The Most Awkward and Embarrassing Question:

British Treaty Obligations, the Role of the Law of Nations and the Establishment of the Swedish Norwegian Union in 1814

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Abstract

In 1814, Britain honoured its treaty obligations and supported Sweden in its acquisition of Norway as a reward for its alliance against Napoleonic France. The question of Britain's support of Sweden's claims on Norway was, however, seen by the Prime Minister Lord Liverpool as awkward and embarrassing. This article discusses why this may have been the case. It is argued that the answer lies in the stated principles of the Law of Nations and in how they were perceived by the British public, in Parliament and within the British government itself. Examining the teachings of the leading authorities on the Law of Nations of the period, Grotius, Pufendorf, and, above all, Vattel – to whom Liverpool explicitly referred in a letter – this article demonstrates that, even if this was publicly not admitted, the Prime Minister felt bound by the writings of these so-called 'civilians' who advocated the rights of a people. This shows how, despite the existence of direct enforcement mechanisms, the Law of Nations may have influenced state leaders' conduct in international relations.

Keywords

British foreign policy 1812-1814, Lord Liverpool, Norwegian sovereignty 1814, The Swedish-Norwegian Union, Law of Nations

In September 1814, the British Prime Minister Lord Liverpool wrote to his Foreign Secretary Lord Castlereagh and to the Duke of Wellington that 'I confess I felt for some time that the question was the most awkward and embarrassing of any in our European politics' (Nielsen 1894: 148-149). The question with which he was concerned was Britain's support for the Swedish acquisition of Norway in 1814 as remuneration for Sweden's joining the alliance against Napoleonic France. Why was this question so awkward and embarrassing? The answer lies in the stated principles of the Law of Nations – as international law was called at that time – and in how they were perceived by the British public, in Parliament and within the British government itself. In this article I will concentrate on what the teachings of the leading authorities of the Law of Nations at the time were and how they could be aligned with Britain's treaty obligations with respect to Norway.

In the history of international law and in diplomatic history, the period of the Revolutionary and Napoleonic Wars is normally seen as the end of an epoch (Diggelmann 2012; Duchhardt 2012; Schroeder 1994). From the Congress of Vienna in 1815, international law was established on a new footing. Norway's independence and adoption of a constitution within the same year as it was forced to agree to a union with Sweden took place in the final years of this period, a time when two basic questions were being discussed: what general norms should govern the relationships between states and peoples, and how binding should treaties be for a state? Some scholars claim that at this time there was a transition from natural law as the basis for the Law of Nations to positivism: international law did not consist of principles derived from rational natural law and explained in systematic treatises any more, but only of what states had agreed to, explicitly through treaties or tacitly through conduct (Meijer 1950; Milos 2012). What is certain is that at the beginning of the nineteenth century, state leaders struggled to sort out the relationship between the Law of Nations and the treaty obligations that they entered into. Britain's attitude towards Norway in the final years of the Napoleonic Wars is a good example of this. Having examined Britain's treaty obligations with respect to Norway, I will discuss how the British government strove to accommodate them with the Law of Nations while the opposition used

this same law as a basis for criticism.[1]

The extent to which the theory of the Law of Nations had an impact on State leaders' conduct during and immediately after the Napoleonic Wars has not been dealt with in detail by historical literature. In his seminal work on the transformation of European politics in this period, Paul Schroeder neither addresses explicitly the Law of Nations, nor any of its leading authors, such as Hugo Grotius (1583-1645), Samuel Pufendorf (1632-1694) and Emer de Vattel (1714-1767) to whom I will return in the course of this article. This is surprising since Schroeder's main argument is that international politics had its turning point between 1813 and 1815 and that the system that emerged consisted of 'the understandings, assumptions, learned skills and responses, rules, norms, procedures, etc. which agents acquire and use in pursuing their individual divergent aims within the framework of a shared practice' (Schroeder 1994: vii, xii). Given the nature of Schroeder's argument, the lack of references to the theory of the Law of Nations in his analysis seems problematic. As I will argue in this article, the Law of Nations is in fact essential if we are to understand Lord Liverpool's embarrassment in September 1814.

Britain's Treaty Obligations

Treaties were the instrument used in forming the Sixth Coalition against Napoleonic France. The first one of these was the Treaty of St. Petersburg of 5 April 1812 between the Swedish King and the Russian Tsar; the second one was the Treaty of Stockholm of 3 March 1813 between the Swedish and the British Kings; the latter is the one that interests us most here.

While the defeat of Napoleon was underway, a Swedish-Russian army led by the adopted Swedish Prince Royal Carl Johan (Jean-Baptiste Jules Bernadotte) defeated the Danish (and Norwegian) King Frederik VI and made him cede Norway to Sweden in the Treaty of Kiel of 14 January 1814 between the Swedish and Danish Kings.[2] As is well known, Norway resisted, declaring independence and adopting its own constitution in May 1814. After a short war with Sweden in July and August 1814, while Britain maintained an embargo on Norway, two other treaties

were entered into at Moss on 14 August 1814: one on an armistice and one on a future union between Sweden and Norway which accepted the basic content of the newly adopted Norwegian Constitution. These two treaties were entered into by a new constellation: the Norwegian (independent) government and the Swedish King. It was after the conclusion of the treaties of Moss that Lord Liverpool wrote the passage quoted in the introduction.

Let us first return to the Treaty of St. Petersburg, a secret treaty which stipulated an eight-year alliance, both offensive and defensive, between Sweden and Russia.[3] The purpose ('le but') of the treaty was two-fold: to maintain the security of the respective states and to safeguard the *independence* of the North. Sweden and Russia were, in fact, both interested in securing the peaceful possession of their respective states and the defence against their common enemy, France.[4] In one sense, the core of the treaty was that the parties would form a joint army to fight France and its allies, who were already said to be at war with Sweden and who threatened Russia. Yet, the first thing the alliance ensured was the acquisition of Norway for Sweden. What the treaty did not mention, however, was the *people* of Norway and their fate.

The Russian emperor promised not to lay down weapons until he had been successful in procuring Norway for Sweden through negotiations or military cooperation, and guaranteed to Sweden the permanent peaceable possession of Norway (Article V). The turn of events made it impossible for Russia to secure Norway before moving towards France, because in 1812 Napoleon invaded Russia.

However, the treaty that directly involved Britain and that was discussed in the Parliament of Great Britain was the Treaty of Stockholm dated 3 March 1813 between the Kings of Sweden and the United Kingdom. This treaty is referred to as a treaty of 'Concert and Subsidy'.[5] The treaty had two objectives: firstly, to establish 'a close concert for the maintenance of the independence of the North', and, secondly, 'to accelerate the so much wished for epocha of a general Peace' (Treaty of Concert and Subsidy 1813).

In one of the separate articles of the Treaty of St. Petersburg, the two parties agreed to invite the British monarch to accede to the treaty. The

Treaty of Stockholm followed up on these requests. Britain agreed to accede to the Treaty of St. Petersburg but in a meticulous and reluctant manner. In the treaty, the British Majesty

> promises and engages by the present treaty to accede to the conventions already existing between those two powers, inasmuch that His Britannic Majesty will not only not oppose any obstacle to the annexation and union in perpetuity of the Kingdom of Norway as an integral part, to the Kingdom of Sweden, but also will assist the views of His Majesty the King of Sweden to that effect, either by his good offices, or by employing, if it should be necessary, his naval co-operation in concert with the Swedish or Russian forces (Article II, 'Treaty of Concert and Subsidy', 1813).[6]

The accession was dependent upon two conditions: that the 'King of Denmark' (no mention of Norway) should refuse to join the 'alliance of the North' on the conditions stipulated in the treaties between Sweden and Russia; and that the Swedish King should ensure that the union took place 'with every possible regard and consideration for the happiness and liberty of the people of Norway' (Article II, 'Treaty of Concert and Subsidy', 1813).

It is also important to note that, in contrast to the treaty between Sweden and Russia, Britain required Sweden to engage against Napoleon *before* any attack to gain Norway was attempted. Furthermore, Britain promised to pay one million pounds sterling to Sweden and to cede the island of Guadeloupe, which had been taken from France, to the Swedish King personally.

Within the treaty, Norway is called 'the Kingdom of Norway', just as Sweden is 'the Kingdom of Sweden', and there is no mention of Norway as a province of Denmark. Interestingly, however, the people of Norway are explicitly mentioned: it is stated that their 'happiness and liberty' should be considered, a considerable difference from the Treaty of St. Petersburg, which did not mention the population at all.

The phrase that was used, 'happiness and liberty', calls for closer examination. In natural law, happiness is a traditional purpose of

the state. According to Emer de Vattel, the first object of a good government is to provide for the necessities of the nation, while the second is to 'procure the true Happiness of the Nation' (Vattel 2008: 126, 145). A domestic perspective may cast further light on the use of this term. In his pivotal *Essays*, the leading philosopher David Hume, who was considered a Tory by many, had written: '[T]he first place of honour seems due to LEGISLATORS and founders of states, who transmit a system of laws and institutions to secure peace, happiness and liberty to future generations' (Hume 1985: 54). This may have appealed directly to the Tories in the Liverpool government that concluded the treaty.

But one thing is the requirements of a good government in its own country. Another is to what extent one government should consider the happiness and liberty of a people under a foreign government. What motivated Great Britain to insert into the British-Swedish treaty the provision on safeguarding 'happiness and liberty of the people of Norway'? Britain's main motive behind the treaty was to build a new coalition to defeat Napoleonic France. In isolation, and in *Realpolitik* thinking, that should imply that Britain would not put any unnecessary constraints on Sweden.

Was the British government normatively motivated? Did they consider it right to protect the people of Norway in a situation where the British could uphold such protection without losing out on their main interest? Or was it out of fear of the opposition in Parliament? The government knew that the treaty had to be presented to Parliament because of the stipulated subsidies which could not be given without parliamentary consent. Or was it out of fear of the public discussion? No matter which of these reasons did in fact apply – maybe all three were parts of the motivation – the Law of Nations played a pivotal role in shaping the results of these negotiations and other nations' attitudes and responses to the cession of Norway.

The Law of Nations on Cession of Peoples

How does this cession of Norway fit into the theory of the Law of Nations? At the time, there were no leading British writers concentrating

specifically on the Law of Nations. The topic was international and the leading authors were the Dutch Hugo Grotius, the German Samuel Pufendorf and the Swiss Emer de Vattel. They belonged to different generations but related to one another in their writings.

The influential role of these writers is shown by the fact that they were referred to in the two major debates about Norway in the Parliament of Great Britain, one in 1813 and one in 1814.[7] As far as I can see from the Hansards of these debates, a number of other authors as well as the concept of Law of Nations were addressed in several instances. In 1813, however, only one author is mentioned, namely Vattel, and in 1814 the three referred to above were mentioned, Grotius by name six times, Pufendorf four and Vattel seven times. The expression Law of Nations was used nine times in 1813 and fifteen times in the 1814 debates. These references clearly demonstrate the relevance and importance of the Law of Nations.[8]

Let us begin with what Grotius, the founder of modern international law, had written on the topic. In his *The Rights of War and Peace* (1738), a fairly complex text filled with examples, Grotius had dealt with kings who had the right to alienate their people and others who did not. It is likely that the common edition of Grotius' work used in London in this period was the one published in London in 1738 with comments by Jean Barbeyrac (1674-1744), himself a learned international lawyer.

Barbeyrac expressed himself more clearly than Grotius. In his comments included in the Grotius edition, he states: 'In a Word, the Sovereign Power, however conferred, does not in itself imply a Right of Propriety'. He also adds: 'I am of Opinion it ought to be laid down as a Principle, that where any Doubt arises, every Kingdom ought to be reckoned Non-patrimonial' (Grotius 2005: 280, note 4). This means that the king would have no right to alienate a people without its consent.

Grotius himself wrote along the same lines that 'as to Kingdoms which were originally established by the full and free Consent of the People, I confess it cannot be presumed, that it was ever their Design to allow the King to alienate the Sovereignty' (Grotius 2005: 293). This general rule was even supported by an example related to Norway:

> Wherefore what *Crantzius* observed in *Unguinus*, as a Thing never heard of, that by his Will he had bequeathed *Norway*, we have no reason to blame, since he might have in View the Customs of the ancient *Germans*, amongst whom the Kings had no Power to alienate their States (Grotius 2005: 293-294).

This must also have supported the idea that Norway could not be ceded by the Danish King to the Swedish.

In line with Grotius's argument, Pufendorf, an eminent and well known natural law thinker also in Britain, raised the importance of the people's consent in the cession of one country to another. Between 1691 and 1735, five editions of his brief textbook *The Whole Duty of Man, According to the Law of Nature* were published in London (Pufendorf 2003: ix). Here he wrote: 'Much less can a *whole Kingdom* (that is not held *patrimonially*) or any *Part* of it, be *alienated without their* [the People's] *Consent to it*: And in the latter Case particularly the *Consent of that Part that is to be alienated*' (Pufendorf 2003: 238). Although Grotius' and Pufendorf's contributions were of significant importance for the debate, in the 1814 debate Vattel's book, *The Law of Nations*, was the leading authority. Vattel was very well known in Britain in the 1790s and his ideas on Britain as the defender of small states against the rise of universal monarchy were applied on the British discussions with respect to the country's approach towards the rise of revolutionary France. Edmund Burke as well as others referred to Vattel's writings as an effort to make Britain go to war, or at least an encouragement not to make peace, with France (Whatmore 2010: 103-107). In a letter to President Jefferson, Citizen Genet, the minister of the French (Revolutionary) Republic in the USA, spelt out how Vattel sided with Grotius and Pufendorf and, voicing the widespread opinion in the British press, referred to the writings of these three authors as 'worm-eaten' (Whatmore 2010: 105-106).

In his book, Vattel attempted to give a general theory of 'alienations made by one nation to another' (Vattel 2008: 239). He began by establishing some general starting points on the competence of the nation itself and of its ruler. Alienation of public property is considered valid, but the 'question becomes more difficult, when it relates, not

to the alienation of some parts of the public property, but to the dismembering of the nation or state itself, the cession of a town or a province that constitutes a part of it' (Vattel 2008: 240). Since the members of a state joined the society 'for the purpose of being members of it: – they submit to the authority of the state, for the purpose of promoting in concert their common welfare and safety, and not of being at its disposal, like a farm or an herd of cattle' (Vattel 2008: 240). However, Vattel still accepted a cession in cases of 'extreme necessity' and stated that in these cases a cession ought to remain valid with respect to the state but not be binding for the people (Vattel 2008: 240), as he went on to explain that:

> this province or town, thus abandoned and dismembered from the state, is not obliged to receive the new master whom the state attempts to set over it. Being separated from the society of which it was a member, it resumes all its original rights; and if it be capable of defending its liberty against the prince who would subject it to his authority, it may lawfully resist him (Vattel 2008: 240).

After giving an example from 1526, Vattel acknowledged that 'subjects are seldom able to make resistance on such occasions; and, in general, their wisest plan will be to submit to their new master, and endeavour to obtain the best terms they can' (Vattel 2008: 24).

Learned authorities were clearly critical of the cession of peoples but how were these opinions regarded within the government itself? While preparing for the 1814 debate in Parliament, Lord Liverpool also wrote a letter dated 3 May 1814 to the Foreign Secretary Lord Castlereagh:

> The question is an awkward one. The Norwegian resistance is popular here,[9] but this I should not think of much importance, as matters stand, if we had not the civilians against us upon the general principle, though I trust not so upon the particular case attended by all its present circumstances (quoted in Webster 1931: 542).

The civilians that Lord Liverpool referred to in this passage are the authoritative writers on the Law of Nations. He continued:

> I was certainly not aware, that it had been laid down in the books that, though a country had a right to cede a part of its dominions for the preservation of the remainder and that after such a cession, all its rights over the ceded territory for ever ceased, yet the ceded province, or island, had a right to refuse to receive the new master. You will find this doctrine in Vattel – Book 1st. Chap. 21, Sec: 263 and 264 (quoted in Webster 1931: 542; for the reference, see Vattel 2008: 240-241).

As if the reference to Vattel was not enough, he went on to refer to Grotius by saying that the 'same opinion is given by Grotius' (quoted in Webster 1931: 542). In the letter Lord Liverpool also recognised the influential role of these writers by calling them a 'high authority'. Of course, Lord Liverpool's opinions and anxieties about this question were never made public in his time.

The Norwegian envoy to London at the time, Carsten Anker, who did his best to inform the British government as well as the opposition, wrote to Prince Christian Frederik – then already King, but Anker was not aware of this – in a letter dated 5 June 1814 that what Grotius, Pufendorf and Vattel had written 'did reinforce Norway's right, as if it nearly was written for the case at hand' (Anker 1901: 246). In my opinion, this is a valid point: since Lord Liverpool apparently also attached great importance to the writings of the 'civilians', their writings made the situation most awkward for the government.

Furthermore, Anker wrote that he had discussed these three authors with the Whig statesman Lord Grenville, demonstrating how the Norwegian government, or at least its envoy, actively made use of the principles of the Law of Nations to support its cause.

The Convention of Moss of 14 August 1814

As the Norwegians did not accept the cession of Norway to the Swedish King, the four Allied Powers – Britain, Russia, Prussia and Austria – sent

their commissioners to Denmark and Norway. In Norway they tried to persuade the newly elected King of Norway, Christian Frederik, to accept the Treaty of Kiel. He refused and the commissioners tried to mediate between the Swedish Crown Prince and Christian Frederik. They did not succeed and a minor war resulted, ending with the two above-mentioned treaties, one political and one military, concluded at Moss on 14 August 1814.

The Convention of Moss demonstrates a completely different approach to the people of Norway, who until then had been the object of treaties. Here, the Norwegian government, and not the King or a minister, represented the country in the negotiations with the King of Sweden. The King, or a minister of foreign affairs, would, in fact, have been the expected representative under international law. It is easy to understand why the newly elected Norwegian King was excluded as he was never accepted by Sweden, or by any other country, as King of Norway and no minister of foreign affairs had been appointed.[10] Norway's representative assembly (the newly created 'Storthing') was accepted as the carrier of Norwegian sovereignty and in the Convention, Norway was still termed the Kingdom of Norway (Convention of Moss, Article 1, in Nielsen 1894: 115). In the convention, the Norwegian Constitution of 17 May was accepted by the Swedish King, with necessary amendments only (Article 3 in Nielsen 1894: 115). Pressure from the commissioners must therefore have been part of the reason for this saving of 'the happiness and liberty of the people of Norway'.[11]

Reflections on the Impact of the Law of Nations

When I started reflecting upon the question of the transformation of Norway under international law during the period that I have investigated here, my initial idea was that a new understanding of the rights of a people – probably emanating from the American and, especially, the French Revolution – was demonstrated through this development. That turned out to be a mistaken perspective. As I have shown in this article, it was the traditional rights of a people, as articulated in the Law of Nations, which formed the basis for the actions in 1814. This was based on social contract theory, not new

revolutionary thinking about peoples and their rights. The traditional learning was, however, probably seen in a new light because of the intellectual development caused by the revolutionary period and the resulting public discussions in many of the great and smaller powers.

The debates around the Norwegian cause in London in the spring of 1814 should not be interpreted as the application of revolutionary international law with a new and stronger concept of sovereignty of the people but of traditional pre-revolutionary international law as represented by Grotius, Pufendorf and Vattel.[12] The influence of these writers' texts is clear from Lord Liverpool's and Carsten Anker's remarks. In those revolutionary times, it was even more difficult to disregard such clear traditional statements about the rights of peoples. All these texts had as a foundation, as a legitimating principle of the cession, the social contract, stipulating that power was derived from consent by the people. This was clear in the writings of Grotius, Pufendorf and Vattel as well as in the writings by the English philosophers John Locke and Thomas Hobbes on natural law and social-contract theory, which – although they were not directly mentioned in the discussions – may have been influential and well-established points of reference in the British debate.

Let us return to the two last letters by the British Prime Minister Lord Liverpool on this subject as, in my opinion, they support the reading of the traditional theory that I have discussed above. The letters – sent to the Duke of Wellington and to Lord Castlereagh, respectively – were both written on 2 September 1814, that is, after Lord Liverpool had been informed about the Convention of Moss, but before the union between Norway and Sweden was formally entered into.

The Prime Minister commented upon the subject of Britain's involvement in the affair of Norway's union with Sweden. He was satisfied with the outcome and said that Britain had fulfilled its engagements 'by continuing the blockade until Prince Christian had abdicated, until the Norwegian fortresses were in possession of the Swedish troops' (Nielsen 1894: 148). Interestingly, with respect to the events that unfolded in Norway during the spring, he pointed out that 'the government of Sweden [had been] brought fairly into communication with the Diet on the subject of their connection with

Sweden, and with relation to their internal government' (Nielsen 1894: 149).

Liverpool went on to interpret the Treaty of Stockholm: 'We not only have not guaranteed Norway to Sweden, but we declined doing so; and nothing can now prevent the union of the two countries but disputes upon internal points between themselves' (Nielsen 1894: 149). This was an interpretation of the obligations that followed from the treaty and a reminder that, unlike Russia, Britain had never guaranteed the union. Lord Liverpool further stated that this position was 'completely conformable' to the line of argument he had used in the House of Lords before the summer on the question of Norway. Yet, he did not want his position to be publicly known because that could awake the Norwegians again and stimulate the party in Norway that was 'hostile to the union with Sweden' (Nielsen 1894: 149).

Liverpool summed up his reflections for Castlereagh on how difficult he had found the issue: 'Though our policy respecting the union of Norway to Sweden has always appeared to me to be right, I confess I felt for some time that the question was the most awkward and embarrassing of any in our European politics' (Nielsen 1894: 149). This was a rather strong statement when one considers that Britain's European politics had been concerned with fighting Napoleonic France in a war which could have led to a world war. Why had it been so awkward and embarrassing? It could certainly not have been due to the military resistance from Denmark and Norway. What Lord Liverpool is referring to here are the debates concerning which particular norms of the Law of Nations a government would be entitled to apply not to another government but to another people.

Lord Liverpool's embarrassment demonstrates in my opinion the impact of the theory of the Law of Nations in a situation where Great Britain had strived for many years to establish coalitions against Napoleonic France. Great Britain saw it necessary to give Norway to Sweden – which had already achieved the support of Russia, an even more important ally for Britain – as a reward for joining the coalition. Britain wanted to honour its treaty obligations but, at the same time, these obligations contradicted with the Law of Nations.[13] Had *Realpolitik* alone been at play in this instance, Lord Liverpool would not have felt

such embarrassment about sacrificing the Norwegian independence or the unity of old Denmark-Norway. Liverpool's remarks were not given publicly but in confidence to ministers of his own government. This would indicate that they did not only address public embarrassment. He must have felt that, even if the government successfully managed to get support in Parliament for its policy, certain international norms were being contravened. This 'feeling' may have been reinforced by his reading of Grotius, Pufendorf and Vattel. Liverpool references these writers not as authors of the revolutions, but as elements of the large intellectual transformation that was taking place in non-revolutionary Britain during the revolutionary period. This intellectual transformation was part of the basis of the development of international law as it came to be known by the system that developed after 1815 as a result of the Congress of Vienna.[14]

Endnotes

[1] See on the British debates in general, Hemstad 2014.

[2] There was also a parallel peace Treaty of Kiel of the same date between the British and the Danish King. On the later enforcement of the Treaty of Kiel under the Congress System, see Jarrett 2013: 203.

[3] On the context of the Russo-Swedish Treaty, see Schroeder 1994: 430-431. Further, on the treaties in the Scandinavian context, see Barton 1986: 320-322.

[4] See 'Traité d'alliance entre la Suède et la Russie le 24 mars/5 avril 1812' in Johnson 1985: 105-110.

[5] The original is in French, but I here use the official English version from 1813. See 'Treaty of Concert and Subsidy between His Britannic Majesty and the King of Sweden' signed in Stockholm on 3 March 1813.

[6] Britain had difficulties in accepting the Swedish plan of acquisition of Norway as well as other difficulties with respect to Russia and Sweden, see in general Webster 1931: 92-102, and especially 100-101 and 119-121 (on the signing of the treaty) and Tangeraas 1983: 200-204.

[7] Strictly speaking, there were several debates in both Houses but in practice there were two debates, one in 1813 about the content of the treaty with Sweden and one in 1814 with respect to the blockade of Norway that Britain was undertaking as part of its obligations under the treaty. See Ruth Hemstad (ed.) 2014: 97,193, ref. 47-50, 64-74.

[8] Tangeraas (1983: 218) mentions that 'certain legal authorities' were cited in the debates of the House of Lords by Lord Grey but does not go into which and what they contained.

[9] 'Here' refers to London or Great Britain more in general.

[10] Carsten Anker, who was in London, was 'appointed' by Christian Fredrik in a letter, but he was under no circumstances available.

[11] There is disagreement about the extent to which British diplomats played a crucial role in the outcome at Moss. On the one hand, Tangeraas sees Norway's existence as a separate kingdom as 'a result of Castlereagh's policies' (Tangeraas 1983: 222-223,); on the other hand, Lucas states that the 'moderation of Karl Johan's final settlement had little to do with British influence', but more with the policy of Karl Johan himself (Lucas 1990: 277). The latter position is more in line with the important analysis of this matter by Weibull (1957), which none of the authors refer to. Weibull emphasises the internal disagreements in Swedish politics in relation to Norway and demonstrates that the final outcome of the events of 1814 very much depended on Karl Johan's personal policy, which was very different from the King's and the government's (Weibull 1957).

[12] On French revolutionary international law, see Grewe 2000: 413-424.

[13] Roald Berg refers to this as Britain's 'legalistic attitude' (Berg 2012: 27). As discussed in this article, Britain's attitude is more complex.

[14] For recent research on the Congress of Vienna, see Jarrett 2013 and Vick 2014. Vick emphasises especially the changed legal and constitutional framework after 1815 (Vick 2014: 240-258, 332).

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