Minnesota Law Review

1947

Henry IV and World Peace

Joseph E. Keller

BENCH AND BAR

HENRY IV AND WORLD PEACE

By Joseph E. Keller*

"The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the Divinity itself, and can never be erased or obscured by mortal power."

—Alexander Hamilton

Peace has been defined as "tranquil freedom, contrary to war of which it constitutes the end and the destruction."[1] Certainly peace is the freedom from war or hostilities for which the whole world continues to long. World peace is the end of the Charter of the United Nations, recently adopted at San Francisco by which the peoples of the United Nations determined "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind."[2] To accomplish this end, the peoples of the United Nations undertake "to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security."[3]

Adoption of the Charter of the United Nations is another step, and let us hope the most successful one, in the long road to peace which successive generations of earnest peoples all over the earth have trod in the efforts, halting, ineffectual, heart-breaking, at times, to attain their noble goal. Whatever else it may be, however, this new Charter must be viewed as just another expression of this broad demand for peace which has stretched down through the centuries. It seems appropriate, at this moment of triumph when peace has once more been restored, after the cruelest and bloodiest war in history, to view this latest peace plan in its truly evolutionary light and to consider, briefly, the earliest plan for world peace which was, in a very real sense, the inspiration for the almost innumerable plans, treaties, tribunals, Congresses and arbitrations which have marked the struggle for world peace.

There have been the ancient Greek leagues. Dante's "De monarchia," Grotius on "Arbitration," William Penn's "European

*Member of the District of Columbia Bar.
[1]Gudelinus, "De Juris Pacis Commentarious," (1620).
[2]Charter of the United Nations, San Francisco, June 26, 1945.
[3]Charter of the United Nations, San Francisco, June 26, 1945.

diet," Saint Pierre's "Perpetual peace," Rousseau's "European federation," Kant's "Everlasting peace," Bentham's "International tribunal," Alexander I and the Holy Alliance[4] and the numerous more modern plans for harnessing the fierce forces of military power and for outlawing war as an instrument of international policy. What is, perhaps, justly the most significant, however, is the "Grand Design" of Henry IV, which set the pattern and provided the inspiration for many of the subsequent plans stretching from the early seventeenth century down through the League of Nations which followed World War I and which led, in turn, to the San Francisco Conference and to the United Nations Charter, which resulted from it.

There are those who may challenge the statement that the "Grand Design" is the most significant of the early plans for world peace and federation. Yet the whole stream of thought concerning itself with the outlawry of war is immensely indebted to French writers, who, in turn, derived their inspiration and basic pattern for their proposals from the "Grand Design." The plan of Henry IV was the seed which was carefully nurtured in France by Emeric Cruce, which caught and held the interest and enthusiasm of Jean Jacques Rousseau and which flowered and grew into practicality under the guiding influence of Charles Irenee Caste, Abbe de Saint-Pierre, even though the Abbe's project was published earlier than that of Rousseau.

The plan of Saint-Pierre has become one of the three[5] really outstanding peace proposals that were presented in the tremendously fruitful period up to 1800, the other two being, of course, Kant's "Everlasting Peace" and Bentham's "International Tribunal." No one was more anxious to acknowledge the inspiration for the plan of Saint-Pierre than the good Abbe himself who freely admitted that his project for "la paix perpetuelle en Europe" was first proposed by Henry IV of France and approved by Queen Elizabeth and now "discussed at large and made practicable."[6]

A. C. F. Beales is bold and forthright when he characterizes the "Grand Design" of Henry IV as "the most famous of all the world's international projects."[7] He proceeds to describe it as being inspired by the need for eradicating the Wars of Religion and held

---

[4]York, "Leagues of Nations, Ancient, Medieval, Modern," (1919).
[5]Encyclopedia Brittanica, Vol. 17, p. 413.
[6]Saint-Pierre, "A Project for Settling an Everlasting Peace in Europe," (1714).
[7]Beales, "The History of Peace," (1931).

that the French King fashioned a panacea which he would have put into operation had he lived. He further says of it:

"It is easy to exaggerate the merits of the Great Design by emphasizing the earnestness and the political wisdom of its author, but the later significance of the plan can hardly be overestimated. Henry IV's conception offered the raw materials for every subsequent internationalist project; and in many cases his structure was adopted completely, with only trifling modifications. Its historical value lies in its conception of a federal partnership among Sovereign States, in its provision of machinery whereby different national influences could function in harmony, and in its resort to combine sanctions of force to execute awards when good faith failed. The modern problem of sanctions has its first tentative solution here."

It should be pointed out that the principle of federation as against the "super-state" has been the keynote of every peace plan since the "Grand Design" of Henry IV. Sufficient justification would appear to be present, therefore, for a short commentary on the "Grand Design" on this great peace anniversary. In a sense, at least, the effort will serve as an inadequate, but none the less sincere, tribute to the work of Henry the Great in the cause of world peace which he himself described as "an enterprise more celestial than human."

The "Grand Design" of Henry IV, as translated from Sully's Memoirs, new edition, was simple in its form.[8] For its object it sought "to divide proportionately the whole of Europe between a certain number of Powers, which would have had nothing to envy one another for on the ground of equality, and nothing to fear on the ground of the Balance of Power." There were to be fifteen States, six of them great heriditary monarchies, five elective monarchies and four sovereign republics. The laws and statutes as set forth in the plan were ambitious, indeed, and the original language will serve to demonstrate their scope, as follows:

"The laws and statutes calculated to cement the union of all these members, and to maintain amongst them the order once established; the reciprocal oaths and pledges as regards religion and politics; the mutual assurances for the liberty of commerce; the measures for making all these divisions with equity, to the general contentment of the parties; all these can be understood without any enlarging further on Henry's precautions. Only small difficulties of detail could arise which would be easily met in the General Council representing the States of all Europe, whose establishment was undoubtedly the happiest possible idea for the introduction of reforms, such as time renders needful in the wisest and most useful institutions."

---

[8]Darby, "International Tribunals," Third Edition, (1900), p. 10.

The General Council as described in the plan was modeled on that of the ancient Amphictyons of Greece and the members of the Council were to be subject to re-election every three years. There were to be four representatives from each major and two from each minor Power, in all about seventy members. The Council's expenses were to be furnished by proportional contributions from the member States, and its duty was to consist in dealing with common affairs as they arose and settling disputes between the States.[9] The plan contemplated Minor Councils for the special convenience of different cantons. These were to be geographically distributed so as to accommodate all the participating kingdoms. These Councils were "to occupy themselves with discussing different interests, to pacify quarrels, to throw light upon and oversee the civil, political and religious affairs of Europe, whether internal or foreign."[10]

The original plan was careful to point out that, whatever the form or organization which was finally determined upon for the Councils, it was imperative that an appeal could be made to the Great General Council and its decisions were to be final and irrevocable. They were to be considered as having emanated from the united authority of all the Sovereigns. No definitive provisions were formulated, but precaution was taken against any flouting of a Council award by prescribing an international army and navy to enforce compliance. This was unique and the first proposal of its kind,[11] further highlighting the over-all importance of the Great Design and indicating the appropriateness of its further consideration at this time.

The political objects of the "Grand Design" were among its most startling characteristics, for herein we find not an instrument of peace but of war. The avowed political objects included the despoiling of the House of Austria of all its possessions in Germany, Italy and the Netherlands and to confine it to the Kingdom of Spain. This purpose, therefore, contemplated armed force and not peace, as the critics of the plan have been quick to point out. But even here Henry IV sought peace, for it was to assure international tranquility that the Hapsburgs were to be isolated and reduced to such an extent that they would never again be able to menace the peace of Europe. Herein the reasoning is reminiscent of the professed reasons for German aggression in Europe. There

[9]Beales, "The History of Peace," (1931), p. 28.
[10]Darby, "International Tribunals," Third Edition, (1900) p. 12.
[11]Beales, "The History of Peace," (1931) p. 28.

was no mention of arbitration in the whole instrument. That idea was to await expression by Emeric Cruce some twenty years later. The "Grand Design" also had for its further political object the defense of Christendom against the Mohammedans although this was not expressed in the plan itself.[12]

Any evaluation of the "Grand Design" however, must recognize that the central theme was the federation of European states for the maintenance of peace. It was this thought, this idea, this plan which makes the "Grand Design" unique and worthy of a continuing commemoration through the years. As was said by Sir Geoffrey Gilbert Butler, "the basic idea of the Grand Design is that peace can be secured only when the states of Europe are in a state of equilibrium. Europe is to be reconstituted by dividing it equally among a certain number of powers."[13] The design was for the abolition of war through agreement by a "Congress of kings at Cambray."[14] The "Grand Design" was the origin of the idea of the "balance of power" in a sense, but the central idea was distorted in later adaptations to encompass a concert of nations to enforce their will in those cases where no single nation could marshal sufficient force to accomplish that effect. Military alliances were the natural result of this line of reasoning also and the end result was disastrous to the cause of peace, as history so abundantly demonstrates.

Admittedly a mere reading of the "Grand Design" itself will not develop much of value. Certainly it had very obvious shortcomings as an international instrument of peace. It was not flexible and new arrangements of states were not provided for nor was there any expressed method of amendment.[15] As has been pointed out also, "the Grand Design, though having a noble purpose, was full of contradictions. If he had lived to make the attempt seriously to carry it out, it is almost certain that the means by which he proposed to execute it—a great international army and the crushing of the House of Hapsburg—would have made the Design a worse wreck than that of the Holy Alliance two hundred years later."[16] The central and dominant fact remains that a permanent international Congress was the principal plan of Henry IV in his "Grand Design" and the idea was not taken up again for over

---

[12]Marvin, "Evolution of World Peace," (1921).
[13]Butler, "Sully and His Grand Design," (1920).
[14]Mead, "An Early Scheme to Organize the World," (1907).
[15]Ralston, "International Arbitration from Athens to Locarno," (1929).
[16]Trueblood, "Development of the Peace Idea," (1932), p. 16.

a century. Therein lies the significance of the plan and that idea constitutes its greatest contribution to the cause of world peace.

Since the mere reading of the plan itself cannot serve to reveal the full significance of the central theme of the "Grand Design" it may serve a useful purpose to review, briefly, the character of Henry IV and his chief minister, Maximilien de Bethune, duc de Sully, who is largely credited with the promulgation of the "Grand Design" and widely credited with its actual authorship. Henry IV has been described as "the greatest in the line of French kings" and he was held to have combined in his person the "extraordinary contradictions of his time. A Protestant and a Catholic, rich and powerful, yet simple in manners and devoted to the interests of the common people, a warrior and a genuine friend of the peaceful arts of life, a Frenchman to the core, he was nevertheless the first interpreter to his country of the larger ideal of international life and cooperation then struggling to the birth. His Great Design was favorably received at more than one court in Europe."[17]

Henry IV, also known as "Henry the Great" of France, was one of the younger branch of Bourbons. Whether he actually wrote the plan or not is of little consequence, of course. It is generally believed that duc de Sully wrote the "Great Design" although it has been proven that Henry was a charming writer, both of love notes and state papers.[18] Henry came to the throne after a series of religious wars and, indeed, it was by virtue of these wars that he won the crown itself. Once Henry became King of France, he undertook to consolidate France and to build up its national treasure in the best mercantilist tradition. Henry IV is remembered as the beautifier of Paris, the builder of The Louvre, who hated Spain and the Hapsburgs and who joined with Queen Elizabeth and the United Provinces of the Low Countries to form a League Against Spain in 1596. This move has been widely interpreted as the germ of his "Grand Design" which came only in 1603.

The religious life of Henry IV is indicative of his willingness to compromise with expediency to gain the desired end. He was raised a Protestant but embraced Catholicism when he was forty years old and was a nominal defender of that faith for the remaining seventeen years of his life. The cause of peace is as old as Christianity itself and the effect of Henry's conversion has been the subject of great speculation. Nevertheless, it coincided with his

[17]Trueblood, "Development of the Peace Idea," (1932), p. 16.
[18]Encyclopedia Brittanica, Vol. 22, p. 402.

reign of peace and prosperity for France. Henry built up transportation in France by embarking on a huge program for construction of highways and an elaborate system of canals. He stimulated agriculture, introduced the silk industry into France, was responsible for wide banking reforms and intelligent tax policies. France became prosperous and a leader of Europe and Henry was thought to have genuine sympathy for the common people. History records that his courage amounted almost to recklessness and it was in a burst of madcap enthusiasm that he embarked upon a war against Emperor Rudolph II. His death by assassination at the hands of Ravaillac and the death of Queen Elizabeth, who was genuinely interested in the "Grand Design" of the French king, may have delayed for centuries a permanent peace for Europe. The duc de Sully dropped from power and influence also with the death of Henry IV. Thus did the two principal sponsors of the "Grand Design" leave to those who were to follow the task of completing and enlarging the central theme to which they had given expression.

It is difficult, indeed, to evaluate and to objectively estimate the effect upon the plans for world peace of the "Grand Design." Even the centuries which have passed since the plan was first promulgated have not served to sharply outline its true significance. We are certain, however, that the peace movement of Henry IV did serve to keep before Christian Europe and, later, before the whole civilized world, the idea of some common tribunal for the great brotherhood of nations. In 1693, William Penn wrote an essay in which he says of Henry's scheme,[19] "his example tells us that *it is fit to be done;* and Europe, by her incomparable miseries, that *it ought to be done.*" Certainly America, which gave birth to the first Peace Society in the history of the world, would be anxious and generous in paying tribute to Henry IV and his "Grand Design" for his conception of Europe federated and in peace, an end which has been aptly described[20] as "the vision which has haunted the civilized world ever since."

---

[19]"Congress of Nations" in "Book of Peace," A collection, (1845), p. 250.
[20]Trueblood, "Development of the Peace Idea," (1932), p. 17.