis of birth rather than ability, and the men were subjected to brutal discipline. Foreign mercenaries made up at least one-third of its personnel. It existed as an institution separated at every level from the society around it. The reformers, with Scharnhorst at their head, were determined to bridge the gap between the army and society and convert the downtrodden and mindless soldiers into self-actualizing patriots to whom the highest ranks and honors were open.

For this to be possible soldiers had to be respected as autonomous subjects, equal before the law, no longer subjected to inhuman punishment. The fact that the French drastically reduced the army gave the reformers a golden opportunity to cut out much of the dead wood from the officer corps. Henceforth commissions were to be awarded by competitive examination, and promotions likewise were no longer to be based almost exclusively on length of service. Gneisenau waxed poetic on the genius that slumbered in the lap of the nation that would soar on eagle's wings once the fetters of custom and class were removed. The arch-conservative Yorck, although a modernizer of the army with his mastery of light infantry tactics, was appalled. He argued that an attack on the privileges of the aristocracy would lead to an attack on the legitimacy of the monarchy and smacked of Jacobinism. His objections were swept aside, his fears soon proven unfounded. A conservative institution like the Prussian officer corps could never be so radically reformed. Old prejudices in favor of the traditional aristocratic families who had served the state for generations were too deeply entrenched. Many young aristocrats were men of considerable talent and had little difficulty in passing the rigorous examinations required to gain a commission and climb the ladder of promotion. Scharnhorst and Gneisenau might have been bourgeois, but Clausewitz and Boyen came from distinguished old families.

These reforms were all based on the liberal and democratic principle of universal military service, which was designed to create a people's army in contrast to the standing army of the autocratic state. Predictably the idea of a nation in arms was anathema to the conservatives, but many bourgeois reformers also felt that this was going too far along the road to equality and marked a general leveling down of society to its lowest common denominator. The king, fearing the reaction of the French should universal military service be put into effect, had little sympathy for the Romantic notion of a people's war. It was thus not until 1813, when Prussia was again at war, that all men of age were called up to serve the nation in arms.

A territorial army (*Landwehr*) was formed with a solidly bourgeois officer corps, unlike the regular army in which the aristocracy still predominated. The ideals of the reformers were most fully realized in the *Landwehr*. It was passionately supported by the liberals and equally intensely detested by conservatives for decades to come.

The proposal to arm all remaining males between the ages of 15 and 60 in a *levée en masse*, without uniforms and with elected officers, appalled most respectable citizens. They denounced the guerrilla bands foreseen in this *Landsturm* as Jacobins who posed a greater danger to Prussia than they did to its enemies. The suggestion was hastily dropped. The reformers concentrated on the *Landwehr* as the realization of their vision of a people's army. Under Boyen's army bill of September 1814 all those eligible for military service were to serve three years in regiments of the line and then two years in the reserve. They were then obliged to serve in the first division of the *Landwehr* until the age of 32 and the second until the age of 50. All those who did not serve in the regular army had to join the *Landwehr* at the age of 20. The educated bourgeois could serve one year in the regular army, after which he became an officer in the *Landwehr*. There was thus a clear distinction between an aristocratic and conservative regular officer corps and a bourgeois and liberal *Landwehr*. Conflict between the two was thus almost inevitable.

The practical military results of these measures did not meet the reformers' expectations. Admittedly Prussia was able to field an army of over a quarter of a million men: it was better trained, and its staff work greatly improved. Some units, particularly in the *Landwehr*, were fired by an idealistic and patriotic spirit. On the other hand such enthusiasm was by no means general. There were large numbers of desertions. The regular officer corps remained intransigent in their opposition to universal military service. The notion that in 1813 "a people arose, a storm burst forth" is a romantic myth. Amid widespread indifference the conservative forces braced themselves to undo the work of the reformers. They were largely successful; but the bourgeoisie had made important inroads into the old order. The outcome of this struggle was no foregone conclusion.

## Educational Reform

The reformers insisted that a society of free citizens with careers open to the talents had to be well educated. Throughout Germany the educational system was in disarray. Most university professors were tedious pedants, hopelessly out of touch with the times. The student body was indolent, debauched, and given to outbursts of mindless violence against the unfortunate townfolk. Schooling was equally abysmal, without supervision, organization, or control from central authority. Ill-qualified and miserably paid teachers used brutal discipline to drill a few vestiges of an elementary education into their hapless pupils. The

great educational reformers such as Fichte, Pestalozzi, and Wilhelm von Humboldt took up Kant's ideal of the autonomous self-actualizing individual and argued that education should not be directed towards fulfilling the demands of the state, the market, or tradition, but should be an end in itself. The development of a spontaneous, critical, and imaginative subject was more important than training for a profession or trade. The practical objectives of the Enlightenment were to give way to the subjective ideals of neo-humanism. Education was not to be the preserve of a small elite but was to be universal. Only thus could the many-sided talents that slumbered within the nation be awoken. Even the king, who could hardly be described as an intellectual, was captivated by such ideas and announced that: "The state must make up in the intellectual sphere for what it has lost in physical power."

The University of Berlin, founded in 1810, was based on these principles. Knowledge was to be pursued for its own sake regardless of any practical application. An interdisciplinary education in the humanities was designed to create well-rounded individuals rather than narrow specialists. In his inaugural address as rector, Fichte announced: "The true life-giving breath of the university ... the heavenly ether is without doubt academic freedom." This was an expression of the all too often derided German notion of freedom as inward, subjective, and metapolitical. In fact the reformers who espoused these lofty ideas were eminently political. Horror-struck by the enormities committed in the name of freedom, they insisted that a people could only be genuinely free by thoroughgoing individualization.

Tuition was free, there was no fixed curriculum, and no set number of years of study. Dialogue between teacher and pupil and the common pursuit of pure knowledge was the sole requirement. For all the protestations to the contrary it was an elitist concept that aimed to replace the old aristocracy of birth by a highly educated meritocracy. Setting the gentleman scholar as an ideal, it largely ignored the exigencies of the nascent industrial age. All depended on state support. The reformers argued that the state had a moral obligation to educate its citizens according to their precepts. In return for this hands-off policy the state would be strengthened by the optimum development of individual capabilities. It was a lofty ideal, a dream of the higher bureaucracy and professoriate, who worked closely together. It ignored the fact that changes in the structure of the state would necessarily lead to changes in its attitude to education. The age of reform was to be of limited duration. The state was soon to reassert its authority by using the educational system to strengthen its hold over the citizenry.

The Prussian school system was also reformed with two levels. The preparatory school (*Elementarschule*) led to the grammar school (*Gymnasium*). The latter were self-consciously elite institutions that, like the universities, emphasized the humanities, particularly Greek and Latin. All teachers were required to have a university degree. A school-leaving certificate known as the *Arbitur*, which soon became the prerequisite for entry to university, was introduced in 1812.

Teachers in the elementary schools (*Volksschule*) were also required to have a diploma from a teacher-training college (*Normalschule*) where they absorbed a modified version of the teachings of the great Swiss educational reformer Pestalozzi. Reform of these schools, in which retired Prussian NCOs had flogged a rudimentary education into their unfortunate charges took much longer, but at least a step had been taken in a promising direction. A separate ministry of education was established in 1817 which kept a close eye on the schools.

The aim of all these reforms was the creation of a modern bourgeois state free from the privileges of the estates and provincial particularism. This could not be created overnight,

and the reforms ran far ahead of social reality. For this reason they only went half-way. Only when society changed could there be any serious discussion of a modern constitution. The state was still dependent for money on the institutions of the old regime in which the privileges of the estates were anchored, and this proved an effective barrier to thoroughgoing reform. An aristocracy jealous of its privileges thus had effective means of frustrating the centralizing and modernizing intentions of the bureaucracy.

## The Confederation of the Rhine

For all the limitations, the reforms were the most ambitious and comprehensive in Prussia. In the Confederation of the Rhine the contradictions and frictions were even more severe. On the one hand Napoleon hoped to consolidate the modernizing achievements of the revolution, but he also set out to exploit these subject states and reward his followers with estates carved out of them. The south German states were faced with the additional problem of integrating the many disparate territories they had absorbed under a centralized administration and under a common set of laws. Baden had increased fourfold and Bavaria had doubled in size as a consequence of the Napoleonic reordering of Germany. They set about this task in the traditional manner of the absolutist state: by administrative control and rational planning. Here there was hardly a whiff of Kantian humanism, while the democratic notions of the French Revolution met with little response in the upper echelons. Governments were reorganized, but rather than create collegial systems the powers of absolutist ministers such as Montgelas in Bavaria and Reizenstein in Baden were greatly enhanced.

In the course of the territorial changes in southern Germany, Catholic Bavaria absorbed large numbers of Protestants, whereas Protestant Baden now had a Catholic majority. True to enlightened absolutist traditions the state maintained strict control over the churches, mounting a campaign against religious excesses. In both Bavaria and Württemberg pilgrimages were forbidden, miracles were not to be mentioned in homilies, and even the public display of Christmas cribs was outlawed as part of the campaign against superstition and fanaticism. In Württemberg pietism was similarly outlawed as a pernicious form of mysticism. But at least full religious equality was recognized in these states. The often excessive struggle against religious enthusiasm was matched with an admirable degree of interdenominational tolerance.

The first priority was the ordering and organization of the new territories. Local privileges and exemptions were abolished, and central control tightened. Given the heavy burden of debt that rested on all of the states in the Confederation of the Rhine a fundamental reform of the fiscal system was essential. Educational reform lagged far behind that in Prussia. The military authorities had no truck with notions of a people in arms, preferring lengthy terms of service in conscript armies.

The most dramatic and far-reaching changes in southern Germany resulted from the secularization of church lands. In Bavaria half of the land was in the hands of monastic orders. This was taken over by the state and sold off at rock-bottom prices to the peasantry. Only the forests remained largely under state control. Unlike in Prussia, where the liberation of the serfs had benefited the large estates, land reform resulted in the creation of a large number of small farms and modest peasant holdings. There were other equally significant consequences of secularization. This was a major step forward in the creation of

a modern secular state, and the impact on the church was equally dramatic. Higher ecclesiastical offices were no longer the preserve of the aristocracy. The church, which was now supported financially by the state, turned away from worldly affairs and concentrated on its spiritual mission.

As in Prussia, the aristocracy lost some, but by no means all, of its ancient privileges. With the collapse of the old empire the mediatised imperial aristocracy retained a special status within the sovereign state. The thoroughgoing reform of property rights was blocked by the determined rearguard action of the privileged. Even in states such as Westphalia and Berg, where the Code Napoléon was imposed, compensation was demanded for the abolition of feudal rights. Since neither the state nor the peasantry had the money to meet such requirements these rights remained in force.

The great jurist Anselm von Feuerbach, the moving spirit behind the Bavarian penal code of 1813, a model of progressive legislation, argued that the logical consequence of these reforms was that the state should have a constitution. But Feuerbach was ahead of his times, soon to be pushed aside in the reaction that followed Napoleon's defeat. The Bavarian constitution of 1808 allowed for the indirect election of a National Assembly by a highly restrictive franchise. It guaranteed the independence of the judiciary and guaranteed certain individual rights. But the National Assembly never met. A similar institution, provided by the Westphalian constitution of 1807, met only twice.

Thus in the Confederation of the Rhine many ancient privileges were abolished, particularism was largely overcome, bourgeois freedoms were strengthened, and the rule of law was asserted. The individual was partially freed within the context of a centralized bureaucratic state that was reinforced by a vigilant police force. The old order of the estates was gradually being replaced by a class society. Although the principle of equality before the law was still largely theoretical, at least it was placed on the agenda.

The Prussian reform movement was inspired by the desire to bridge the gap between the state and society, to involve the citizens directly or indirectly in the affairs of state. The centralized states of southern Germany, although determined to overcome the outmoded rights of the estates and to modernize society, were deeply suspicious of the dangerous potential of popular sovereignty. The consequences of these differences were somewhat surprising. The tradition of the reforming state lived on in southern Germany and provided a congenial atmosphere for the liberal bourgeoisie. In Prussia the old order found it far easier to reassert itself after 1815.

## Germany and the Defeat of Napoleon

Of the 600,000 men in Napoleon's Grande Armée that marched against Russia in 1812 about one-third were Germans. By the end of the year there was only a demoralized remnant of some 100,000 men able to stagger back to Poland. The tsar, against the advice of his generals, decided to continue the fight westwards and finally rid Europe of the Napoleonic menace. On December 30 the Prussian general, Yorck, signed the Convention of Taurroggen with the Russians, by which the troops under his command no longer accepted orders from the French.

Yorck, an ultra-conservative opponent of reform, was a glowing patriot. He had acted without the knowledge of the king and with the intent of joining the Russians to drive the French out of Germany. Frederick William III, outraged at this act of mutinous



insubordination, cashiered the general. Yorck took no notice and cooperated with Stein in recruiting soldiers in East Prussia to fight the French.

The king continued to dither, negotiating first with the French then, urged on by the patriotic forces, with Austria and Russia. Finally, at the end of February 1813, he signed an alliance with Russia whereby he agreed to cede part of Prussia's Polish provinces to Russia in return for territorial compensation elsewhere in Germany. He responded to a wave of patriotic enthusiasm by announcing a people's war in his appeal "To My People." Universal military service was introduced that included volunteer units known as the Free Corps, made up largely of the urban middle class. The poorly trained and ill-equipped *Landwehr* proved to be an ineffective fighting force. A new medal for valor, the iron cross, was struck as a symbol of the struggle for king and fatherland.

Patriotic enthusiasm was confined almost exclusively to the eastern provinces of Prussia that were not occupied by the French. Elsewhere there was a general indifference, although there were protests in Westphalia and Berg, both states under direct French domination. Some of the northern ports, which had suffered badly under the Continental System, also witnessed some unrest. The states of the Confederation of the Rhine remained passive. In Vienna Metternich prudently arrested demonstrators calling for a popular uprising against the French.

For the Prussian patriots the war was now a struggle of the German people against a foreign tyranny. The German princes who had allied with Napoleon were regarded as traitors to the national cause. The tsar, who combined woolly-headed notions of national liberation with a careful calculation of Russia's interests, was much taken by these ideas. He was encouraged by Stein, who became his unofficial advisor on German affairs. It was Stein who drafted the text of the Proclamation of Kalisch that outlined allied war aims. They included the restoration of a reformed German empire with a constitution that reflected the "quintessential spirit of the German people," along with freedom for the German princes and their subjects. Russia as guarantor of the New Germany would be in a powerful position to determine its future, but with a notoriously unpredictable tsar it was unclear what lay in store.

The first engagements of the campaign did not go well for the new allies. They were defeated at the battles of Grossgörschen and Bautzen and driven out of Saxony. Napoleon, having failed to follow up on these successes, agreed to an armistice in order to build up his forces. Meanwhile a number of states joined Britain in the Great Coalition, but Russia and Prussia remained undecided. Metternich was still hesitant to commit Austria to the allied cause. Although suspicious of the heady nationalist and popular spirit among some of the coalition partners, he gradually eased away from France. In June 1813 he finally joined the coalition, which now included both Russia and Prussia. The war aims with respect to Germany were agreed upon at Teplitz in September. They included the restoration of the 1803 frontiers in northwestern Germany and of the Rhine frontier. Metternich's concept of a war to restore the balance of power in Europe had triumphed over notions of liberation, freedom, and nationalism.

After some initial engagements the Saxon army was left demoralized. Bavaria withdrew from the Confederation of the Rhine, its territorial integrity guaranteed by Metternich in the Treaty of Ried, a treaty that was later to be denounced by nationalist historians as blocking the way to national unification. The two armies finally clashed at Leipzig from 16 to 19 October 1813. Napoleon suffered a crushing defeat in this "Battle of the Nations," but it was something of a pyrrhic victory, with both sides losing about 60,000

men. The coalition armies failed to follow up their success, thus allowing Napoleon to escape.

The question now was whether the war should continue. After the Treaty of Ried with Bavaria similar arrangements were made with Baden, Württemberg, and the other member states of the Confederation of the Rhine. The Confederation thus ceased to exist, but the Napoleonic territorial settlement in southern Germany remained in force. Once again Metternich had managed to ensure that the exigencies of security took precedence over legitimacy. This was enough for Metternich, who now hoped to treat with the French, but the slogan "The Rhine is a German River and not Germany's Frontier" met with fervent popular response, and Prussian hawks demanded an all-out war to destroy the tyrant.

Napoleon rejected Metternich's peace feelers so that the immediate problem was solved, but the debate as to how the war should be pursued caused severe strains within the coalition. Thanks to the energetic engagement of Castlereagh and Metternich the coalition was stitched together and once again agreed upon a set of war aims. France should withdraw to its 1792 frontiers, and Germany should have a federal structure. Allied troops entered Paris at the end of March 1814. Napoleon abdicated. The Treaty of Paris of May 30, 1814 was free from vindictiveness. It left France within its 1792 borders, still a major player within the European balance of power.

## The Congress of Vienna

The future of Europe was to be decided at the Congress of Vienna, a glittering assembly of crowned heads, diplomatists, adventurers, and beauties. The aim was above all to create a stable Europe based on a broad interpretation of the principle of legitimacy. No one thought it possible to turn the clock back to pre-revolutionary times and there was general agreement that the Napoleonic territorial settlement in southern Germany should be accepted. Where stability seemed threatened, legitimacy had to give way.

There was general agreement between Britain and Austria that a strong and independent central Europe was desirable as a bulwark against both France and Russia. Prussia was clearly to play a critical role within this constellation. Prussia would have to be compensated in the west, given Russia's claims on its Polish provinces. Prussia's main aim was to annex Saxony, a state that had remained faithful to its alliance with Napoleon. Castlereagh and Metternich favored this idea because of their concern about the tsar's ambitions in Poland. The Russians were adamantly opposed. Frederick William III, anxious not to antagonize his ally, ordered Hardenberg to distance himself from Castlereagh and Metternich.

After much acrimonious debate Prussia lost most of its Polish territory to "Congress Poland" and was awarded approximately half of Saxony. Prussia's gains in the west were even more significant. In order that Prussia should protect Germany's western frontiers it was given the Rhineland as far as the Saar and the Nahe. This resulted in fundamental changes in Prussia. The country was now divided between its western and eastern portions with their widely different cultures, traditions, and religions. Were these differences overcome, Prussia would achieve hegemony in northern Germany. There were further far-reaching consequences of this settlement. The Rhineland was soon to become the most valuable piece of industrial real estate in Europe, the foundation of Prussia's economic might. That Prussia was given the task of defending Germany's borders against any revival of French military might further underlined the importance of the army. The unequal

development at every level between the Prussian homeland and its newly won western provinces was to cause many severe problems in the years ahead.

Prussia's role in Germany was thus strengthened, while Austria concentrated more on the Tyrol and Italy. Bavaria was unable to find any support for its attempt to become a third force in Germany by absorbing Frankfurt and Mainz. Prussia thus emerged as the big winner, although this was not apparent at the time. Austria's political influence was far greater. Austria, with England's support, had limited Russia's influence in Europe and Prussia's in Germany. The Federal Act of June 8, 1815, signed only ten days before the battle of Waterloo, created a loose confederation of states rather than a federal state. It had no federal army and not even a federal court. There was only one federal institution, the Federal Council (Bundestag), where delegates from the member states met to discuss matters of internal security. Austria's dominant position was emphasized in that it provided its permanent president.

Apart from repressing its critics the Confederation was a toothless affair. It did nothing to overcome the economic divisions within Germany, failed to take the initiative in transport policy, and did not create a common currency. It was equally passive in legal matters. When the people of Hesse appealed to it against their grotesque prince, who had swept aside all the French reforms and restored the *ancien régime* to the point of insisting that wigs should once again be worn, the Confederation did nothing.

The Vienna settlement asserted the rights of the states and their legitimacy against the demands of liberals and nationalists. In the short term it provided stability, but the seeds for future conflict were already sown. It brought a long period of peace, but it could not contain the democratic and nationalist forces that threatened it. Combined with the territorial changes in Prussia, which resulted in further contradictions and discord, these were ultimately to severely limit the conservative restoration.