



Edward James Kolla. *Sovereignty, International Law, and the French Revolution.* Studies in Legal History Series. Cambridge: Cambridge University Press, 2017. 350 pp. \$99.99, cloth, ISBN 978-1-107-17954-7.

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One of the more common conceptions of diplomacy during the French Revolution is that the revolutionaries attacked tradition in the name of liberty and disregarded international law and conventions as they attempted to export radical revolution throughout Europe. In *Sovereignty, International Law, and the French Revolution*, Edward James Kolla pushes back against this idea, arguing that though the revolutionaries were willing to adapt and in some cases ignore established legal traditions, they did so not in a conscious attempt to replace international law with a revolutionary variant. Instead, he explains in both breadth and detail how the principles of popular sovereignty espoused by the revolutionaries shaped the principle of self-determination in international law through a contingent, contradictory, and often haphazard process. Through case studies ranging from Corsica to the Netherlands, Kolla elucidates a thoughtful argument that combines a rigorous approach to international law with a well-crafted historical narrative.

At the heart of his argument is the idea that by working through the complicated notion of popular sovereignty and its implications for international law, the French revolutionaries found themselves articulating a view of self-determination that had a lasting influence beyond the 1790s.

To make this argument, Kolla is interested in the application of Rousseauian principles of sovereignty and general will in international law. What does it look like for the French people to truly apply internationally a principle of self-determination through participation in the general will, and how does war, conquest, and international relations affect this application? This emphasis on Jean-Jacques Rousseau provides a valuable framework for the argument, especially when dealing with the contradictions and paradoxes that often plagued the revolutionaries. For example, just as Rousseau advocated the possibility that people could be forced to be free, so too does Kolla show how the revolutionaries used this justification, especially in their annexations and creations of sister republics, noting the tension between “the liberty to choose versus the choice of liberty” (p. 101).

However, despite this clear connection to Rousseau, Kolla is steadfast in his assertion that the revolutionaries were not inspired wholly or even principally by Enlightened ideals. He supports this by finding a surprising amount of times that the revolutionaries ultimately justified their annexations not by appeals to the general will or self-determination but rather by Old Regime treaty law (p. 118 is one such example). At face

value, there seems to be a contradiction between the argument that the French Revolution featured crucial innovations in international law and the fact that they often looked to the Old Regime for inspiration. And indeed, Kolla does not shy from the reality that the period was often paradoxical and contradictory. However, he navigates this contradiction by emphasizing that though the justification could be found in Old Regime law, the innovations were both “unanticipated and unprecedented” (p. 119). And indeed, one of the greatest strengths of Kolla’s narrative is his unflinching confrontation with the difficulties and problems the revolutionaries faced, and his ability to show how the attempted resolutions of those difficulties shaped international law. He does this not just by examining rhetoric of justification but also by examining such issues as voting irregularities; the difficulty of accounting for the will of émigrés; the problem of variation among other states’ responses to revolutionary innovations; and even the tension between annexation, self-determination, and exploitation of resources.

Another key component of Kolla’s argument is that “the first stirrings of transformation to international law ... occurred on the margins of the French state” (p. 91). This emphasis on the margins rather than Paris leads to the structure of the book, where Kolla takes us all over the outskirts of France in an effort to track the different forces at play in these transformations. The first chapter examines Corsica and Alsace, followed by a journey into Avignon and the Comtat in the second chapter. From there he takes us to Belgium, trading low-stakes exploratory cases for a much more valued frontier, and thus a more contentious arena for the development of international law. From Belgium we turn to the Rhineland, where annexation and integration featured more failure than success. Even these failures were formative however, as in the fifth chapter he links the projects in the Rhineland directly to the creation of sister republics in the Netherlands, Italy, and Switzerland.

At times this dizzying march through the periphery of Europe is in danger of veering into teleological territory, but as Kolla takes us through the geographic and temporal progression of the revolutionary principles of self-determination, he goes beyond telling and shows clearly how the principles and ideas at play were not static or pre-determined but highly mobile and adaptable. The motivations for this adaptation came from local circumstances and the changing needs and whims of the revolutionaries, both of which Kolla sees as part of an “iterative and contingent process” (p. 29). Thus, the discussions over Corsica and Avignon in the first two years of the revolutionary decade necessarily look different than the discussions in the Helvetic and Batavian sister republics in the latter years of the decade, and while Kolla shows how these instances undoubtedly informed each other, he also emphasizes the complicated and often unintentional nature of the development of international law in the revolutionary period.

Kolla’s methodology is to look at international law “in action” (p. 10), and this is an admirable goal. His use of “diplomatic and military dispatches as well as government reports, parliamentary and civic debates, popular pamphlet literature, and petitions” as a source base does indeed go a long way toward translating the sometimes ethereal legal principles and jargon into an identifiable and easily digestible narrative (p. 26). Moreover, his emphasis on practicalities over discourses is both nuanced and necessary. However, despite his emphasis on practicalities, it is surprising that more attention is not given to practitioners. This is not to say that he ignores the voices of those actually implementing the ideas. His footnotes are replete with sources from a broad spectrum. But these voices rarely seem to take human form, instead blending together without consistent clarity concerning the stories and motivations of those involved.

Where this is perhaps more problematic is in his amalgamation of “revolutionaries.” He frequently cites “the revolutionaries” but leaves the question of who actually belonged to this group frustratingly vague. Did “functional participation” in the National Assembly make one a “revolutionary” (p. 48)? Was there a difference between the revolutionary diplomats and revolutionary legislators and their impacts on the shaping of international law? One must assume that the definition of a revolutionary changed as the application of revolutionary principles changed, but the actual participants in this process remain largely formless behind the label of revolutionaries.

This tendency to loosely amalgamate an ill-defined group together is also occasionally true in his historiography. His footnotes sometimes leave it unclear where or who he is in conversation with (for example, pp. 73, 164-165, 202), or he cites figures such as Leopold Von Ranke or Carl von Clausewitz, rather than more recent examples of historians whose work he seeks to build or improve on. I question as well the lack of clear engagement with Marsha and Linda Frey’s *Proven Patriots: The French Diplomatic Corps, 1789-1799* (2011), whose arguments concerning the radicalization of the revolutionary diplomatic corps and the deliberate attack on the Old Regime international system seem particularly relevant to his work. Though he cites them briefly (p. 171n34), his bibliography is missing their most relevant work for his purposes.

Despite these small quibbles, it is clear that Kolla’s work does make a significant impact on the historiography. He is entirely correct in highlighting large gaps in the way international law has been treated by historians of the French Revolution, and equally large gaps in the way the French Revolution has been treated by historians of international law, and he fills many of those gaps with keen analysis and insight. By locating the principles of self-determination in the revolutionary paradox of popular sovereignty and con-

quest or annexation, and showing the process by which international law was informed by these principles, Kolla has brought a fresh and nuanced perspective to the question of the impact of the French Revolution on diplomacy and international law.

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