



<http://stores.ebay.com/Ancestry-Found>



Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

17

DENMARK, AND ITS RELATIONS.

BY JOSHUA LEAVITT.

Read before the American Geographical and Statistical
Society, March 3, 1864.

NEW YORK:
A. D. F. RANDOLPH, 683 BROADWAY.
1864.

DENMARK, AND ITS RELATIONS.

BY JOSHUA LEAVITT.

Read before the American Geographical and Statistical
Society, March 3, 1864.

NEW YORK:
A. D. F. RANDOLPH, 683 BROADWAY.
1864.

DEM WARK

AND ITS HISTORY

THE HISTORY OF THE

DEMOCRATIC PARTY IN THE
UNITED STATES

THE



Denmark, and its Relations.

It is a debated question among scholars whether our Anglo-Saxon race and language are by their origin more Norse than Saxon, or more Saxon than Norse, or about half of one and half of the other. At any rate, both the streams came from what is now the kingdom of Denmark—the territory lying between Cape Skagen (or The Skaw) on the north and the river Elbe on the south. And it is evident that there must have been in those two races a greater affinity for each other than for other tribes, because they have become so thoroughly assimilated together in England that it is impossible to draw accurate lines of separation, among words or people. And we should infer that it must be some artificial cause, and not a natural repulsion, that could create an incompatibility between the original stocks of our race at this age of the world. This kingdom of Denmark is the home of our ancestors, of both roots; and as such is entitled to our affectionate regards. If England is our mother, Denmark is our grandmother. It is time we were better acquainted with a people so near of kin. And as we see the Danish nation not only threatened with being rent in twain by internal secession, which originated in foreign ambition, and has been brought about and is kept alive by foreign intrigues and influence, but actually assailed by a foreign invasion which it is straining every nerve to resist, the similarity of the situation to our own,

as it is and as it might have been, constitutes a new bond of interest and sympathy.

In selecting the topic for a single paper on Denmark and its Relations, such as is proper to be read in this place, the one question forces itself on the mind: Why this war? To examine this question without plunging into the depths and intricacies of the legal questions involved in the case as it stands now before the world, is not an easy matter. There are points and questions in Roman law, in Feudal law, in the Law of Nations, the Salic law, German law, and Danish law; and then there are what the Apostle Paul so much dreaded—"endless genealogies, which minister questions." After digging and delving and wading and diving among these interminable mazes of controversy, I have thought it best to take Paul's advice, and "avoid foolish questions and genealogies, and contentions and strivings about the law; for they are unprofitable and vain." I found it impossible to know that I had included all the elements, or that I had not unintentionally placed some of the particulars on the wrong side of the equation, when considering a class of controversies from which our republican country is entirely free. I have chosen, therefore, to look at the case with American eyes, from the American standpoint, and to judge according to our American methods of reasoning. We are ourselves a nation of so recent origin, and all our institutions are so new, that it is not natural for us to go far back among the ages for our starting-point, in order to find out what is right in the year 1864. It is no part of our duty to readjudicate the controversies of bygone ages. The rights and wrongs of perished kingdoms and forgotten dynasties are but matters of curious speculation to us, who are a people of the present day, called to pass judgment upon present relations, and on the question of the rights and the happiness of existing nations.

The kingdom of Denmark has no need to shrink from the record of the past. It is one of the oldest of the existing monarchies in Europe. Since it became a kingdom, it has at one time or another had dominion over Sweden, Norway, and Eng-

land, besides controlling the southern coast of the Baltic, including not only what is now Pomerania, but also Livonia and Esthonia, while it has never fairly lost its own autonomy or been subjected to any other power. For length of continuous sovereignty, it may challenge the place of Dean among the European nations. It is not a light thing for Europe to look on and see such a nation blotted out of the catalogue, without diligently inquiring into the matter, to see whether there is a just cause for so terrible a retribution, and carefully considering what will be the position of that continent with Denmark wiped out.

In the European discussions concerning Denmark, we see that much is made of questions and arguments arising out of the feudal system, to which it is impossible for us to attach a real importance in matters of government. We have made the right of governments themselves to depend on their utility, and have even abolished the law of entails and primogeniture; have provided for the equal distribution of estates among males and females, and made real estate transferable in fee by the mere delivery and record of a deed. To us, the feudal system appears a tissue of absurdities and wrongs. It confounds all ideas of sovereignty and loyalty, deprives patriotism of its sacredness as a principle, and systematically keeps out of sight the rights and the welfare of the body of the people. We cannot imagine that the peace of a continent, and the happiness of nations, and the right of government, should turn on a question of feudal law. The progress of civilization in modern Europe has shown feudal rights to be nothing but wrongs, and has extinguished them. And the fact that the extinction has so commonly cost blood, does not make it right that the few which remain should plunge nations into revolution and continents into war before their antiquated pretensions can be put down. But each country should obliterate every vestige of feudality from its laws, by the force of its own rightful sovereignty. In fact, we find the comparative advancement of nations to be indicated pretty exactly by the extent to which they have freed themselves from the burdens and entanglements of the feudal system, as affecting the rights of govern-

ment, or standing in the way of the public good. Substantially, we find that the last fiber of feudal bondage was broken as to the territory of Denmark by the dissolution of the German Empire in 1806, when Holstein became a purely allodial and integral part of the kingdom of Denmark. Whatever changes may have been made during the reign of Napoleon's Continental System, only made more complete the extinction of feudal claims. The Congress of Vienna, in 1815, claimed and was allowed the prerogative of determining absolutely the relations of countries and provinces, and of establishing the boundaries of nations, without appeal. That settlement made the Elbe the southern boundary of the state of Denmark, and subjected by consequence all territory lying north of that river to the authority of its government. After the lapse of half a century (lacking a single year), the peace of nations ought not to be disturbed to set aside that settlement. Denmark fared badly in that settlement. By the loss of Norway, she parted with four-fifths of her continental territory, two-fifths of her European population, and a full moiety of her national prestige. Indeed, she was preserved as a nation for the same reasons which now forbid her dismemberment: because none of the Powers were willing to see the Gate of the Baltic* pass into the hands of any other government. Having thus settled it that Denmark should remain a kingdom, it was equally necessary that it should be made large enough to be independent and self-supporting. Nothing less than its present dimensions would suffice for this, and it was therefore adjudicated by the chancery of Europe that the kingdom should go to the Elbe. The voice of Europe will henceforth be *vox et preterea nihil*, if that settlement is allowed to be broken up.

It is not to the purpose to allege that Holstein always was and still remained a part of the German Empire, for the German Empire was dissolved nine years before. There was no Germany in 1815, and if there had been, all territorial rights were in a sort of abeyance by common consent, subject to the new adjustment at Vienna. The Germanic Confederation,

* The "Gate of the Baltic." See Appendix A.

which was formed afterwards, was a mere voluntary agreement of certain governments, for certain purposes.*

It never possessed the rights or assumed the responsibilities of a nation, and cannot be treated with as a nation, because it cannot control its members so as to fulfill national obligations, and therefore never succeeded to any possessions or claims of the dead Empire. The rightful national jurisdiction of Denmark to the Elbe is, therefore, complete and absolute. Neither does the subsequent act of the King, in his capacity as titular Duke of Holstein, in joining this new confederacy, make any alteration in the already established and vested rights of the Danish nation to hold and govern to the Elbe. As judged by its consequences, it was a very unwise act; but it was only a personal act, in the exercise of a prerogative purely illusory. To show also how limited it was in its legal import, and how unjust it is at this late day to make it the pretext for dictation, subjugation, and dismemberment, I quote from a work entitled "*Denmark and Germany since 1815*," by Charles A. Gosch: London, Murray, 1862; 8vo., pp. 460, with 4 maps.

"It is the double position of Holstein as a part of the Danish State and at the same time as German federal territory, which has given rise to contentions of great and general importance. King Frederick VI., of Denmark, entered the Confederation for Holstein, in the hope of gaining several advantages by that step; and it appears from a Memorial drawn up by Rosenkrantz, his Minister of Foreign Affairs, and dated January 20, 1815, that the King and his advisers particularly hoped, through the mutual neutrality of the members of the Confederation, and their mutual guarantee for their federal possessions, to secure the southern frontier of the state, and the possession of Holstein, against the aggressive policy which had become traditional with [Prussia] the most powerful of the neighboring German states.† But if such an arrangement promised advantages, it had

* See Appendix B.

† § 11 of the Federal Act says: "All members of the Confederation promise to protect both the whole of Germany, and every single confederate state, against any attack, and guarantee one another mutually the possession of all their territories which are comprised in the Confederation. Members of the Confederation retain the right of making alliances of every kind, but engage, nevertheless, not to enter into any alliances which may be against the security of the Confederation, or individual confederate states. The members of the Confederation equally promise not to make war one upon another, under any pretext whatever, nor to follow up their quarrels by force, but to bring them before the Diet."

That is the Fundamental Law of the Germanic Confederation, as it was formed in 1815. The provisions under which hostile proceedings are undertaken against Denmark, come under a supplementary law, which was adopted by the Diet itself in 1820.

also its drawbacks. The Confederation, which at first was scarcely meant to be more than an alliance of princes, soon began to assume the character of a closely united political body, of which its members were to be in some measure dependent on a central government vested in the Diet of Frankfort. The Federal Act of 1815, the original fundamental law of the Confederation, was considerably modified by the so-called Final Act of Vienna, of 1820, and several other organic laws, of which those paragraphs to which we shall have to refer, in the following, will be found on pages 302-312. By these later enactments, the power of interference with the internal affairs of the confederate states, conferred on the Diet, was so greatly enlarged as seriously to endanger their mutual independence. It was, indeed, never denied that the members of the Confederation were all to remain independent states. But at the same time it was pronounced a fundamental principle, that the Federal Diet was to be considered the highest legislative authority in the Confederation, and that the resolutions of the Diet should be generally binding, and overrule every separate legislation. With reference to this principle, a so-called Order of Execution was enacted, August 3, 1820, regulating the forms that should be observed when the Diet should find it necessary to exact obedience to its resolutions by force of arms. Thus, a dominion by the majority was established, which might have been less objectionable, if all the states had been of the same strength, and possessed similar interests. But this is not the case. The power of Austria and Prussia in the Confederation is so overwhelming, that nothing is easier for them than to convert the whole federal machinery into a means of pressing upon their weaker confederates those principles of government, and that general policy, which may be found expedient in Vienna and Berlin. And this has really taken place, both generally, and in special cases, for instance, with regard to Denmark." pp. 3, 4.

"The possibility of future difficulties seems to have been in some measure foreseen by the Danish statesmen at the time when the project of accession to the Confederation was ventilated. In the memorial of 1815, above-quoted, Rosenkrantz wrote that, if the King became a member of the Confederation for Holstein, it would be necessary either to separate that duchy entirely from Denmark Proper and Schleswig (which is an indisputable part of Denmark), or to give the Danish parts of the monarchy the same constitution as Holstein. Prophetic words, indeed! An oscillation between these two alternatives has, in fact, characterized the constitutional history of the Danish monarchy ever since. Both have at times been the programme of the government. And both have found their advocates in the press and in the nation. Those who wish at all hazards to maintain a uniform organization, embracing the whole state, form the *Heelstat* party, which perhaps may be translated the Whole-state Party, and at first they were the most numerous. Those on the other hand who recommend an isolation of Holstein (and Lauenburg) under a separate

constitution, form the Eyder party, which dates its existence only from 1838, but which may now be fairly said to represent the Danish people generally. All would probably prefer, for the sake of greater strength, to maintain the traditional community between Holstein and the other parts of the monarchy, provided the influence of Germany, through Holstein, could be kept within due limits. But at present the majority in Denmark agree that this is impossible, every expedient which could be tried with safety having now been tried in vain. In 1815, the organization of the monarchy was what would now be termed a Whole-state organization. Frederick VI. at first intended to make allowance for the new and peculiar position of Holstein by a special constitution for that province. But he abandoned this plan; and from 1831 the Danish government followed the opposite system, until the German National Unity movement of 1848 necessitated the isolation of Holstein—that is, the adoption of the Eyder system. The insurrection in Holstein, and the ensuing war, however, prevented the carrying into effect of the Eyder principle. The endeavors for a German unity, which had necessitated the adoption of this principle, also failed; and when the reorganization of the state was taken in hand, in 1851, a return to the Whole-state system was forced upon Denmark by the two great German Powers. It seems, however, as if it would now have to be given up again; and this time for good." pp. 5, 6.

We in this country should fall back upon the original compact, the Federal Act of 1815, which alone is entitled to be considered the fundamental law of the Confederation, determining the rights and responsibilities of the several states.

• The supplementary Final Act of 1820, under which the present difficulties have arisen, we should consider analogous to an Act of Congress enlarging its own powers, and extending its jurisdiction over the internal affairs of the States. It is not competent for a legislature formed under a written constitution, by its own vote to expand its functions beyond the constitution. The whole process of Federal Execution comes under the provisions of the Act of 1820, which was adopted in the midst of the mania for putting down by the force of the continent every sign of liberal opinions. Besides, the settlement of the boundaries of Denmark possessed the sacredness and solemnity not only of a national but of a continental transaction. It was a part and parcel of the pacification of Europe. All Europe is virtually a party to the original compact, and is bound to sustain Denmark in the rights and immunities which

were thus established. The great error was in joining the Confederation at all. This arrangement of divided and complex sovereignty has been found a great obstacle to the progress of unification and assimilation, which in modern times is found to be the true policy of states. The kings—Frederick VI., Christian VII., and Frederick VII.—all set themselves very earnestly to the work of restoring and advancing the monarchy as one whole; and few countries of Europe have made more progress in the last thirty years than this little kingdom, under the reign of three successive sovereigns, who have ruled for the good of Denmark, and not for family aggrandizement.

But it was not in the power of human government to annihilate the errors of the past. The long continued persistence of the monarchs in the Germanized policy of family aggrandizement, with the division of sovereignties as if they were private estates, and the preference of kings and courts to German usages, German language and literature, and German associations and ideas, had prevented the assimilation of the people into national unity, and had cherished and perpetuated a sort of state pride instead of patriotism in the people of the duchies, who were more fond of being Schleswigers and Holsteiners than Danes. This feeling prevailed more among the aristocracy and the bureaucracy than with the common people, and was diligently cultivated, until at length it culminated in a deep conspiracy in favor of actual secession. The growing liberality of the government and prosperity of the country, so far from allaying this discontent, served as fuel for the fire, just as vigorous health and fullness of blood feed the cancer. It was evident that if the government should continue to grow popular; if the facility and freedom of intercourse of the people all over the country should increase; if they should all receive their laws from one legislature, and all their functionaries be commissioned in the name of the one crown of Denmark; and if the advancement of wealth and comfort and intelligence and refinement should go on and pervade the ranks of the common people, until they should not only be capable of judging for

themselves, but should have individual interests as motives for acting for themselves, the whole mass would inevitably come to regard Denmark as their country, and to feel that it was a country worthy to be loved and to be proud of as a rising light among the nations, and for which they were ready to give their wealth to advance it, and their lives to defend it; and thus there would arise a true nationality, according to the proper and only meaning of the English word.* And from all this, Danish literature would rise up, and Danish science, and Danish art, and Danish education, and Danish enterprise, and the Danish language, and the Danish name, and Danish national honor and independence—and by-and-by the Cimbrian peninsula with its islands on the north, might win a place in history as glorious as that of either peninsula with its islands in the south of Europe.

It was deemed necessary to prevent all this, at whatever hazard or cost. For, otherwise, it would come to pass that a few noble families who talked German, and a few graduates of German universities, would lose their claim upon all official stations, and their power to dictate to the government, and their prescriptive right to social pre-eminence, to set the fashions, and to prescribe opinions; and then a man who should talk Danish, and enrich and ennoble Denmark, and love his country, and serve his generation, would pass for as good as anybody, and the rest would go for only just what they made themselves worth. I confess that, when I think of the duty and dignity of patriotism, and think of what it might have done for Denmark in fifty years past, and what it may yet do in fifty years to come, I have feelings which would dictate much stronger language than I think it best to use here.

The duty of patriotism is as binding upon governments as upon peoples. It is the duty of using all just endeavors, and employing all wise means, to strengthen, improve, enrich, and embellish its country, and to protect, unite, enlighten, and elevate its people. And to do this in the highest degree,

* "NATIONALITY—National character; also, the quality of being national or strongly attached to one's nation."—*Webster's Dictionary*. See Appendix C.

national unity is an indispensable requisite. So far as a government willfully neglects this, it is false to its trust, and is persistent, necessitates its own overthrow, because it no longer answers the ends for which alone God has authorized governments among men. And if a government should be coerced by force, or persuaded by fraud, or tempted by corruption, to make a bargain with a foreign government, agreeing not to do what is plainly right and needful for the improvement of its country or the welfare of its people, such a covenant would plainly be *contra bonos mores*, like any other agreement to commit a crime, and void for immorality from the beginning. In the readjustment of Europe under the Congress of Vienna the kingdom of Denmark was bounded on the south by the Elbe. It is the natural boundary of the peninsula, as is shown by the whole course of history, where all attempts to perpetuate any other boundary have been overruled by the inevitable tendencies of events. In accepting this final settlement of its limits, it was the duty of the Danish government, in whose soever hands it should be, by the fact that it is a government to enter earnestly upon the best course of measures in its power to accomplish all these ends for the kingdom of Denmark. That was the nation, as now definitely constituted, which was so intrusted to the government, and for which the government was responsible before God and man. And it was equally the duty of every man, every woman, and every child in the kingdom of Denmark, according to their several opportunities, to help the same cause by heartily seeking, encouraging, and promoting the unity, prosperity, and honor of the kingdom of Denmark, as the country to which they owed their allegiance, because Providence had made it their home.

If we look over the history of Denmark for the fifty years now under consideration, we shall find that a good deal has been done towards these objects, both by monarchs and people, much of it wise, and some otherwise. I cannot but think that the monarchs were honest in doing what they did in this direction, because it seems impossible to imagine any motives they could have to the contrary; and the reasons why much

more has not been accomplished must be sought in the errors and weaknesses of the kings, and the want of intelligence and patriotism among the people, and, above all other causes, in the sedulous cultivation of divided allegiance and alien predilections by the educated classes in the duchies. It is this which has divided the feelings and distracted the influence of the people. It is this which has hampered and intimidated the kings, made their purposes unstable, their advances uncertain, their measures indecisive. In seeking the proper object, of promoting national unity and prosperity by the legitimate exercise of the rightful powers of government, they have clearly aimed to conciliate this alien predilection by all possible means of concession and compromise. The result is before us. The settled purpose of secession—that is, of disloyalty—formed deep in the bosoms of men who have subordinated patriotism to passion, is willing to gain its ends step by step when it is necessary, and to accept a partial advantage where it cannot grasp the whole ; and it is not ashamed to hold out to those it would delude the false expectation that each successive demand or encroachment is to be the last—that each successive compromise is to be a final settlement. But it is never satisfied. Each concession becomes a standpoint for a fresh demand ; and Denmark has found that the same unpatriotic and overbearing spirit, which it has so long courted and endeavored to conciliate, and to which it has so often sacrificed justice and the public welfare and the national honor, has now brought upon their country the overwhelming calamities of a desolating war. Let me read a brief paragraph of what is going on in the center of Denmark in the dead of winter :

“ A letter dated at the town of Schleswig, February 9, describes the state of affairs after the retreat of the Danes as follows :

“ ‘ The Danes have been fearfully cut up in their retreat. They fought most stubbornly, but were completely outnumbered. The Prussians are still pouring in troops. The state of anarchy reigning in Schleswig is frightful. I saw this morning a respectable looking man who had been driven out of the town of Schleswig, and who, with his wife and four children, had been forced to walk thence to Rendsburg in the snow, no one daring to let him, on hire, a wagon. Every Dane, and almost every

German who is not known to be anti-Danish, are being driven out of the southern parts of the duchy, and the generals refuse to allow of interference. Hundreds of Danish clergymen and others are wandering about the country without shelter ; the peasants are afraid to take them into their houses.' "—*Evening Post*.

Is it Denmark, or the United States, that has sat for this picture ? It is History, teaching by example, the Philosophy of nationality. The spirit of Secession is the same everywhere, and its results the same.

It is not necessary to maintain that all the acts by which the Danish government has sought to consolidate the kingdom into national unity, and train the people to patriotism and loyalty, were right, or wise, or adapted to the public good, or calculated for the attainment of their object. We are only called to consider whether the mistakes of the government, well meant, because there was no possible motive to the contrary, are any or all of them a justifiable cause for rebellion, revolution, foreign invasion, the crushing out of a nation, and the calamities of a general war in Europe. From such examination as I have been able to make, I believe that most of the errors committed by the government have been the effects of the German disloyalty in the duchies ; and that most of the grievances complained of in the duchies would be no grievances at all if the people who complain of them were loyal and patriotic subjects of Denmark.

If it were worth our while to enter upon an investigation of these grievances, we might imagine a conference something like the following :

Q. Is not the Scandinavian kingdom of Denmark, from Cape Skagen to the Elbe, as well governed on the whole as the average of the thirty-odd German kingdoms and states lying south of the Elbe ?

A. It is.

Q. Are not commerce and manufactures and public improvements liberally favored by the government ?

A. They are.

Q. Are there not just laws for protecting the rights of the people ?

A. There are.

Q. Do not the courts dispense justice with a good degree of impartiality and wisdom ?

A. They do.

Q. Are there not ample provisions for education, universities, normal and common schools, bringing the means of knowledge within reach of all ?

A. There are.

Q. Has not the kingdom prospered during the last fifty years, increasing in population, wealth, intelligence, and refinement ?

A. It has.

Q. Have not the duchies enjoyed their equal share in the favors and benefits and patronage of the government ?

A. They have, and more.

Q. Have they not experienced their just proportion of the general prosperity of the kingdom ?

A. They have, and more.

Q. Have not you, the educated and wealthy classes in the duchies, had as much influence over the government, both lately and formerly and at all times, as you were fairly entitled to by any reasonable rule of proportion ?

A. We have, and more. But all this is nothing, when we think of our grievances—that German nobility and gentlemen should submit to a government of Danes, and that our children in school should be taught to read and write Danish, and our families compelled to sit under Danish preaching instead of German of the same faith by ministers of the same church.

It is for the redress of such grievances, complained of by the subjects of Denmark, that the German Diet has levied war, marched its army out of Germany into Denmark, and carried all the horrors of war in mid-winter over a country which was at peace, and which had no other interest or wish than to be in peace and amity with all the world.

The war which is thus wantonly entered upon by the German Diet, and now continued by the united forces of Austria and Prussia, if judged by ordinary rules and intelligence, is likely to be a war of dynasties, a war of peoples, a war of irreconcilable principles and irrepressible conflicts, in which nearly all the nations of Europe are sure to be involved. The only alternative appears to be the acquiescence of all Europe in the designs of Austria and Prussia, followed by the submission of Denmark to what it can no longer resist, dismemberment now, and then a speedy extinction. It does not appear possible for Denmark to maintain a national independence when deprived of the duchies, containing one-third of its territory, two-fifths of its population, with a still larger share of its wealth, and the chief seaports of Kiel and Gluckstadt, and other marts of trade, with its nationality trampled down in contempt by the whole of Germany. It is equally impracticable to carry on the government of Denmark on the policy heretofore pursued, of deferring to the unreasonable prejudices and unpatriotic demands of the German interest. If it is to succeed, it must take now the ground which ought to have been taken at so many previous epochs, of governing Denmark for Denmark, and by Denmark. Let national unity be proclaimed as the settled purpose of the government, and national allegiance as the absolute duty of the people, and national autonomy as the settled relation of the country towards all other nations, Germany included. Whatever may have been the case in former times, it is impossible in this age to carry on a government successfully with a divided allegiance. Denmark will be compensated even for her present disasters, if she can now come out of them freed from her entanglement in the German Confederation, which has been perverted for her oppression, and freed from subjection to foreign dictation in regard to her internal policy, and freed from the assumed domination of a disloyal faction at home. And, if not, not. Denmark is now struggling bravely almost without hope against an enemy immensely its superior in numbers; and if it succumbs, it must be and do in the future what the Powers of Europe decree. We shall

see whether the Great Powers will agree to incorporate anarchy into the public code of Europe, by consenting to establish it as national law that neighboring states shall have the right, first to foment the spirit of secession in a province, and then, under pretext of protecting an oppressed nationality, to invade a small and peaceful country with fire and sword, without provocation, without remonstrance, and without peril.*

It is a remarkable coincidence that King Christian VIII. died in 1848, just in the crisis of the political troubles of that time, and King Frederick VII. died in 1863, just at the moment when the present difficulty was culminating in actual war; and this latter event has greatly complicated the whole business, by mixing up with it a very troublesome question of the right of inheritance in the duchies. And it is curious to see how greatly interested our American republicans become in a dispute of this kind, as if it made any difference to us or the world which of two families should enjoy the title of Duke of Holstein—a territory of three thousand square miles and half a million of inhabitants. It took a general convulsion of Europe, and a continental sanction, to establish the boundaries of Europe in 1815. The order of succession† was settled after the convulsions of 1848–51, and under an equally solemn and inviolable sanction of “a European acknowledgment” by the treaty of 1852. That a settlement so recent, and made with so much consideration, and ratified with such unusual solemnity, should be so causelessly broken up, opens the question whether anything is to be regarded as settled concerning the rights of European nations. Are universal consent, the lapse of time, immemorial usage, the general welfare of a continent, the preservation of international peace by international justice, to be of no account in competition with the grave controversy whether a few Lutheran congregations shall have the same doctrine and the same worship, by the same clergy, in the Danish language or the German?

Perhaps a spice of egotism may be allowable in connection

* See Appendix D.

† See Appendix F.

with a brief remark on what is to come next. A little more than two years ago, and so soon after the outbreak of the Great Rebellion as to warrant grave suspicions of a connivance among the parties, two of the Great Powers of Europe who are expected to preserve the peace and dictate the policy of that continent—England and France—formed a coalition with Spain for the twofold purpose of invading Mexico and of wiping out the Monroe Doctrine, which had long been an eyesore to them, because it stood in their way, and hindered them from extending their political system over the Western hemisphere, so as to bring the American nations into their “Ring,” and make American interests the sport of their intrigues. It became my duty to endeavor to arouse public attention, through the weekly press, to the greatness of the interest which this nation has involved in that struggle; which I did, as I was able, by pressing the inquiry: Have we abandoned the Monroe Doctrine? and by repeated presentation of historical and other reasons why we should stand to that Doctrine at all hazards. I am warranted in saying that these efforts, but little sustained in other quarters, awakened at length a good deal of interest. Six months ago, in closing an article which I prepared for the *New Englander*, and which some of you have seen in pamphlet form, I ventured to write that “the Monroe Doctrine is not dead,” “for truth never dies;” and already, I said, “The Doctrine shines forth as the political cynosure by which we are to steer our national course through this sea of difficulties.” Also, that “by what steps, or through what struggles on our part, the Monroe Doctrine is to be restored to its ancient respect in the counsels of European dynasties, will depend more on the wishes of those Powers than on our own.” And I added finally, and in the last resort, that

“If the European Powers should see fit to press the matter to its ultimate issue, we shall not shrink from our proper responsibility as a free people and the friends of free institutions; and the Powers may be sure that we shall not stand wholly on the defensive. We will say no word and do no act implying an admission that the political system of America is less honorable than that of Europe, or less true, or less beneficent, or less worthy of heroic sacrifices in its cause, or less deserving of universal

adoption. The question will then lie between the European system for America and the American system for Europe. If by their machinations or aggressions we are once involved in their conflicts against our will, there will be no more peace for us or them until the American ideas of national independence and responsibility have been spread over the countries of the Old World, and the doctrines of National Interference and the Balance of Power have been cast among the rubbish with the systems of absolutism and popular ignorance which they were devised to support."

The European system for America, or the American system for Europe! They appeared like bold words, with the French in Mexico. But how events hasten forward ideas! At that very moment the combined Great Powers were engaged in their last experiment of interference and dictation in matters of internal policy in the case of Russia, which was closed so magnificently by Prince Gorchakoff's final letter, dated September 7, 1863:

"The Russian Government is of opinion that, after the experience that it has had, these measures [recommended by the three Powers] cannot be applied whilst the insurrection is up in arms; that they must be preceded by the re-establishment of order; and that, in order to be efficacious, they must proceed directly from the will of the government, in the fullness of its strength and its liberty, and without any foreign diplomatic pressure."

What is this but the Monroe Doctrine? It explicitly disowns the European system of politics, as that has been practiced under the Holy Alliance, and even since the Peace of Westphalia. The Emperor of Russia notifies the Great Powers that he intends to preserve the integrity of his dominion, and promote the unity of his people, and repress the revolt of his subjects, and regulate his domestic policy, without dictation from other governments, and that he does not wish to discuss the matter with them any further. It is the American idea, in regard to foreign relations. And it grew naturally out of his previous adoption of the most fundamental American ideas as to domestic policy—freedom for all men, land for the laborer, education for the children, justice between man and man, roads for traffic, municipal rights for towns, and freedom to worship God. The "Ring" that has so long domineered over Europe is broken, and can never be mended again. Two months ago,

in writing again for the *New Englander*, on another subject, I ventured to suggest that the further application of our glorious Monroe Doctrine, in its positive energy, might be the key to the solution of the Danish complication. The intelligence we are receiving from day to day almost warrants the belief that it is the only solution. The Government of Russia has never failed to see clearly that the security of its maritime interests and naval power is best provided for by having the gates of the Baltic held by only second-class powers. And this was supposed to be effectually provided for by the solemn treaty of 1852, in which all the Great Powers united, and which was ratified by a majority of all the sovereigns of Europe. These facts point plainly to the remedy. Suppose Russia should say to the belligerents and the other parties to the treaty of 1852, that she "should consider any attempt on their part" to break up that arrangement in its application to "the whole of the dominions now united under the scepter of his Majesty the King of Denmark," as "dangerous to her peace and safety;" and that she "could not view any interposition" with "the integrity of the Danish monarchy," "for the purpose of oppressing or controlling in any other manner its destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition toward" the Russian Empire. Can it be doubted that such a Declaration, put forth with due solemnity, would startle Europe, with an impression more decisive than that produced by the memorable Declaration of President Monroe in the year 1823? So much more potential is an American Idea than the effete traditions of European despotisms—"endless genealogies, which minister questions, rather than edifying."*

Both of the great European adjustments—that of 1815 and that of 1852—decided that the public good demanded the maintenance of the Danish monarchy in its integrity to the river Elbe. In the London Protocol, August 2, 1850, the governments of Austria, Denmark, France, Great Britain, Russia,

* See Appendix E.

and Sweden united in the declaration that "the maintenance of the integrity of the Danish monarchy being connected with the general interests of the European balance of power, is of great importance to the preservation of the peace," and they therefore express their unanimous desire "that *THE STATE, consisting of the possessions actually united under the dominion of his Danish Majesty*, may be maintained in its integrity." A similar declaration is incorporated into the general treaty of 1852, to which Prussia also was a party. The express design of this treaty was to give to the arrangement agreed on "an additional pledge of stability by an act of European acknowledgment." Now we find two of the Great Powers actually invading Denmark to break up that arrangement, so solemnly consecrated twelve years ago. A third (Great Britain) is so hampered by the complicated German connections of her royal family, and the peculiar mental condition of the Queen, that she is not to be depended on for any decisive action in vindication of that solemn and recent treaty, made under her own auspices in a happier day. The Emperor of France has many engagements of his own on hand, is little inclined to mingle in affairs from which neither himself nor Rome will be likely to reap advantage, and is, moreover, supposed to be watching his opportunity to win back from Prussia the long-lost and coveted provinces which would extend the French border to the river Rhine. France is for France, therefore, and has little direct interest at this moment in the preservation of the integrity of the Danish monarchy. Sweden, by itself, would not be competent to enter the lists alone. Russia is the only power to which Denmark can look with expectation of help in her extremity; and Russia must be deeply interested not only in maintaining the faith of treaties and the integrity of settled boundaries, but, still more vitally, in maintaining the independence and integrity of the safe little state that keeps the gate of the Baltic.

It is the overruling of a wise Providence that has brought affairs to just this position. If Russia takes the business in hand, it will be to maintain the honor and independence of

Denmark as a kingdom among kingdoms, as well as to preserve her territorial limits unimpaired. Russia would neither couch her advice to Denmark in the form of dictation, nor counsel humiliating concessions as the price of a temporary peace. It is of more consequence to Denmark to preserve her honor and her right of governing her own territories according to her own interests, than even to preserve the integrity of her dominion. And the Russian government has just learned by its own experience, that in order to preserve its independence, it is necessary to assert it with dignity and firmness, so as to admit of no reply. The letters of Prince Gorchakoff, before referred to, show that the Russian Secretary for Foreign Affairs is neither a blunderer nor a sophist, neither a bully nor a sycophant, but a statesman and a gentleman, who knows what is due to others by a consciousness of the rights of his own position.

Already the papers give currency to the report that the Emperor of Russia is preparing to appear in support of the treaty of 1852, or, as some say, is about to put in his claim if spoliation is to be allowed, by asserting his own right of inheritance to a part or the whole of the disputed dominion, by virtue of his descent from the House of Holstein-Gottorp, a branch of the royal family of Denmark. There is a basis for this claim, as good in its turn as the rest. And it has never been absolutely surrendered. In the Protocol of Warsaw, June 5, 1851, the Emperor renounced his right of succession in favor of Christian IX. and his heirs male, but no further, and he qualified his renunciation by declaring that, as the object in view was to facilitate an arrangement for the interests of the Danish monarchy, "the offer of such a renunciation *would cease to be obligatory* if the arrangement itself should fail." If therefore the Duke of Augustenburg should succeed in wresting the duchies from the crown of Denmark, he will find himself face to face with the Emperor of Russia, for a trial of titles now or hereafter. It would keep up an open question, and might serve sometime as a pretext for a war, at least as creditable as the present.*

* See Appendix F.

But how much more honorable it would be to the parties, and more for the permanent peace of Europe, if this case could be settled on the basis of a higher right than the right of a doubtful title to the succession, and thus establish a general principle of justice among nations. The inheritance of crowns and the lineage of royal families are growing less and less important, in comparison with the welfare of peoples and the peace of nations. It would be like the dawn of millennium to old Europe, if this most unjust and ill-considered war should become the occasion of introducing the MONROE DOCTRINE into the recognized public law of that continent—banishing for ever the endless hairsplitting of feudal descents, the chicanery of the Balance of Power, and the wolf-right of the strong to despoil the weaker powers.

APPENDIX.

APPENDIX A.

THE GATE OF THE BALTIC.

It needs but a glance at the map of Europe to perceive the significance of this figure. The Peninsula, from the Skaw to the southernmost point in Lauenburg on the Elbe, is 322 miles in length, and so narrow that it only requires to be made movable on its circular hinge at the south, to open and shut, and answer the purpose of an actual gate. In this country we hardly realize the importance of this "gate," because our own intercourse with the ports and countries of the Baltic is but imperfectly developed. We find the authentic statistics of the trade and intercourse dominated by this "gate" very fully set forth in a work by Mr. C. Hausen, published in Copenhagen, in 1860, to show the importance of a great ship canal, projected to pass through Holstein, connecting the North Sea and the Baltic, so as to avoid the tedious and dangerous navigation of the Categat, the Skager Rack, and the Sound. Reckoning from the mouth of the Thames round the Skaw, to the island of Bornholm, the straight sea-road is 850 sea miles. The number of vessels which passed the Sound and the Belts in 1851 was 24,790, with a tonnage of 3,469,732, averaging 140 tons. Of the whole number, no less than 19,944, or 80 per cent., passed the Sound at Elsinore. The largest number of American vessels that passed the Sound in any year, from 1822 to 1856, was 234, in 1825. The average yearly number in the ten years ending with 1856, was 95; and for the five years ending with 1856, but 75. Of the shipping that passes the Sound in a series of years, the average proportion of British is 22 per cent., Norwegian 15, Prussian 14, Swedish 11, Dutch 9, Danish 8, Russian 5, etc. In the year 1858, there were 93 entrances and clearances of vessels in the United States from and to ports on the Baltic, with a tonnage of 52,827 tons, and cargoes valued at \$7,576,123. All this respects the Baltic trade as it is, not as it will be. "The railway-net of Russia is nearly approaching completion; its effect on the trade will be admitted by all." But its greatness no mortal can conjecture!

The projectors estimate a tonnage of five millions as likely to pass their

canal when it is built; while the tonnage relied on to support the Suez Canal is only three millions. The decennial increase of the trade through the Sound is 25 per cent., and is likely to be much greater in the future. The dangers of the present navigation around Denmark, most of which will be saved if the canal is built, appear in the statement that, in the three years 1857-8-9, no less than 298 vessels were stranded on the Danish coasts, most of which were entirely lost; valued at a million of dollars or more, and at least another million for their cargoes. Of these wrecks, 96 were Danish, 40 British, 39 Norwegian, 34 Dutch, 28 Prussian, 15 Swedish, etc., and only one American, the "Joseph Clark," wrecked April 15, 1857, with a cargo of cotton valued at half-a-million. It is anticipated that even the trade of the Black Sea may ultimately be turned into the Baltic, as the contemplated Russian railroad to Odessa will be able to transport merchandise to the Baltic in four days. With a ship canal from the Lower Elbe to Neustadt Bay, 24 feet deep, this route will be very favorable for the trade of the Black Sea with Western Europe and America.

It is not to be expected that an isthmus and a thoroughfare so vital to the future interests of Russia will be regarded by her people with indifference, or allowed to be taken possession of by rival Great Powers without opposition from the government of the Czar. The apparent apathy with which our people look on, and the connivance if not complacency with which our Administration seems to favor the steps whereby the French Emperor is advancing to grasp the control of our great continental Isthmus and the possession of the Panama Railroad, would not be in keeping with the farsightedness of Prince Gorchakoff or the manly decision of Alexander II. Whatever may be the fate of Central America, we cannot doubt that the Danish Peninsula to the Elbe will be kept in that state of neutrality and independence which the peace and welfare of Europe demand.

APPENDIX B.

THE GERMAN COMPLICATION.

It is a settled principle of national morals that in political affairs the right of a measure is very much qualified by the wisdom of it. Neither governments nor peoples have any right to be doing foolish things. In an important sense, a blunder is a crime. It will be instructive to look at the German complication as it stands just now in connection with the invasion of Denmark. There are two intense desires now agitating the German mind, which in their varied influence, and often incompatible impulses, lead to many embarrassments and some absurdities

—the desire for popular rights and liberties, and the desire to have their country become a nation, with a government of its own. The latter appears to be the more distinct and dominant of the two. The German nation, with a German government, becoming by its numbers and position “the first Power in Europe,” is a more kindling idea, in the general way, than the mere personal rights of freedom of speech, of the press, and of religion; the equality of all men in the eye of the law, the free choice of rulers and legislators by the ballot, and the subjection of all prescriptive privileges to the test of utility for the public good. That a country so admirably situated, with a people so highly cultivated, and enjoying a name and civilization so ancient, should after so many centuries be unable to create for itself a government which can support itself and deserve the respect of other nations, is not flattering to the national pride. But still it is best to look at it in the light of common-sense. We cannot have what we wish without using the means. National unity and self-government grow, and require time and patience, as well as the use of means appropriate to the end. The success of the German effort thus far to create national unity and self-government for the fatherland by direct volition is not such as to preclude the suggestion of possibly “a more excellent way.” It were better to leave national unity and self-government to take care of themselves for awhile, that the people may turn their chief attention, in their several spheres, to the acquisition and cultivation of popular rights and liberties. In proportion as these are secured, nationality will come of itself as fast as the country is prepared for it.

The revolt in the duchies in 1848–9 was intimately connected with the German national movement which came to so sad an end. And the recent invasion of Holstein by vote of the Diet at Frankfort is understood to have been undertaken for the sake of indulging a general popular impulse. But yet it was not the act of the people. It was done by the votes of those who represented the six-and-thirty sovereigns of Germany. It was by their will and their authority, controlled by their power and managed for their interest. By the very doing of it the sovereigns are strengthened, and the popular cause is weakened. The invasion was undertaken also to prevent the projected extension of popular liberties in the duchies under the government of Denmark, and to check the growth of national unity and patriotism in that country. The enforcement of “Federal Execution” in Holstein was the exercise of a right, very doubtful for several reasons. The law of Federal Execution was not a part of the constitution of the Confederation. Holstein was an integral part of Denmark long before the Confederation was thought of, and was never rightfully subjected to German invasion. The only rightful ground for either revolt or invasion, was the right of revolution, grounded on the existence of intolerable wrongs for which there was no other remedy; whereas, the grievances complained of were mostly such as would be no grievances at all if the people had been patriotic and loyal to their own nation of Denmark. The in-

vasion was unwarranted, because not undertaken or controlled by any responsible authority. The Confederation is not a nation, and the Diet is not a government. It belongs to nations to make war who have governments to be responsible. But here we see the Diet precipitating an army upon the territories belonging to Denmark, in violation of a treaty to which most of the leading states of the Confederation were parties, against the will of the most important states, and nowhere on earth can it be found who is and who is not responsible. In the midst of the process of this so-called Federal Execution, by authority of the Diet purporting to represent the whole Confederation, the two leading members of the Confederation suddenly interpose by an armed force and arrest the Federal advance, turn to naught the dignity of the Diet, and then undertake a more extensive invasion and a more complete subjugation of Denmark, for the accomplishment of ulterior objects of their own, in which the Confederation has no share, and from which it is to derive no benefit. One of the objects is to enable the King of Prussia to deal with his Parliament, that has become clamorous for popular rights. Another is to prevent the fruits of the anticipated conquest—the ports of Kiel and Glückstadt and the control of the Isthmus—from strengthening the Diet against the two Powers. It is not necessary to consider the abortive congress of malcontent states held at Würzburg, nor many other complications, nor even to inquire how the business is to be settled afterward by the division of the spoils, the payment of the costs, and the settlement of the damages. If this is the best that can be done by “German nationality,” the less we have of it the better for the present.

It were better to begin on not so large a scale. Begin somewhere. Try one or two or half-a-dozen of the States, no matter if they are among the lesser sovereignties—say the principality of Lichtenstein, with its sixty-one square miles of territory (39,040 acres) and population of 7,150 souls, or the landgravate of Hesse-Homburg, 106 square miles and 26,817 inhabitants; or take the kingdom of Saxony, 5,705 square miles, and add the four other Saxe sovereignties—Saxe-Altenburg, Saxe-Coburg and Gotha, Saxe-Meiningen-Hildburghausen, and Saxe-Weimar-Eisenach, with territories of 401,790,968, and 1,403 square miles—so as to form a confederation not too large for 'prentice hand to manage (say 9,267 square miles in all), and there perfect the institutions and habits of popular liberty. Mistakes in such a field will not be so widely disastrous as those of '49 and '64. And success, which is sure to follow if you work it right, will not be confined in its effects to those narrow limits. Let the same thing be done in other states, individually or in clusters, as occasion may dictate. Each will help the other more and hinder less, because separate and unentangled. The result is infallible—Germany advancing, Germany thriving, Germany free, Germany the light and glory of nations, Germany great and glorious, and then, when the proper time has come, Germany united as one nation with one government and one destiny!

APPENDIX C.

NATIONALITY.

Webster's Dictionary gives the following definition of this English word:

"NATIONALITY, *n.*—National character; also,*the quality of being national, or strongly attached to one's nation."

The same authority gives the proper meaning of the word "nation," "A body of people inhabiting the same country, or united under the same sovereignty or government." In common parlance, when we speak or hear of a nation—as, for instance, of one introduced into the family of nations—we naturally understand the complex idea of a bounded territory, with the people inhabiting it, represented by a government. This government, to be recognized, acts for the nation in relation to other nations, and has authority to compel the people to conform to international obligations. As a matter of history, most nations have been made up of tribes and fragments of peoples, of various origin, race, and language, but constituted a body politic by unity of territory and government. Identity of race or language has never in all history been considered an essential element of nationality; but all men of all kindreds living within the territory belonging to a nation, and subject to the authority of its government, are members of that nationality. To go beyond that, and make ethnological identity or unity of language an element of nationality, with regard either to rights or duties, is to disregard all history, morals, and the common-sense of mankind. Identity of language is the test most commonly referred to in the present controversy. The duchies have a right to secede from Denmark, because the inhabitants speak German, and not Danish. Have all provinces a right of secession when they, or a majority of them, speak a language different from the body of the nation? How shall the lines be run? Have not those who speak Danish an equal right to remain with their own nation? If Schleswig-Holstein becomes independent, will the Ditmarschers have an equal right to reassert their nationality, for the maintenance of which no people have made more heroic sacrifices, and which they only lost three centuries ago? It is impossible to conduct the affairs of nations, to make war and negotiate treaties, and maintain international peace by international justice, under the guidance of so indefinite a rule as this. The popular *furore* in Germany, which is responsible for this war, is professedly justified by a sympathy for the people of the duchies as being of the same nationality, and the only mark of this is that they speak the language of Germany. Has the language of Germany such well-defined unity as to make it an available measure of national rights and duties? Shall we take the Upper German or the Lower—the Swabian or Bavarian, the Franconian or Thuringian, the Saxon or Westphalian? If all these can live together in

Germany, what hinders that the Low Saxon of Holstein and the Danish of Jutland, shading into each other in intermediate Schleswig, cannot possibly agree to be members of the same nation? If difference of language gives the right of secession, where should we stop? If identity of language gives one nation, or band of nations, a right to make war and wrest provinces from a nation always in amity, when shall Europe have peace? It is impossible to establish the boundaries of nations by such a rule, because the people become intermingled, and much more now than formerly, as advancing civilization lessens the differences of tribes and languages. In the French Empire some whole provinces speak German. In Switzerland some states speak mostly French, and some German. The use of the German language has been greatly extended since the beginning of the last century, particularly toward the east and north. Is German nationality therefore entitled to stretch itself across long-established national boundaries, and to make war if its demands are not acceded to?

APPENDIX D.

POWER OF DENMARK TO RESIST.

Denmark, deprived of the duchies, has a population of only a million and a half. What can these do against forty-four millions of Germans, and twenty-five millions added for the non-German territories of Austria! And yet recent events indicate that the actual conquest of Denmark is not likely to prove an easy achievement, nor to be the work of only a few days. It is to be borne in mind that Denmark is not so much in the habit of being conquered as some of the more southerly governments; also that, if let alone (as we so fortunately have been), she is well able to take care of the disaffected in the duchies. In the rebellion of 1848, as soon as the aid of Prussia was withdrawn, the Danish government made short work with the insurgents. The present troubles commenced with an invasion from Germany, and would soon come to an end if the German troops were withdrawn; and the military situation, at the latest advices, shows that the invading forces are brought to a full pause, and no longer advance at will over the territories of the Danish monarchy. The army of Denmark was withdrawn from Holstein on the peremptory advice of the English government, which thereby came under a virtual obligation to prevent any further advance of the invaders. But when the Austrian and Prussian forces, favored by the frost which made swamps and marshes dry ground, crossed into Schleswig, and thus showed that the famous fortifications of the Dannewerke, which had been the boast and confidence of the Danes for a thousand years, were but a trap in the hands of modern

warfare, the Danish general, with excellent discretion, withdrew his army to Duppel and the island of Alsen, in Schleswig, where he is well fortified, and where he can avail himself of the co-operation of the Danish navy. It will doubtless be found a costly business for the invading forces to advance any further on the eastern side of the Peninsula, and in other parts of the line there will now be a determined resistance. The necessity of appearing to follow the advice of Earl Russell is now gone by, and the descendants of the old Sea Kings will now have full scope to show their legitimacy. The admitted and superior naval strength of the nation is an advantage which will be made the most of before Denmark will surrender her independence, or consent to dismemberment and spoliation, when her cause is so just. There will therefore be ample time for the European Powers, especially Russia, to act upon the case as the exigency may seem to require.

APPENDIX E.

PRETENSION OF THE SECESSION.

A writer in the Brooklyn *Daily Union* of March 5, signing himself "Edward Wiebe, from Schleswig-Holstein," who says he has "taken active part in all political movements in Schleswig-Holstein from 1834 until 1849," presents what he considers to be the "fundamental law" of the duchies in this form:

"1. That Schleswig and Holstein are (still to-day, as they have continued since 1658) independent states.

"2. That Schleswig and Holstein are (still to-day, as they have continued since 1326) separate from Denmark, nor ever to become united with it.

"3. That Schleswig and Holstein are (still to-day, as they have continued since 1460) a union of two states, one and inseparable for ever.

"4. That Schleswig and Holstein, as to their government, are (still to-day, as they have continued since 1650) to devolve upon the next male heir of the reigning duke, according to the law of primogeniture."

It is a sensation for us republicans, "who are of yesterday" in regard to our political rights, to find a people who have been subject to the crown of Denmark for at least four hundred years, now claiming their independence on the ground of an alleged right bearing date in the year 1326. A seed that has lain buried in dust so long must have a vitality like that of the wheat in an Egyptian mummy-case, to spring up, after all these centuries, with such vigor as to spread war over a continent. That a right of both Schleswig and Holstein to be "independent states," to be "separated from Denmark," and to be "one and inseparable for ever," resting upon transactions the latest of which took place in the year 1460, and which

has been unused ever since, and for the most part unclaimed till within the last thirty years, should all at once come to possess such a sacredness that all other rights and interests are bound to give way before it, is to us rather surprising. In looking into the matter, we find that the claims aforesaid rest upon the concessions and decrees of kings, which have been buried under layers of other concessions and decrees ; upon treaties which have been annulled by war or covered by subsequent treaties of equal or greater validity ; and upon laws of feudal relation and descent which have no relation to the public welfare, which are mostly obsolete since the French Revolution, and which lost what little validity remained in them by the dissolution of the German Empire in 1806, with the acquiescence of all parties. And the whole were buried beyond the reach of resurrection by the European settlement of 1815, which was also acquiesced in without a protest for the best part of a generation. Those who look into the history of the transactions referred to by Mr. Wiebe will see that they were purely feudal, and had relation only to the contests about the creation and division and reassumption of fiefs among monarchs and their families and great lords, and not at all to the welfare of the people or the honor and independence of nations, the preservation of peace or the establishment of justice. The reading public are just now familiar with the changes and controversies of that very period in Europe, by the recent publication of Mr. J. F. Kirk's *History of Charles the Bold* ; and they are fully sensible of the futility of claims to national rights by subordinate provinces, put forth at this day on the ground of a successful rebellion by some feudal lord in the fourteenth century, which was perhaps squelched in his own lifetime or buried in the grave of the last of his posterity hundreds of years ago. The treaties of 1815 and 1852 are just as sacred as those before the Reformation, and vastly better suited to the wants of the present day. On the right of the people in the duchies to revolt from the crown of Denmark by putting themselves under the rule of the Duke of Augustenburg, it is proper to quote from a piece published in the same newspaper, written by a loyal Dane, who seems to have hit the nail on the head :

“ The Germans are further wrong in sustaining the pretensions of the Duke of Augustenburg. Although he, as a rebel and secessionist, in 1848 forfeited all his rights to his possessions in the duchies, still the King of Denmark paid him gratuitously a large sum of money as indemnification for his loss, and the Duke, on his princely word and honor, engaged solemnly, for himself and family, to remain abroad and never to undertake anything to disturb the King's possessions, nor in any way counteract any future arrangements of the succession to all the lands under his scepter. (Signed at Frankfort, December 30, 1852.) This was the Duke's voluntary act, and only lately Von Bismark, the Prussian Premier, told the Prussian Chambers that only a short time previous to 15th November, 1863, the Duke and his son, the present pretender, had thanked the Premier for his assistance in bringing about this arrangement, which they very justly considered very favorable to them. Yet, at the first opportunity, the princely word and honor is broken, and several of the signers of the treaty of 1852 sustain his pretensions.”

It is incredible that grown-up and sane people think it right to enter

into a rebellion, and invoke a foreign invasion of their country, to overturn a government under which they have lived and their ancestors four hundred years, and involve Europe in a general war, for the vindication of rights so tenuous, so long disused, and of so little value. It is a passion which has "fired the heart" of a whole people into madness, like that which has drenched our own Southern States in blood for a reason strikingly analogous. They could not endure that the men of the South should be governed by the men of the North!

APPENDIX F.

THE ORDER OF SUCCESSION.

The solemnity and finality with which the Powers of Europe, in 1852, settled the right of succession to the whole realm of Denmark, the duchies included, is as remarkable as the coolness with which that settlement is set aside as of no account, immediately on the occurrence of the death of King Frederick VII., the very event which that treaty so carefully provided for. The authentic facts have been fully stated in the introductory remarks to a pamphlet of "Official Documents," which we have every reason to believe correct. It is, therefore, thought proper to copy in this Appendix the greater part of those remarks.

"PREFACE.

"The present house of Oldenburg descends from Christian I. (died 1481), the first Danish king of that house and also the first Oldenburg prince who possessed Slesvig as well as Holstein.

"The Danish crown became hereditary in 1660, during the reign of Frederick III., and the order of succession was from 1665 to 1853 regulated by Articles 27-40 of the *Lex Regia* (the fundamental law of the monarchy), according to which the cognatic (female) descendants of Frederick III. were to succeed in case his male line should entirely fail. Consequently, on the demise without issue of the late King Frederick VII. (died Nov. 15th, 1863) and of Prince Frederick Ferdinand, his uncle and heir presumptive (died June 29th, 1863), the crown would have devolved upon Louise Charlotte (sister of Christian VIII. and aunt of Frederick VII.), Landgravine of Hesse, and her children—Frederick, Prince of Hesse, Mary, Duchess of Anhalt, and Louisa, now Queen of Denmark.

"The nearest heirs after the Hessian line would have been the daughters of King Frederick VI., Caroline and Wilhelmine (both living), and after them Christian, Duke of Augustenburg.

"When, however, it became apparent that the late King Frederick VII.

would die without issue, the order of succession above indicated became the subject of controversy, the question being raised, whether the cognatic succession for the Danish crown according to the *Lex Regia*, in the event of the male line of the Royal house becoming extinct, would be valid also in Slesvig and in Holstein.

"The Emperor of Russia, as chief of the elder branch of the Holstein-Gottorp line, claimed in that event a portion of Holstein (with the harbor of Kiel), whilst the Duke of Augustenburg asserted pretensions to the whole, both of Slesvig and Holstein.

"It is true that these claims were conflicting, and tended to a certain extent to paralyze each other, but the integrity of the monarchy was nevertheless greatly imperiled by them.

"On the Duke of Augustenburg publicly putting forth his pretensions, Frederick VI. began negotiations for the purpose of removing all uncertainty on the subject; but these were interrupted by the death of the king (died 1839). His successor, Christian VIII., took the matter up again, and after the most careful investigation came to the result, fairly and frankly laid down in his Letters Patent of July 8th, 1846, that the validity of the cognatic succession in the duchies of Slesvig and Lauenburg was unquestionable, but that 'in regard to some parts of the Duchy of Holstein there exist certain facts which prevent us from pronouncing ourselves with the same precision concerning the rights of inheritance of all of our Royal hereditary successors to this duchy.' The king at the same time promised to exert himself to remove those obstacles and to obtain a general acknowledgment of the integrity of the Danish Monarchy.

"He did not, however, live to see that task completed (died 1848); but this was accomplished by the late King Frederick VII., though with the modification, that a purely agnatic succession was introduced in the whole monarchy, the plan of his father, Christian VIII., to vindicate also in the whole of Holstein the cognatic succession according to the *Lex Regia*, having been abandoned as too difficult of execution.

"After long negotiations the conflicting claims were reconciled in the following manner: The Emperor of Russia renounced by the Protocol of Warsaw, June 5th, 1851, his pretensions in favor of Prince Christian of Slesvig-Holstein-Sonderburg-Glücksburg, now King Christian IX., and his male agnatic lineage, whilst all the nearest cognates renounced their rights in favor of Princess Louisa (now Queen of Denmark). Prince Christian and his consort Princess Louisa, and their male agnatic issue, thus united in their persons the rights of the cognates, as well as the Russian claims.

"As early as the 4th of July, 1850, a protocol had been signed in London by Great Britain, France, Austria, Russia, Sweden-Norway, and Denmark, acknowledging the integrity of the Danish monarchy, and proclaiming the intention of the said Powers to effect a general European recognition of the eventual settlement of the succession.

"As soon, therefore, as the arrangements above indicated had been completed, the five Great Powers and Sweden-Norway were invited to give effect to the intentions expressed in the London Protocol (July 4th, 1850).

"The consequence was the signature in London, May 8th, 1852, of [a solemn treaty, by which the said Powers, namely, Great Britain, Austria, France, Prussia, Russia, and Sweden-Norway, acknowledged the integrity of the Danish monarchy as a perpetual principle in European politics, and engaged to recognize, in the event of the male line of the Royal Danish family becoming extinct, the succession of Prince Christian and the male issue of his present marriage to all the lands united under the scepter of Frederick VII.

"The London treaty was afterward acceded to by Hanover, Saxony, Wurtemberg, Electoral Hesse, Oldenburg,* Holland, Belgium, Spain, Portugal, Greece, and the Italian States.

"All the necessary preliminary measures toward the establishment of a new order of succession in the Danish monarchy having thus been completed after the most careful investigation of all the facts, and with a rare regard for all established and legitimate rights, the new order of succession was then formally proclaimed and legally established by the law of July 31st, 1853, by virtue of which Christian IX. ascended the throne of his ancestors on the 15th of November, 1863, upon the death of the late and lamented King Frederick VII.

"The pretensions of the Duke of Augustenburg were for a short while backed by Prussia, but in vain, and Prussia finally became satisfied that she ought to join the other Great Powers in signing the treaty of London.

"The duke and his family were exiled, and excluded from amnesty. He and his brother were deprived of the orders and dignities conferred upon them by Danish kings: out of regard, however, for their near relationship with the Royal family (they were both brothers-in-law of King Christian VIII.) their property was not confiscated,† and the duke was allowed to cede his estates to the King of Denmark, who undertook to pay him a sum of three millions of riksdalers, certainly all that they were worth. The duke then signed an act, December 30th, 1852, by virtue of which he not

* The Grand Duke N. F. Peter of Oldenburg issued on the 28th of March, 1854, an act, by which he not only acceded to the London treaty, but also, referring to former treaties, solemnly renounced all hereditary claims to any portion of the Danish monarchy in favor of Prince Christian and Princess Louisa and their male descendants.

† By taking an active part in the unsuccessful secession movement in 1848 in Holstein and part of Slesvig, the duke and his brother had forfeited their life as well as their property and whatever hereditary rights they had until then possessed.

It must be borne in mind that the King of Denmark, being the head of the Royal family, had—by virtue of the *Lex Regia*, the fundamental law of the monarchy—absolute and sole jurisdiction over the duke and his brother in their capacity of princes of the royal family.

only ceded all his estates in Slesvig, but also solemnly promised for himself and family, by his princely word and honor, 'not to undertake anything whereby the tranquillity of his Majesty's dominions and lands might be disturbed, nor in any way to counteract the resolutions which his Majesty may have taken or in future may take in reference to the arrangement of the succession to all the lands now united under his Majesty's scepter, or to the eventual organization of his monarchy.'*

"The brother and the eldest son of the duke have, however, since declared, that they do not consider themselves bound by this promise, and thus it is that Denmark has at this present moment in the person of Prince Frederick of Augustenburg a pretender abroad, although the fact

- 1) of his father the Duke being living, and
- 2) that of his father the Duke having solemnly renounced all his rights for himself and family on conditions which have been scrupulously and faithfully fulfilled by the King of Denmark,

ought to have precluded the possibility of his ever appearing in that capacity, not to speak of the Treaty of London, or of the doubts attaching to his birthright, doubts to which M. Kleist-Retzow lately called the attention of the Prussian Parliament,† or of the undisputed fact that there exist other claimants whose rights would, under all circumstances, be better than his. Nor does it appear that as yet any responsible government has recognized the legitimacy of his pretensions.

"January, 1864."

* This act was not only an entirely voluntary one on the part of the duke, but M. von Bismark, the Prussian Premier, lately told the Prussian Chambers that but a very short time before the death of King Frederick VII. of Denmark, the Duke of Augustenburg and his son, the present pretender, had waited upon him and expressed to him their warm thanks for having assisted in bringing about the above arrangement, which they—very justly—considered an extremely favorable one, the money having been paid regularly by the King of Denmark in strict observance of the stipulations to that effect, contained in the act.

[Earl Malmesbury made a similar statement in the British Parliament a short while ago, and mentioned, moreover, that the renunciation of the Duke of Augustenburg was known in London on the 4th of May, 1852—four days previous to the signing of the Treaty—although the act of renunciation was not definitely drawn up and signed before the 30th of December next following—that the Prince, the present pretender, was then twenty-four years of age, fully aware of what was taking place, but that he took good care not to protest, well knowing that if he did no arrangements would be made and no money paid by the King of Denmark. Earl Malmesbury had, in fact, never heard of any protest from the Prince of Augustenburg, certainly none had been received by him (Malmesbury) while he was in office. The noble earl, in connection with these statements, made some very severe remarks about the prince's notions of honor and respect for his word.]

† These doubts arise from the fact, that the mother of the pretender was a Danish countess of insufficient rank to render the marriage an equal one.

The issue of such unequal marriages are considered legitimate in the ordinary sense of the word and may inherit the property and title of their parents, but the rules obtaining in almost all princely families in Germany exclude them from the succession to the throne, and it has been of frequent occurrence in Germany that crowns have passed into collateral lines, because the direct descendants of the sovereign were of such unequal birth.

The settlement was a compromise of the agnatic and cognatic claims, designed as well to harmonize those interests in a certain degree, and especially to secure the integrity of the Danish monarchy. The present King and Queen unite all the immediate claims, even those of Augustenburg, which have been so solemnly renounced that no state prison convict could have the face to renew a claim thus surrendered.

14 DAY USE
RETURN TO DESK FROM WHICH BORROWED
LOAN DEPT.

This book is due on the last date stamped below, or
on the date to which renewed.
Renewed books are subject to immediate recall.

DEC 3 1965 7 6

REC'D LD

MAR 11 '66 - 1 PM

APR 19 1969 6 3

RECEIVED

APR 17 '69 10 AM

LOAN DEPT.

REC. CIR. FEB 21 '76

MAR 25 1976 1 9

REC. CIR. MAR 10 '76

NOV 20 1977 2

REC. CIR. NOV 8 '77

LD 21A-60m-3,'65
(F2836s10)476B

LD 21A-50m-8,'57
(C8481s10)476B

General Library
University of California
Berkeley

MAR 10 1976 10 00 PM
General Library
University of California
Berkeley

<http://stores.ebay.com/Ancestry-Found>

10852

D353

P3
v.1

THE UNIVERSITY OF CALIFORNIA LIBRARY

