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The modern European state and system of states

By the middle of the seventeenth century monarchs had consolidated their powers at the expense of other princes and the church. The modern territorial state was on its way to displacing the complicated feudal, urban, and ecclesiastical arrangements of medieval Europe. Advances in military technology and administrative machinery provided territorial sovereigns with instruments of power to reinforce their claims to authority, and the resulting concentration of power and authority generated an identifiable system of states ordered by its own imperatives and practices. These changes invited efforts to define the rights of sovereigns in their dealings with one another and to articulate principles of statecraft, prudential as well as moral, appropriate to the new international system.

In this chapter, we focus on the theories of sovereignty and reason of state that accompanied the emergence of the modern European state from its medieval antecedents, and on the new conceptions of diplomacy and statecraft to which these theories gave rise. The former are best illustrated in the sixteenth-century writings of Machiavelli and Bodin; the latter in writings of the statesmen and scholars who theorized the new, decentralized, system of states during its "classical" period, the eighteenth century. We leave to chapters 6 and 7 the writings of more philosophical writers, like Hobbes, Rousseau, and Kant, who, in criticizing the presuppositions of this system, pointed the way toward its transformation.

Acquiring and maintaining power

Early modern thought about the emerging entities called states, though springing from debates between would-be rulers, is not limited to considering claims to legal authority. Rulers had long been accumulating power as well as authority at the expense of lesser nobles, and a literature concerned

with the proper use of this power gradually emerged. But around 1500 this literature took a marked turn: instead of preaching the virtuous use of power, it purported to offer practical advice regarding the effective use of power. This change occurred first in Italy.

The Italian cities, which revived and flourished long before the Renaissance, provided opportunities for an increasing diversity of human activities. A new interest in temporal affairs displaced religious concerns. And there emerged a new ideal of individuality, based on the idea that human beings, being inherently free to make their own choices, ought to cultivate that freedom. In politics these changes are expressed in the movement we call civic humanism – “civic” because it translated the humanist ideal of individual expression and self-development from the realm of literature and art to that of government. Taking ancient Athens and the Roman republic as models, the humanists saw politics as an arena for asserting individuality, enacting virtue, and winning glory. Civic humanism strengthened the liberties of citizens by nurturing a politics of “popular” (as opposed to monarchical) government.

Civic humanism also strengthened the freedom of the Italian cities from outside rule. In alliance with the papacy, the cities gradually made themselves independent of the German emperors (the medieval Holy Roman Empire, though centered in Germany, included the Italian north). Then, as the empire in Italy declined, the larger cities were able to free themselves from papal rule. While asserting their own autonomy, Florence, Venice, Genoa, and Milan expanded at the expense of their lesser neighbors. By the fifteenth century power in northern and central Italy had been consolidated in a dozen or so independent city-states comprising a miniature international system.

New practices of international relations emerged within this Italian system. One of these was what a later age called the balance of power, the continual making and remaking of alliances to resist the dominant power of the day, thereby preventing weak states from being conquered by the powerful. Another was the practice of exchanging resident ambassadors authorized to negotiate on behalf of their governments and, equally important, instructed to provide the intelligence their governments needed. And there were certain “rules of the game” that constrained the diplomacy, the alliances, and the wars of these states in their struggle for power. Such rules provided the germ of an emerging system of international law. Although the Italian system disappeared in the French conquests of the early sixteenth century, its practices were adopted by the rest of Europe and eventually by all the world.

Most of the Italian city-states were either republics or, more often, principalities ruled by nobles, like the Medicis in Florence, who could pretend no convincing title to rule and who relied on arts of coercion like those investigated by Machiavelli in *The Prince* to stay in power. The absence

of legitimate authority in these states, as elsewhere in Europe, made their governments insecure. Their rulers were constantly alert to internal and external threats and often engaged in adventures designed to unite their restive subjects against a common enemy. As a result, the Italian cities were perpetually at war with one another, the stronger expanding their territories at the expense of the weaker. Enterprising rulers recruited professional soldiers from other parts of Italy and beyond (the Vatican’s Swiss guards are a vestige of this practice), turning war into an expensive, though not especially bloody, game fought by mercenaries. This continual warfare militarized the Italian states and corrupted their internal politics.

Of the contributors to the literature of practical statecraft that flourished in this environment, Niccolò Machiavelli (1469–1527) is undoubtedly the most influential. But he is also a curiously opaque thinker: playful, ironic, multifaceted, and seemingly inconsistent. On a host of contested issues, his works have invited diverse interpretations. At one extreme, Machiavelli is a teacher of evil, the originator of “Machiavellism,” an ethic of unscrupulous egoism in individual conduct. At the other, he is a moralist who satirizes this ethic from an essentially Christian standpoint. Between these extremes we find readings of Machiavelli as a theorist of the principles of practical wisdom required to establish, maintain, and strengthen a state. It is this last Machiavelli whose writings inspired both the tradition of reason of state connected with the rise of absolutism in Italy, France, and Germany (Meinecke, 1957) and the anti-absolutist civic republican tradition in England and America (Pocock, 1975). It is also this Machiavelli who, along with Hobbes, helped to generate the tradition of political realism in foreign policy. According to the realists, because each state must defend its own interests, there can be no moral limits on the competition of states for power. Reason of state, here, means that international relations is a realm in which the rules of civil society do not apply: rules guiding personal conduct or domestic politics are irrelevant to foreign policy.

Although Machiavelli is often seen as an advocate for reason of state, the expression does not appear in his writings. One must therefore be careful to avoid anachronism in reading later understandings of the concept back into his work. Nevertheless, something like reason of state as a prudential ethic of the common good is present in *The Discourses*, if not in *The Prince*, which considers how a ruler can increase his personal power.

Machiavelli does not analyze the moral and legal concepts he uses in articulating this ethic, perhaps because he does not find them problematic. He is concerned with the practical means by which a desirable or justifiable order can be established and maintained. To understand the conditions for successful princely rule, or for preserving or expanding republics, requires a new method of political argument, one that is historical and prudential

rather than philosophical or moral. One learns how to succeed in ruling, Machiavelli argues, not from precept but from experience. But this can include the vicarious experience made available by historians. And because they were the most gloriously successful, one can learn most of all from the ancient Romans. Machiavelli presents his *Discourses on the First Ten Books of Titus Livy* (to give the book its full title) as his reflections on that historian's account of the founding of Rome. Through Livy we can learn to imitate the early Romans, who succeeded, as none of Machiavelli's contemporaries have been able to do, in establishing a great and lasting republic.

Rome was founded, the story goes, when Romulus killed his brother and made himself sole ruler of the city. Machiavelli defends this crime, arguing that undivided authority is indispensable in a state, and that good effects excuse reprehensible actions. Implicit in Machiavelli's discussion of the origins of Rome is a distinction between ruling and founding: acts that would be unlawful under an existing constitution may be necessary to establish a new one. But "founding" is not limited to starting a new community where there was none before; it usually means establishing a new regime to replace the old. And the chief method by which a new regime is established – revolution – is, by definition, unlawful. Machiavelli is not, however, an uncritical partisan of revolutionary change. Only the founders of a republic or a well-governed principality, like Romulus, deserve praise; those, like Caesar, who institute a tyranny must be condemned. In these and many other passages throughout his works, Machiavelli invokes moral standards in a way that undercuts the effort to read him as a consistent immoralist.

Machiavelli insists, then, that extraordinary measures, praiseworthy or not, are sometimes necessary to establish and preserve a regime. Actual or would-be rulers may have no alternative but to override the laws, even the laws of morality, to restore good government or ensure stability. Such methods are especially useful to the new ruler of a state, who, to secure his rule, should

organize everything in that state afresh ... as did David when he became king, "who filled the hungry with good things and the rich sent empty away"; as well as to build new cities, to destroy those already built, and to move the inhabitants from one place to another far distant from it; in short, to leave nothing of that province intact, and nothing in it, neither rank, nor institution, nor form of government, nor wealth, except as it be held by such as recognize that it comes from you.

He should imitate Philip of Macedon, the father of Alexander the Great, who "moved men from province to province as shepherds move their sheep" (p. 268). As Mansfield points out, this passage contains the only quotation from the New Testament in Machiavelli's writings, and in the original it is said of God, not of David. Machiavelli seems to imply here that "the new prince must imitate God rather than obey him" (Mansfield, 1979: 99). If you

are squeamish about taking and holding power, you should live as a private citizen and not seek to rule. In Discourse 41 of Book 3, Machiavelli tells the story of how the general, Lucius Lentulus, advised a Roman army that had been defeated by the Samnites, to "pass under the yoke," thereby symbolically acknowledging their subservience – good advice, since the army survived to fight again. Where the security of one's country is at stake, one should set aside all considerations of honor, justice, and humanity, and do whatever is expedient.

Such arguments can be found in many Roman writers. Cicero and Tacitus, for example, argue that the laws may be violated if the public welfare requires it. In the middle ages, the label *ratio status*, which might be translated as "reason of state," was applied to the argument that the laws could be set aside for the good of a realm (Gilbert, 1973: 116–26). But the medieval argument differs in at least one significant respect from that offered by Machiavelli and his successors. In the medieval version, human laws can be set aside to protect the civil order, but only because that order is necessary for peace and justice. Human laws are instruments of, and therefore subordinate to, natural and divine law, and can be set aside only in obedience to that higher law. Machiavelli helped to convert this medieval idea into the modern realist doctrine that, in pursuing the national interest, governments are excused from the obligations of morality as well as those of positive law.

Sovereignty

Machiavelli uses the word "state" in *The Prince* to mean the status and power of a ruler. A prince must concern himself with maintaining his estate, his position, his possessions – just as we maintain our jobs, homes, bank accounts, and reputations, which are the sources of our status and power in the world. The modern idea of the state is quite different. The ruler of a modern state is neither the proprietor of a landed estate nor the master of its inhabitants. A modern state is a legal person distinct from the natural person of its ruler or rulers: "an apparatus of power whose existence remains independent of those who may happen to control it at any given time" (Skinner, 1989: 102).

Long before Machiavelli, royal authority was being slowly depersonalized in the habit of distinguishing between the royal office, "the crown," and the person holding that office and wearing the crown (Black, 1993: 190). But this distinction, important as it was in distinguishing rulers of a realm from lords of a manor, could not solve the problem of how conflicting claims to ruling authority should be reconciled. The idea of sovereignty emerged as a way of solving this problem.

The idea of sovereignty is implicit in the thirteenth-century French formula, "the king is emperor in his own realm" – in other words, that the law of the king of France overrides that of any other lord, baron, or noble in France. It is a way of saying that a king is superior in authority to all other lords within the same realm. The idea of sovereignty, which is based on the principle of Roman law that the emperor has supreme authority, came to play a key role in the debate over the power of kings. But the effort to articulate the idea of supreme or sovereign power is more than a stage in the emergence of the idea of royal absolutism in early modern Europe. It is also a stage in the emergence of the idea of a modern state.

In the sixteenth century, the question of where authority in a community is to be located gained urgency in the face of intractable religious disagreements. In the states of early modern Europe, racked by religious disputes and civil wars, the only plausible basis for peace was shared recognition within each state of the authority of its ruler. But who, among the various competitors, truly possessed the authority to rule? Where there are competing authorities, some criterion by which to delimit their respective claims is required. The ruling authority in a state must possess some identifying characteristic by which it can be distinguished from competitors. In early modern Europe the distinguishing characteristic of this ruling authority was its "sovereignty," that is, its superiority to any other title or office within the state. A state is a territorial association of subjects ruled by a single sovereign.

These ideas are illustrated in Bodin's *Six Books of the Commonwealth* (1576). Jean Bodin (1530–96) was educated as a humanist and civil lawyer and worked as a barrister and administrator, but he was above all a scholar. Bodin's interest in the idea of sovereignty was in part a response to the wars of late sixteenth-century France, in which religious differences fueled competing claims to authority. Civil order and peace could not be established, Bodin thought, until these disputes over authority were settled. And to settle them requires a criterion for distinguishing the authority of a prince from other kinds of authority. For Bodin, it is the possession of "sovereignty" that distinguishes the ruler of a state from other authorities both inside and outside the state.

Unlike many of his contemporaries, Bodin is concerned with the criteria of sovereignty in general, not in one particular state. His inquiry therefore transcends the parochial concern to defend the claims of this or that claimant to power and becomes a philosophical analysis of the concept of sovereignty.

Sovereign authority (Bodin often says "power") is "absolute," that is, "not limited either in power, or in function, or in length of time" (Bodin, 1992: 3). This definition implies that the authority to rule is perpetual. A person given such authority for a determinate period is not the sovereign; sovereignty remains with those who conferred the authority, while those that hold it temporarily are merely its trustees or custodians. The definition of sovereignty as absolute

authority also implies that those who hold sovereign authority are not subject to the commands of any person. A sovereign prince is not bound by the laws of his predecessors, for he can alter these laws. Nor is a sovereign bound by his own laws because he can rescind any law that he prescribes. But he is bound by his treaties with other sovereigns, because he cannot unilaterally terminate an agreement. A prince is as much bound by his contracts and promises as any private individual. Finally, a sovereign is bound by divine and natural laws because he also cannot alter these laws: "Even Dionysius, the tyrant of Sicily, told his mother that he could readily exempt her from the laws and customs of Syracuse, but not from the laws of nature" (Bodin, 1992: 32).

The sovereign, then, is the person (individual or collective) who gives laws to others. Furthermore, only a sovereign can make and repeal laws. The right to enact laws is, therefore, one of the defining "marks" of supreme or sovereign authority, one of the criteria by which it can be distinguished from other kinds of authority. Working out a more detailed typology of such marks, Bodin suggests that only a sovereign has the authority to appoint lower officials, to define their duties, to enact and repeal laws, to declare war, to decide judicial appeals, and to pardon persons who have been condemned to death. Bodin articulates a formula which was to become famous in legal theory when he says that law is "nothing but the command of a sovereign" (Bodin, 1992: 38).

Sovereignty, as Bodin understands it, is more clearly defined in a monarchy than in a mixed regime – one in which authority is shared between, say, a prince and a legislature. For Bodin, in other words, the difficulty with a mixed constitution is conceptual and not merely practical. He cannot imagine that authority could be shared or distributed between different branches of government. Therefore, he concludes, erroneously, that the sovereign authority in a state cannot be divided (Bodin, 1992: xvii). It is true that in any single legal system there must ultimately be one and only one way of settling legal disputes. There must be a single ultimate criterion by which the question "what is the law?" is decided. But it does not follow that the authority to enact and apply laws cannot be shared among different branches of government.

Bodin's confusion on this point is not the only one to which the word "sovereignty" has given rise. Sovereign or supreme authority is often confused with unlimited authority. But there is, in fact, no such thing: because the authority to govern is always conferred by laws, it is necessarily limited by law. And just as authority (which is the right to govern) is often confused with power (the ability to govern effectively), sovereignty is easily confused with unlimited power. But there is no such thing as unlimited power, either: because its effective use always depends on circumstances, power can never be total. "Totalitarian" regimes may seek unlimited power, but they cannot achieve it. Defining sovereignty as a kind of power suggests, moreover, that a government's right to rule is dependent on its power. But just as the authority

of a law is independent of a government's ability to enforce it effectively, so a government's ability to enforce its laws, though one of the conditions of its existence, is not the criterion of its authority. It took several centuries for theorists to unravel the tangle of confusions spun by careless use of the word "sovereignty."

The state as a territorial association ruled by a single sovereign must deny authority to external as well as internal competitors. Like internal sovereignty, external sovereignty – the notion that a state is independent of the legal authority of any other state – has deep roots in medieval thought and practice. The thirteenth-century metaphor of a king as emperor in his own realm implies, for example, that a king is independent of any ruler outside the realm, including even the Holy See. The assertion of the independence of kings from imperial authority received papal support early in the fourteenth century when the pope intervened in a dispute between the emperor and his vassal, the king of Sicily. The dispute raised the question of whether a king could be summoned to appear in the court of the emperor. The pope's decision that one king could not be made to appear before another, even if the summoning king were the emperor, strengthened the idea of territorial sovereignty by denying that a king had authority outside his own realm. And by denying that imperial rule was universal, it demoted the emperor to the status of king with jurisdiction over a limited territory (Ullmann, 1975: 198). More than three hundred years later, the Peace of Westphalia recognized the right of the princes, bishops, and cities of the empire to conduct their foreign affairs as independent states, thereby reinforcing the principle of sovereignty as the cornerstone of the international order. By the seventeenth century, the idea that the world was divided among a number of independent states whose sovereigns held supreme authority within their own territories but no authority in the realms of other sovereigns was firmly entrenched in European political thought and practice.

Diplomacy and the balance of power

It is hard to distinguish between the international and the internal in medieval Europe because of the way authority was divided and shared. Instead of clearly demarcated territorial communities, we find "a tangle of overlapping feudal jurisdictions, plural allegiances and asymmetrical suzerainties" (Holzgreffe, 1989: 11). Not only kings, lords, vassals, and church officials but also towns, parliaments, guilds, and universities exchanged diplomatic missions, settled their disputes by negotiation and arbitration, and concluded formal treaties. As Garrett Mattingly observes, "kings made treaties with their own vassals and

with the vassals of their neighbors. They received embassies from their own subjects and from the subjects of other princes ... Subject cities negotiated with one another without reference to their respective sovereigns" (1955: 26). In modern international society, by contrast, only states are "international legal persons" capable of sending and receiving ambassadors, signing treaties, or appearing before international tribunals.

The idea of exclusive territorial sovereignty implies a new basis for the ancient practice of diplomatic immunity, which excludes an ambassador from the jurisdiction of all laws except those of his own country. Because no sovereign is under the authority of any other, and because an ambassador is no mere envoy but a permanent representative of one sovereign residing in the territory of another, ambassadors are subject only to the laws of their own state. The lengths to which a theorist of territorial sovereignty might go to preserve its assumptions is illustrated in the fiction of extraterritoriality, according to which the citizens of one state located in another, but immune from the application of its laws, are imagined to remain in the territory of their own state.

The practice of treaty-making also illustrates the differences between medieval and modern international relations. Medieval "treaties" were more like private contracts than like modern international agreements, in part because they were made under the law common to all peoples (*ius gentium*), not under a distinct body of international law. Medieval practice did not always distinguish between a public office and the person occupying that office. This blurred the distinction between personal agreements binding rulers and official agreements binding the communities they ruled. Often, a treaty made by a prince had to be reaffirmed by his successor to remain in force. This is an echo of the feudal relationship between vassal and lord: the vassal's oath to serve the lord is personal and therefore not binding on his heirs. But with the decline of feudalism, the law began to distinguish between the office of the prince and the person, between the crown and the person wearing it. Once this distinction was in place, treaties could be understood as contracts between states rather than between persons, and therefore as imposing obligations on successive princes or governments. Grotius observes that a feudal oath binds the person, but a treaty binds the heir as well (Grotius, 1925: 419). Only sovereign states can be party to treaties, understood as agreements between rulers on behalf of their respective communities.

The early modern literature of diplomacy mixes discussion of the maxims of effective diplomacy with discussion of the rights and duties of diplomats. A practicing diplomat like François de Callières (1645–1717) emphasized the pragmatic requirements of skillful diplomacy, a lawyer like Cornelius van Bynkershoek (1673–1743) the "right of legation" in civil and international law. Both, however, describe a complicated practice in which matters

of expediency and principle are intertwined. And both contrast existing practices with the ideal standards those practices intimate and yet rarely meet.

Callières wrote *De la manière de négocier avec les Souverains*, a handbook whose title might be freely translated as "How to Deal with Foreign Governments," in 1716 for the regent of the infant king of France, Louis XV. In it, he summarizes the fruits of his long experience as an ambassador (and secret agent) in the regime of Louis XIV. He discusses the aims and value of diplomacy, praising the contributions of Cardinal Richelieu, who established in the court of Louis XIII a centralized foreign office and professional diplomatic corps. He examines the education, knowledge, and personal qualities needed for successful diplomacy. And he discusses the rules governing the practice of diplomacy, including those defining the different ranks of diplomatic office and the scope of diplomatic immunity.

Bynkershoek, a lawyer who served as a member and eventually as president of the Supreme Court of Holland, is perhaps best known for his treatise on the law of the sea, a topic of particular concern to the Dutch of the seventeenth and eighteenth centuries. But he wrote on many other branches of law. His *Quaestionum Juris Publici* (1737) contains several chapters concerned with diplomacy and one concerning the fundamental principle of the law of treaties: the obligation to respect treaties in good faith. Although Bynkershoek rejects the arguments commonly used to justify the unilateral abrogation of treaties, he acknowledges that a state cannot be required to perform a promised act if circumstances have made its performance impossible.

The tension between realism and good faith underlying Bynkershoek's discussion of treaties is dramatically illustrated in the debates provoked by French foreign policy after the revolution of 1789. The revolution unsettled European politics as its democratic and egalitarian principles spread beyond France and anti-revolutionary emigrés worked to turn Austria and Prussia into enemies of the new regime. By 1793, France was at war with most of her neighbors, to whom she posed an ideological as well as a military threat.

One of these debates concerned the American policy of neutrality adopted during the first years of independence. At this time, the United States was not only a new nation but a weak one. Alexander Hamilton (1757–1804), like many other Americans, feared that Britain would soon try to regain its American possessions. These fears are evident in the controversy over whether the United States should provide assistance to revolutionary France after she went to war with Britain in February 1793. American public opinion favored France, reflecting a sympathy based on shared republican ideals as well as on residual hostility to Britain. In April 1793 President Washington, in an extremely unpopular act, declared the country neutral in the war between Britain and France.

In *Letters of Pacificus*, Hamilton (whose own sympathies were with Britain) defends Washington's policy of neutrality. He argues that there is no way the United States can assist France. Furthermore, France has no navy capable of protecting its overseas trade. Were the United States to side with France, Britain would simply destroy the American trade as well. Siding with France would therefore cost the United States a great deal while doing little for France. Worse, the country would expose itself to invasion by Britain and her ally Spain, another formidable power. Gratitude toward France for her help in the war of independence and sympathy for the French cause are minor considerations in view of the dangers the United States would run in siding with France. Hamilton generalizes this argument in the "Farewell Address" which he drafted for President Washington: the United States must avoid the "entangling alliances" through which the country would be drawn into the dangerous game of European power politics. This policy, which became part of a myth of national virtue, was in fact a prudent isolationism adopted by a weak state for its own security.

While the neutrality debate was going on in America, Britain was debating its own policy toward France. Britain's Tory prime minister, William Pitt, advocated intervention to protect the Dutch, from whose ports the French might launch an invasion of Britain. He argued that by invading its neighbors and installing revolutionary regimes, France was creating a new empire. Britain must therefore prepare to fight France on the Continent to preserve the states system of Europe and even Britain herself. Charles James Fox, leader of the opposition Whigs, challenged this policy, arguing that the decrees of the French government offering aid to any nation choosing to overthrow its monarch were mere propaganda and that Britain should avoid associating herself with the cause of counterrevolution. For Fox, the question is one to be settled according to the principles of popular sovereignty and nonintervention, not those of power politics.

Though a Whig, Edmund Burke (1729–97) supported Pitt's policy of intervention, but he did so on different grounds. For Burke, the threat to Britain comes not from France but from Jacobinism, the egalitarian, antimonarchical ideology of the French revolution. If the revolutionaries in France are permitted to get away with overturning property rights and the rights of monarchs, England too will succumb to revolution. Britain must defeat the French to teach its own citizens that revolution does not pay. Burke develops these arguments, which he formulated as early as 1789, in his *Letters on a Regicide Peace* (1796–7). The revolutionary regime, he argues here, has turned France into an outlaw state. The French have repudiated not only their treaty obligations but "the law of nations," not only international law but the laws and traditions of Christian Europe. By executing their king, encouraging

children to spy on their parents, and establishing a new "Cult of Reason" to replace the Christian faith, they violate and destroy civilized morality. Citing reports of ceremonies in which revolutionaries would drink the blood of their executed captives, Burke even accuses them of cannibalism.

Europe, for Burke, is not a mere system of states; it is a commonwealth resting on a foundation of shared beliefs and practices: "virtually one great state having the same basis of general law, with some diversity of provincial customs and local establishments" (p. 297). International cooperation depends not only on formal treaties but on similarities of culture and custom. One of the basic principles of European society is the "law of neighborhood" or "civil vicinity," which prescribes that no member of this society may innovate in ways that offend its neighbors. When it does, those neighbors are free to judge whether the innovation is tolerable. And if they deem it dangerous, they can act to suppress it, by force if necessary.

In pressing for British intervention in French affairs, Burke invokes law, custom, and moral principle, as does Fox in opposing it. Pitt, in contrast, rests his case for action against France on the necessity of preserving equilibrium within the European system by resisting the dominant power of the day. This policy of balance derives from the idea of reason of state, according to which a government, as the custodian of the public welfare, the *salus populi*, must be allowed to do whatever is necessary to protect that welfare. And because a state's independence is the presupposition of its welfare, the first imperative of foreign policy is to maintain that independence. The idea underlying the balance of power is that each state can maintain its own independence by combining with others to prevent the concentration of overwhelming power in the hands of any state seeking to dominate its neighbors. All may act to preserve the multiplicity of states in the face of hegemonic threats, as the states of the day did against the Habsburgs in the sixteenth century and against France under Louis XIV and again under Napoleon.

Many writers helped to articulate the balance of power as the central organizing idea of European foreign policy. One of the earliest is François de Salignac de la Mothe Fénelon (1651–1715), an archbishop during the reign of Louis XIV, when France was the dominant power in Europe. Fénelon's essay on the balance of power, written about 1700, illustrates how easy it is to run prudential and moral considerations together in discussing foreign policy. Starting from the Hobbesian premise that states are engaged in a constant struggle for power, Fénelon argues that each must be continually alert to changes in the power of the others and prepared to resist any augmentation of a neighbor's power that threatens its own. Given the nature of power, states will seek to dominate if they can, and those that cannot will be driven to combine to resist being dominated. But Europe (which Fénelon calls "Christendom") is not a mere aggregate of competing states; it is also a society, "a sort of general

republic" defined by common concerns and principles. Its members not only have an interest in combining against any state that threatens to grow too powerful but a duty to combine.

Fénelon is attempting to reconcile the balance of power with natural law: what is conducive to the interests of the European community as a whole must also be morally obligatory. The view that any policy that is truly expedient or useful must be morally right goes back to Cicero and is part of the Stoic or Ciceronian vocabulary of early modern political thought. Later on this identification of the useful and the right turns into the doctrine of utility: the utilitarians *define* moral right as that which is useful (for those whose interests are being considered). It may be contrasted with the Tacitean or realist language of Machiavelli and others who emphasize the distinction between expediency and morality.

Friedrich von Gentz (1764–1832), a Prussian diplomat in the period of the Napoleonic wars, provides a statement of the balance-of-power concept that more clearly distinguishes utility and rights. Though not a matter of right and wrong, the balance of power serves to protect the rights as well as the interests of states. The essential right of a state is to exist as the equal of other states, regardless of differences in power. Europe is an international society (whose members have rights) as well as an international system (whose members affect one another's interests). This idea that states are equal members of international society has come to be known as "the equality of states."

If the European system is a kind of great republic, its members must be formal equals with equal rights under international law, regardless of discrepancies in wealth and power. There can be no privileges (literally, "private laws") for rich and powerful states – or else the system is not a true republic. These principles are, in effect, the constitution of international society. "The true character of an international community (such as is being formed in modern Europe) ... will be that a certain number of states at very different levels of power and wealth, under the protection of a common bond, shall each remain unassailed within its own secure borders" (p. 308). The balance of power, for Gentz, preserves this common bond under which states have their rights as members of international society. It is the mechanism that enforces international law, a kind of "approximation" to the judicial and executive power within a state.

FURTHER READING

Standard general works on early modern political thought include Skinner (1978) and Burns with Goldie (1991). From the vast literature on Machiavelli, the student of international relations might begin with Skinner (1981) and Hulliung (1983). Among many works dealing with classical European diplomacy and the balance of power, one might single out Mattingly (1955).