

**Francia. Forschungen zur westeuropäischen Geschichte**

Herausgegeben vom Deutschen Historischen Institut Paris

(Institut historique allemand)

Band 30/3 (2003)

DOI: 10.11588/fr.2003.3.63733

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listes diplomatiques, des almanachs administratifs, des annuaires – pour la France, il n'est pas fait mention de »l'Annuaire diplomatique et consulaire«, édité depuis 1869 –, des séries de documents diplomatiques remontant, il est vrai, rarement avant 1870, qui permettent mal de suivre les carrières des chefs de poste mais sont parfois accompagnés (ou suivis) d'annexes donnant les organigrammes des instances de gestion et les personnels affectés, comme dans les »Documents diplomatiques suisses« et, pour la période 1918–1945, l'»Ergänzungsband zu den Serien A–E« des ADAP (*Akten zur deutschen auswärtigen Politik*). Pour connaître les dates biographiques et de la carrière des diplomates, les dictionnaires biographiques peuvent être utiles pour les célébrités, sous réserve de la bonne foi ou de la bonne information du rédacteur de la notice, comme dans celui de Frangulis, mais, à défaut des dossiers personnels censés répondre à ces questions (et qui peuvent être aussi riches que décevants), rien ne vaut les répertoires établis par les administrations, comme celui, annoncé dans le livre et paru depuis, établi par le service historique de l'Auswärtiges Amt: le premier des cinq tomes prévus du »Biographisches Handbuch des deutschen Auswärtigen Dienstes (1871–1945)«, de A à F et qui n'a pas d'équivalent ailleurs.

Ce manuel, destiné d'abord à répondre à des curiosités ponctuelles de chercheurs, peut aussi fonder quelques analyses sérielles ou géopolitiques, caractérisant le réseau diplomatique allemand au fil d'un siècle et demi. L'approche sociologique du »groupe« des diplomates pourrait en procéder avec d'autres sources (profils de carrière, mémoires, etc.). La question de la continuité/discontinuité des personnels en fonction lors des changements de régime au XX<sup>e</sup> siècle et de son influence sur le cours de la politique étrangère allemande dispose ici d'un matériau fiable pour renouveler ou du moins revisiter des évaluations antérieures (celle, par exemple, en 1985 de l'ouvrage dirigé par Klaus Schwabe sur »Das diplomatische Korps 1871–1945«). Dans une dense introduction, Tobias Bringmann esquisse cette ouverture, en expliquant le choix des dates retenues, 1815 avec le congrès de Vienne et son premier règlement classant les »employés diplomatiques« et 1963, fin de l'ère Adenauer mais suivant la seconde convention de Vienne (1961), qui codifie contractuellement, et non plus au nom de principes abstraits ou fictifs, invoqués depuis Grotius (1625), les pratiques courantes, coutumières de la vie diplomatique (reconnaissance, agrément, accréditation, préséance, etc.). Il commente et illustre d'exemples pris dans l'histoire allemande l'évolution de ces rapports anciens et souligne les mutations apportées au fil du temps dans le mode de communication ou de la négociation et affectant les missions de la fonction diplomatique. Signe des temps, le passage final de l'introduction est consacré aux »femmes dans la diplomatie« avec le rappel de quelques cas historiques assez célèbres (Renée du Bec, la princesse de Lieven, la Kollontai) et de la précocité en ce domaine de la RDA, mais le manque de diplomates professionnels n'y était pas étranger; en 1999, les femmes comptaient pour 7% dans la représentation de la RFA, soit autant, à la même date, que dans celle des missions accréditées auprès des Communautés européennes, mais la France, en 1997, n'atteignait encore que 5%.

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Hans FENSKE, *Der Moderne Verfassungsstaat. Eine vergleichende Geschichte von der Entstehung bis zum 20. Jahrhundert*, Paderborn, München, Wien, Zürich (Schöningh) 2001, XIII–577 p.

A comprehensive history of the rise and development of the modern constitutional state, showing how the ideal of government based on the popular will and characterized by the division of powers and guarantees of human rights came to be the dominant and normative form for state organization throughout most of the world, would not only be a boon to historical scholarship but one important key to understanding the modern world. The

demands of such a work are enormous, but for a time this book promises to fit the bill, doing for the constitutional state what Wolfgang Reinhard has recently attempted for the history of state power generally in his »Geschichte der Staatsgewalt« (Munich, C. H. Beck, 1999).

Written in clear, undemanding prose and based on a vast amount of reading, it begins with a promising discussion of the intellectual, socio-economic, and political foundations for constitutionalism laid in the Middle Ages. While covering no new ground (something impossible in any case in so broad a survey), Fenske argues persuasively for the importance of ideas (John of Paris, Marsilius of Padua, and others), international politics, religion, political and social institutions such as feudalism, and economic and demographic changes in preparing the soil for the later development of modern constitutionalism.

With the switch (p. 53 on) from the roots of constitutionalism in the Middle Ages to its actual political history, however, serious concerns about the narrative and analysis begin to arise. Certain virtues of the work remain obvious. Its range is immense – geographically the whole world, chronologically a whole millennium, though naturally emphasizing recent centuries. The treatment of the theme is, as promised, comparative in the sense that different countries and regions are constantly compared and contrasted, the standard of judgement being how far each has progressed at a given point in realizing the constitutional ideal. The book, organized along definite, almost rigid, chronological and geographical lines, is easy to follow, though the relentless chapter-by-chapter parade of facts becomes monotonous. England's progress toward a constitutional state from 1066 to the 18<sup>th</sup> century is followed by constitutional development in North America from the 18<sup>th</sup> century to 1789. After reverting chronologically and geographically to Continental Europe under the old regime, Fenske continues with constitutional developments in the French Revolution, the impact of the Revolution and Napoleon on Europe, France from 1814–1879 and Britain in the 19<sup>th</sup> century, the Germanies and the Habsburg Monarchy from 1815 to 1871, Scandinavia and the smaller West European states, South and Southeastern Europe, Russia, the USA from 1790–1918, the British Dominions, Latin America, and Asia (the last ranging from the Ottoman Empire through Central and South Asia to China and Japan). The work is crammed with information, mostly pertinent and (so far as I can judge) accurate, on constitutional provisions and electoral laws, numbers and percentage of eligible voters, voting restrictions, legal guarantees of civil and human rights, formal party organizations, and the political and constitutional stances of parties and leaders. In short, if one wants a kind of encyclopedic compendium of the conventional raw material of constitutional history spread on a broad canvas, this is the place to look.

The problem, however, is not that this is political history, or political history of a traditional variety, but the particular kind of political history it is. First, because the constitutional developments the author considers decisive are tightly interwoven with ordinary political events and struggles between leaders, factions, and parties for power, the history of constitutional development here presented becomes a potted, compressed, and inescapably superficial account of the state's political history as a whole – domestic politics with the social, economic, and cultural elements largely left out. This holds for almost all the chapters dealing with the modern era, but is best illustrated by those on the French Revolution and Napoleon. On the Revolution we get the familiar narrative of major facts and events and some judgements about periodization and definition – when the revolution started and what constituted it as such – but no clear connection of this with the emergence and disappearance of a constitutional state in the course of the revolution, or much analysis of the essential constitutional problem central to the revolution throughout, the bifurcation between limited constitutional government and plebiscitary mass democracy. Similar problems show up *a fortiori* in regard to Napoleon and his impact on Europe. A review of the constitutional provisions of Napoleonic decrees and constitutions simply does not reflect

the reality of Napoleonic politics in France or Europe – the steady progress toward Caesarism, the revival of a feudal nobility, increasing personal rule and nepotism, arbitrary interventions in the economy, the effects of conscription and economic mobilization, and above all endless war and boundless imperialism. Ascribing to Napoleon the goal of an authoritarian *Rechtsstaat* with a rational administrative structure credits him with an ideal some of his satraps and followers wanted but he betrayed.

Thus here and elsewhere the substantive developments of constitutional history are distorted by too much emphasis on the formal constitution and too little on how it actually worked in practice. The chapter on Italy from 1814 to World War I provides more illustrations. A compressed, essentially unilinear narrative of political events fails seriously to discuss, much less illuminate, the main problems of Italy's political development debated by historians, all connected with constitutional development: the diverse, contradictory strands and goals of the Risorgimento, the nature and divergent tendencies of Cavour's, Garibaldi's, and Victor Emmanuel II's policies, the social base and character of Italy's dominant political conservative-liberalism, the operations and results of *trasformismo*, the growth and impact of new mass parties, and finally the question of whether Italy experienced a »failed revolution« and why. Only the North-South divide is discussed, and this without elucidating its constitutional implications. No one can expect a constitutional history of this scope to delve deeply into all these issues, of course, but the connections need somehow to be made.

This approach to constitutional development contributes to a further problem. While the book certainly demonstrates the gradual spread and triumph of the constitutional ideal over centuries and continents, it fails, in my view, adequately to portray the struggles this involved, the external obstacles and internal problems faced by constitutionalism, and the realization that this triumph, like all historic triumphs, is incomplete, still at risk, and brings its own flaws and dangers. On the intellectual-ideological level, the work pays some attention to the intellectual precursors and advocates of constitutionalism and a bit to its radical-revolutionary opponents on the left. Yet judging from this work, there were no serious anti-constitutional thinkers or ideological movements on the right – no Machiavellian or Christian defenders of absolutism, no Bonald, Haller, Gentz, De Maistre, Ludwig von Gerlach, or Pobedenostsev, no Slavophilism or integral nationalism or Action Française. Fenske recognizes the problems a constitutional state faced in surviving the intense power-political competition of an anarchic international system in the era of absolutism, but does not take it seriously for the modern era. Nor does Fenske adequately probe other major problems constitutionalism poses for state-building and governance and the extent to which, partly from necessity and partly from choice and predilection, constitutional forms are used as fig leaves for authoritarian or autocratic practices.

This becomes then a Whig approach to the rise of the modern constitutional state – and like Whig history generally, involves some strikingly conservative judgments about the past. It is probably a virtue on balance that Fenske is not afraid to challenge conventional wisdom. Some sweeping and unqualified generalizations he makes, however, are eyebrow-raising. A few seem to derive from applying his formal criteria for what constitutes a constitutional issue too simply. The claim, for example, that social and religious elements and motives played no role at all in causing the American Revolution (p. 102) is technically defensible in that these were not explicit issues in the conflict. To suppose, however, that concern for land, class, and status, or the ideas of the Enlightenment in either their New England Christian or more deistic forms, had little to do with the mindsets leading to the American Revolution and independence is gravely mistaken. In other instances the author's apodictic judgments defy not just conventional wisdom but solidly grounded conclusions of modern historiography. Examples are his insistence that constitutionalism and mixed monarchy reigned unchallenged in Tudor England until the Stuarts tried to turn the clock back to absolutism, thereby causing two revolutions, or that Russia after 1906 was unques-

tionably a genuine constitutional state. But his treatment of German constitutional history shows the tendency best. In the Prussian constitutional struggle of the 1860's Wilhelm I and his ministers appear the moderates and the liberals the aggressors; the North German Confederation is presented as principally the result of North German states voluntarily acceding to Bismarck's invitation of June 1866; the impact of Bismarck's successful *Macht-politik* on the liberal-constitutional ethos and practices is not discussed and a strikingly apologetic account given of war and unification in 1870–1871. All this pales, however, before the portrait of the constitutional development of Germany from 1871 to 1914 as highly stable, almost untroubled, with all the bourgeois parties satisfied with the division of powers, parliaments in both Prussia and the Reich quite powerful vis-à-vis the executive, no real movement or desire for parliamentary government, and the three-class franchise in Prussia only an *Ärgernis*.

This book demonstrates that one can still write a Whig event history of the rise of the modern constitutional state and pack a great deal of important information into it – even that such an attempt, done as this is one is with great diligence and akribia, has its uses and value. Whether these outweigh the attendant omissions, weaknesses, and distortions is another question.

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Allan MITCHELL, *The Great Train Race. Railways and the Franco-German Rivalry, 1815–1914*, New York, Oxford (Berghahn) 2000, XV–328 S.

Wie wichtig die Vergleichende Gesellschaftsgeschichte als Bestandteil der geschichtswissenschaftlichen Methode ist, haben in Deutschland besonders Heinz-Gerhard Haupt und Jürgen Kocka durch das Buch »Geschichte und Vergleich« (1996) ins Bewußtsein gerückt. Unter den deutschen Autoren, die sich auf dem Gebiet der wissenschaftlichen Eisenbahngeschichte mit dem Vergleich befaßt haben, sind Rainer Fremdling, Lothar Gall, Manfred Pohl und Hans-Ulrich Wehler zu nennen; in Frankreich vor allem François Caron und Georges Ribeill.

Vergleichende Arbeiten sind weiterhin selten, weil sie an viele Voraussetzungen geknüpft sind. Das hier anzuzeigende Werk zum »Wettstreit der Eisenbahnen zwischen Frankreich und Deutschland« untersucht nicht die sprichwörtliche Konkurrenz zwischen den deutschen und den französischen Strecken beiderseits des Rheins, sondern hat einen erheblich weiter gesteckten Rahmen. Sein Verfasser, als amerikanischer Hochschullehrer mit schottischen Eltern seit 1971 durch beachtliche Untersuchungen des deutschen Einflusses auf die französische Politik ab 1870 hervorgetreten, hat zum Abschluß seines wissenschaftlichen Lebenswerks eine vergleichende Geschichte der französischen und der deutschen Eisenbahnen während der hundert Jahre zwischen 1815 und 1914 erforscht und niedergeschrieben. Sie kann zugleich als ein Blick auf die Geschichte dieser beiden Staaten im jeweiligen nationalen Industrialisierungsprozeß aufgefaßt werden. Die Titelgebung für das Buch erscheint ein wenig überspannt, denn der Begriff der »Rivalität« oder des »Wettrennens« wäre eher auf dem darin kaum untersuchten Feld der internationalen und kolonialen Politik zu betrachten.

Die Eisenbahngeschichte Europas begann um das Jahr 1830. Nach mannigfaltigen lokalen Vorbereitungen setzte sich die englische Erfindung der Dampflokomotive auf dem europäischen Kontinent allgemein durch: 1835 fuhr zwischen Nürnberg und Fürth die erste deutsche Bahn, während in Frankreich die erste Strecke von Paris nach Le Pecq und Saint-Germain im Jahre 1837 – beide Daten sind in dem Buch nur schwer zu finden – eröffnet wurde. Die weitere Entwicklung dieses Verkehrsmittels in den einzelnen Ländern wies manche Gemeinsamkeiten wie auch zahlreiche Unterschiede auf, nach deren Ursachen zu