

**The London School of Economics and Political Science
(LSE)**

*Constructing the Ideal River: the 19th Century Origins of the
First International Organizations*

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A thesis submitted to the Department of International Relations of the London School of Economics and Political science (LSE) for the degree of Doctor of Philosophy, London, UK. September 2016

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Acknowledgements

I would like to thank the following scholars whose intellectual support and inspiration made this dissertation possible: Peter Wilson, Iver Neumann, James A. Morrison, George Lawson, Tarak Barkawi, Marco Cesa, Andrew Philips, Klaus Dodds, Martin Bayly, Alexander Wendt, Todd Hall and Valerie Morkevicius. In addition, I would like to thank the following for their support in conceiving of, researching and writing this dissertation: Martin Hearson, Heidi NK Wang-Kaeding, Bugra Susler (especially for his insights on Turkish views of the Danube), Andrew Delatolla, Marian Feist and Daniel Schade (especially for their help with German translations), Julia Himmrich, Lukas Linsi, Liane Harnett, Aaron McKeil, Andreas Nohr, Johs Pierce and Ben van Zwanenberg. Finally, I would like to thank the Rhine, Danube and Congo Rivers and their tributaries without which this dissertation would have never happened.

Abstract

For decades, International Relations scholars have debated the role and efficacy of international institutions in advancing international cooperation. However, scholarship that takes institutions seriously often adopts the functionalist assumption that international organizations are created as technocratic bodies to facilitate the division of economic goods. My dissertation examines the first international organizations created in the 19th century to manage international rivers (specifically the Rhine, the Danube and the Congo Rivers) and puts forward two strands of argumentation that challenges this functionalist, rationalist and technocratic view of institutional creation.

First, I examine the broad social construction of the international river as an untamed space to be disciplined and redefined as a useful economic entity. In the mid-18th century, Frederick the Great wrote in a letter to Voltaire, “whoever improves the soil, cultivates land lying waste and drains swamps is making conquests from barbarism”. Here, Frederick declared war against the barbarism and chaos of untamed nature; his battles were fought by cartographers, surveyors, engineers and statisticians to establish control over the wild world of reeds and marshes. Following from this conception of nature, 19th century international cooperation along transboundary rivers also aimed to maximize the economic utility of the river—to straighten and deepen the river to create a more efficient economic highway—which also tamed the anarchic dangers of unregulated river politics.

Second, I investigate the construction the international river’s meaning at three 19th century critical junctures in European politics—the 1815 Congress of Vienna, the 1856 Peace of Paris, and the 1885 Berlin Conference. I trace how competing meanings of the transboundary river coexisted at each juncture to complicate cooperation and shape the institutional beginnings of each river commission. In doing so, I contend that these international river commissions should be seen as contingent political formations born of specific European configurations of power, rather than as a straightforward progression towards a generalizable model institution that would eventually banish international conflict.

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Introduction

With the completion of this correction, which is in the general interests of civilized humanity throughout the globe, the human mind will finally achieve mastery over even this disadvantage of nature it has suffered for thousands of years. - Ernst Klapp at the completion of the Suez Canal (quoted in Blackburn 2006: 165)

For decades, International Relations scholars have debated the role and efficacy of international institutions in advancing international cooperation. However, scholarship that takes institutions seriously as important forces in international politics often adopts the functionalist assumption that international organizations are created as technocratic solutions to facilitate the division of economic goods between rational actors. This dissertation examines the first international organizations created in the 19th century to manage three international rivers—the Rhine, the Danube and the Congo—in order to challenge this often implicit functionalist assumption.

In doing so, I propose a different way of conceptualizing and analyzing the rise of international institutions as an international phenomenon in the 19th and 20th century. I begin by asking what is the object of cooperation and how the meaning of that object, such as the international river, came to be constructed and changed over time and across space. Before actors can decide on what to do about a shared transboundary resource or norm, they have to come to terms with what that resource or norm means. Those set of meanings are not unitary or stable. Divergent understandings of the object of cooperation can create unstable institutional outcomes no matter how strong the institutional design is in assuring allies and punishing defectors. Institutions are not apolitical platforms for technical cooperation but sites of political contestation. To fully understand the constructed and contested meaning behind the object of cooperation, I contend that IR needs to seriously engage with two factors: history and geography. Both are needed to fully analyze why and how international institutions were created. This dissertation does so by not only examining the detailed arguments presented at diplomatic conferences at the creation of each international river commission, but by also exploring the underlying construction of the meaning of each river in the social and intellectual context of 19th century Europe that made each commission possible.

Joseph Conrad's *Heart of Darkness* begins as sailors await the tide on the Thames estuary and Marlow begins his tale of horror along the Congo River. Marlow, and by extension Conrad, has a particular way of recounting a story: "to him the meaning of an episode was not inside like a kernel but outside, enveloping the tale which brought it out only as a glow brings out a haze" (Conrad 1899: 6). This dissertation attempts to study both the kernel and the enveloping haze, both the political contestation of diplomatic negotiations themselves and the hazy social forces that shape, enable and propel the formation of international institutions.

The International and the Institutions to Govern It

In Europe, the 19th century ushered in an era of unprecedented confidence in society's ability to overcome nature through scientific and technological advances¹. This confidence stemmed from both material and ideational transformations. The industrial revolution brought steam power to improve transportation and communication by land and by waterways. Along with radio and the telegraph, these technologies opened up the world by increasing the frequency and intensity of global interactions (Buzan and Lawson 2016: 70-7). Advances in science, particularly Charles Darwin's *Origin of Species* and Louis Pasteur's medical discoveries with vaccines and disease, also increased confidence in the improvability of nature through society's intervention. Indeed, the term science was invented in the 19th century to describe the investigative drive to not only accurately describe nature but understand its inner workings and hence use this knowledge to improve the world (Windelspecht 2003; Holmes 2009).

Alongside scientific and technological changes, ideological backlash against the conservative, monarchical regimes of Europe also permeated intellectual discourses in the 19th century. What united these ideologies was faith in scientific progress to "control nature and improve not only the human condition but the human stock" (Buzan and Lawson 2016: 36). These progressives and liberals linked technological and scientific advancements to the emancipation of mankind from tyranny. As German reformer Ludwig Starklof wrote, "The locomotive is the hearse that will carry absolutism and feudalism to the graveyard" (quoted in Blackbourn 2006: 162). This optimistic outlook suggested that by taming nature, technology brought not only material progress but moral progress as well. In the 1860s, German scientist Hermann von Helmholtz, speaking before the Association of German Natural Scientists and Physicians, told his audience that society would "make the reasonless forces of nature subservient to the moral purpose of humanity" (quoted in Blackbourn 2006: 164). Scientific progress, then, would rationalize and tame natural forces for the advancement of society.

The 1815 Congress of Vienna loomed large in European politics as the most important moment in the first half of the 19th century. In addition to enshrining principles of freedom of navigation on international rivers and establishing the Rhine Commission as will be discussed later in this dissertation, the Congress also framed the ideological contests of the age. Throughout the 19th century, conservative forces set on preserving the pre-Napoleonic European social order would clash with proponents of liberalism, nationalism and socialism. However, as Mark Mazower argues, another idea traces its origins to the 1815 Congress of Vienna—that of internationalism.

¹ While this dissertation focuses on a general European faith in scientific progress, it acknowledges the national variations in these intellectual attitudes—for example, German faith in scientific progress in the 19th century was linked to national unification movements (Blackbourn 2006) while English faith in scientific progress was tinged with liberal economic concerns (Drayton 2000).

This idea, as manifested in the increasing number of international conferences in the 19th century, attracted strange bedfellows including anarchists, Marxists, evangelicals, merchants, scientists and lawyers. By the century's end, even the secret police were holding international congresses to solve transnational dilemmas (Mazower 2012: xiv-xv). In beginning his analysis, Mazower dismisses those who celebrate internationalism as an unambiguous moral force for good, those who "dismiss institutions as mere mask for Great Power wishes", and those who formulate their analysis in the "quasi-scientific language" of "rationality and burden sharing, game theory and the logic of risk" without factoring in the ideological goals behind liberal internationalism (xvi). To understand the different strands of liberal internationalism and its abiding faith in science and rationality to tame nature and society through international institutions, Mazower takes us back to the 19th century and the Congress of Vienna.

Following Mazower, this dissertation analyzes the rise of the international by focusing on the construction of one particular type of international object—the transboundary river—the object of cooperation for Europe's first international organizations. In excavating the ideological forces behind cooperation over the international river, this work explores how scientific confidence in society's ability to tame nature shaped 19th century European understandings of international space and how it ought to be governed.

Why Rivers

This dissertation focuses on transboundary waterways or rivers for a number of reasons. First, rivers inspired the first international institution to manage transboundary geography and the first specific international organizations. The Rhine Commission, the first commission studied here, is the oldest continuous interstate body that still operates today. The 1815 Congress of Vienna, which established the Rhine Commission, also enshrined the principle of freedom of navigation and commerce on all international rivers into European public law. After the Crimean War, the 1856 Danube Commission was established as the first international executive body with its own flag, its own policing and courts, the ability to borrow money internationally, and non-riparian states exercising authority over territories a continent away. Therefore, historical explorations of international institutions logically should start with these first formal institutions.

Second, rivers are ideal for highlighting the interlinked co-constitution between the social and material worlds. Many of the first complex human societies sprang up on the banks of rivers—Mesopotamia along the Tigris and Euphrates Rivers, Egypt along the Nile, the Chinese along the Yellow River and early Indus valley societies. From the beginning, human societies have engineered the river for its practical use and worshipped the river for its spiritual use. Along the upper Rhine, where the river loops along multiple beds across the floodplain, evidence of

manmade channels date back to 8,000 BCE (Blackbourn 2006: 75). At the same time, the rivers have left indelible marks on the social, political and legal practices of civilizations. For example, in the 3rd century BCE in Egypt—a civilization historian Herodotus famously called *The Gift of the Nile*—officials used a device called the nilometer to measure the Nile’s flood so that taxes could be levied according to the river’s floods (*National Geographic* 2016)². Recent developments in epigenetics suggest environmental factors interact with human gene expression in complex ways to shape society (see for example Aguilera, Fernandez, Munoz and Fraga 2010; Feil and Fraga 2012). Therefore, rivers should not be analyzed simply as a backdrop for human stories of successful civilizations and technological triumph, but are co-constituted with and co-implicated in the social forces that forge international history. There is no ‘natural’, untouched river just as there is no ‘theoretical’ society divorced from peculiarities of place.

Finally, there is something attractive about the river—its flow and vivacity, its violence during a storm, its placidity during moments of quiet contemplation—that invites analogies in the human imagination. Examples abound in the philosophies and poetry of every language. Flowing water has major spiritual significance; all major religions make the link between water and purity. The Persian garden, spreading across the Islamic world in the 7th century CE, is designed with four channels symbolizing the four rivers of paradise, dividing the quadrants of the earth, all meeting at a central fountain. These designs are reflected in elaborate carpets from the region (Thacker 1979: 28-9). In the 17th century, when Pope Innocent X wished to express his papal authority, he turned to the sculptor Gianlorenzo Bellini and created the Fountain of Four Rivers in Rome with powerful, masculine personifications of four global rivers—the Nile, the Ganges, the Rio de la Plata and the Danube—demonstrating Innocent’s global influence (Coates 2013: 1-3). In addition to its appeal to princes and popes, the river also appeals to the common person. As American author and clergymen Henry van Dyke wrote:

It is by a river that I would choose to make love, and to revive old friendships, and to play with the children, and to confess my faults and to escape from vain, selfish, desires and to cleanse my mind from all the false and foolish things that mar the joy and peace of living (Van Dyke 1895: 2).

Even IR scholars cannot resist the rhetorical power of rivers. For example, Michael Barnett writes about the difference between constructivists and historical sociologists that they “might be comforted to know that they derive considerable inspiration from the same body of water, but ultimately they were drinking from different streams.” (2002: 104). Therefore, given its prominence, it is fitting that the project of international governance would begin with the river.

² These devices were deep, well-like limestone structures that were used for a thousand years to measure the Nile’s floods (*National Geographic* 2016).

Structure of the Dissertation

This dissertation builds on constructivist literature that views the world through a mediativist lens (Adler 1997) and engages critical geopolitics (Ó'Tuathail 1996; Agnew 1998; Scott 1998) to explore the connection between constructed social understandings and physical geographies that configured the international in the 19th century. In addition, this dissertation builds on IR scholarship that engages with international history and historical sociology (Hobden and Hobson 2002; Lawson 2006; Branch 2014; Philips and Sharman 2015) using history to denature current conceptual orthodoxies and explore the assumptions that underpin the current study of international institutions. To do so, it puts forward two strands of argumentation that challenge the functionalist, rationalist and technocratic view of institutional creation and consolidation. First, this work examines the social construction of the international river as an untamed space to be disciplined and redefined as a useful economic entity. Second, I argue this construction of the river's meaning created the permissive condition for the creation of the first international institutions. However, this permissive condition shaped, but did not determine, the outcome of each diplomatic negotiation. Rather, the outcome depended on the unique interaction between ideational construction of the river, contingency and power politics at each historical moment. Once imbedded into the institution, this understanding of the object of cooperation as an economic entity took on path-dependent logics to influence future institutions.

The first chapter reviews the literature on international institutions and argues that much IR work on the role and efficacy of international institutions take on functionalist and rational assumptions about institutional creation as a means to solve the technical problem of economic cooperation. To understand this assumption and why it dominates thinking about international institutions, I argue that we need to engage two additional factors—history and geography—to flesh out why and how the first international institutions were created. In the second chapter, I develop the dissertation's analytical structure as a broadly constructivist meta-theoretical framework that highlights history as a process of mutual construction of material and social factors. I argue that imbedded in the first international institution was a certain high modernist ethos that envisioned nature and human nature as irrational objects that ought to be tamed by progressive science and rational thought. Once imbedded in institutional models, this idea was generalized across time and space. Here, I outline two interlinked critical projects that question the validity of generalizable models. First, diplomats in the 19th century believed their model to be generalizable, resulting in institutional failures that are swept under the rug of forgotten history as the truth of the model is never questioned. Second, scholars looking back on the series of 19th century diplomatic conferences see the process as one of progressive institutional and normative consolidation. Analyzing the detailed history of each historical moment, however, tells a very different story.

Chapters 3 to 8 trace the history of three pivotal 19th century European diplomatic conferences that worked to create commissions on three transboundary rivers: the Rhine Commission at the 1815 Congress of Vienna; the Danube Commission at the 1856 Paris Peace Conference; and the Congo Commission at the 1885 Berlin Conference. Two chapters are devoted to each river commission. The first of these chapters details the social construction of each river: the Rhine as an internal economic highway; the Danube as a commercial road that connects the fringes of Europe to its center; and the Congo as a colonial river used to spread civilization and commerce to the global periphery. Nineteenth century European attitudes towards all three rivers reflect an Enlightenment confidence in the ability of scientific and technical expertise to tame and rationalize the river to the benefit of human society. All three conceptualizations also reflect Scott's high modernist ethos where illogical and illegible nature and society are transformed into simplified and standardized units to increase the ease of control and economic extraction. This vision of the river created the permissive conditions behind the creation of international river commissions to govern the river as an economic highway and thereby govern the river's metamorphic forms as history, time and the untamed and ungoverned forces that threaten our orderly and rational world. However, despite this common high modernist understanding of the scheme to tame the international river, the specific alchemy of social and physical forces co-constituting each river meant that all three rivers held different shades of meaning. These differences shaped the institutional contours of each resulting river commission.

The second of each set of chapters analyzes the diplomatic activities behind the creation of each river commission in the context of wider European geopolitical concerns in an effort to question the assumption that the creations of river commissions were technocratic, apolitical and largely uncontested actions that greased the wheels of international cooperation among European Great Powers. However, deliberations over the creation of river commissions were highly politically charged. At each conference, tensions between the legal definition of transboundary waterways as some form of private property or as international commons open to all nations revealed the interplay of political fissures, personalities and historical contingency that determined the outcome of each diplomatic encounter. In-depth historical analysis of each conference also questions the unspoken functionalist teleology that underlies many institutionalist accounts of the creation of international organizations. Despite diplomats' insistence at each conference that they were only "applying" established principles and previously tested models to a new river, each commission did not represent progression towards institutional consolidation and more robust cooperative mechanism. Rather, each commission was contested anew under a different context. Historical and geographic contingency shaped outcomes as much as previous institutional models. Finally, historically situating each commission also questions historical

narratives and our assumptions as social scientists of ‘success’ and ‘failure’ in institution-building. These assessments depend on where in history we stand.

Finally, the concluding chapter follows each river into the 20th century and continues the lines of argumentation sustained throughout the dissertation that challenges the creation of international institutions as a functional solution to the problem of international cooperation. It illustrates that the conceptualization of the international river as an economic highway to be tamed for trade, as imbedded in the first international institution, had path-dependent implications for a variety of 20th century challenges from transboundary pollution to geopolitical standoffs to the human cost of resource exploitation. Lastly, it argues that history is indeterminate, multiple causal pathways may lead to the same outcome, and to read causal certainty into social change from the benefit of the rear-view mirror is misleading and dangerous.

This understanding of history as indeterminate and full of potentiality is perfectly expressed by the photographic exhibition “Life is Strange” (Amsterdam Museum of Photography 2015), where 235 photos of iconic historical moments were on display. Of a photo showing the Titanic setting off towards New York, the curator wrote, “for us (the viewer on the quay) the iceberg waiting far beyond the horizon... is invisible. In this archive photo the Titanic will forever be setting off... the past perfect does not exist. Nothing is wrapped up, nothing is really finished. Everything is possible.” To analyze this historical moment with the wisdom of hindsight misses something about the episode by imparting on the moment a pre-determined quality that locks history into a linear progression. To view the photo from the moment it was taken allows us to denature the outcome and imagine other possibilities for this ship sailing into the unknown.

Chapter 1:

Beyond the Functionalist International Institution: History and Geography

Let us learn to wage war with the elements, not with our own kind. – James Dunbar (1780)

“International institutions have become an increasingly common phenomenon of international life,” declare Beth Simmons and Lisa L Martin in their chapter on International Organizations in Carlsnaes, Risse and Simmons’s *Handbook of International Relations* (2012: 326). Since the late-19th century, international institutions and organizations have proliferated at a rapid rate. At the end of the 20th century, Robert Diehl estimates the number of international organizations to exceed 20,000-30,000 (1997: 5). Specifically, international environmental frameworks have grown since the 1972 United Nations Conference on the Human Environment to over 60 multilateral agreements (Haas, Keohane and Levy 2001 [1993]: ix). The majority of these agreements and organizations were created with the express goal of increasing international peace and security through cooperation.

This chapter surveys the literature on international institutions, especially institutions managing international spaces, as instruments of cooperation in international politics. The first section lays out the liberal institutionalist vision of international institutions as functional tools for forging collaboration to achieve a common international goal. This understanding of international institutions, however, misses the historically contingent configurations of power that shape diplomatic negotiations over institutions on a micro-level, and social forces that shape collective conceptualizations of international space at the macro-level. The second section of the chapter argues that for IR to gain a fuller appreciation for the political and social forces that influence the creation of institutions, we need to confront two factors often missing from institutionalist analysis: history and geography. In essence, to answer questions about the role and efficacy of today’s international institutions, we need a fuller inquiry into the establishment of the first international institutions in the 19th century to manage international geographies. In examining why and how these first international institutions were created, we can shed light onto the unspoken functionalist assumptions that underlie current international institutions.

Rational International Institutions to Manage International Spaces

Almost the only thing scholars agree on in the field of international institutions is that there is no agreed definition of institutions or regimes. As Robert Keohane observes, “institutions are often discussed without being defined at all or after having been defined only casually” (1988, 382); or as John Mearsheimer charges, “the concept is sometimes defined so broadly as to encompass all of international relations, which gives it little analytical bite” (1992: 8). Indeed, as Mark Duffield (2007) stresses, IR scholars apply the term to a host of different phenomena including formal institutions such as the United Nations (UN) and the World Trade Organization (WTO), a set of legal practices such as the UN Laws of the Seas, regimes such as

the global monetary regime and sets of norms such as the nonproliferation of weapons of mass destruction or state sovereignty. To complicate matters further, scholars seem to use terms such as international regimes, institutions and organizations interchangeably.

Douglass C. North defines institutions as “humanly devised constraints that structure political, economic and social interactions” consisting of both informal constraints and formal rules (1991: 97). Keohane borrows from Stephen Krasner (1983) for the definition of international regimes as “a set of implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations” (1984: 57). English School theorists look to Hedley Bull’s definition of institutions as “set[s] of habits and practices shaped towards the realization of common goals” (Wilson 2012: 567). From the Constructivist perspective, Alexander Wendt’s defines an institution as “a relatively stable set or ‘structure’ of identities and interests... [that have] motivational force only by virtue of actors’ socialization to and participation in collective knowledge.” For Wendt, then, institutions are “fundamentally cognitive entities that do not exist apart from actors’ ideas about how the world works” (1992: 399). Martha Finnemore and Kathryn Sikkink specified that “institutions emphasize the way in which behavioral rules are structured together and interrelate” (1998: 891). Constructivist and discursive institutionalists have similarly emphasized the importance of actors and the cognitive component of institutions (Schmidt 2010; Hay 2010).

These myriad definitions are only a small selection of the diverse meanings IR scholars have applied to international institutions, and international institution, regimes, organization and frameworks are used interchangeably to describe the same phenomenon. All this confusion presents a challenge for scholars who wish to analyze them. However, despite the range of these meanings and a difference of emphasis on formal or cognitive components of international institutions, IR scholars largely know them when they see them—all IR scholars would recognize the UN, WTO, and G-8 as international institutions or the formal manifestations of an institution even as they debate their efficacy in shaping state behavior. What scholars truly disagree on is what international institutions do. For liberal institutionalists such as Keohane and English School theorists such as Bull, institutions have the decided function of helping actors achieve a common goal—whether cooperation over collective economic gain or in the case of Bull, international order.

This dissertation use Mark Duffield’s definition which echoes Krasner’s definition of regimes. I take into account both normative and practical aspects of international institutions. He defines institutions as “relatively stable sets of related constitutive, regulative, and procedural norms that pertain to the international system, the actors in the system (including states as well as nonstate entities), and their activities” (2007: 7). Therefore, an institution is more than the sum

of its parts: it is the set of interrelated norms, the international actors that abide by the norms and the interaction of norms and actors in policy activities—both formal and informal with cognitive as well as practical consequences. The one institution analyzed in this dissertation is the international institution managing transboundary waterways stretching from the early-19th century to today. Each individual river commission is an interstate or international organization based on a signed framework and a manifestation of that overarching institution. Primary sources often use regimes to refer to river commissions, a term that is reflected in some discussions of diplomatic negotiations.

The Realist Skepticism

For Realists, international institutions do very little. They are skeptical about the potential for international institutions to increase international peace and security. For these theorists, states are the only actors that matter and their behavior is a function of power and fear. They assume an anarchic international system where every state has to fend for itself by engaging in self-help—a Hobbesian world before the Leviathan. Hence, states are not worried about the absolute gain derived from cooperation but the relative gains of competitors and fear for their own survival. Kenneth Waltz's 1959 book *Man, State and War* illustrates this attitude towards cooperation by using Rousseau's stag hunt to explain international conflict. In Waltz's account, five men "who have acquired a rudimentary ability to speak and to understand each other" agree to cooperate in hunting a stag, which would satisfy all their hunger. As they wait, however, a hare appears. The hare would satisfy one man's hunger but scare away the stag. Do the hunters cooperate or defect? Here, Waltz maintains that one hunter will certainly defect—individual interests and fear of survival will always supersede any cosmetic agreement between actors to cooperate (1959:167). They defect not because they are morally wicked but because the logics of the system constrain their behavior and hinder cooperation.

Due to the strength of relative-gains concerns, Realists—both pre- and post- Waltz—remain unconvinced that institutions play an independent role in international politics (Morgenthau 1948; Grieco 1988; Mearsheimer 1994). For Realists, cooperation is necessarily coerced and institutions are essentially epiphenomenal and a reflection of power politics. In his provocative article confronting liberal institutionalists, collective security theorists and critical theorists, John Mearsheimer states, "Realists maintain that institutions are basically a reflection of the distribution of power in the world. They are based on the self-interested calculations of the great power, and they have no independent effect on state behavior" (1994: 7). Because institutions have little bearing on state behavior, Mearsheimer contends, they also hold little promise for promoting international peace and security.

Scholarship on environmental scarcity, and particularly water as a zero-sum game, reflects Waltz's pessimism towards the potential for actors to use institutions to achieve cooperative over share resources³, following from the Hobbesian assertion that "if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, endeavor to destroy, or subdue one another" (1651: Part 1, Chap 13). Thomas Homer-Dixon (1994) maintains that environmental scarcity—to include the results of environmental change, population growth, and unequal social distribution of resources—is a major driver of conflict. Scarce resources polarize inter-group identities and cause increased economic hardship thereby increasing the likelihood of civil strife, breakdown of institutions, state oppression and state failure. Peter Gleick (1993) predicts that water resources will increasingly be leveraged both as a cause of and as a tool or target of war. Increasingly scarce water resources cannot be shared except through hegemonic practices when one power compels another to join a one-sided framework (Lowi 2005; Zeitoun and Warner 2006). These predictions of impending resource conflicts echo the bellicose statements of policy-makers themselves⁴, and reflect Realist thinking that stresses zero-sum calculations in driving state behavior toward conflict.

However, leaders' rhetoric notwithstanding, there is limited empirical evidence to suggest that states fight rather than cooperate over scarce resources and contested international geographies. In response to Realist skepticism towards international cooperation, Wendt retorts that "states follow most international law most of the time, and... war and security dilemmas are the exception rather than the rule" (1995: 76). Indeed, Aaron Wolf, who developed and coordinates a vast dataset at Oregon State University's Institute for Water and Watersheds, contends that the empirical evidence suggests the prevalence of water peace rather than water wars. Wolf emphasizes that the last war fought explicitly over water occurred 4,500 years ago between the Mesopotamian city-states of Lagash and Umma (Wolf 2007)⁵. Since 805 CE, states have concluded over 3,600 water related treaties, and of the 1,831 water-related international events in the last 50 years, two-thirds can be described as moments of cooperation (Wolf and Postel 2001). Historical evidence of cooperation over common water resources can be consistently

³ The notion that shared water breeds conflict has ancient roots; the etymology of the word 'rivals' comes from the Latin *rivalis* or 'one who uses the same stream' (Online Etymology Dictionary).

⁴ Anwar Sadat said in 1979 that "the only matter that could take Egypt to war again is water;" Boutros Boutros-Ghali similarly stated "the next war in our region will be over the waters of the Nile, not politics" (Gleick 1993: 68). Israeli Premier Levi Eshkol characterized water as "a question of life for Israel" and that "Israel would act to ensure that the waters continue to follow" (Lowi 2005: 125). Former World Bank Vice President Ismail Serageldin joined the fray by predicting in 1995 the "wars of the next century will be over water" (Katz 2011: 12). Even United Nations General Secretary Kofi Annan argued in 2000 that "fierce competition for fresh water may well become a source of conflict and wars in the future" (Postel and Wolf 2001).

⁵ Limited statistical work on the relationship between shared water and interstate conflict support the water wars hypothesis. The statistical correlations, however, can be problematic. Large-n studies of dyadic interstate conflict in recent years have found that sharing a river increases the probability of conflict between states (Toset, Gleditsch & Hegre 2000; Furlong, Gleditsch & Hegre 2006; Gleditsch, Furlong, Hegre, Lacina & Owen 2006). In a 2012 article, however, Marti Brochmann and Nils Petter Gleditsch point out that almost every dyadic pair of states that share a border also share at least one river. Hence, the positive relationship seen in statistical studies between shared rivers and conflict might be a continuity effect: wars are simply more common among states that share borders (Brochmann & Gleditsch 2012: 519).

found since in the Code of Ur-Nammu and the Hammurabi Code governing Mesopotamian city states (Michel et al. 2012). Realist theories fail to explain the empirical proliferation of international cooperation over scarce resources and international spaces.

The Functionalist Institutional Account

For liberals, international institutions are largely seen as tools to forge international cooperation despite anarchy. While liberals offer differing accounts of how international institutions might mitigate conflict, most liberal accounts treat the problem of cooperation as a rational question of devising rules of the road and increasing economic gains for all. International institutions—particularly strong, formal frameworks—assist actors in expanding and equitably sharing the basket of global goods, thereby reducing the likelihood of war.

In the early-20th century, liberal internationalists saw international organizations as a way to achieve and maintain international peace⁶. War was irrational; it brought death, destruction and economic breakdown. Even the winner is left with a devastated economy and hollow peace. Then, why did rational states pursue war? The problem, liberals argued, was systemic. Norman Angell (1909) famously contended that the key to the systemic problem of war did not rest in punishing bad individuals who started wars but in recognizing the need for systemic solutions in the form of international governance. Institutions establish global rules of the road so actors could avoid the misunderstandings and miscalculations that too often pushed them to war. For Zimmern (1933), institutions such as the League of Nations help eliminate the fear of war so actors can find “sensible ways of dealing with their own affairs” through communication and cooperation.

Inheriting earlier liberal focus on the potential of international institutions to forge cooperation, liberal institutionalists in the late 20th century continued to advocate for the expanded role of institutions in global politics. Despite a similar emphasis on the positive role of institutions, Robert Keohane’s seminal work distances itself from liberal internationalists by arguing that cooperation is not harmony. Rather, for Keohane and fellow institutionalists, cooperation is “mutual adjustment” in the presence of discord, and “without discord there would be no cooperation, only harmony” (1984: 12). Hence, for Keohane, cooperation and discord are not opposite, dichotomous states. International institutions, in reducing uncertainty and increasing information-sharing, allow actors to broker agreements despite anarchy and discord. Often using game theoretical models, neoliberal institutionalists have done much to analyze barriers to international cooperation and to identify institutional tools that could be used to overcome these

⁶ I recognize that applying the label liberal internationalists to the loose collection of early 20th century theorists can be problematic, particularly as E. H. Carr lumped them together as ‘utopian’ to serve his rhetorical purposes (Wilson 1998).

barriers (Oye 1986; Jervis 1999; Simmons 2002; Koremenos, Lipson and Snidal 2003). By reframing actors' perception of the benefits of cooperation, international institutions for the joint management of contested international spaces can reframe actors' preferences and alter the payoff matrix so that both sides gain absolutely through cooperation. Rather than waging war on each other, institutions help us tame international anarchy and maximize our rewards.

One such tool is issue linkage that pays particular attention to nested games (Aggarwal 1998; Pahre 2003). Case studies of contested international rivers such as the Amu Darya and the Syr Darya in the Aral Basin and the Tigris and Euphrates highlight the role side payments and issue linkages can play in forging cooperation (Elhance 1999; Allouche 2007; Dinar 2009). For example, Syria brokered an agreement with Turkey in the 1980s when water allocations issues along the Tigris and Euphrates was linked to Syrian support for Kurdish separatists. The 1987 *Protocol on Matters Pertaining to Economic Cooperation between the Republic of Turkey and the Syrian Arab Republic* guaranteed a minimum flow of 500 cm per second or 16 billion cubic meters per year from the Euphrates into Syria in exchange for concessions to limit the arms and narcotics trade crossing the border into Turkey (Dinar 2009; Elhance 1999). In Central Asia, fears that the breakup of the Soviet Union in the early 1990s would send the newly minted Central Asian states into conflict over water rights proved unwarranted (Elhance 1997). Side payments from Turkmenistan and Uzbekistan to Kyrgyzstan helped facilitated an agreement between Central Asian states over water use⁷.

With respect to the Jordan River example, Jeffrey Sosland (2007) analyzed the river basin from 1920 to 2006 to determine if progress over a functional concern such as water can benefit overall peace negotiations. He concluded that "there is great value to third party efforts that facilitate water cooperation and mitigate violent conflict related to water scarcity. In addition to improved water management and a resulting increased supply for participants, fostering water cooperation produces a limited political benefit by creating rules, building confidence, and reducing tension among adversaries" (Sosland 2007: 3). The argument does not suggest that the Israeli and Jordanian water experts met on the bank of the Yarmouk River, a tributary of the Jordan, and harmony immediately ensued. Many contentious issues—from dam construction to the removal of sand bars to access to springs and groundwater—divided and continue to divide the parties (Biswas et al. 1997; Medzini and Wolf 2004; Sosland 2007). However, Jordan, the less powerful state, was able to use issue-linkage and the United States as an outside guarantor to promote its interests. At the same time, process-linkage between water talks and peace talks

⁷ Turkmenistan and Uzbekistan are downstream states in the Aral Basin and use water mostly for irrigating cotton during dry summer months. Kyrgyzstan owns a hydroelectric power station upstream on the Syr Darya and must release water to generate power during the cold winter months. Kyrgyzstan reached a barter agreement with its downstream neighbors for Kyrgyzstan to guarantee the supply of water downstream during the summers. In exchange, other states would supply Kyrgyzstan with energy during the winter months (Elhance 1999; Allouche 2007).

allowed actors to build trust and understanding with their rivals (Sosland 2007: 93-140). Rivers have a long shadow into the future that guarantees repeated games; institutions built around rivers can ameliorate actors' fears of cheating and free riders (Keohane et al 1993; Dinar 2008).

However, in analyzing international institutions, liberal institutionalism assumes all actors agree on the object of cooperation or goal of mutual convergence and that actors instrumentally establish institutions to cooperatively manage and share in the same object, norm or goal. However, actors often arrive at negotiations with diverging conceptualizations of the object of cooperation whether it is an international river, the global oceans, or the climate. Indeed, the same can be said for differing understandings of the ideal goals of international 'peace' and 'security'. As Philippe Le Billon observed, "the creation of resources from the earth's natural endowment is a historical process of social construction. Resources are not; they become... whether or not nature is transformed into a resource is related to human desires, needs and practices" (2001). These differences may not be simply misunderstandings but fundamental disagreements about the world. Analyzing institutions as the solution to the functional question of what to do about a contested resource or norm elides deeper questions about meaning that shapes how actors approach the creation of international institutions.

Rethinking the Functionalist Assumption

Neoliberal institutionalists largely view international institutions as the solution to the problem of how rational, utility maximizing actors can engage in international cooperation. Hence, if actors could construct comprehensive enough global institutions with robust designs and strong enforcement mechanisms, cooperation would become the rule in international life. However, to only understand institutions as rationalist tools designed to achieve a functionalist goal misunderstands the reality of institutional politics.

In a reviewing recent works on international environmental institutions, Christopher Marcoux challenges the sub-discipline's functionalist assumptions, particularly as exemplified in Oran Young's *Institutional Dynamics* which investigates five patterns of change in international environmental institutions. To explain the five patterns—which are progressive development, punctuated equilibrium, arrested development, diversion and collapse—Young offers a menu of endogenous and exogenous factors that combine to create regime change (2010: 15). First, Marcoux claims that Young fails to explain how those factors arise and the mechanisms through which they bring institutional change. But more importantly, Marcoux contends that the basic problem "is not so much that [Young's analysis] consciously eschews contemporary political science; it is that it effectively eschews politics" (2011: 147).

In diagnosing why Young and other institutionalists have trouble explaining change, Marcoux argues that one hurdle is “acknowledging the excessive functionalism of much recent research” (2010: 147). Indeed, Paul Pierson (2004) and Steven Bernstein (2000) have voiced the same concerns about scholarship on institutions, particularly environmental institutions where scholars assume that cooperation maps directly onto progress toward a more environmental world order. Functional accounts, as Marcoux (2011) and Amy Quark (2015) observe, leave out the micro-level, historically contingent political contestations that shape when and how institutions are created. In addition, as Constructivists and Historical Sociologists have argued, functionalist accounts also leave out macro-level social processes that create the underlying conditions that make institutional creation and change possible. Indeed, these social forces shape how the object or goal of cooperation is understood thereby shaping institutional possibilities. The assumption that international institutions are rationally designed by actors to address cooperative gaps or to serve a specific practical purpose leaves out these other forces at work. After all, as Finnemore and Sikkink astutely highlight, “new norms never enter a normative vacuum but instead emerge in a highly contested normative space where they must compete with other norms and perceptions of interest” (1998, 897). The same can be said for institutions as each new institution is born into a tradition of past norms and antecedent institutions. They are also born into a contested political space.

Functionalist assumptions particularly pervade IR’s engagement with water politics. Kathryn Furlong charges that IR theory as applied to hydropolitics “routinely obfuscates many crucial factors” by focusing almost exclusively on conflict and cooperation, rationality and interests, and the creation and design of international organizations by state actors (2006: 438-9). Hidden within these analyses is implicit rationalist theorizing that not only inaccurately represent the world but can be oppressive. Institutionalists too often assume that cooperation and conflict are two separate, dichotomous outcomes and that cooperation between states is the desirable outcome. However, “conflict and cooperation can co-exist and be oscillatory,” and episodes of supposedly successful cooperation between states can result in inequality and violence against subgroups within states (Furlong 2006; Furlong 2008). Furlong describes the cooperative frameworks on the Mekong River in Southeast Asia and the Okavango Basin in Southern Africa as examples where successful cooperation between states is problematic for equitable distribution and sustainable development within states (Furlong 2006). Others have echoed Furlong’s contention that formal cooperative agreements can be oppressive by using empirical examples such as the Mekong River Commission and the Oslo agreement between Israel and Palestine (Sneddon and Fox 2006; Selby 2003).

This dissertation takes up Furlong’s challenge by exposing the history of rational, functionalist assumptions behind IR’s engagement with international institutions. Indeed, I argue that these

assumptions are imbedded in the foundation of the first formal international institutions created in the 19th century to manage international rivers. Constructivist theories, as will be discussed in the next chapter, emphasize the sociological and identity construction elements of international institutions, but many Constructivist accounts are based on unreflected functionalist and rationalist assumptions. I suggest these unreflected assumptions stem from two factors largely absent from IR analysis of international institutions. In the next section, I present these two factors that would add to IR's theorization of international institutions: history and geography.

Beyond Functionalism

International institutions are more than the sum of their physical and legal infrastructure—they are not simply a bouquet of rational instruments designed to induce cooperative behavior from utility maximizing actors. Such a conceptualization of institutions misses something about the nature of actors and the social worlds that make both actors and institutions possible. This section will examine two different ways of theorizing institutions that manage international resources such as transboundary rivers: historical institutionalism and critical geopolitics. These two groups of theories identify two important forces that influence the creation and evolution of international institutions: history and geography. Both theories look beyond pure rational choice models in an effort to explain why international institutions were created with certain designs and continue to operate with those designs despite inefficiency.

The Importance of History: Historical Institutionalism's Temporal Logics

In a groundbreaking 1984 article, March and Olsen launched a research agenda on the salience of institutions in understanding politics. This 'new institutionalism' focused on the autonomous role of institutions on political behavior and how inefficiencies in history shaped institutional design. In 1996, Hall and Taylor's classic work outlined and compared three competing schools of new institutionalism: historical, rational choice and sociological institutionalism. Since then, scholars in comparative politics have put forth other new institutionalisms including normative, empirical, feminist, discursive and constructivist institutionalism to name just a few (Hay 2010; Mackay, Kenny and Chappell 2010; Peters 2012). Of these myriad formulations, Orfeo Fioretos advocates for the increased application of historical institutionalism (HI) to IR. Indeed, Fioretos expresses surprise that scholars who struggle to understand how international institutions are created are not more engaged in HI, which emphasizes temporal dynamics such as founding moments, critical junctures, unintended consequences and incremental reforms (Fioretos 2011).

To maintain that historical progression has explanatory power is not to argue that history has agency or to commit to Hegelian determinism where history flows with intentionality. Rather,

temporal dynamics suggest that the flow of time is a structural fact that interacts with actors' efforts to establish institutions and construct international order. Time imposes certain logics—such as inflexibility once certain decisions are made—on international actors. Fioretos contrasts historical institutionalism with rational choice conceptions of institutions as outlined by Duncan Snidal (2002) and Mark Pollack (2006) and sociological traditions of institutionalism in the works of James March and Johan Olsen (1989), Alexander Wendt (1992) and Finnemore and Sikkink (2001). However, rather than sitting in contradiction to rational choice and social constructivism, historical institutionalism as a tradition offers a difference in emphasis in the study of institutional creation and evolution.

In analyzing international institutions, one force at work is that actors strive to achieve certain instrumental goals. Snidal describes rational choice as a “methodological approach that explains both individual and collective (social) outcomes in terms of *individual goal-seeking under constraints*” (2002: 74). The “goal-seeking individual,” Snidal argues, is not necessarily self-interested, power-seeking or materialistic. This individual, however, is instrumental and strategic in seeking to maximize a fixed set of preferences. Actors create institutions to benefit from the gains of cooperation, and once created, institutions become structural fixtures inherited from a previous game. Institutions as rules, norms and procedures frame and constrain the choices available to goal-seeking individuals and alter their behavior (Snidal 2002: 75; Hall and Taylor 1996: 943). Hence, rational choice does not deny the importance of constructed norms and identities, but brackets them as exogenous institutional forces from a previous game that constrain the rational actor. Pierson and Skocpol aptly pinpoint the strengths and weaknesses of rational choice in maintaining that in these theories, “politics ends up sliced and frozen into artificial moments on the slide of a powerful but tightly focused microscope” (2002: 710). To describe institutions as a bracketed variable sidelines questions about why and how some institutions and institutional designs rather than others arise and endure.

Historical institutionalism takes on this challenge to explain institutional continuity and change by placing time at the forefront of institutional creation and consolidation. Normative politics plays itself out within the confines of temporal logics, and past design, power relations and past normative structures interact with actors' preferences and policy choices in a sequential, path-dependent, incremental process of creation and change. To map these dynamics, HI engages two important explanatory tools: path-dependency and critical junctures. These concepts address two enduring puzzles in IR's engagement with institutions: why and how institutions endure and why and how they change.

Path-dependency concerns the question of continuity and predicts that actors take and continue on suboptimal paths even if actors realize later that the choice is not optimal. In a statistical

probability model, it is akin to picking a color ball from a jar, but every time a certain colored ball is picked, two balls of that color is returned to the jar thus increasing the chances that color will be picked in subsequent random selections (Arthur 1990; Crouch and Farrell 2004: 9). As Fioretos explains, history is inefficient. More rational, efficient ways of conducting business do not occur because choices made earlier in time bind actors to certain institutional outcomes. Fioretos offers the following definition:

Path dependence refers to a process in which the structure that prevails after a specific moment in time (often a critical juncture) shapes the subsequent trajectory in ways that make alternative institutional designs substantially less likely to triumph, including those that would be more efficient according to a standard expected utility model (2011, 376).

Path-dependency is a term that is sometimes criticized for its vagueness as the watered down and general sentiment that history matters and influences the future (Mahoney 2000: 507; Page 2006: 87). Scott Page lists a wide-ranging number of empirical studies purporting to illustrate path-dependency—from the selection of domestic institutions to the formation of laws to the choice of pest control strategies—and argues that the term covers four distinct mechanisms: increasing returns, self-reinforcement, positive feedbacks and lock-in effects (2006: 88). These mechanisms may have the same result—the endurance of an institution despite changes in the environment or the ‘stickiness’ of institutions—but differ in how they do so. Increasing returns and positive feedbacks refer to rewards for making a certain choice while self-reinforcement refers to forces or complementary institutions that encourage that choice (Page 2006: 88). Lock-in effects relate to the critical number of actors who must sign up to make the choice preferable thereby locking in all actors to a certain institutional framework once the initial decision is made. Paul Pierson points to learning, coordination and adaptive expectation as ways in which initial institutional choices perpetuate self-enforcement effects (2000). Mahoney makes the distinction between self-enforcing path-dependent sequences that trigger increased returns and reactive sequences where subsequent steps depend on previous ones (2000: 508). However, the fine-tuned nuances behind these theoretical distinctions are often difficult to differentiate in empirical instances—in most cases, several types of feedback and lock-in effects work together to produce path-dependency.

However, due to its emphasis on institutional continuity despite inefficiency, path-dependency is often criticized for its determinism and inability to explain change (Deeg 2001; Crouch and Farrell 2004; Thelen 2004). HI scholars highlight critical junctures as a concept that emphasizes change and demarcates points of departure for subsequent path-dependency. Capoccia and Kelemen’s often cited work describes a critical juncture as “a situation in which structural influences on political action are significantly relaxed for a relatively short period” (2007: 341, 343). During this short period, usually created by exogenous shocks such as a large-scale war,

dramatic change is possible as the menu of choices expands and consequences of micro-level decisions become magnified. Mahoney echoes this definition by identifying two elements of critical junctures: an increased range of institutional choices and the making of a choice that then has path-dependent effects (2000: 113). Antecedent macro-historical conditions matter as they shape actors' interests and identities and place structural constraints on possible decisions. Once a decision is made at a critical juncture, alternative possibilities are closed off. Mahoney argues that if a decision does not restrict potential outcomes, then the moment cannot be considered a critical juncture (2000: 113). At critical junctures, actors select between all possible equilibria, and historical institutionalism predicts that the outcome is not always the most efficient or optimal equilibrium.

Despite the power these temporal concepts have in explaining certain facets of international institutions, HI faces a number of unresolved challenges. Critics of critical junctures argue that the punctuated equilibrium model retrospectively divides history between artificial periods of stasis and dramatic change (Gorges 2001; Streeck and Thelen 2005; Lawson 2006). History, however, is much more complex, and mechanisms for change and continuity operate at the same time, constantly pushing and pulling at institutions from different directions. Hogan argues for thinking about change and stability as entangled rather than discrete where there is "continuity in periods of upheaval, and gradual change in periods of peace that eventually become major transformation" (2006: 659). IR's emphasis on using major wars to periodize history contributes to the illusion that change occurs decisively with moments of violent systemic upheaval, thus sidelining slower societal processes that forge the underlying momentum for change in times of apparent stasis. Short of dramatic new directions, layering, drift and conversion of institutional mechanisms over time can also produce incremental change (Thelen 2004; Streeck and Thelen 2005). Social forces for change may simmer with transformative potential during periods of stability, and outside shocks and internal crises as critical junctures may push those forces to the forefront. However, only analyzing periods following structural shocks misses the slower social transformations that shape actors and make institutional change possible. Focusing primarily on critical junctures elides these simmering social forces, and like rational choice models, bracket them as exogenous constants.

In addition, historical institutionalism adopts other rationalist assumptions about institutional creation. The puzzle that the analysis of path-dependency and critical junctures attempts to explain is why the most efficient and sensible institutional design is not always adopted. Most historical institutionalist answers stress the importance of unintended consequences, chance accidents, contingency and the cumulative weight of human agency (Mahoney 2000; Crouch and Farrell 2004; Page 2006; Morrison 2012). However, these answers assume 'optimal' and 'suboptimal' institutional paths can be objectively measured and compared across time and

space, thereby embracing rational assumptions about the functional role of international institutions as a tool to achieve an optimal cooperative outcome. If not for temporal dynamics barring the way, actors would choose objectively the best institutional frameworks. Hence, Capoccia and Kelemen argue that the best method for analyzing path-dependency and critical junctures is the use of counterfactuals combined with process-tracing to illuminate why other, more efficient potential equilibria were not adopted (2007: 343). However, counterfactuals are problematic in treating history as an experiment that could be repeated and predicted. Given the emphasis HI scholars place on unintended consequences with multiple knock-on effects centuries into the future, how can the ‘goodness’ or even the cumulative efficiency of an institutional outcome be objectively measured? Measuring from the present day backward introduces a present-ist bias that hints at a problematic teleology in this way of conceptualizing history.

A final group of critics argue that historical institutionalism explains too little. Hall and Taylor charge historical institutionalism with carelessness in pinpointing the exact relationship between institutions and behavior (1996: 950). Daniel Nexon takes Fioretos to task for his emphasis on micro-foundations rooted in prospect theory and behavioral psychology rather than engaging with midrange explanatory tools such as context, embeddedness and temporality (2012). In her work on the global cotton trade, Amy Quark contends that historical institutionalism’s lack of attention to power rivalries and situational power limits the theory’s explanatory capacity (2013: 9-11). In their call for more scholarship on constructivist and discursive institutionalism, Colin Hay and Vivian Schmidt criticize historical institutionalism for its inability to explain change, particularly HI’s lack of a convincing account of post-formative institutional change (Béland and Cox 2010). These critiques all maintain that historical institutionalism explains too little about how or why institutions change. If actors exhibit at times rational and at times normative or rule-following behavior—and past actions, material reality, power rivalries and collective normative understandings all constrain behavior—then what explains the creation of specific institutions at a given time and place?

Hence, historical institutionalism correctly highlights the importance of examining historical legacy and temporal dynamics in understanding international institutions. HI brilliantly grapples with the problem of institutional stickiness where sensible changes are difficult to implement because of the path-dependent effects of previous institutional decisions. However, HI largely leaves the rationalist assumptions of the rational choice institutional model untouched, focus too much on a punctuated equilibrium model that sidelines the development of social forces for change, and fails to explain why certain institutional changes occur and not others at critical junctures.

Beyond temporal dynamics, understanding international institutions governing international spaces requires an analysis of the object of contestation and cooperation—or the politics of geography. What is the relationship between international politics and transboundary physical geographies such as an international river, on oceans or in the polar regions?

Geopolitics as a way of thinking about the relationship between geography and state strategy emerged as an academic discipline amidst 19th century European imperial competition, with Halford Mackinder, Fredrich Ratzel and Alfred Thayer Mahan as its leading early theorists (Ó'Tuathail 1996; Mamadouh 1999: 120). These early thinkers combined imperial rivalries with strains of environmental and racial determinism (Dodds, Kuus and Sharp 2016: 3). Mahan, an American naval officer, argued that command over the seas—for commercial gain during peace and for strategic advantage during war—is essential for national power. He predicted that the world's great naval powers would always dominate international politics. British geographer Halford Mackinder's heartland theory maintained that whoever controls the Eurasia heartland commands global geostrategic power. Both theories translated into policy action for late-19th and early 20th century Western empires, spurring a naval race and competition for influence in Central Asia. German geographer Fredrich Ratzel argued that settled Aryans races developed state structures as a defense mechanism to protect themselves from the marauding nomadic tribes from the east. Later, Karl Haushofer would develop Ratzel's ideas as the intellectual framework behind Nazi Germany's *lebensraum* policies (Murphy 1997; Herwig 1999; Dodds, Kuus and Sharp 2016). Academic geopolitics' liaison with totalitarianism and Nazism tainted its credibility, but echoes of this traditional geopolitics still exist among military strategists and policymakers.

In the 1950s, Karl Wittfogel's theory of hydraulic and non-hydraulic civilizations took on the deterministic characteristics of traditional geopolitical analysis. Wittfogel contends that early civilizations came in two types: hydraulic and non-hydraulic civilizations (1956). Hydraulic civilizations, which were problematically labeled "oriental hydraulic despotisms", suffered from scarce and concentrated water resources. The nature of their water resources forced civilizations like China and Egypt to develop sophisticated mobilization mechanisms to rationally manage the resource. Therefore, these civilizations developed central despotic governments with efficient bureaucracies able to organize large-scale irrigation or waterworks projects—"hydro-bureaucracies" as Wittfogel called them. They could mobilize manpower quickly and efficiently. Non-hydraulic civilization such as Greece, Japan and early Europe depended on plentiful rainfall or widely available water sources and therefore did not need to develop such centralized and complex bureaucratic configurations. Hence, these civilizations adopted decentralized and fragmented governing structures with feudal or aristocratic rule.

In a recent example, Robert Kaplan, in an article and later book titled “Revenge of Geography,” advances a neo-Mackinderian hypothesis of geographic determinism that echo the works of Alfred Thayer Mahon, Nicholas Spykman, F. Brandel, and Thomas Malthus. He aligns geopolitics with Realists and contends that “of all the unsavory truths in which realism is rooted, the bluntest, most uncomfortable, and most deterministic of all is geography... against which humankind is powerless” (Kaplan 2009). Humans may believe they control their actions but it is geography that determines a nation’s characteristics, enemies and foreign policies. It is geography that inevitably pushes societies into conflict. Kaplan views Central Asia from Israel to North Korea as a claustrophobic powder keg crawling with missiles and paranoia, ready to explode over scarce natural resources. Buried in his argument, Kaplan does admit that liberal universalism is not dead and policymakers can act to stem the tide of destruction, but his main point is overwhelmingly clear: geography and scarcity will determine future human conflicts (Kaplan 2009; Kaplan 2012). Though extreme, Kaplan’s fatalistic view of geography’s effect on politics resonates with Realist theories of international politics (see for example Kissinger 1979; Brzezinski 1997; and Mearsheimer 2001).

Meanwhile, in the 1990s, a group of geographers rebelled against the problematic determinism in traditional geopolitics where external, objective geographic facts play a casual role in human conflict. Critical geopolitics, as elaborated by John Agnew, Gearóid Ó’Tuathail, Joanne Sharp and Simon Dalby among others, views geopolitical narratives of the physical world as tools of power to control space and populations. In Ó’Tuathail words, geographic knowledge is “not an innocent body of knowledge and learning but... an ensemble of technologies of power concerned with the governmental production and management of territorial space” (Ó’Tuathail 1996: 7). How societies view the geographic world determines the unspoken rules that govern international politics and the implicit structures that constrain international actors. As Dodds, Kuus and Sharp stress, “all international politics is also geopolitics as it necessarily involves geographical and spatial assumptions about people and places. These assumptions... form an integral part of how interests and identifies come into being” (2016: 7). This is a direct message to International Relations scholars to take heed of the geographic component of the international world they study.

One powerful way Europeans exerted control over geographic spaces was through the science of cartography. In studying cartography, Ó’Tuathail draws from Jacques Derrida and Ferdinand de Saussure to interpret maps largely as linguistic texts where “language is a phenomenon that charts and affixes objects in space, just like a map” (1994: 528). Both maps and language use patterns and spatial arrangements to render the world legible; both denote acts of power in their ability to impose order and understanding. Ó’Tuathail compares what he calls the “geopolitical gaze” to panorama freezes where the viewer purports to stand apart from and above the scene, suggesting an objective, scientific distance between the mapmaker and the unitary and stable

world she sees (1996: 29). This separates the knower from the object of knowledge. A map is a snapshot in time that is then frozen and accepted as timeless truth, and this veneer of scientific truth hides underlying power relations. Other critical geographers have echoed Ó'Tuathail's contention that geographic knowledge does not represent objective and neutral facts about the physical world, but are highly politicized lenses through which to see the world (Dalby 1990 & 1998; Dodds 2000; Sharpe 2013). Rather than accept these geographic 'truths' at face value, critical geographers investigate how these supposed truths are produced.

Despite the force of Ó'Tuathail analysis in destabilizing assumptions that underline traditional geopolitics, other critical geographers such as John Agnew and Julien Mercille have questioned Ó'Tuathail's and other critical scholars' overreliance on geopolitics as discursive texts. Agnew argues that this "obsession with the word" limits critical geopolitical analysis because "words can mask as much as they informed," and political action does not always depend on knowledge or texts (2001: 10-11)⁸. In addition, Agnew highlights that a focus on geopolitical texts limits critical analysis to geographic productions since the turn of the 20th century when geopolitical thinkers such as Mackinder began to develop their holistic views of the globe rather than the *long durée* through which geographic knowledge has been constructed albeit not explicitly in the form of texts. Further, Mercille identifies a "'double blind' problem" (a problem Ó'Tuathail acknowledges) that critical scholars who attempt to question all geographic knowledge "exclude their own critical claims from this assertion" (2008: 502). Thus in painting all geopolitical analysis as purely discourses, these scholars lose the critical force of their own arguments.

Instead of focusing solely on texts and discourse, both Agnew and Mercille suggest a middle ground that takes into account both discourses and geographic realities themselves, as imperfect as our knowledge of them might be. Agnew proposes viewing geographic knowledge as the "negotiated outcome of social interactions between reasoning actors who bring to bear different material and discursive resources" (2001: 4). He accepts that all knowing is partial and depends on our imperfect sensory experiences as well as discourses. Similarly, Mercille's examination of the perceived bomber gap in the 1950s maintains that "we can, and should, make claims about the real world as we see it, while recognizing that such claims are always fallible and subject to revision" (2008: 503). Hence, combining our experience of material and ideational worlds in an effort to analyze reality is flawed; but it also reflects how human society has always interacted with its environment—as a flawed set of misinterpretations that then becomes social truths that in turn leave marks in the environment.

⁸ For example, geographic practices are another way in which society engages with the physical world. Agnew suggests that this likely stems from Ó'Tuathail's attempts to fuse Foucault and Derrida.

Critical geography has done much to dispel the myth that geographic knowledge, with all its scientific and technical trappings, represents objective and unchanging truths about the physical world, and that the scholar or scientist stands apart as an impartial judge of the object of study. IR scholarship of international institutions managing transboundary spaces would benefit from this theoretical insight. However, debates within critical geopolitics highlight the ontological and epistemological pitfalls behind scholarly attempts to analyze the physical world. The path this dissertation embraces, as the next chapter explains, is to conceptualize the social and physical worlds not as separate spheres of inquiry but as enmeshed and co-implicated through a history of mutual constitution. Therefore, understanding how geographic knowledge came to shape the creation of international institutions requires a deeper analysis of sociological forces as it engages with both history and geography. The social and the political cannot be studied as analytical concepts that stand apart from the physical world.

Conclusion

The rise of international institutions as tools to manage cooperation has generated much scholarly debate about their role and efficacy in fostering international peace and security. As this chapter outlined, IR scholars disagree about what international institutions do, with Realists condemning institutions as largely epiphenomenal while Liberal Institutionalists and many Constructivists upholding them as essential tools for advancing international cooperation. However, these institutionalist analyses often adopt unquestioned functionalist and rationalist assumptions about institutions as a technocratic instrument for calculating and calibrating how to best to collectively benefit from shared economic resources. The second half of the chapter highlighted two factors that are largely missing from IR's analyses of international institutions that can help expose IR's functionalist assumptions: history and geography. I outline two bodies of scholarship, historical institutionalism and critical geography, which engage with these two factors in framing and shaping the way we perceive the object or goal of cooperation. In the next chapter, I will combine these factors and suggest a way of conceptualizing and theorizing international institutions sensitive to the co-implication of history, geography and politics in institutional creation and change.

Ultimately, this dissertation highlights two aspects of international cooperation left unexplored and unexplained by functionalist analyses of international institutions that view them only as an instrument to certain ends. First, the dissertation examines underlying macro-ideational constructions of the object of international cooperation—in this argument, the river—as the permissive social and intellectual condition underpinning institutional creation. Second, the dissertation examines the interplay of historical contingency and power politics that shape the unique contours of each specific international body.

Assume five hungry hunters wait in the woods to shoot a stag when an unassuming hare hops along. Does each individual shoot the hare which will only feed one of them or wait for the stag which will feed all of them? Part of the calculation here might be the hunger in their bellies and their distrust of the others as Waltz suggests. This is partly problematic because, as Ruggie suggests, these individuals come from somewhere and will go off to somewhere—they do not exist in a de-socialized space with no past or future (1998: 2). However, this conception of international cooperation is also problematic because underlying the entire parable is the construction of the hare and the stag as economic goods to be divided up or hoarded by the hunters. But what if the hunters saw the stag differently? What if, as some Greeks did, the stag is Actaeon turned into a stag as punishment for looking upon the goddess Artemis? Or what if, as some Chinese did, the hare is recognized as the white moon rabbit who can lead us to the elixir of immortality? What if it is a cow rather than a stag and the hunters are devout Hindus? What if our understanding of the stag and hare as economic resources to be hoarded and consumed is balanced with a realization they are valuable ecosystem stabilizers to be protected? These divergent meanings of the object of cooperation are intimately connected to the social world that the hunters come from and will go back to but also flesh out assumptions about their worldviews that impact their decision. Hence, to understand the actions of these hunters in the woods, we would first have to understand the social forces that shape their society as well as the contingent interpersonal politics that animate their relationship with one another. The remainder of this dissertation proposes to do just that by uncovering the meaning behind each river, the interaction between the actors, and how both shaped the creation and evolution of the international institution to manage transboundary rivers.

Chapter 2:

History, International Institutions, and Constructing the International in the 19th Century

Rivers are roads that move and carry us whither we wish to go. – Blaise Pascal, *Pensées* (1669)

Historie without Geographie like a dead carkasse hath neither life nor motion all. – Peter Heylyn (1652)

In his 1946 book *Scientific Man vs. Power Politics*, Hans Morgenthau presents a puzzle of 20th century intellectual life: “We think in terms of the outgoing eighteenth century and live in terms of the mid-twentieth century.” This intellectual bent, he argues, upholds two principles based on rationalist assumptions: that the social and physical world can be understood through the same rational processes; and understanding these processes will allow us to exercise rational control over the social and physical world. Furthermore, Morgenthau contends that this faith in science and progress—as maintained by liberal and neoliberals⁹—neglects man’s biological and spiritual dimensions, and “perverts the natural sciences into an instrument of social salvation for which neither their own nature nor the nature of the social world fits them”. This abiding faith in science to solve all our problems, a relic of the late-18th century, has continued to shape our political outlook even when “conditions of life... have undergone the most profound changes in recorded history” (Morgenthau 1946: 3-5). The proliferation of functional international bodies since Morgenthau’s words seems to confirm and extend his assessment. Late-18th century intellectual proclivities continue to shape international politics in the 21st century.

Despite coming from a different intellectual tradition, Timothy Mitchell interestingly begins his book on techno-politics in Egypt in a similar manner: “We have entered the twenty-first century still divided by a way of thinking inherited from the nineteenth” (2002: 1). For the 19th century mind-set, the progressive force of human reason, rather than divine will or a natural balance, became the driving force behind historical development. Mitchell goes on to explain that:

This moment of history could be ascribed to the growing technical control that reason acquired over the natural and social world, to the power of reason to expand the scope of human freedom, or to the economic forms that were said to flow from the spread of rational calculations and freedom (2002:1).

One outcome of this historical moment is the division of the world—the social from nature, the economic and technical from politics, reason from the real world and ideas from their objects. The same rational, technocratic logic then is applied across these divisions. Despite increasing evidence of deviations from this modernist assumption, we continue to make abstract rationalist arguments about the interconnected social and natural world. Faith in human rationality to forge a better world takes on an emancipatory, activist view of society’s engagement in the natural world. Even as we advance into the 21st century, Mitchell maintains, we remain “captives of nineteenth-century thought” (2002:2).

⁹ The same argument is later made by social constructivists in IR against the rationalist assumptions of both neoliberals and neorealists—see for example, Reus-Smit 2002 and Barnett 2002.

In these opening lines, both Morgenthau and Mitchell identify the problem of ideological path-dependency. Morgenthau goes on to focus his considerable rhetorical prowess on unpacking the liberal fallacy and attacking the notion that science and reason can solve the problem of war. Mitchell asserts this way of thinking became imbedded in knowledge creation through academic disciplines—particularly that of economics. But how precisely in the late-18th and 19th century did rationalist faith in science as a progressive and emancipatory enterprise become imbedded in our approach to international relations? This dissertation suggests that this notion of scientific progress was the intellectual groundwork behind the first interstate organizations created in the 19th century—the permissive condition that made these organizations possible. Once imbedded in institutions, this ideational framework took on path-dependent qualities.

Applying historical institutionalist logics, I propose that constitutive worldviews are not merely switches between path-dependent institutional designs¹⁰ (Weber 1946) but that ideas themselves have path-dependent qualities that bind actors to certain epistemic framings of the world¹¹. Once imbedded in accepted institutional frameworks, these ideas took on constitutive force and exhibited path-dependent qualities that bound actors in subsequent iterations of the diplomatic game. Unlike historical institutionalist analysis that demonstrate path-dependency by measuring the inefficiencies of past institutional designs, this dissertation traces the ideational model of the river institutions through three 19th century diplomatic conferences to show how ideas about the previous institutions shape the creation of subsequent institutions. Once the rationalist tenets of river cooperation as a vehicle for free trade were imbedded in institutions, they were evoked again and again as generalizable models across time and space. In addition, the spread of this faith in scientific progress cannot be separated from European expansion in the 19th century as the project to rationalize nature and space took on imperial dimensions. However, the effects of ideational path-dependency are not straightforward. As this dissertation will illustrate in detail, ideas about rationalizing the river only formed the permissive conditions behind the creation of these institutions—the actual particulars depended also on contingent political and geographic context.

This chapter lays out the analytical framework. The first section sets out the dissertation's general constructivist framework as it engages the mutual constitution of entangled social and

¹⁰ Weber famously compared ideas to switchmen at the tracks: "Not ideas, but material and ideal interests, directly govern men [and women's] conduct. Yet very frequently the "world images" that have been created by "ideas" have, like switchmen, determined the tracks along which action has been pushed by the dynamics of interest."

¹¹ Judith Goldstein and Robert Keohane point to this notion of ideational path-dependency: "the interests that promoted some statute may fade over time while the ideas encased in that statute nevertheless continue to influence politics. Thus at a later time, these institutionalized ideas continue to exert an effect: it is no longer possible to understand policy outcome on the basis of contemporary configurations of interest and power alone" (1993: 21). However, the ideas discussed here refer to particular constructions or epistemic framings of the world rather than the thin ideas referred to here.

physical worlds through history. The second examines the rationalist conviction that science will allow society to control nature to advance human progress, or what James C. Scott terms the high modernist ideology. This conviction manifests itself in the drive to tame and rationalize nature—to include human nature—and takes on imperialist logics as the conviction is generalized across space to bring rational, civilizing order to the global periphery. The analytical task this dissertation seeks to accomplish, then, is to demonstrate that this rationalist ethos laid the intellectual groundwork for the first interstate institutions established in the 19th century as a technical and scientific method for taming the transboundary rivers.

The final section outlines the dissertation's critical project by questioning generalizability in two ways. First, while it is easy to retrospectively apply a linearity to the increase in and consolidation of the use of commissions as an international tool for taming the river in the 19th century, the creation of each commission should be studied as a different historical event. The drive to tame the wild and dangerous river created the permissive conditions that allowed for the creation of the first institutions, but the actual creation of each institution depended on a unique alchemy of ideas, geopolitical expediency and contingency that defies parsimonious and generalizable modelling. Ultimately, all rivers are qualitatively different— not only because of each river's unique hydrological characteristics but because the social construction of each river has imbued the river with different meanings. Second, this dissertation critically examines 19th century actors' own faith in technical expertise and generalizable models. These problematic assumptions had dire consequences. The actors' conviction that institutional models established on the Rhine River in the early-19th century could be readily applied to the Congo in the late-19th century resulted in a power vacuum in the Congo expertly exploited by King Leopold II of Belgium. Both these acts of generalization can also be seen as acts of erasure—of both the local history of the specific river in question and the contingent European history that created the models in the first place.

Constructing the International River – History, Nature and Society

As the last chapter contended, what is missing from IR scholarship on international institutions is serious engagement with two important, interrelated ingredients: geography and history. One promising avenue for both is the social constructivist agenda with its emphasis on second-order questions and its focus on the co-constitution of material and social realities. Constructivism, according to Michael Barnett, is “less a theory with well-developed hypotheses than it is a bundle of social theoretical commitments and concerns” (2002: 101). The core of these commitments, as laid out by Stefano Guzzini (2000: 149) and echoed by others (Adler 2002; Pouliot 2007), is the meta-theoretical contention that both knowledge and reality are socially constructed, and that the socially constructive knowledge and reality are also mutually

constitutive. As Vincent Pouliot summarizes, this is an ontological claim about the nature of reality, an epistemic claim about the nature of knowledge and a reflexive claim about the interrelationship between the two (2007: 361). Hence, contra rationalist and materialist theories, constructivists emphasize “difference across context rather than a single objective reality” (Fierke 2013 [2007]: 189).

Constructivist commitment to understanding mutually constitutive processes—the second order effects of how norms and interests came about or the “how possible” question (Howard 2004)—necessitates a historical orientation. As Alexander Wendt puts it, “History matters. Security dilemmas are not acts of God: they are effects of practice” (1995: 77). Emmanuel Adler argues that history is ‘built in’ to constructivist theorizing, and “historicity, therefore, shows up as part of the contexts that make possible social reality” (2002: 102). Indeed, constructivist scholarship has focused on historicising core IR assumptions such as the centrality of state actors and the inviolability of state sovereignty (Ruggie 1993; Keck and Sikkink 1998; Reus-Smit 2001). But, as Barnett admits, constructivists “have been less attentive to historiographical issues than they probably should be” (2002: 101). In harsher tones, Benno Teschke charges that constructivism, particularly as presented in John Ruggie’s account of the formation of the modern international system, depoliticizes and de-socializes history and “falls short on its own Constructivist terms” (2003: 28). However, these shortcomings center on execution rather than social constructivist commitment to the centrality of in-depth historical study in understanding processes of mutual constitution. This dissertation adopts a broadly constructivist meta-theoretical orientation, but focuses on historicizing international institutions and by extension the ‘international’ spaces they were first established to govern them, without depoliticizing and de-socializing them. Indeed, power plays a pivotal role in the empirical story here¹².

In addition to a focus on history, a constructivist meta-theoretical framework invites scholars to analyse the reflective co-constitution of the social and material, of human knowledge and the physical environment. In Emmanuel Adler’s formulation of constructionism, he borrows from Stephan Fuchs (1992) to describe constructivists as mediativists where “social reality emerges from the attachment of meaning and functions to physical objectives; collective understandings, such as norms, endow physical objects with purpose and therefore help constitute reality” (1997: 324). Therefore, constructivism is “the view that the manner in which the material world shapes and is shaped by human action and interaction depends on dynamics normative and epistemic interpretations of the material world” (1997: 322). Following from this, international

¹² By power, this dissertation does not uphold the realist understanding of international power as only the use of material capabilities to compel other states to do its will but also integrates Luke’s second dimension of power as operationalized through agenda setting practices (Luke 1974) and Barnett and Duvall’s view of power as “production, in and through social relations, of effects that shape the capacities of actors to determine their circumstances and fate” (2005: 42).

reality is constituted of two analytically separate things: the physical objects—such as the river which flows from source to ocean—and collective understandings—our ideas about what the river should do and therefore what it means. However, in reality, the physical does not exist independent of collective understandings, or vice versa. Both are intertwined and co-constituted; neither can be understood without the other. Hence, there is not a pure, untouched natural world; what we consider ‘nature’ is necessarily the product of this mutual constitution.

To be clear, this constructivist orientation does not, as Timothy Mitchell worries, leave “the world itself intact” (2002: 4). It does not view social constructions as merely figments of the social imagination, a representation or set of worldviews separate from the real world. There is no Cartesian divide between the mind and reality. Instead, this view embraces the constructivist commitment to reflexivity between socially constituted knowledge and a socially constituted material reality—a tangled set of imbedded social and material dynamics that shape the contours of our messy world. Processes of co-constitution are also nonlinear and multi-causal; they do not represent a grand narrative progression towards a decisive historical moment.

Nineteenth century Romantics floating down the Rhine may gaze up at the imposing cliffs and wax poetic about ‘natural’ beauty, but local communities have actively shaped the river since Neolithic times. As early as the 18th century, Count George Buffon stressed the impact society has on the physical environment: “the state in which we see nature today is as much our work as it is hers. We have learned to temper her, to modify her, to fit her to our needs and our desires” (quoted in Ferkiss 1993: 56). Simon Schama puts it another way. Even depictions of untouched nature—such as photographs by Ansel Adams and paintings by Albert Bierstadt—are socially constructed. “The very act of identifying (not to mention photographing) the places presupposes our presence, and along with us all the heavy cultural backpacks that we lug with us on the trail” (1995: 7). The converse, however, is equally true. Social identities are shaped by material forces to include the natural environment. Environmental historian Peter Coates’ book detailing the history of six rivers begins with the provocation that he intends to write about what rivers do to societies, a nod to new materialist thinking¹³ that perceives the river as not merely an object of a human story but as subjects and agent that acts upon societies (2013: 26-7). Mostly, our notion of the river’s agency is disruptive or destructive as we envision raging floods washing away cities and agricultural crops. However, as Victor Hugo reminds us, the river brings ideas as well as merchandise. Hence, society is constantly transformed by the migration of peoples and ideas, the directionality of which is shaped by the hydrology of the river. Kinshasa emerged as a prosperous trading post long before the 19th century due to its position at the head of a

¹³ New materialism rejects the anthropocentric notion that matter is dead until animated by human beings. It challenges the idea that matter can only be the object—a structural fixture that “can act only negatively, as a constraint on human agency, or passively, as an enabling background or context for it” (Bennett 2010: 29). Rather, new materialists view matter as lively, dynamic and self-organizing.

series of Congo River cataracts that made this inland city rather than a coastal city the beginning of Congo River trade. If the two are so intimately intertwined, how does the scholar access the reality of the river? The epistemic move here is to turn to history.

As environmental historians such as Peter Coates have argued, the construction of social reality is necessarily a historical process. As historian David Blackbourn maintains, “What we call landscapes are neither natural nor innocent; they are human constructs. How and why they were constructed (many would say ‘imagined’, even ‘invented’) belongs to the stuff of history” (2006: 15). In other words, a deep engagement with historical processes denatures the binary between the physical and social worlds. For Blackbourn, history tells a story of co-constitution and mutual implication between society and nature—a story replete with interlinked spirals of unintended consequences that shape both the riverbed and social norms. He dismisses attempts to isolate unintended consequences as an analytical puzzle. “All history,” Blackbourn maintains, “is the history of unintended consequences” (2008: 12). He also dismisses those who maintain that society either fights wars against one another or wages wars to conquer nature—violence against mankind and nature are co-implicated in theory and in practice. Draining the Prussian swamps helped Frederick the Great hunt down army deserters who hid there—a model adopted by Saddam Hussein in the 20th century when he drained the Mesopotamian swamps between the Tigris and Euphrates in order to deny rebels a place to shelter. Attempts to reorder nature are almost always attempts to reorder society. The same can be said for attempts to rationalize and domesticate untamed nature. These schemes are almost always attempts to rationalize the unruly elements of human society.

Put in a different way, William Cronon, in introducing Mark Cioc’s book on the Rhine River (2002), outlines role of the environment historian:

Against those who write as if history can be understood purely in human terms, they [environmental historians] point to the nonhuman creatures and systems that provide the material context for human lives and often play crucial roles in changing the course of human events. Against those who write of nature as if humans have no place in it, or who view history primarily in biological terms, they point to the importance of human ideas and human cultural conventions not just in reshaping natural systems, but in providing the very language and concepts with which we understand those system (x).

In this articulation of the historian’s task, she is the chronicler of the mutual constitution of both human society and the material context, explaining how neither is a standalone analytical unit or agent and how dynamics of global change leaves neither unchanged. IR scholars interested in social constructions do well to heed these remonstrations in their efforts to understanding the development of international theories and practices, so that in their enthusiasm to prove that ideas matter, the material that shapes and are shaped by ideas are not left out. What IR can bring

is the sense that this enmeshed history of co-constitution between society and the physical world leaves powerful marks that have very real implications for today's international politics.

In a short piece about the physical evidence that war leaves on the ground, Tarak Barkawi sums up the argument nicely. He discusses Angus Boulton's photography of the Cold War legacy still left on the environment surrounding Berlin—a grounded sense of international relations that is so often absent from scholarly discussions of theories and concepts. On the battlefield, theory collides with practice as abstract strategic doctrines such as deterrence and containment are actualized in soldiers' everyday engagement with the environment. "So it is that in war, as in other dimensions of international relations," Barkawi writes, "theory and practice remake the world and leave traces on the ground" (2009). He could have continued to say that the ground also leaves traces on international theories and practices. Those who interpret the remains of fortifications and the slopes of forgotten trenches can garner insight into the interplay of theory and practice in warfare and the conduct of international politics. The same can be said for those who interpret a straightened oxbow or reinforced riverbanks. The physical characteristics of every river have been remade by human societies and their theories of how best to tame and utilize nature. But human efforts are also shaped by nonhuman forces that inform our collective understandings. Broader intellectual ideas about our relationship with the natural world, then, constrained and enabled the scientific and diplomatic practice of river management exemplified in the 19th century. Theory and history come together in the angles and curves of the river—and written in the river's outlines are the social realities that mediate the link between society and nature.

Green International Political Theory

One emerging framework for considering the interrelationship between the physical world and the social in international politics is green political theory. In their edited volume of IR theories, Tim Dunne, Milja Kurki and Steve Smith have included green political theory as an avenue for addressing environmental concerns in IR. The focus emerged in the 1970s in political theory but the intellectual roots of green theory harkens back to the 17th century (Grove 1995) and its philosophical sensibilities traced back to Jean Jacques Rousseau's theories of the state of nature in the 18th century. These theorists are "generally critical, problem-oriented, interdisciplinary, and above all unapologetic about their explicit normative orientation" (Eckersley 2013: 274). The two wings of green IR theory—the IPE and normative—are bound by a normative bent against anthropocentrism and a commitment to ecology, defined by Terrance Ball as "an outlook or orientation that stresses interdependence ...and interconnectedness" (2003: 535). This sensibility often leads green theorists to new materialism's conviction that the environment and its non-human components have political rights and agency (see for example Goodin,

Pateman and Pateman 1997; Bennet 2010; Youatt 2014), and also allows green IPE theorists to uphold the independent role the environment has in creating value (Goodin 1992: 8).

According to Robyn Eckersley, green IR theorists pose four main challenges to rationalism and mainstream IR. In addition to confronting rationalist approaches and stressing the role of non-state actors, they also highlight the social and structural forces that block environment negotiations and work to reveal the problematic assumptions that lay hidden in neorealist and neoliberal analysis of the global environmental issues (2013). While the plurality of green IR theory focuses its critical lens on present day environmental challenges, this last challenge to unearth problematic assumptions in mainstream IR analysis of the environment requires a historical outlook. If green IR theory aims to understand how the Enlightenment conviction that nature should serve human ends—which led to “the use and abuse of scientific knowledge and technology” (Ball 2003: 541)—became imbedded in global environmental frameworks, we must bring history into our analysis. One overarching aim of this dissertation is to use history to unmask the problematic assumptions implicit in neorealist and neoliberal models which upholds the anthropocentric assumption that nature should be rationalized and tamed for human use and the betterment of human society.

Having outlined the general orientation of the dissertation with a commitment to analyze the co-constitution of history, nature and society, the next two sections will present two interrelated arguments. First, I will chart how certain ideas about society’s relationship with nature came to ascendance in the late-18th and 19th centuries to become imbedded in emerging notions of the transnational and international. Second, I will highlight issues of ahistoricism in international relations and argue for history as a critical project that challenges the stability of our concepts and the linearity of our ideas of development.

Intellectual Groundwork: High Modernity and the Rationalization of Nature

In James C Scott’s seminal work *Seeing Like a State*, he proposes that the central objective of the modern bureaucratic state is to impose legibility—through administrative standardization and simplification—on illogical nature and society so they might be more easily profited from and controlled. These rationalizing projects were designed to transform complex, local social practices into something more comprehensible to the state and therefore governable. However, these projects invariably failed. Scott argues that four elements contributed to failure: schematic and uniform order of nature and society; high modernity ideology that elevated scientific and technical progress; an authoritarian state to carry out the project; and a prostrate or weak civil society that offered little resistance (1998: 4). This dissertation analyzes one such rationalizing project—the international effort to govern transboundary rivers in the 19th century by imposing

legibility on the river as a natural, untamed space. Hence, I reexamine Scott's argument on the international level where no strong, bureaucratic state has the ability to impose administrative simplification on transboundary nature. In the absence of a global Leviathan, can rationalization projects be just as transformative and precarious as in Scott's examples? I argue that it can, and in doing so, I focus on Scott's high modernist ideology as the driving permissive condition behind the creation and implementation of the first interstate organizations.

Scott defines high modernity ideology as a "strong...version of the beliefs in scientific and technical progress that were associated with industrialization" in the Western world in the 19th century—and "a sweeping vision of how the benefit of technical and scientific progress might be applied" to rationalize and control nature and all human activities (1998: 89-90). This faith centers on a linear sense of inevitable progress to expand production, generate social order, and satisfy human needs. In this argument, nature and human society are indistinguishable; both are perceived as problematically untamed and therefore should be transformed into more rational and legible configurations. Scott traces high modernism back to the Enlightenment notion of the perfectibility of mankind and its ability to intervene in nature (1998: 93). Enlightenment confidence in science's ability to control and order nature spurred us to discover technocratic solutions to nature's thorny problems, and by the 19th century, had become a faith in scientific and technical solutions to correct society's deviances.

Rationality and Morality in 19th century European Thought

The high modernist ideology was not simply a faith that rational science can order the universe, but also held the conviction that the rational sciences led to progress and human emancipation. Hence, arising from Enlightenment ideas of society's progressive trajectory, the drive to tame irrational nature became a moral imperative.

The Enlightenment refers to a period in European intellectual history roughly from the mid-17th century to the turn of the 19th century when prominent thinkers embraced a notion that through rationality, human society can progress toward emancipation¹⁴. The Scientific Revolution which emerged alongside the Enlightenment underscored the optimism that through reasoning, society can conquer nature and therefore improve itself. Coined in 1597, Francis Bacon's famous line declaring knowledge is power contended that human society should use scientific knowledge to uncover nature's secrets and bend nature to human will. To do so, Bacon wrote, was not "for pleasure of mind, or for contention, or for superiority of others, or for profit, or fame, or power,

¹⁴ As with all intellectual movements, it would be wrong to view Enlightenment thinking as a single homogenous strand—differences include national variations, views of the divine and a split between moderate and radical strains, which eventually culminated in the intellectual dissonance of the French Revolution (Israel 2010). Here, I attempt to describe an Enlightenment ethos that makes a specific argument about society's relationship with nature.

or any of those inferior things; but for the benefit and use of life” (quoted in Ferkiss 1993: 34). Early in the modern period, Bacon already articulated the high modernist outlook—that science could and should be leveraged to better society. Philosopher Baron d’Holbach also sums up Enlightenment faith in science to bring human progress when he wrote in 1779 that “if error and ignorance have forged the chains which bind people in oppression, if it is prejudice which perpetuates those chains, science, reason and truth will one day be able to break them” (quoted in Israel 2010: 36). Further, following from this intellectual outlook, society stood as the agent while nature served humanity. Mathematician Blaise Pascal’s 1669 quote about rivers reveals the place of nature in the Enlightenment universe—society stood at the center and nature was conceptualized as a servant of society, taking us where we wish to go.

Despite the emergence of Romanticism in the late 18th century, the influence of Enlightenment thought on society’s views of nature did not disappear. In his book *The Age of Wonder*, Richard Holmes outlines the brief historical moment at the turn of the 19th century when scientific and romantic sensibilities joined forces. In 1819, Samuel Taylor Coleridge termed this period as the “second scientific revolution,” which Holmes situates between James Cook’s 1768 voyage and Charles Darwin’s 1831 expedition. Other historians have detailed this second surge of European scientific progress that combined with Romanticism to construct a narrative of human progress (Watson 2010; Bellone 1980). Holmes describes this intellectual mindset:

The notion of an infinite, mysterious Nature, waiting to be discovered or seduced into revealing all her secrets, was widely held. Scientific instruments played an increasingly important role in this process of revelation, allowing man not merely to extend his senses passively... but to intervene actively” (2008: xviii).

Hence, society not only held the key to understanding nature’s secrets but possessed the tools to reconfigure nature—a switch from mere scientific curiosity to proactive interference through the use of technology, and what Ian Hacking (2002) termed the laboratory style of reasoning¹⁵. In addition, Holmes argues that this period saw the advent of the notion that science should be disinterested and democratized with an “emphasis on a secular, humanist (even atheist) body of knowledge, dedicated to the ‘benefit of all mankind’” (2008: xviii). Here is highlighted the idea that science should be wielded as a tool for human progress for all. It was also during this period that the first permanent interstate organization on the Rhine River was established in 1815. Both these ideas—that society can intervene actively in nature and that knowledge should be directed to the benefit of all—are reflected in James C. Scott’s high modernism and provided the intellectual groundwork behind the creation of 19th century international river commissions discussed in this dissertation.

¹⁵This is the idea that society does not only observe nature but intervenes in it—which Ian Hacking contends emerged four centuries ago to become “the most powerful style of reasoning” (2002b: 3).

Additionally, in the 18th and 19th centuries, the Enlightenment desire to rationalize and therefore improve social order extended particularly to arguments that highlighted the moral progress that came with free trade. Adam Smith in the *Wealth of Nations* argues that free trade does not only enrich individuals but the nation as a whole by increasing industriousness and land cultivation. Further, he maintained that “commerce and manufactures gradually introduced order and good government, and with them, the liberty and security of individuals, among the inhabitants of the country” (1904[1776]: Chapter IV). Hence, free trade was desirable not only in creating wealth but in improving the order of nature and society—the two ideas were inextricably interlinked. Again, in the mid-19th century, Richard Cobden affirmed the twined nature of free economic trade and moral progress. In his arguments for the repeal of the Corn Laws, Cobden argued that not only is free exchange the inalienable right of every man, but will improve the world:

Free trade principle... shall act on the moral world as the principle of gravitation in the universe—drawing men together, thrusting aside the antagonism of race, and creed and language, and uniting us in the bonds of eternal peace (Cobden 1846).

For liberal such as Cobden, free trade brought national wealth and international cooperation and peace. It advanced not only economic development but the moral character of society—taming not only human nature but also the deadly antagonisms of unchecked international politics. As Pascale reminds us, first and foremost, the river is a road. Free trade depends on rationalized and efficient highways to take our goods and ideas to the international market. Hence, the Enlightenment faith in scientific progress underpinned a certain way of seeing the river as an economic object. This way of seeing was imbedded in the first international commissions of the 19th century to rationalize the untamed river and render it conducive to commerce.

The Imperial Gardening Impulse

Echoing Scott’s high modernist ideology, other scholars have contended that imbedded in 19th century European intellectual currents was a strong compulsion to rationalize and control the untamed natural world to include human nature—an impulse to domesticate the wilderness and weed out unruly elements. This impulse did not stop at national borders. Rather, it naturalized a certain way of conceptualizing and ordering nature that expanded across geographic space—and therefore expressed a certain imperialist logic. Historian John MacKenzie’s work maintains that the 19th century consolidation of the natural science is implicated in both formal and informal aspects of imperial power (1988; 1990). In sociologist Zygmunt Bauman’s provocative works on European modernity, he argues that the impulse to rationalize and weed the metaphorical social garden—which he terms the gardening impulse—is closely associated with the darkest moments of the late-19th and 20th century to include European imperialism, scientific racism and the Holocaust (1989; 1991).

In the opening pages of his book *Landscape and Power*, art historian W J T Mitchell highlights a darker side of landscapes, which Mitchell defines as a “natural scene mediated by culture...a medium of exchange between human and nature...both the represented and presented space” (1994: 5). Hence, it is not only the curated view itself but also visual and textual depictions of the view. Developed in Western Europe in the 17th century and achieving its zenith in the 19th century, landscape as a medium has been critiqued by scholars for its ease in naturalizing social inequality (Barrell 1980; Cosgrove 2006). Mitchell takes the association further and links the curation of landscapes with imperialism. He argues that the link between the two is not direct, but rather landscapes revealed a “dreamwork of imperialism” with a common point of origin in utopian fantasies where the narrative of expanding civilization across space—colonization, if you will—becomes naturalized as morally good and culturally desirable. Certainly landscapes did not conquer territory or enslave peoples, but at a minimum, Mitchell suggests, we should consider the landscape as “an international, global phenomenon, intimately bound up with the discourse of imperialism” (1994: 9-10).

Mitchell is not alone in connecting the careful curation of natural spaces such as gardens with the ideology behind European imperialism. For example, art historian Anne Helmreich, in her discussion of gardener William Robinson’s popular treatise *Wild Garden* (1870), noted that Robinson’s manuscript mirrored “the imperialist notion of English superiority” (1997: 94). Environmental historian Richard Grove described the botanical garden as an imperialist symbol of power that “signified a particular type of ecological control” (1995: 75). The perfect garden implied the biblical Garden of Eden, and a prince’s ability to recreate the perfect garden implied legitimate authority to control the earth and all its dominions. Further, Richard Drayton argued that at the turn of the 19th century, the idea of ‘improvement’ animated both British domestic projects to improve nature which would be “best used to yield commodities which might be traded” and imperial pursuits to improve the natural barbarian (Drayton 2000: 89-91).

The connection between the gardening impulse and imperialism went beyond mere symbolism. In discussing the political nature of gardens, novelist Leslie Marmon Silko remarked to historian Ellen Arnold that, “You have the conquistadors, the missionaries, and right with them were the plant collectors” (Arnold 2000: 164). Indeed, Silko reminds us that European gardens required not only the dreamwork of imperialism but also physical infrastructure of imperialism to obtain exotic seeds for their increasingly elaborate flowering Edens¹⁶. Silko’s work focuses on the orchid trade, which became a national craze in Victorian England. Historian Andrea

¹⁶ This is not to suggest that gardens and seed collection did not exist previous to European colonialism. However, the collection of natural specimen was co-implicated in imperialism as explorers showcased their accomplishments by bringing home exotic plants, animals and humans, and national institutions such as Kew arose to demonstrate increasing command over nature’s variety and showcase scientific progress within imperial domains.

Wulf charts the transatlantic exchange between John Bartram and Peter Collison in the 18th century, supplying Europe with the seeds and plants to construct its landscape gardens (2008). In her pioneering work, Lucile Brockway details the vast colonial networks necessary for the curation of British botanical gardens in the 19th century. The trend, however, was not solely British. The Dutch, Belgians, Portuguese and French all built botanical gardens to develop tropical plants brought back from their respective empires—to both beautify their garden and increase the wealth of their plantations (Brockway 1979: 450). The brightest blossoms in the 19th century European garden were products of the imperial experience—chrysanthemums and hydrangeas from East Asia, and rhododendrons and dahlias from the Americas. In the garden, 19th century romanticism commingled with scientific inquiry and imperial expansion.

Bauman's scholarship takes the dark side of landscapes even further and suggests a connection between the gardening impulse and qualitative changes in the nature of European anti-Semitism in the early-20th century. He contends that a shift occurred in modernity that transformed social management from the role of the game keeper—who worked through the principle that if left to its own devices “society would reproduce itself year by year”—to the gardener—who is “armed with a detailed design of the lawn, of the borders and of the furrow dividing the lawn from the borders” (1989: 57). As in medicine, gardening actively separates useful elements from harmful ones, allowing the former to live by killing off the latter. Hence, the gardener distrusts chaotic nature and constantly wages battle against the spontaneous and uninvited weeds which threaten the planned order. Inspired by Bentham's and Foucault's panopticon, which sought to impose rational control over society, the gardening impulse treats human society as a messy natural canvas on which the gardener can design an arrangement of artificial order and imminent rationality. Therefore the gardener wielded power and mastery over life and death, not out of malice or for vengeance, but through the drive to construct a perfectly ordered rational world.

The gardening impulse, Bauman maintains, is a legacy of the Enlightenment and a hallmark of European modernity. With the Enlightenment “came the enthronement of the new deity, that of Nature”, and Science became the only legitimate path to worship Nature (Bauman 1989: 68). Following from this, phrenology and then scientific racism emerged where morality expressed itself outwardly as a physical characteristic, and science could be used to categorize, separate and eliminate undesirable traits as a gardener weeds the garden. In addition, the Enlightenment also fostered an “activist, engineering attitude towards nature and toward itself. Science was not to be conducted for its own sake; it was seen as, first and foremost, an instrument of awesome power allowing its holder to improve reality” (Bauman 1989: 70). Hence, the gardener works with a rational plan in mind and attempts to perfect nature and society—the gardener toils in pursuit of not only an economic and mathematical goal but a moral one.

Many have criticized Bauman for essentializing modernity into a simplified gardening parable and for removing agency from the Nazi Holocaust by attributing anti-Semitism to a western intellectual impulse (for example Jay 2007: 49; Crozier 1996: 72). As Michael Crozier charges, Bauman engages “in a bit of trimming and pruning on his garden metaphor in order to topiarize a complete picture of modernity,” and excludes the empirical messiness surrounding different forms of gardens and the ideological complexity that animates our desire to cultivate gardens (1996: 72-3). However, Bauman’s gardening impulse is a powerful idea that undercuts the prevailing narrative of the garden as an innocent Eden and alerts us to the violence inherent in any scheme to control and reorder the natural world. European engineers and statesmen alike, famously Fredrick the Great, described their plans to rationalize rivers with martial metaphors of battles and conquest. Therefore, Candide’s final desire to cultivate his garden was not as introspective and innocent as at first glance. The curated shrubbery of the European garden conceals both optimistic faith in science to improve the world and an imperial darkness of subjugation and conquest.

Beyond the Authoritarian State

In his argument for why high modernist projects fail, Scott emphasizes the important role of the authoritarian state, arguing that not only was there “an elective affinity between high modernism and the interests of many state officials” but high modernism does not become lethal until the full weight of the authoritarian state is placed behind its ventures (1998: 5). It is the state, Scott contends, that has the infrastructure in place to “bring facts into line with their representations” and the muscle to compel the establishment of a simplified, legible order (1998: 90). However, expressions of high modernism were not always accompanied by all-powerful bureaucracies, particularly with the management of 19th century transboundary rivers. Unlike Scott’s Prussian forests, megacities and Tanzanian villages, the international river flows across administrative borders and confounds any one bureaucracy’s attempts to manage it systematically across the entire river basin. I argue that even without a strong state to provide top-down administrative push, high modernist schemes can still take hold through knowledge construction that imposes a certain set of causal beliefs on political action.

Many have countered that Scott gives too much credit to the modern state bureaucracies as the all-powerful, all-consuming agent that drove the rationalization of space. Historian C. A. Bayly remains “skeptical of the exaggerated claims that many recent historians have made for the overwhelming, steamrolling-like nature of the domestic and colonial state in the 19th century” (2004: 249). He critiques Scott’s circular reliance on state documents leading to his interpretation of the state as an “all-seeing entity” responsible for all social change. While Bayly concedes that during the 19th century, the state did expand in its ability to exert social control

over issues such as population management as detailed in Foucault's work, Bayly warns against confusing actual state power with "the charisma of the idea of the state" appropriated by different actors for their own sectarian political purposes (2004: 262). Further, historian Lauren Benton has demonstrated in her work on European empires between 1400 and 1900 that rather than a sweeping, totalizing venture, the European project to exert control through rationalization of space was uneven and produced corridors and enclaves of more or less control. She argues:

Empires did not cover space evenly but composed a fabric that was full of holes, stitched together out of pieces, a tangle of strings. Even in the most paradigmatic cases, an empire's space were politically fragmented; legally differentiated; and encased in irregular, porous and sometimes undefined borders (Benton 2010: 39).

Hence, Benton challenges the view that during the period of imperial expansion, the all-seeing European state developed with a centralized bureaucratic apparatus that extended its control into every aspect of social life. Rather, imperial control was uneven, negotiated and contingent on the specific locality. The messy local knowledge Scott dismissed as powerless against the all-powerful authoritarian state actually pushed back against imperial power structures and left their mark on imperial practices.

Further, Leander Schneider attacks Scott's lack of clarity in articulating the exact causal logic behind how high modernism resulted in failed rationalizing projects—whether high modernism caused failure because of the flawed nature of scientific expertise or because of policymakers' affinity for certain aesthetics of orderliness (2007: 9-10). While Schneider concedes that Scott could have been discussing a general modernist ethos, he charges that a general ethos does not bear the causal weight Scott attributes to high modernism. However, for Scott, the causal weight rests not only on high modernism but the authoritarian bureaucratic state, which takes the high modernist ethos and transforms it into doctrine. But what happens in the absence of a strong implementing apparatus at the interstate level? Here, I contend that high modernism as a broad intellectual ethos can still have lasting effects on politics by becoming imbedded in international institutional frameworks and having path-dependent effects. While not as straightforward about causal links and more agnostic about the direct path between high modernism and failure, my argument maintains that understanding high modernist ideology is pivotal for understanding international institutions today.

Therefore, rather than a result of a strong state doctrine, the 19th century European impulse to rationalize the international river stemmed from the force of Enlightenment faith in science's ability to improve nature for the economic and moral benefit of society. This impulse to correct flawed nature took on imperialistic implications as Europeans generalized their institutional model to the global periphery. Like Benton's tangle strings of imperial control, however, the intellectual forces I describe were uneven, fragmented and repeatedly challenged throughout the

19th century by bursts of counter-Enlightenment¹⁷ conservatism and Romanticism. Modernity, as Buzan and Lawson note, was “a protracted, uneven process rather than a singular moment of sharp discontinuity” (2015: 7). Nevertheless, I contend these forces shaped not only European attitudes towards nature, but the creation of the first international bodies designed to rationalize untamed transboundary geographies—and by extension, the unruly sides of human nature. In essence, I argue that international institutions rest on the confidence that scientific rationality, exercised by apolitical technical experts, can tame nature—to include human nature.

The Critical Argument: History and Generalizability

If high modernism and rationalist faith in scientific progress created the permissive conditions for the first interstate institutions—the oxygen that made the spark possible—what created the spark? Rather than proposing a generalizable set of criteria that led to the predictable outcome of institutional creation, I propose that each institution should be treated as a contingent political entity with outcomes as complex and unrepeatable as the historical era from which it emerged. This is not to argue that causes do not have discernible effects. Rather, I contend that given the permissive ideational conditions that opened up certain institutional possibilities, we should be committed to equifinality where multiple causal pathways lead to similar outcomes.

While what follows closely approximates a historical narrative analysis (Mahoney 1999)¹⁸, I push back against the conceptualization of history as simply a narrative outcome with fixed discernible causes. This understanding of history has the tendency to start from the present as the outcome and extrapolate backwards to create a coherent, logical story. Hence, rather than an objectifying move (Pouliot 2007), history is used in this dissertation to dis-objectify and close the interpretive distance between the scholar and the object of study. In doing so, this dissertation highlights history’s potential as a way to denature unquestioned assumptions about historical progression and recover the past as a time full of possibilities, not simply a stepping stone to the present. It follows Timothy Mitchell who announced at the start of *Rule by Experts*: “This is a book of political theory, but it sets forth a kind of theory that... avoids the method of abstraction from the particular that usually characterizes a work of theory. The theory lies in the complexity of the cases” (2002: 8). By resisting the urge to conclude in abstractions, I attempt to address ahistorical tendencies that too often accompany IR research.

¹⁷ Counter-Enlightenment was defined by Jonathan Israel as “the system of ideas that rejected both kinds of Enlightenment, insisting on the primacy of faith and tradition, not reason, as the chief guides in human existence” (2010: 34-35).

¹⁸ Mahoney lays out the foundations of macro-causal analysis as exemplified by Theda Skocpol: “in this logic, the analyst selects a small number of cases (often nation states) for investigation and moves back and forth between theory and history in an effort to identify the causes of a clearly identified outcome” (Mahoney 1999: 1155).

From an abstract analytical distance, the creation of the Rhine Commission in 1815, the Danube Commission in 1856 and the attempt to create the Congo Commission in 1885 seem to follow a linear progression towards international river commissions as a model of international politics. A closer examination of the historical record, however, does not support this narrative of institutional progression and consolidation. Instead, the creation of each river commission was subject to differing ideas about each river—the Rhine as an internal European highway, the Danube as a connecting road to the untamed European periphery, or the Congo as a civilizing highway for the flow European goods and ideas. Even powerful ideas do not create institutions on their own, political interests and contingency determined the specific institutional outcome at each juncture. Indeed, at the creation of each river commission, there was as much regress as progress in advancing international norms and cooperation. Attempts to apply the 1815 Rhine Commission as a generalizable model of riverine cooperation resulted in diplomatic failure to find an institutional solution to the Congo River.

In other words, the high modernist faith in rationalism and scientific progress discussed above not only underpins the creation of these first international institutions in the 19th century; it also problematically shapes how IR scholarship engages with the history of international institutions. Not only does our analysis have to take into account Wendt's rear-view mirror effect, but the analyses also must take into account the rear-view analysis of the policymakers themselves.

The Problem of Ahistoricism in International Relations

Stephen Hobden and John Hobson, in their edited 2002 volume, aimed to establish the research agenda for bringing historical sociology to IR. In the introduction, Hobson maintains that the sociological turn, catalyzed by the inclusion of social constructivism as a mainstream IR theory, cannot be fully completed without “bringing ‘history’ back in” to IR scholarship (2002: 4). To bring history back in, we must first discard the unquestioned assumption of a flattened trans-historical logic where standardized causal models apply to all historical epochs.

In his calls for more engagement between IR and historical sociology, John Hobson identifies two intertwined types of ahistoricisms widespread in IR: tempocentrism and chronofetishism. He defines tempocentrism as a treatment of history where “present systems are extrapolated back in time thereby effecting a smoothing out of historical ruptures and social differences in international history”, or “an inverted form of ‘path dependency’” (Hobson 2007: 415; 2002: 9). In other words, current assumptions, such as Western dominance or the anarchic nature of the international system, are given as sense of permanence and inevitability as scholars reach back in history to find selective evidence in support of these assumptions. History, then, becomes a large databank filled with case studies to be cherry-picked for causal testing of present theories.

The second form of ahistoricisms Hobson calls chronofetishism where we assume “the present can be adequately explained only by examining the present and thereby bracketing or ignoring the past” (Hobson 2007: 415). Following from chronofetishism, Hobson identifies three types of illusions: reification, naturalization and immutability (2002: 6)¹⁹.

Hence, in Hobson’s model, chornotfetishism identifies fallacies about how we see the present while tempocentrism reveals distortions about how we view the past. Both distortions are problematic for IR’s analysis of international institutions—the first allows us to believe that because international institutions are formidable forces in today’s international politics, then the steady progressive development of institutional framework in the 19th century has led inevitably up to this point. This distortion permits us to pinpoint the first 19th century institutions as pivotal moments of rupture and vital world-historical moments of change. The second distortion, where history is bracketed as inconsequential, permeates the study of international institutions—and with few exceptions, these works only give nods to history by marveling at the proliferation of international bodies since World War II rather than engage in in-depth historical analysis. More frequently, studies of international institutions have a presentist bias where rational choice questions are elevated above historical ones. This allows scholars to analyze the 1815 Congress of Vienna as the first collective security institution that led to the United Nations system and the European Union—implying that first, no other historical paths were possible at 1815, and second, no other path could have resulted in the institutions we have today.

Subsequent scholars have echoed Hobson’s observation that IR scholarship tends to treat history as either exogenous background noise that must be bracketed for parsimony or a rich databank for theory testing. George Lawson charges that this sort of ahistoricism paints a story “in which the past, the present, and the future are presented as one and the same story: a giant optical illusion that distorts rather than captures the richness of history’s multiple landscapes” (Lawson 2006: 404). For Andrew Philips and Jason Sharman, in their book on the international order in the Indian Ocean, ahistoricism is highly problematic because it “mistakes contingent outcomes as universal relationships” and occludes possibilities for envisioning international orders other than our own (2016). This charge speaks directly to the prevailing neorealist, neoliberal and constructivist theories founded on the unbending assumption that international actors are unitary, rational actors operating within an anarchic system.

¹⁹ Critics, however, have attacked historical sociology’s Weberian roots and its overreliance on comparative studies and ideal-type analysis. As Hobson argues, early historical sociologists who engaged with IR such as Skocpol (1979), Collins (1986) and Tilly (1990) adopted “a neorealist and reductionist theory of the state and international relations” which creates a “sociologically reductionist” picture of global history (2002: 20-1). In the same edited volume, Christian Reus-Smit charges that Hobson and his neo-Weberian followers ignore international institutions and adopts neorealist assumptions that leave “them closer to Waltz and his followers than just about any other school of international relations scholarship” (2002: 128-9). Gurminder Bhambra charges that Hobson’s reformulation of historical sociology into a second wave replicates internal debates within the field and is “not so much neo-Weberian as neofunctionalists” (2010: 132).

In his contribution to Hobson and Hobden's volume on historical sociology, Michael Barnett calls for increased collaboration between historical sociology and constructivism, contending that "given constructivism's sociology and historical disposition, it is somewhat surprising that these scholars have been relatively inattentive to historical sociology. After all, constructivism's social theoretic commitments are virtually identical to historical sociology" (2002: 101). Barnett postulates that this lack of engagement derives from constructivists' preoccupation with waging disciplinary battles within IR. To defend themselves against accusations of being 'anti-science', mainstream constructivists were quick to maintain the difference between constructivists and others was one of ontology, not epistemology. However, the two are connected. A commitment to historicize the international is fundamentally incommensurable with the rationalist agenda to discover the unchanging causal laws that govern the international. Indeed, in moving toward the latter, constructivists abandon the fully constitutive nature of the international and abandon history as the vehicle through which constitutive processes can be uncovered. They too then view history as a universe of cases to be selected for testing presentist hypotheses about social norms, and often select norms that succeed rather than those that fail.²⁰

Ahistoricism can be directly linked to Scott's high modernism and faith in science's ability to explain, predict and improve the social world. Neorealist and neoliberal penchant for using neo-utilitarian economic models to represent state behavior exemplifies this faith. Indeed, as Barnett argues, "the decided preference for abstract, systemic models that could generate timeless laws pertaining to inter-state interactions, made international relations theory intentionally insensitive to historical matters" (2002: 100). If, as neorealist and neoliberals suggest, international politics is governed by and reducible to parsimonious and generalizable causal principles, then studying the past is redundant to analyzing the present. If, however, context matters and historical processes bring into being conditions that make the present possible, then history should not be a sideshow to our scholarship, it should be part of the main event.

A constructivist argument that engages with historical sociology would, as Barnett suggests, have a very different perspective on the proliferation of international organization such as the commissions discussed in this work (IOs). As Barnett reminds us, while IOs claim to be value-neutral, they advocate the use of expertise and technical knowledge that establishes and legitimates a specific Western model of social control (2002: 114-5). IOs developed in the 19th century as a Western rationalist model that was then applied across space. To ignore this history is to maintain the misleading assumption that IOs are value-neutral and apolitical technical bodies designed to solve the problem of cooperation, an assumption that not only distorts the

²⁰ In addition, as Richard Price (2008) rightly points out, constructivist research has a bias towards 'good' norms. In other words, constructivists tend to cherry-pick through history for good norms, such as human rights, while largely ignoring less progressive or outright destructive norms.

world but also reifies, marginalizes and disempowers. This dissertation delves into this history, and following Cox, aims to stand “apart from the prevailing order of the world and asks how that order came about” (1981: 129). In doing so, this dissertation intends to first reveal the highly politicized and contested histories of the earliest IOs in the 19th century, and secondly challenge the prevailing notion that IOs are apolitical, generalizable models that bring value-neutral, technocratic solutions to global challenges.

The 19th Century and the Rise of the International

The empirical weight of this dissertation rests in the social, political and technological changes that occurred in the 19th century. The long nineteenth century, as Eric Hobsbawm termed the period between 1789 and 1914, is an understudied period in IR, which normally concentrates its historical attention on World War I as the origins of the current international system (see for example Carvalho, Leira and Hobson 2011). In their recent book, Buzan and Lawson contend that in the 19th century, a global transformation transpired that reconfigured the international from a polycentric world into a core-periphery order (2015:1). This transformation reshaped global order and underpins international relations into the 21st century. In addition to the forces behind industrialization and rational state-building practices, they propose that the ideology of progress rooted in “Enlightenment notions of classification, improvement and control” was one of the central processes that propelled this transformation. (2015: 3; 97). In the 19th century, these Enlightenment notions became a political agenda to tame and control not only the natural world (Scott 1998; Drayton 2000) but also rationally govern society, both domestically in the form of statistics and early bio-control (Foucault 1969; Hacking 1992; Drayton 2000) and internationally through imperialism, the standards of civilization (Gong 2002; Zarakol 2011; Hobson 2012) and the rise of international law (Sylvest 2008; Pitts 2012;). Therefore, 19th century notions of human progress and rationality did not remain locally European. Rather, they transcended the boundaries between nature and human society, and between the domestic and foreign, to have international force to shape order and authority across geographic space.

Detailed historical work in IR has contributed to the denaturing of the sovereign territorial state by situating its development in the social, material and technological context of the 19th century (Reus-Smit 1999; Osiander 2001; Branch 2011; Buzan and Lawson 2015). I suggest that alongside the consolidation of the sovereign territorial state as the predominant units of IR, the 19th century also saw the beginning of the international as a political arena between and beyond the state. The advance of positive international law illustrated the advance of the international in

the 19th century²¹. It was within international law that debates about contested territories and the nature of hierarchy between nations took place (Sylvest 2008; Pitts 2007; Fitzmaurice 2012). Further, the proliferation of international conferences exemplified this trend. Scholars highlight the 1815 Congress of Vienna as the first model of global governance (Mazower 2012; Mitzen 2013), and following in its example, the late-19th century saw the proliferation of international conferences on numerous subjects including the postal union and the secret police.

The two—the modern territorial state and the trans-territorial international—developed in dynamic tension in 19th century as diplomats debated whether contested geographies ought to belong to one state, be shared between states or constituted as a neutral international commons above and beyond the state. These three interpretations of transboundary geography had older roots. The notion that transboundary rivers should be treated as public, international highways was adapted from Roman legal principles and resurfaced in local German traditions such as the 13th century *Sachsenspiegel* that stated “every water stream is common to travel on and to fish in and a fisherman may use the bank as far as one step from his boat” (Chamberlain 1923: 145). In addition, 17th and 18th century European legal scholars Samuel von Pufendorf, Hugo Grotius and Emer de Vattel interpreted Roman law regarding a common right to freedom of passage along transboundary rivers and roads. A lord who collects tolls along a river but does not put the money towards upkeep of the river, Vattel argues, not only practicing an extortion but that it is “an infringement of the natural rights of mankind” (1797). However, riding on the forces of the 19th century global transformation, the political use of these legal interpretations to contest the meaning of transnational spaces took on increased importance as they were applied not only to Europe but to the periphery. At the three diplomatic conferences discussed in this dissertation, international governance emerged as a negotiated bureaucratic workspace between cooperation and contestation, a negotiated authority between “world government and no government” (Mazower 2012: xiv), to control and manage disputed territorial authority. This tool was first tested with the Rhine Commission in 1815 and renegotiated with the establishment of the Danube Commission in 1856. In 1885, this tool was applied to the conceptual emptiness of the Congo basin with disastrous results.

Rather than the euphoric, utopian brand of internationalism celebrated by humanists and poets of the age²², this dissertation focuses on the rise of the international in the late-19th century as a technical workspace for applying scientific and technical methods to the problem of taming irrational international politics. However, as I have outlined in this chapter, high modernist faith

²¹ Indeed, the term international was coined by Jeremy Bentham in 1780 in describing international law—not, as some have argued, as a law that applies to all nations equally or natural law, but the positive law governing the practice of inter-state relations between nations or what is also referred to as the law of nations (Suganami 1978).

²² As Victor Hugo exclaimed in the guidebook to Paris’ 1867 World’s Fair, “Down with war! Let there be alliance! Concord! Unity! O France, adieu...Thou shalt no longer be France: thou shalt be Humanity! No longer a nation, thou shalt be Ubiquity” quoted in John Findling (ed.), *Historical Dictionary of World’s Fairs and Expositions, 1851-1988* (Westport, Connecticut: Greenwood Press, 1990), p. 33

in the success of scientific progress is no less ideological than Victor Hugo's declarations praising the brotherhood of humanity. Indeed, in upholding Enlightenment faith that technical expertise leads to progressive advancement, 19th century diplomats and policymakers forging the meaning of the international at these conferences also believed in humanity—and in its progressive ability to overcome nature and reorder the world to create the ideal model.

De-stabilising Expertise and Generalizability

One modernist tendency is to group the natural and social world into the same bundle of things that rational, scientific processes can act upon and improve. In his exposition into the malaria outbreak that swept through Egypt in 1942, Timothy Mitchell contends that nature was not the cause but rather the outcome of complex interactions between the human and nonhuman forces, to include the mosquito, the sugar cane, the Aswan dam, World War II, the chemical industry and international capitalism, that made the epidemic possible (2002: 35). The false dichotomy between human and nature emerged as technical expertise gained an increasing role in politics and strove to reduce the world to powerful stories of simple causes and oppositions. Mitchell outlines three features of this expertise-driven political outlook. First, there is a concentration, centralization and reformulation of knowledge, and secondly, continuous practical difficulties resulting in failures and constant adjustments that are, thirdly, continuously overlooked by subsequent attempts to apply the same models (Mitchell 2002: 41-2). Therefore, the history of technical expertise becomes one of covering up past mistakes and smoothing out the historical record into a story of linear scientific progress. This model of technical progress is then applied to different temporal and geographical contexts in an effort to generate similar results. At most, small adjustments are made to account for local context; these adjustments leave untouched the underlying assumption of the truth of the model. The empirical analysis which follows bears out Mitchell's observations. Acts of smoothing over past failures and simplifying historical lessons perpetuated the idea that diplomats were simply applying a successful past model to the present problem.

The confidence that technical expertise could craft model solutions applicable across time and space presents the problem of generalizability on two interrelated fronts. First, 19th century river commissions were problematically constructed as technical, apolitical prototypes that could be applied as a rational, cooperative framework to any international river. Underpinning this model was the notion that all international rivers are economic highways to be tamed for the benefit of global commerce and the advancement of civilization. In studying experts—engineers, explorers and international officials—who shaped 19th century perceptions of the international river as a wild, dangerous object to be rationalized for the benefit of commerce, this dissertation illustrates this one-dimensional construction of the river's significance. Indeed, much has been

written in IR about technical experts with similar epistemic commitments and policy projects who come together as communities to influence policy (Haas 1992; Cross 2012). Here, I focus less on the dynamics amongst experts themselves and more on experts as an expression of the social forces underlying their epistemic claims. This is not to argue that individual actors did not matter. As the following chapters will illustrate, actors' competence and incompetence shaped the creation and design of each river commission discussed. But this argument does highlight that no expert is a historical island. Their expertise is subject to the intellectual undercurrents of the times, which in the 19th century, propelled them on the faith in modern science's ability uncover the ideal political model.

These generalizations are problematic for several reasons. First, it assumes each river is an expression of the universal. But as Timothy Mitchell remarks, though the river is transnational and mosquitoes are global, unlike sociological concepts such as nationalism or capitalism, "the Nile is not considered an abstraction, nor is the mosquito experienced as an expression of the universal" (2002: 29). Indeed, in a devastating blow against the social science, Mitchell argues that any comparison to the universal becomes an imperial story that elevates a model Western narrative against the variations in the rest of the world. The narrative becomes "the story of rationalization, technological and social progress, the growth and transformation of production and the universalization of the culture and power of the West" (2002: 28). Any local stories are removed to make way for the model narrative. Secondly, treating river commissions as an ideal model not only erases local histories of the specific river but also elides the contingent political contexts that created the models in the first place. Hence, in the process, two sets of histories are erased. In looking beyond the one-line success story and historicizing the creation of each river commission, this dissertation seeks to recover these histories. I will illustrate that in addition to a rationalist project to tame nature, the European imagination engaged with each individual river in dissimilar ways, which shaped the very different outcomes for each river commissions. In addition, for each river commission, the empirical story outlines the interplay of power politics, geography and contingency that bridges the permissive ideational conditions and the actual creation of the commissions. Rather than a stagiast story of institutional advancement, I suggest a messier, nonlinear story. Hence, while I focus on European rather than alternative histories of these river commissions, I put Europe under a powerful analytical microscope and problematize the use of European experiences as a smooth, progressive global model—an analytical move that attempts to unmask European exceptionalism.

The second problem of generalization touches on my commitment as a scholar to produce a historicized social scientific account of the origins of the first international institutions. How can a scholar challenge the generalizability of scientific models while engaging in a social science enterprise? On one level, this is an impossible task, and I remain a socially constituted scholar

rattling my Western social scientific cage. However, this dissertation uses several strategies in an effort to critically assess the rationalist assumptions behind efforts to fit institutional models to all global problems. First is historicism, which, as George Lawson argues, allows us to understand “the contingent, disruptive, constitutive impact of local events, particularities and discontinuities” (2012: 207). The second strategy is a commitment to the method of grounded theory, which helps the researcher to move up and down the ladder of generalizability allowing theory and empirics to engage in a mutual dance of co-constitution. Grounded theory advocates an inductive method where the researcher formulates theories from samples of data, and then tests and refines those theories against additional data (Wilson 2012).²³ In this dissertation, I am guided by the spirit of this approach, but rather than testing data as a positivist enterprise, I use the historical empirics to craft my arguments which are then compared against additional history to refine the contours of my claims. I engage in textual analysis of primary sources—to include personal letters, official diplomatic correspondence, travelogues and literature—and view these texts as constitutive of social ideas, both reflective of and active in shaping of 19th century understandings of nature and the river. In addition, I employ thick description based on a wealth of secondary sources from international legal, political and environmental historians with the linguistic expertise to analyze a fuller range of primary sources. This methodological outlook allows the researcher to move between empirical containers to unravel “the interplay between homogeneity and heterogeneity and that combine explanatory purchase with a high level of empirical content” (Lawson 2012: 405). In doing so, this framework hopes to foster theoretical insights derived from and sensitive to historical context.

Framework Going Forward

This chapter presented the dissertation’s overarching framework. The co-constitution of both history and geography through enmeshed social and material forces create social meaning. In this case, social and material forces in the late-18th and 19th century framed and defined the object of international interest—the international river—as a wild and dangerous object to be tamed and domesticated for the benefit of all humankind. This specific framing of the river facilitated international cooperation and was the underlying permissive condition that then allowed for the creation of the first international organizations to govern these rivers. In other words, these ideas surrounding what the international river was had path-dependent effects on

²³ In advocating a grounded theory of international institutions, Wilson grafts Glaser’s and Strauss’ approach to international relations theory. The approach calls for five steps: data gathering, coding, memo-writing, theoretical sampling, and theory drafting. Using this approach, researchers can ground their theories of institutions using interviews and archival evidence to formulate an insider’s account of social reality based on actions, practices, shared beliefs and codes of conduct. Ideally, researchers could gather rich data from participant observation, interview, questionnaires and textual analysis. Analytical insight and conceptual understanding dawns on the researcher through the gradual process of labeling the data, noting patterns, creating analytical categories, refining those categories against more data, and then formulating concepts through the argumentative process of theory drafting.

how actors approached cooperation. However, as the remainder of this dissertation will argue, it would be inaccurate to draw a direct causal link between ideational constructions of the river and the resulting international bodies. Within the permissive ideational frames, the specific results of each historical episode depended on the unique interplay of historical contingency, geography and power politics.

The following empirical chapters present the ideational story behind the establishment of three international river commissions at three major 19th century diplomatic conferences—the 1815 Rhine Commission at the Congress of Vienna, the 1856 Danube Commission at the Treaty of Paris, and attempted creation of the 1885 Congo Commission at the Berlin Conference. Two chapters detail the creation of each river commission. The first outlines the constructed meaning of each river in the European imagination—the Rhine as an internal highway, the Danube as a connecting highway, and the Congo as an imperial highway. While the meaning of each river varies from the others, high modernist faith in rational, technical projects to tame the river as an economic object run as a common thread through these chapters. The second chapter examines each diplomatic conference itself and illustrates how the underlying understanding of each river shaped the institutional outcome. Despite the organization of this dissertation into three distinct periods, I push back against the punctuated equilibrium model of international change and argue against analyzing these three episodes as a teleological progression through the creation of an ideal international institution.

While ideational factors drive this dissertation, the empirical story is a qualified account of the power of ideational frameworks. They played a role as the conditions that made the creation of each commission possible. However, as the specifics of each diplomatic conference illustrates, diplomats' use of the legal language of international norms revealed power political cleavages and acts of political contingency rather than committed philosophical disagreements over the nature of international politics. Three main factors shape diplomatic use of legal norms. First, geographic contingency in where a state is situated along the river, if at all. British insistence on an international interpretation of the river rested on the fact that Britain was not a riparian state on the Rhine or Danube. Second, historical contingency in the specific alchemy of personalities and missed connections that resulted, as will be discuss regarding the Danube Commission, the continuation of one administrative body and the disappearance of another. And finally, power politics such as victory on the battlefield, imperial or economic competition abroad or domestic instability at home influence diplomats' ability to set the agenda and implement their legal definition of the river. However, these factors depended on the broader collective construction of the international river as economic highway.

Therefore, the ideas that mattered were not the three legal interpretations of the river that dominated conference discussions but the underlying ideas about the river as an unruly natural object to be tamed for the benefit of global commerce, and the overall idea that a generalizable model could be created to tame international politics.

Chapter 3:
Taming the Internal Highway

Here I have conquered a province peacefully. – Frederick the Great, 18th century

*Il est difficile, à nous autres Français, de comprendre quelle vénération profonde les Allemands ont pour le Rhin... Pour eux le Rhin est l'emblème universel ; le Rhin c'est la force ; le Rhin c'est l'indépendance ; le Rhin c'est la liberté...c'est un objet de crainte ou d'espérance ; symbole de haine ou d'amour, principe de vie et de mort. Pour tous c'est une source de poésie*²⁴. –Alexandre Dumas, 1841

The Final Act of the 1815 Congress of Vienna created various commissions to carry out the settlement reached by the Congress. These commissions were established to fix borders, build roads, mediate claims, establish justice, regulate commerce and adjudicate wartime indemnities. Late in the treaty, Article CVIII called for the establishment of commissions comprised of all states separated or crossed by a navigable river to be created within six months of the Congress. With this and the following articles, the Central Commission for the Navigation of the Rhine was established to regulate commerce on the river. Of the delegates' efforts to create the Rhine Commission, Mark Cioc writes in the introduction to his eco-biography of the river, "None of the Vienna delegates had any inkling as to the real significance of what they had just created. All they meant to do was foster trade among the riparian states after twenty-five years of war and bloodshed" (2002: 3). The following two chapters will demonstrate that Cioc's statement is an overly simplistic and functional depiction of the diplomatic negotiations that led to the oldest continuous interstate institution and the frontrunner of today's international organizations.

In this chapter, I agree that the 1815 Congress of Vienna did wish to foster trade among nations but that this understanding of the river as a commercial highway revealed underlying moral and economic logics that drove the project. The following will detail the cultural and intellectual foundations that shaped diplomats' understanding of the Rhine as an international economic highway. The chapter first analyzes 18th and 19th century European projects to rationalize rivers as high modernist projects with both the economic aim to increase state wealth and the moral aim to reclaim land from the barbarism of swampy disuse. Johann Tulla's ambitious project to tame and straighten the Rhine applied both logics to the river. Further, this chapter outlines how these two aims were taken to the international level to tame the river as a rational economic highway, thus freeing it from the Teutonic insanity of irrational tolls and monopolies. Finally, the chapter explores the Romantic counterpoint of the Rhine as a German and poetic symbol and chart how Romantic sensibilities inspired an upsurge of tourism which ironically sped up the rationalization and commercialization of the river. Ultimately, this understanding of the transboundary Rhine as a transnational highway that ought to be reclaimed from irrational

²⁴ "It is difficult for us the French to understand the deep reverence Germans have for the Rhine... for them, the Rhine is a universal emblem; the Rhine is might; the Rhine is independence; the Rhine is freedom...it is an object of fear and hope; symbol of hate or love, principle of life and death. For it is a source of poetry," (*Excursions Sur les Bords Du Rhin 1841*: Chapter XVII Le Rhine)

medieval politics framed deliberations at the Congress of Vienna and created the permissive conditions in aid of the establishment of the Rhine Commission.

The Rhine as a High Modernist Project

As discussed in the previous chapter, one dominant narrative of European society's relationship with nature between the 17th and 19th century is a scientific account of progress that celebrated the triumph of human rationality over untamed nature—both in the physical environment and in human nature. The river, like other untamed natural forces, must be controlled and rendered useful for the increased moral and worldly wealth of society. The following section analyzes the early-19th century European project to correct the Rhine as an Enlightenment project that sought to accomplish two interlinked objectives: the moral aim to make conquests from barbarism and the cameralist goal to render nature conducive to the increase of state wealth.

Control over nature, particularly water, as a metaphor for state authority over the body polity has been a repeated theme in European politics. Roman Emperors built monumental fountains and public water utilities to display both their power over nature and authority over the people who depend on these amenities (Wilson 2012: 1; Salzman 2012: 68). Roman Popes followed in the Emperors' footsteps, using fountains to demonstrate their control over the past and future (Bell 2009: 76-7). Another prime example of water mastery as a form of political authority was Louis XIV's elaborate gardens at Versailles, which, argues sociologist Chandra Mukerji, "was a model of material domination of nature that fairly shouted its excessive claims about the strength of France" (1997: 2). At Versailles, French strength was everywhere on display from the terraced landscaping reminiscent of military earthworks to the elaborate fountain complexes suggesting the infrastructure required to support a strong state. Even the beginning of Versailles was an assertion of royal authority as Louis jailed Nicolas Fouquet and employed his gardeners after seeing and lusting after Fouquet's gardens at Vaux (Thacker 1979: 147-8; Schama 2004 [1995]). However, under the progressive scientific ethos of the Second Scientific Revolution, the impetus to rationalize nature took on grander scales and new moral undertones in the 18th and 19th century.

The river has repeatedly been used in European thought as a metaphor for history, and society's ability to tame the river has consistently been a metaphor for controlling its own fortunes. From Marcus Aurelius' declaration that "time is a violent torrent" to Machiavelli's comparison of history to a violent river that floods and destroys to Georg Wilhelm Friedrich Hegel's and Leopold von Ranke's comparisons of history to the flow of rivers, the metaphor is omnipresent. Machiavelli's actual battle against nature as he attempted to divert the Arno at Pisa translated into his political advice for rulers to contrive dams and dikes so the floods of fortune could be managed (Blackbourn 2011: 11). The struggle was not merely a technical one; it was imbued

with moral implications as untamed and irrational spaces were tainted with negative normative connotation. The European Enlightenment ushered in a new era of scientific confidence in society's ability to tame the irrational. To overcome the turbulent and unpredictable forces of history and become the true masters of our fate, society must first tame the river with the new scientific instruments at our disposal. As historian George L. Mosse observes, "It is impossible to separate the inquiries of the Enlightenment philosophies into nature from their examination of morality and human character" (1978). The two concerns were inextricably linked in the Enlightenment imagination.

Two strands of logic drove society's quest to tame the river. Following the first logic, stagnant water was associated with illness in the human body and in the body politic. Transforming the Rhine from a meandering, uncertain river into a fast and consistent highway was a war against ignorance and barbarism as real as any fought against invading armies. In the mid-18th century, the young Frederick the Great oversaw the construction of a twelve mile channel on the Oder River to drain the swamps and increase agricultural acreage (Blackbourn 2011: 10). Frederick wrote to Voltaire of the project that "whoever improves the soil, cultivates land lying waste and drains swamps is making conquests from barbarism". By barbarism, Frederick referred to the marshes as well as the people whom he characterized as "sunk in ignorance and stupidity" as if the swamps had corrupted the character of the populations that inhabited it (Mauch 2004: 13). Here, his language is an Enlightenment argument of ordered rationality against the barbarism of chaos and decay. To fight this war, Frederick brought in cartographers, surveyors, engineers and statisticians to establish control over the wild world of reeds and marshes. Engineers along the Oder and later the Rhine turned to Renaissance treatises such as Benedetto Castelli's *Della misura dell'acque correnti* (1628) and Domenico Guglielmini's *Della natura de'fiumi* (1719) that proposed scientific ways of calculating, analyzing and controlling rivers (Cioc 2002: 37). Engineers and political leaders also looked to the experience of Jan Leeghwater in Holland and Cornelius Vermuyden in southern England as models of water management (Bell 2012: 82). Taming of the river, then, became a heroic conquest—a battle between the human mind and the irrational and unknown as water is harnessed and domesticated for the needs of society. Indeed, Frederick boasted that his scheme on the Oder allowed him to literally conquer provinces and add them to his domain. It would be centuries before swamps and yearly floods would be seen in a more salubrious light.

Second was the logic of cameralism as a state-building project to maximize economic utility. Unruly rivers detracted from a state's economic prosperity as seasonal floods transformed land into swamps unusable for homesteads and agriculture. In his account of Prussia's scheme to rationalize its forests, James C. Scott discussed the state's need to render natural objects simple and legible in order to achieve the most rational economic outcome. In the 18th century, under

Frederick the Great's guidance, the state reduced trees to simple units of timber or firewood and left out "everything touching on human interaction with the forest" (Scott 1998: 13). Economic man stood at the center of this reconceptualization of the natural world—everything considered valuable became 'crops' or 'timber' while those that were not became 'weeds' and 'underbrush' to be eliminated due to their lack of marketable value. The project not only categorized and calculated the value of all vegetation but also proactively seeded valuable trees while removing foliage considered useless. Hence, the project created a grid-like monoculture that maximized economic worth above all else, and "the German forest became the archetype for imposing on disorderly nature the neatly arranged constructs of science" (Scott 1998: 15).

In Scott's account, the Prussian project arose from the machinations of the modern bureaucratic state controlled by an all-powerful autocrat. However, strong states vying to assert their control are more likely to hinder rather than assist in the management of a transboundary space such as the Rhine. Rather, the project to tame the Rhine—scientifically, morally and politically—was driven by a prevailing faith in scientific progress that coupled the economic reasoning of cameralism²⁵ with an Enlightenment confidence in the moral crusade against irrationality and barbarism. As will be detailed in the following sections, these two logics worked together along the Rhine in the early-19th century to propel the transnational project to tame the river.

Johann Tulla, Baden and the Taming of the Rhine

The man credited with bringing scientific discipline to the disorderly Rhine was an engineer from Baden. His ambitious project to streamline the Rhine sought to tame the river as both a moral crusade against the barbarism of irrational nature and an economic and political one to render the river conducive to human exploitation. Even the terminology used to describe the project to "domesticate", "tame" and "harness" the river reinforced these two goals.

An inscription near his birthplace in Karlsruhe on the right bank of the river reads: "To Johann Gottfried Tulla: The Man Who Tamed the Rhine." Born in 1770, Tulla's formative years coincided with turbulence in Europe as many German states first embraced and then resisted the political and intellectual tides of the French Revolution. As war and social unrest swept across the Rhine, rather than engage in the political battles around him, Tulla focused on a grander war. Tulla learned the latest Italian and French ideas on river management, traveled through the Netherlands and Lower Rhine and formulated his own battle plans against the river (Blackbourn 2006: 79). When the Holy Roman Empire dissolved, Baden benefitted politically from close relations with Napoleon, and Tulla was able to travel to France to tour projects and converse

²⁵ German Cameralism, or the science of administration, had a French equivalent in the 17th century economic policies of Jean-Baptiste Colbert who sought to rationalize all economic activities and focused these activities on improving the fiscal standing of the French state.

with French hydraulic engineers on river management. He was a man on a mission and even declined a professorship in mathematics at Heidelberg University to work as Baden's chief water engineer (Blackbourn 2006: 81-2). "In agrarian regions," Tulla wrote, "brooks, streams, and rivers should, as a rule, be canalized, and their flow harnessed to the needs of people who live along their banks" (Cioc 2002: 38). In 1809, Tulla first wrote down his ambitious plans to 'rectify' the entire upper Rhine and published three years later in *The Principles According to Which Future Work on the Rhine Should be Conducted*.

Tulla, however, was not a one person intellectual movement. For two generations before Tulla, engineers such as Daniel Bernoulli and Leonhard Euler had been at work straightening and redirecting rivers including the Oder, Warthe, Ruhr and Niers across northern Germany. At the turn of the 19th century, engineers published treatises on the subject including the *Handbook of Hydraulics* printed in 1795 by Tulla's mentor Karl Christian von Langsdorf. German states such as Baden saw the importance of advancements in natural sciences and engineering and spent state funds cultivating promising talent like Tulla. A cohort of German river engineers emerged including Reinhard Woltmann who worked on the Elbe and Claus Kröncke and Karl Friedrich Ritter von Wiebeking who also worked on the Rhine (Blackbourn 2006: 83). These men were already applying rational hydraulic designs on rivers across Germany. Hence, Tulla's proposal to straighten and deepen the Rhine was not an innovation in river engineering since it reflected the dominant engineering theories of the times. Rather, it was the scale of Tulla's ambitions that was groundbreaking.

The Rhine was an inconsistent river—it twisted and looped its way roughly 1,250 kilometers from Lake Constance on the Swiss-German-Austria border to the North Sea port of Rotterdam. The upper Rhine between Basel and Bingen was particularly troublesome as islands, sandbars and wetlands constricted the flow of water. The Rhine falls below Schaffhausen, Switzerland, is a 30-meter drop and required travelers to use special flat-bottomed boats to descend—in fact; an early-19th century guidebook recommends that travelers cross to Strasbourg by land rather than risk the dangers (Schreiber 1825: 38; 49). Further, a series of underwater reefs near Bingen produced whirlpools that complicated navigation including the 'dreaded' *Bingerloch* whirlpool immediately below Bingen. To navigate this section, "a sufficient number of horses should be attached to the vessel by strong ropes... to drag against the current". Another whirlpool called *Wildes Gefahrt* below Bacharach presented yet more barriers to navigation (Schreiber 1825: 145-7). The Rhine rectification project promised to tame these dangers.

In addition, along this stretch, seasonal floods caused damage to villages and agricultural lands. The shifting river changed beds leaving some villages on the French side in the spring and on the German side by winter. Tulla's plan for Rhine rectification involved 354 kilometers of the

river and was based on insights from Castelli and Guglielmini: straighten the river so the faster moving water can be restricted to one bed and can cut a deeper river to prevent flooding. The project proceeded in two phases—first to straighten the river’s many oxbows and second to eliminate islands and sandbars impeding flow. Between Basel and Mannheim, the project would shorten the river by 82 kilometers and impose a uniform width of 200-230 meters (Cioc 2002: 51). Once deepened and straightened, the river would be tamed and consistent every season. It would decrease flooding and remove navigational difficulties caused by sandbars and reefs. It would also stabilize the banks of the river creating new economic opportunities.

Rhine rectification was not merely an engineering project. It was also a fight against ignorance and barbarism, and Tulla proselytized the benefit of his plan like a true zealot. Confidently, he asserted, “Everything along this stream will improve once we undertake the rectification work,” including the attitude and productivity of the people and even the climate (Cioc 2002: 38). He saw the project as a battle against nature, and victory would bring many advantages: reduce floods and illness, maximize agricultural production and stabilize international borders. Tulla referred to his vision for the Rhine as a “general operational plan” against the river. Even the term ‘rectification’ implied that the river’s natural course was somehow deficient and had to be corrected by science (Cioc 2013: 30). Those who stood in his way were painted as ignorant or malicious. In a letter to Kröncke in 1825, Tulla wrote:

The difficulties and obstacles that stand in the way of rectification of the Rhine do not lie in the task itself... but make themselves felt for the most part according to the degree to which individual interests or the interests of whole communities come into play, and whether the active agents are more or less enlightened and moral (quoted in Blackburn 2006: 95).

In addition to a battle against barbarism, Tulla and the Badenese authorities understood Rhine rectification as a political state-building project that solidified borders and promoted economic and administrative integration. In essence, the project not only rationalized the river, but also constructed a more rational state to manage the floods of fortune as Machiavelli counseled. This reverses Scott’s account of high modernist projects where authoritarian state bureaucracies are necessary to execute these rationalizing schemes. Rather, the argument here suggests that high modernist schemes can also build state competencies.

In 1771, Baden doubled when Karl Friedrich of Baden-Durlach inherited Baden-Baden. Then, between 1803 and 1806, Baden almost quadrupled as it swallowed formerly independent cities, ecclesiastic estates and principalities. In the wake of rapid expansion, bureaucrats in the capital Karlsruhe had to find a way to integrate its new lands into a coherent political entity. At the same time, Baden faced internal social and religious tensions in its efforts to centralize and

blend traditional aristocratic institutions with Napoleonic reforms²⁶ (Schmitt 1983:20, 27-9). By 1848, however, Baden had established a sense of identity with a favorable reputation among democrats and liberals across Europe. In addition, it boasted one of Germany's most centralized administrations and politically dominant bureaucracies (Lee 1991: 248). Tulla and the Rhine played a role in this transformation.

First, rectifying the Rhine solidified political borders. The Rhine as a border has been contested since the Roman Empire. According to Julius Caesar's records of his Gaul campaigns, German tribes settled on the right bank and Gauls on the left, but evidence suggests Caesar may have exaggerated this difference to gain political support for his military campaigns (Bispham 2008: 29). In spite of the questionable historical veracity of Caesar's statement, the Rhine as a natural and historic border between the Germans and French became part of the French national myth. Cardinal Richelieu's 16th century *Political Testament* contended the Rhine was France's natural border, and this view was upheld militarily by Louis XIV when his army captured Strasbourg in 1681 to extend France to its natural borders "jusqu'au Rhin" (Sahlins 1991:1424; Cioc 2002: 9). Since then, Alsace and Lorraine, located on the Rhine's left bank—the 'naturally' French side—have occupied center stage in Franco-German politics. In the late-18th century, treaties fixed France's border along natural boundaries. However, using the river as a frontier presented problems as noted by a military engineer in Strasbourg in 1814:

Everyone agrees that all boundaries should be as fixed and as invariable as possible; yet what is more variable than the middle of the Rhine, that is to say, the navigable part of the river? The Rhine changes its course every year, sometimes two or three times. With the floods, an island or a commune, which in the spring was French, is German the following winter, then becomes French again in two or three years, and by dams or dikes, the riverfront inhabitants and sometimes the contiguous states bring back an island to their respective banks. These islands, without stable and recognized masters, facilitate disorder of every time (quoted in Sahlins 1990: 1442).

Tulla's plan to confine the Rhine to a single riverbed would correct the uncertainty and disorder caused by an unmanaged geographic border.

Second, the Rhine rectification project was one of many devised to centralize, rationalize and integrate Baden's new territories into a coherent unity. These reforms involved new maps, legal codes, tax systems and standard weights and measures. As Blackbourn highlights, "Rhine rectification held up a mirror to these changes. Dive into the sprawling archival record, look at any one stage of the project, and it is like drawing a cross-section through the life of the state"

²⁶ At first, Frederick II of Baden sided against Napoleon from 1792 to 1805. In 1805, Baden switched sides and fought with Napoleon, gaining territory after the Peace of Pressburg (1805) and the Peace of Vienna (1809) and joined Napoleon's Confederation of the Rhine. In 1813 after the Battle of Leipzig, Baden switched sides again, landing on the victorious side at the Congress of Vienna. As Talleyrand famously quipped at the Congress, "Treason is a matter of dates."

(2006: 88). Questions of who would provide the labor, funding and material for the engineering projects involved many organs of the state's bureaucracy—and questions of coordination with other Rhine states consolidated Baden's foreign affair apparatus. In answering these questions in everyday practice, Baden's bureaucrats build their state through the logic of scientific rationalization, shaping a national identity with tools to control and tame nature for the benefit of society. The end product, a rationalized river, would benefit the state as a commercial highway as well as save the state from the cost of flood damage and reclaim agricultural lands from flood-prone swamps²⁷. Through the project, the theory of scientific conquest of nature met the practices of state-building and left indelible marks upon the geography of the river.

Hence, Tulla's rectification plan illustrated two logics of scientific engagement with nature—the moral logic of a battle against barbarism and the state-building logic of transforming nature into a useful economic good. The scientific urge to transform nature's curves into straight lines can be most appreciated through the engineering maps of the time. Figure 1 shows a portion of Tulla's plans to correct an inefficient oxbow. Once the narrow channel is cut, the river will do the rest of the labor, abandoning its meandering circular path and taking on a rational riverbed. The oxbows were naturally created by the hydrology of the meandering river where the outer edge of the curve would speed up and wash away sediments while flow along the inner bend would slow and deposit sediment on the inner bank. This process of deposit and erosion created sharper bends over time slowing the river down. However, the river Tulla encountered was not completely 'natural' either. Pollen analysis shows the oldest manmade channels along the river date back to 8,000 BCE, Roman historian Tacitus wrote of efforts to *coercendo Rheno* ("bully the Rhine") and the first cut to remove a bend date from at least 1391 (Blackbourn 2006: 75-6; Cioc 2002: 47). In this map, however, the everyday nonlinear and intertwined human and natural worlds are simplified into a mathematical world of straightened lines and flattened perspectives. The complex dance of mutual constitution between society's efforts to control the river and the river's hydrological proclivities is flattened into a one-dimensional story that unambiguously charts a unidirectional relationship of conquest. Through scientific ingenuity, society tames and improves nature.

²⁷ This point should not be overstated. Not all of Baden's actions led to cooperation over Rhine rectification—in the mid-19th century, Baden fought to delay works on the Mannheim to Strasbourg section of the river in an effort to protect Mannheim's status as the start of the navigable river (Clapp 1907: 18). However, for the most part, the rationalization of the Rhine into a tame and predictable highway coincided with Baden's interests.

Rationalizing the International Highway

Although navigation was never Tulla's main concern (Blackbourn 2006: 111), river rectification projects that followed in Tulla's wake focused on the Rhine's economic utility as a commercial conduit. The international project to rationalize the Rhine was very much an economic mission with free navigation as its central motif. Prior to the French Revolution, almost a hundred local German princes competed for power along the Rhine, fighting over control of small islands and fishing rights (Cioc 2013: 27). As an economic highway, the river bestowed power and wealth to local authorities through three main practices: toll collection, *Stapelrecht* (the right of unloading), and *Umschlagsrecht* (the right of transfer). However, these practices discouraged commercial activity along the river and were painted by observers as regressive and medieval.

The international project to rationalize the Rhine as an economic highway followed the double logics of Tulla's Rhine rectification project: to make conquests from barbarism by overcoming the irrational system of tolls and monopolies that hindered commerce; and to render the river commercially profitable for states along the Rhine as well as for global commerce.

Levying tolls on river traffic was at first an imperial prerogative reserved for the Holy Roman Emperor but toll collection devolved to local secular and religious authorities by the end of the Middle Ages (Chamberlain 1923: 147; Heckscher 1994 [1931]: 61). Legally, toll rates could not be raised and new tolls could not be levied without the Emperor's consent, but in practice, local lords competed with one another to establish extralegal tolls²⁸. By the late 12th century as many as 60 stations dotted the Rhine (Mellor 1983: 70). In the 16th century, the Archbishop of Mainz and Archbishop of Cologne instituted a toll every 15 kilometers only to be surpassed in the 17th century by the Duke of Cleves who charged a Rhine toll every 12 kilometers (Heckscher 1994 [1931]: 57). In the 18th century, tolls equivalent to a third of the boats' cargo were levied in just 40 miles of the middle Rhine between Bingen and Coblenz. By the French Revolution, boats encountered roughly 30 toll stations between Strasbourg and the Dutch border (Clapp 1911: 6; Spaulding 2007: 8).²⁹ To make matters worse, the toll rates were not always advertised and depended not only on the amount of cargo, but "the capacity of the boat, the judgment and corruptibility of the officials, or according to all four standards together" (Clapp 1911: 7). A popular boatman's song expresses the burden (translated in Clapp 1911: 6):

The Rhine can count more tolls than miles
And knight and priestling grind us down.
The toll-man's heavy hand falls first,
Behind him stands the greedy line:-

²⁸ These illegal tolls were often granted legal status by the Emperor after they were created.

²⁹ Clapp claims 29 stations operated between Strasbourg and the Dutch border. Spaulding argues that while Prussian reports at the Peace of Luneville (9 February 1801) records 29 stations, 16 on the right and 13 on the left bank, Eberhard Gothein's number of 32 is the more accepted figure.

Master of tolls, assayer, scribe, --
Four man deep they tap the wine.

Indeed, this proliferation of tolls became synonymous with Teutonic insanity—*furiosa Teutonicorum insania*, wrote English chronicler Thomas Wykes in 1269 as he described the local lords who were “not deterred by fear of God or king” and “extorted from each and every one new and intolerable payments” (quoted in Heckscher 1994 [1931]: 56). However, it was a rational form of insanity as no lord wanted to be outdone in profiting off river traffic. Five hundred years later, the situation remained unchanged as a late-18th century writer noted:

One sees rivers and very beautiful rivers become almost useless for navigation by the tyranny of tolls. The Moselle, the Rhine, the Elbe Rivers and many others groan under this extravagant despotism, a remainder of traditions of barbarism and ignorance as much as greed. Their banks are infested with insolent pirates, under the name of officials, charged to ransom, in the name of the princes whose domains the waters fertilize, the unfortunate merchants who expose themselves to these ruinous excursions. (Engelhardt 1879: 22)

Another traveler in the 1790s, Thomas Cogan, echoed these sentiments by describing how these illiberal tolls choked Rhine commerce: “the value of Rhenish wines is greatly increased to the consumer by the number of tolls exacted by every distinct potentate, and in every distinct jurisdiction.” In addition, Cogan complained about the manner in which tolls were collected as “humiliating to the passenger.” Further, Cogan describes the origins of the tolls as a way to raise money for local princes to reward their followers as the strongmen only knew war and “they envied the wealth which began to follow commerce” (1794II: 101; 343-5). Hence, revealing his bias against the medieval system and in favor of freer trade that would benefit merchant like him, Cogan paints the Rhine’s tolls as medieval, thuggish and specifically anti-commerce.

The problem was widespread not just on the Rhine, but as the previous quote from Engelhardt suggests, on many rivers. In exchange for tolls, local authorities had the implicit obligation to maintain towpaths and protect travelers. As another local song maintained, “tolls and protection come in the first place from necessity and not from greed,” but this was not always the case as towpaths were often left in unusable conditions (Chamberlain 1923: 147; Clapp 1911: 7). Few lords followed through on their public duty. Indeed, as highlighted by petitions from lords who wished for the Emperor to grant them the legal right to extract tolls, lords levied tolls primarily for their private financial gain rather than public need. In the 16th century, Count Hans Georg of the Palatinate at Veldenz wrote of the possibility of an imperial rejection: “God have mercy and help us and our six poor uneducated children and our wife with her heavy belly big with child” (Heckscher 2007 [1931]: 64). Nowhere does he mention upkeep of the towpaths and protection of merchants. A number of Holy Roman Emperors including Frederick Barbarossa in the 12th

century have sought to control the proliferation of tolls, but the imperial framework operated against them and thwarted their efforts to reign in the feudal lords.

In addition to toll stations, authorities along the Rhine clung to two other practices: *Stapelrecht* and *Umschlagsrecht*. Stapelrecht required goods traveling along the river to be unloaded for a certain amount of time—typically three days—so local merchants can be the first to purchase the goods. Stapelrecht likely goes back to 1259 when Archbishop Konrad von Hochstaden of Cologne claimed the right, which was later confirmed by Holy Roman Emperor Charles IV in 1355 (Spaulding 2011: 204). During the Middle Ages, five towns along the Rhine—Strasbourg, Speyer, Mainz, Cologne and Dordrecht—held Stapelrecht and prospered from the right which conferred upon these towns an economic advantage and transformed them into wealthy market centers. By the 18th century, Stapelrecht was limited to Strasbourg, Cologne and Mainz, and as a practical measure, the Stapelrecht was reduced to a tax. In addition, exceptions were made for coal, foodstuffs and timber (Clapp 1911: 8; Chamberlain 1923: 149; Mellor 1983: 72).

Umschlagsrecht or the right of compulsory transfer required merchants to transfer their goods to local boats—operated by each city’s boatmen guild—for each section of river. The Dutch controlled the river’s mouth, Cologne’s boatmen monopolized the lower Rhine, Mainz boatmen controlled the middle and Strasbourg and Basel shared the upper Rhine. The practice was tightly regulated as boatmen guilds collaborated with city authorities to determine rates and regulations. Boatmen operated according to strict guidelines with each boat only moving out once filled (Chamberlain 1923: 150; Clapp 1911: 9). These rights were negotiated in the first instance but were quickly institutionalized and became difficult to overturn. For example, in 1681, the Archbishop of Mainz and the city of Strasbourg signed a compact that with the exception of the spring and autumn Frankfurt festivals, only Mainz ships could carry goods upriver. In 1751, after France conquered Strasbourg, the French disputed this arrangement but the institutionalized practice held (Chamberlain 1923: 149).

The practice of mandatory transfer to local boats was supported by a strong practical argument that the same boat cannot safely transport goods the entire length of the Rhine from Basel to the North Sea. Roy Mellor’s 1983 study meticulously catalogs the different water transports along the Rhine. The fast and steady trapezoidal Oberlander navigated the lower Rhine but were not allowed past Cologne, and the Lauertanne derived from a dugout canoe was better suited for the shallower and faster currents of the upper Rhine (1983: 75). Given the navigational limitations of some boats, transferring goods to the right boat, guilds maintained, was cheaper and safer for commerce, and local boatmen possessed the knowledge needed to safely navigate their stretch of the river. While this argument is convincing for why goods should be transferred, it does not

account for why certain towns and guilds monopolized the right of transfer. To understand these practices is to understand centuries of contingent societal interaction with the river.

The practices outlined above were not neutral; they enriched certain cities rather than others and exposed underlying networks of power that ran through the Rhine community. Cologne, an important commercial center since Roman times, held its monopolies as a result of and as a way to augment its wealth and power. Institutional locked-in perpetuated Cologne's privileges. It is no surprise then that Cologne was known as the "mother of German towns" and led the way in developing early modern urban institutions in northwest Germany (Dollinger 1964: 14). Newer urban centers such as Rotterdam, Mannheim and Frankfurt, which became important economic centers in the late Middle Ages, challenged the disproportionate power held by Cologne and Mainz. However, these institutionalized practices were difficult to alter. But for the liberal free trader, these practices hindered civilizational progress and tilted incentives against efforts to transform the river into a more efficient economic highway.

As it expanded eastward in the late-18th century, the French Republic undertook to reform the Teutonic insanity of the Rhine's system of tolls and monopolies in the name of Enlightenment reason and equality and sought to establish a more rational economic system. In opening the Scheldt River to traffic of all nations on 16 November 1792, the French Republic decreed:

...no nation can without injustice claim the right exclusively to occupy the channel of a river and to prevent the neighboring upper riparian States from enjoying the same advantages; that such a right is a remnant of feudal servitude, or at any rate, an odious monopoly which must have been imposed by force and yielded by impotence; that it is therefore revocable at any moment and in spite of any convention, because nature does not recognize privileged nations any more than privileged individuals, and the rights of man are forever imprescriptible (Kaeckenbeck 1918: 32).

Here, French Republican officials linked the free navigation of international waterways to the rational, egalitarian spirit of the age. This decree aims to sweep away the "feudal servitude" imbedded in ancient rights and monopolies in favor of Enlightenment faith in the laws of nature which made nations equal and overrode the dense layering of ancient privileges that hindered trade along rivers. In essence, this argument elevated freedom of navigation and trade along international rivers to a natural right and eschewed any opposition as backwards, immoral and unnatural. It supported the idea that history is a progressive flow from the irrational conflict of the Middle Ages to a rational and cooperative modern age.

The decrees of the French Republic and later Napoleon paved the way for the creation of the 1815 Rhine Commission. The two logics that drove Tulla's engineering projects also shaped the rationale behind the Rhine Commission—that it would first battle the untamed chaos of

fractious Hobbesian competition between local lords, and secondly, promote the economic logic of an international governance project to transform a contested geographic space into a rational highway for global commerce. Indeed, as will be discussed in the next chapter, the underlying narrative of the river as an economic highway permeates discussion in the International Rivers Committee as it permeates the treaty articles that emerged from the Congress of Vienna. Even those who argued in favor of traditional monopolies did so in the language of economic gain: indigenous knowledge allowed local boatmen to provide safer and less costly transport of merchants' goods. The river as an economic highway was further emphasized in a letter from Talleyrand to King Louis XVIII of France reporting: "The arrangements relating to the free navigation of rivers are as yet barely sketched in; but the principles have been decided on, and they will secure to commerce all the advantages that European industry could ask for..." (*Letter LIII*, 15 February 1815). Therefore, through its emphasis on economic efficiency, the project to institutionalize international cooperation on the Rhine at the 1815 Congress of Vienna was also a project to tame the river, and by extension all the river's metaphorical guises as the forces of history and fortune. The resulting Commission would apply rational, scientific methods to deter divisive competition and render the river conducive to mutually beneficial human commerce. This conceptualization of the Rhine as a transnational economic highway became imbedded in the Commission and would go on to shape future river commissions.

Counterpoint: the Romantic Rhine River

As a counterpoint to the scientific project to tame the river, the turn of the 19th century saw the blossoming of a Romantic conceptualization of the Rhine. According to historian Isaiah Berlin, the Romanticism that developed in late-18th century Germany represented a major turning point in Western thought "through the destruction of the notion of truth and validity in ethics and politics" (1996: 168). The movement bloomed with a wealth of literary and intellectual talent from the emotive *Strum and Dang* artists to the Jena circle to Immanuel Kant's revolutionary philosophy. The Romantics celebrated the Rhine as a river full of heightened beauty and deep nostalgia inspired by personal emotional connections to the landscape. However, the Romantic German river was a human narrative subject to the same anthropocentrism as the narrative of scientific and enlightened progress detailed above (Taylor 1998). For the Romantics, natural landscapes were reflections of the human soul. The Romantic project imperfectly mirrored the two logics of Tulla's rectification project: a moral crusade to recover the wild, beating soul of unspoiled nature and a nation-building enterprise that coded the landscape as German.

Legends about the Rhine represent the river as a beautiful but magical and menacing force, a reflection of dark, ominous and brooding forces in the human soul. In Joseph Snowe's 1839 collection, legends and traditions from the Rhine show the dangerous aura surrounding the

mysterious river. One tale recounts the story of a dying boy on a boat who hears the water-wolf howl. “To hear the water-wolf howl, was, in the superstition of the age, and of the people, to hear the voice of the angel of death” and subsequently a storm followed by floods ravaged the boat and killed almost everyone onboard (Snowe 1839: 138-9). The most popular Rhine myth is that of the Lorelei, a tale first popularized by Clemens Brentano in 1801, retold by Heinrich Heine in an 1824 poem and even featured by Felix Mendelssohn in an unfinished opera in 1846. The Lorelei is a rock formation located in the narrowest section of the Rhine between the Swiss border and the North Sea. Though there are many variations to the story, Lorelei is most famously remembered in her role as a siren, luring sailors to a watery death with her beauty. Of an unfortunate victim, Wilhelm Ruland’s version of the tale recounts, “His eyes were fixed on the features of this celestial being where he read the sweet story of love.... Rocks, stream, glorious night, all melted into a mist before his eyes, he saw nothing but the figure above, nothing but her radiant eyes” (1908). It was death bathed in beauty. Echoes of this legend can be seen in Wagner’s beautiful maidens who guarded the precious Rhine gold.

The vision of the Rhine as a distinctly German emblem can be traced to the early 19th century as the Romantic movement and Napoleon’s eastward expansion inspired Ernst Moritz Arndt to write his 1815 essay *The Rhine—Germany’s River, but not Germany’s Border* arguing that German culture dominated both sides of the Rhine (Cioc 2002: 9). A journey down the Rhine in 1802 inspired German Romantic poets Achim von Arnim and Clemens Brentano (assisted by his sister Bettina) to compile a collection of folk songs according to Johann Gottfried Herder’s notion of *Volk* and *Volks poesie* (Plonien 2000: 81-82). German writers Karl Simrock and Joseph von Eichendorff also published collections of Rhine legends in the early 19th century (Taylor 1998: 59). In these works, Romantic inclinations commingled with nationalism: if the German people did not have a mythology, one must be invented; and if the Germans did not remember their mythology, their memories must be reawakened.

Lyric poet Friedrich Hölderlin composed *Der Rhein* in 1801-2, a poem featured by Martin Heidegger in a 1942 lecture along with another poem titled *Germania*. In this poem, Hölderlin celebrates the Rhine’s picturesque Alpine origins and the river’s journey through Germany:

And it is beautiful
Leaving the mountain behind
That he should slip through Germany’s landscapes
In silent delight, stilling his longing
With useful labor working the land
As Father Rhine, and nourishing children
In towns that he has founded.

In this poem, the Rhine sows civilization and industry as it journeys across the countryside—a hardworking paternal figure creating a nation of German cities and people. Similarly, an 1847 volume of *Lays and Legends of the Rhine* begins with a poem titled *The Rhine* that twists and blends a description of the Rhine’s natural landscape with declarations of Germany identity: “Around his diadem rich flowers did twine, / Of Song and Poesy;--this father Rhine / shall be forevermore the pulse of German story!” The vision of a German river has been taken on not only by local poets and musicians but by foreign writers such as Henry Wadsworth Longfellow when he wrote in *Hyperion: A Romance* in 1839:

O, the pride of the German heart is this noble
river! And right it is; for of all the rivers of this
beautiful earth there is none so beautiful as this.

Through these works, the river’s beauty and even its physical dangers were being “recoded” as German (Plonien 2000: 84). This distillation of aesthetic beauty into political truth can also be seen in the nearly 400 songs about the Rhine published in the 1840s that spoke of a growing German national consciousness (Porter 1996).

However, the Germans did not have a monopoly on rapturous visions of the Rhine. Dutch poet Joost van den Vondel wrote in 1629, “Your Highness Rhine, my sweet dreams / How can I sing your praise?” reminding readers that the river meets the sea not in Germany but in Holland (quoted in Cioc 2002: 8). In addition, parallel to ideas of the German river, the 19th century also saw the emergence of a more international and commercial construction of the Romantic Rhine.

Internationalizing the Romance

As fame of the scenic Rhine spread, international travelers appropriated the river as their own. In the early 19th century, artists and writers traveling along the river on the Grand European tour transformed the Rhine into a universal Romantic symbol and must-see tourist destination. J M W Turner’s paintings and the words of Victor Hugo, Lord Byron, Ann Radcliffe and Henry David Thoreau attest to the river’s international appeal. These artists and subsequent multitudes celebrated the wild twisting beauty of the upper middle river between Bingen and Koblenz dotted with crumbling medieval castles and tollbooths. Lord Byron famously describes the river in *Childe Harold’s Pilgrimage* (1812-1818):

A blending of all beauties; streams and dells,
Fruit, foliage, crag, wood, cornfield, mountain, vine,
And chiefless castles breathing stern farewells
From gray but leafy walls, where Ruin greenly dwells

Unlike their counterparts, international luminaries coded the Rhine's dark beauty as more than merely German. Victor Hugo's literary travelogue on the Rhine combined three trips he made with Juliette Drouet in 1838, 1839 and 1840. Woven into his vivid descriptions of the river is his political visions of a borderless Europe (Thompson 2012: 145). Disguised as letters to his wife, his prose celebrated the Rhine's pan-European character:

Yes, my friend, the Rhine is a noble river—feudal, republican, imperial—worthy, at the same time, of France and of Germany. The whole history of Europe is combined within its two great aspects—in this flood of the warrior and of the thinker—in this proud stream, which causes France to bound, and by whose profound murmurings Germany is bewildered in dreams (Hugo 1843: 111).

For Scottish philosopher Thomas Carlyle, the Rhine represented something even grander than the dream of a united Europe. In an 1853 trip, Carlyle first encountered the Rhine and described the noble river as “the most magnificent image of silent power I have seen; and in fact, one's first idea of a world-river” (quoted in Kaplan 1983). In a letter to Ralph Waldo Emerson about his journey, he describes how this world-river “rolls along, mirror-smooth...voiceless, swift, with trim banks, through the heart of Europe, and of the Middle Ages wedded to the Present Age” (*Correspondence* Volume 2, 13 May 1853). For Carlyle, who was unimpressed with Germany otherwise, the Rhine connected spaces and epochs as he felt swept away by this pure nature—it was an ideal river that transcended nationalities and momentary philosophies of the day to unite the world. It is interesting to note that Carlyle's smooth river with trim banks was not natural but the creation of multiple rectification projects described above. And like Tulla's engineering projects, poetry also sought to transform the combined work of science and nature into an idealized ‘natural’ river.

With the first steamships to travel up the Rhine in 1816, tourism boomed, and the river became crowded. An 1825 travel guide suggested that visitors “should procure as many letters of recommendation as he can, since they are often the only means of obtaining a view of curious objects” (Schreiber 1825: 1)—a testament to the intense public interest in the Romantic Rhine. The Netherlands Steamboat Company began regular services between Rotterdam and Cologne in 1825, and a Prussian company followed suit two years later. Published in 1828, J. A Klein's guidebook *A trip on the Rhine from Mainz to Cologne* became a bestseller (Cioc 2002: 145-6). In fact, description of the picturesque river became so cliché that writers did not even need to actually see the Rhine to wax poetic about its scenic shores. In 1862, from the other side of the Atlantic, Henry David Thoreau wrote after only glimpsing a painting of the river: “It was like a dream of the Middle Ages. I floated down its historic streams in nothing more than imagination, under bridges built by the Romans...” (quoted in Cioc 2002: 8). Here, Thoreau's words reflect

the constructed Romantic aura surrounding the river rather than the river itself. The goal here is not to know the river but to capture poetic truth.

Amidst Romantic enthusiasm for the Rhine's magnificent scenery, glimpses of dissatisfaction with the river's lack of navigational efficiency shine through, particularly before the combined force of steamboats and river rationalization changed travel. Gothic novelist Ann Radcliff's travelogue of her journey down the Rhine in the summer of 1794 highlighted the sublime cliffs, wild and romantic landscape, melancholic castle ruins and bucolic countryside. But the account also described the difficult river passage between Cologne and Mainz where the river was so rapid and narrow that "a loaded vessel can seldom be drawn faster than at the rate of six English miles a day, against the stream" requiring a fortnight to make the journey (1794:153).

In Mary Shelley's *Frankenstein*, published in 1818, Dr. Frankenstein attempts to journey by boat from Switzerland to Rotterdam along the Rhine and then back to England. As expected, Frankenstein describes the ruined castles, tremendous precipices and meandering river being so captivating that "even I, depressed in mind, and my spirits continually agitated by gloomy feelings, even I was pleased." However, his progress was painfully slow and required five days sailing between Strasbourg and Mainz. At Cologne, he was forced to abandon the river and continue overland. In fact, as we later discover, his journey was so slow that the monster was able to track him on foot: "I crept along the shores of the Rhine, among its willow islands, and over the summits of its hills". In addition to satisfyingly Gothic images of a dark monster creeping through the Rhine's stormy ruins, the story reminds us of the practical consequences of the inefficiency of river travel. Steamboats simplified navigation, but also required additional engineering works to further tame the river into a suitable steam highway.

Certainly the paradox was that the Romantic vision of the Rhine as a sublime tourist destination required a river rendered conducive to the increasingly large number of tourists traveling up its currents. Hence, perpetuation of the Rhine's Romantic image meant the river needed to be made into a safe and efficient highway for a different type of commerce as the Rhine itself became a commodity. The vistas these visitors saw were far from being untouched by humans; any notion the river ran untamed arose from high Romantic fantasy. In addition to the castles, tollbooths and majestic ruins on every river bend, extensive dredging and blasting were required to make the river safe for tourist boats that flooded the river (Blackbourn 2011: 18). Ironically, the more popular the Romantic framing of the Rhine River became, the more important the project to tame it became.

However, the narrative of a picturesque natural river gained a permanent place in the European imagination, and once established this idea would flower into the early murmurs of a nascent environmental consciousness. As Samuel Taylor Coleridge wrote as early as 1828:

The river Rhine, it is well known,
Doth wash your city of Cologne;
But tell me, Nymphs, what power divine
Shall henceforth wash the river Rhine?

Coleridge's question would not be answered until the mid-20th century when pollution as an eminent threat to the river entered the political discourse. By then, hydroelectric dams would also chock the river. Martin Heidegger described a hydroelectric plant built on the Rhine as a "monstrousness" that fundamentally altered the essence of the river, transforming it from the Rhine of Romantic art into merely "a water power supplier—that derives from the essence of the power station" (Heidegger 1949 quoted in Cioc 2002: 46). However, these critical themes in Coleridge's and Heidegger's writings did not reach the chambers of the Rhine Commission which, throughout the 19th century, continued to view the river solely as an economic highway and the Commission's role purely as one of facilitating better navigation. The Commission was successful in pursuing this one goal. As environmental historian Mark Cioc observes, "this single-mindedness of purpose—the promotion of trade through improved navigation—allowed the Rhine commissioners to achieve their goals effectively and efficiently; in less than a century, they transformed the Rhine into a world-class commercial waterway" (2013: 26). At the start of the 21st century, the Rhine remains the second most heavily trafficked commercial artery in the world. However, the Commission's partiality for one understanding of the river over others reduced the Commission's ability to engage with all facets of the river and marked the Commission's subsequent relationship with nature as far from complete.

Afterwards: Consequences of Tulla's Conquest from Barbarism

The Tulla Rectification Project officially began in 1817 and lasted until the 1870s. The project was followed by projects in Prussia, the Netherlands Rhine delta and the Swiss alpine stretch which focused on navigation as well as flood control. Through these projects, the Rhine River was measured and disciplined despite local resistance and even violence between villagers and implementing authorities. At first, Tulla's project successfully created a stable river and turned riverside swamps into arable land, prime housing real estate and ideal plots for new factories. However, unintended consequences soon surfaced. Tulla's plan had only intended to deepen the river by one meter, but riverbed erosion deepened the river up to six or seven meters in some locations creating dangerous rapids and other navigational difficulties that had to be further corrected (Cioc 2002: 54). Following his trip along the Rhine in the late-18th century, Johann Goethe had lyrically described the forty-five species of fish that made the upper Rhine its home

including the salmon, shad and sturgeon. Rhine rectification projects combined with factories and steamboats disrupted quiet resting pools and breeding grounds necessary to replenish fish stocks, altering the fishing industry along the river. The Rhine's faster currents also put an end to the gold deposits that once washed up on the river's gravel banks (Blackbourn 2006: 98-101). Addressing these environmental consequences, however, would require policymakers to adopt an altered understanding of the Rhine as a different kind of resource—an understanding that diverges from the vision of the river as a rational economic highway.

Not only did Tulla's ambitious rectification project destroy wetlands habitats, adversely affect breeding grounds for migratory fish, and end gold extraction, the project ironically did not achieve its intended goal of flood control. After damaging floods struck the middle and lower Rhine in 1824, Prussia submitted a request to the German Confederation to examine Tulla's rectification project. The nascent Rhine Commission was still stymied by political impasse and working to establish its formal apparatus so the German Confederation established an ad-hoc committee to include the united Netherlands to discuss Tulla's plan, meeting a dozen times in 1832 (Cioc 2013: 36). By then, Tulla had died in Paris in 1828 and was buried in Montmartre Cemetery with a schematic representation of Rhine rectification on his tombstone (Figure 2)—an eternal celebration of the German engineer's determined battle to tame the unruly forces of nature with scientific rationality.



Figure 2. Johann Tulla's Tombstone in Montmartre Cemetery, Paris
(Photograph belongs to the Author 2015)

At the ad-hoc commission, engineers and bureaucrats argued for and against Tulla's plans. As critic Fritz André contended in a treatise published in 1828, Tulla and his engineers should have known that without allowing the floodplain in the upper Rhine to absorb the Alpine spring melt, floods downstream would become more intense. André wrote: "If the Upper Rhine is rectified as completely as envisaged by the Tulla Project, it will create a shorter and swifter current that will cause all of Germany's rivers to reach their peak discharge at or about the same time" (quoted in Cioc 2013: 35). Flooding along the upper Rhine had acted as a delay that syncopated the rush of spring melt; without it, the melt along the Rhine's tributaries all peaked at once and hit downstream locations with increased force (Cioc 2002: 69-70). Deliberations raged on and the ad-hoc commission failed to reach a scientific consensus on whether society or nature was responsible for the floods—and Tulla's rectification plan proceeded as before. Hence, following Timothy Mitchell, technocratic hubris has a path-dependent institutional logic where failures result in adjustments that reinforce rather than rethink the established models responsible for the failures in the first place (2002: 41-2). The only way to correct the unintended consequences of the first project was with additional rectification projects that sought to marshal even better science to make the river an even more rational highway.

In the final act of Johann Goethe's *Faust, Part II* (1832), the protagonist is given a piece of coastal land deemed useless. Faust cleverly drains the "noisome bog" and creates an earthly paradise where "man and beast, in green and fertile fields, will know the joys that new-won region yields". However, the "fierce devouring flood" eats away at his conquest and requires that Faust continue his labors to "daily conquer it anew" (Act V). Here, Goethe pinpoints the Faustian bargain that underpins 19th century river rectification projects to tame the river and make conquests from barbarism. The river pushes back, and the myth of society's ability to tame nature needs to be perpetually reasserted at each turn.

Conclusion

Despite its multiple identities in the European imagination, the conceptualization of the Rhine as an economic highway that ought to be tamed for the moral and fiscal benefit of European society formed the intellectual backdrop to the 1815 Congress of Vienna's International Rivers Committee. This construction of the river emerged from an Enlightenment ethos that aimed to rationalize nature both as a moral and economic project to improve society from the ground up.

A twenty-four year old Johann Tulla wrote in his diary: "Most hydro-technicians have studied the effects of engineering works on a river only on the surface" (quoted in Blackbourn 2006: 81). Tulla intended to also study river hydraulics beneath the surface and his rectification plan exemplified his commitment to view the river as a holistic engineering system. This chapter

follows Tulla in an effort to look beneath the surface to examine the sociological undercurrents shaping the 1815 Congress of Vienna's International Rivers Committee, which created world's oldest continuous interstate institution on the Rhine. Underneath the surface of a seemingly perfunctory and technocratic committee flowed the social and intellectual undercurrents of the Enlightenment and Second Scientific Revolution which framed society's understanding of its relationship with the natural world. The untamed river was conceived as a danger to both the moral and political health of surrounding populations, and a rational, scientific method must be devised to correct and tame the unruly river for the benefit of society. As will be argued in the next chapter, these intellectual undercurrents created the permission conditions for the creation of the Rhine Commission in 1815. Once created, these understandings of how society ought to engage the transboundary river—as a moral conquest from barbarism and a cameralist project to maximize economic gain—became imbedded in the institutional framework of the Rhine Commission. The next chapter will detail deliberations in the International Rivers Committee as diplomats created the technocratic model for subsequent river commissions.

Chapter 4:

The 1815 Congress of Vienna and the Rhine Commission

The 1815 Congress of Vienna is often conceptualized as a turning point in European politics, a critical junctures that left lasting marks on international politics. Subsequent scholars would also regard the creation of the 1815 Rhine Commission as the first step towards a more rational, economic order underpinned by interstate organizations that facilitated cooperation to achieve collective economic gain. However, this chapter argues that these narratives overemphasize the Rhine Commission's revolutionary character and the Congress of Vienna's innovative spirit. Two opposing forces shaped the Congress' understanding of cooperation on international rivers. Diplomats conservatively aimed to restore a pre-Napoleonic social order, but at the same time, they also felt the pull of Enlightenment confidence in society's ability to tame unruly rivers and irrational river politics for the benefit of all. As a result, an awkward compromise was reached between adopting Napoleonic innovations and a return to antebellum practices along the Rhine.

Here, I will contend that the construction of the Rhine as a trans-European highway that ought to be controlled and rationalized for global commerce created the permissive conditions behind the 1815 Rhine Commission. However, historically contingent political forces tempered these ideas. Therefore, the Commission was largely a return to pre-French Revolution interpretations of the transboundary river as private property rather than international commons—but with a liberal twist. The Vienna Congress adopted good neighborly principles with a consultative body to oversee the implementation of these principles, which conceived of the river as an economic highway. This understanding of rivers, then, imbedded in the institution that emerged from the Treaty of Vienna into the international institution to govern transboundary rivers.

Cooperation, Napoleon and Institutional Origins of the Rhine Commission

Most scholarship on the Rhine Commission have an underlying liberal narrative that celebrates the Rhine's slow transformation from the playground of fractious local lords who stood in the way of free trade into a rational commercial highway with the removal of these barriers to trade. Economist Edwin Clapp hailed early-19th century changes on the Rhine as liberation so that "the real development of the river traffic" could begin (1911: 10). Joseph P. Chamberlain³⁰ writes in the preface of his legal volume on the Rhine and Danube that parts of the work was "collected for the use of the Inquiry created by President Wilson" to study questions affecting peace and harmonization of interests between states (1923: 50). Robert Spaulding (1999) characterized events that led to the establishment of the 1815 Rhine Commission as an example of the evolution from anarchy to hegemony to cooperation. A closer examination of the history behind the creation of the Rhine Commission suggests these accounts overemphasized the historical

³⁰ Joseph Perkins Chamberlain was an American lawyer and law professor at Columbia University from 1923 to 1950. He should not be confused with the prominent 19th century British politician with the same name.

break signified by the Rhine Commission. Cooperation along the river did not begin with Rhine Commission and conflict did not end with the Commission either.

While no overarching political organization united the Germanic peoples during the Roman era, these groups were able to unify to ambush and decisively defeat a Roman army under Publius Quinctilius Varus in 9 CE at the Teutoburg forests. This catastrophe stopped the Romans at the Rhine and prompted Emperor Augustus to strengthen his forts along the river at Cologne, Mainz and Strasbourg (Wells 2003: 15)—cities that would dominate Rhine politics for centuries. In the 9th century, under Charlemagne, the western part of the Roman Empire was re-christened as the Holy Roman Empire, a limited unifying framework overseeing principalities numbering in the hundreds by the 18th century. Different from other European monarchies in the early modern period, the “princes and other subordinate corporations and individuals retained a far greater degree of autonomy from the monarch” with limited power to levy taxes, raise armies and regulate society (Whaley 2011:2). However, local princes lacked absolute sovereignty and were subject to the Empire’s overarching policies and laws.

In the mid-13th century, political turmoil following the death Frederick II and the collapse of the Hohenstaufen authority allowed local strongmen to foment chaos and extract illegal taxes along the river. In 1254, cities starting with Mainz and Worms and growing to 70 members to include all major Rhine towns united in the League of Rhenish Cities to establish order and maintain safe passage. While the League also claimed the protection of church property as part of its mission, its primary purpose was the protection of merchant interests. King William of Holland recognized the League which boasted an army and a river fleet reportedly numbering a hundred boats (Engelhardt 1889: 24). The League dissolved after a number of years and the cities were disarmed but informal cooperation remained an important practice along the Rhine³¹. Another decline in the Holy Roman Empire’s authority in the 14th century created the political space for the four electors along the Rhine—the archbishops of Cologne, Mainz and Treves (Tier), who had also been a part of the League as century before, and the elector of Palatine—to conclude an agreement in 1354 to regulate tolls and maintain towpaths. The agreement became a treaty in 1506 that aimed to standardize toll collection and guaranteed the safety of merchants provided they paid the toll. A council met regularly to discuss navigation problems, and the four electors made an effort to jointly maintain infrastructure and police the river (Chamberlain 1923: 152-3; Engelhard 1889: 26-27). They went so far as to sue Cologne and Mainz in the Empire’s court to end their monopolies on the Rhine—a suit that went undecided for 92 years until Napoleon ended the Holy Roman Empire in 1806 (Spaulding 2007: 12). Hence, while the river that revolutionary France occupied in the late-18th century was very much the world of Teutonic

³¹ According to historian Tom Scott, regional and temporary self-defense associations such as the League were commonplace across central Europe in the Middle Ages—these groups were usually created to address a threat and lasted only while the danger persisted (Scott 2012: 61).

insanity with excessive tolls and competing authority as described in the last chapter, the Rhine was also a political space for testing and refining cooperative frameworks. Both laid the groundwork for the establishment of the Rhine Commission.

As their armies moved east, France's attention turned towards dismantling the longstanding aristocratic power structures of central Europe and establishing liberal regimes in their place. One area for liberalization was along international rivers such as the Rhine and Scheldt. In fact, in 1648, Holy Roman Emperor Joseph II had tried to liberalize the Scheldt by forcing the Dutch to open the river to freedom of navigation and trade, and failed (Kaeckenbeeck 1918: 31). Following Joseph II, when the French Republic invaded the Netherlands in 1792, the executive council issued a decree opening the Scheldt and the Meuse Rivers to freedom of navigation. It stated that "the stream of a river is the common, inalienable property of all the countries which it bounds or traverses." The 1795 Treaty of The Hague between Holland and France confirmed this principle and applied it to the Rhine, and the principle was then perpetuated by the treaties of Munster, Ryswick and Baden (Kaeckenbeeck 1918: 32-3; Chamberlain 1923: 158-9). This principle of common ownership between riparian states, while a departure from past views of the river as an individual state's property, was not quite the later norm that an international river should be a shared geographic space open to all of humankind—that interpretation of the river would remain debated and contested throughout the 19th century. And yet, this principle of common ownership was revolutionary in that it threatened established local authorities along the river, removing from their control the individual rights to tax and regulate traffic.

As expected, local authorities resisted efforts to standardize tolls and break the monopolies held by boatmen's guilds for centuries. With the Congress of Rastadt in 1798, France gained control of the river's left bank and aimed to abolish tolls on goods and open up free navigation to foreign vessels—the other Rhine states objected to this as an encroachment on their sovereignty and the congress ended in stalemate. After Napoleon Bonaparte took over the French state in November 1799, he maintained the same principles which were again proposed at the 1802 Conference of Ratisbon. Finally, in Paris on 15 August 1804, the arch chancellor of the Holy Roman Empire Karl Theodor von Dalberg and Napoleon signed an agreement known as the Octroi Convention. This convention standardized regulations along the Rhine and created a joint France-German body, the Magistrate of the Rhine, to enforce the new regulations and supervise engineering projects (Chamberlain 1923: 164-5; Spaulding 2007; Cioc 2013: 29). The convention abolished monopolies and excessive tolls and declared the river the common property of both empires and that "its navigation shall be subject to common regulations" (Kaeckenbeeck 1918: 34). Hence, perhaps it was Napoleon's Magistrate rather than the 1815 Congress of Vienna that marked the beginning of the oldest interstate institution.

The Magistrate of the Rhine brought new principles to transboundary river management, and in doing so, shifted the authority to tax and to regulate river traffic to a cooperative interstate body. The Magistrate was an independent administrative organization with a director-general jointly appointed by France and the Holy Roman Empire to supervise toll collection, maintain towpaths and police navigation from Switzerland to the Dutch border. The director-general was aided by four assistants—two to represent France on the west bank and two to represent the German states on the east. Any disagreements would be discussed at an annual meeting at Mainz. The Magistrate went to work immediately. It established three classes of goods and reduced toll stations to twelve, six on each bank. According to the 1804 agreement, authorities were required to use the toll revenue to maintain infrastructure rather than to fill state coffers as had been the practice previously (Chamberlain 1923; Van Eysinga 1935: 10; Spaulding 2007). The French sent Charles Coquebert-Montbret to oversee the Magistrate's establishment; he not only set up the administration as defined by the agreement but also established procedures for legal appeals, dispute settlement and trials to enforce the newly standardized regulations (Spaulding 2007: 17). The Magistrate set up administration centers at Cologne and Mainz which once were centers of resistance to the liberalization of the river.

The Octroi Convention's attempt to liberalize and rationalize the international river based on a new definition of the river as a collective commercial highway was pioneering. However, as this brief outline of Rhine history demonstrates, Napoleon's Magistrate was not the first attempt at a cooperative framework along the river. It would be inaccurate to mark the Magistrate as a clean break from past practices—a whirlwind of liberal rationality that swept away archaic practices of a medieval past. Rather, the new body was at the same time a liberal system aimed to regulate the river as an economic highway and an imperial system imposed by hegemonic French power as a continuation of the struggle to control the river. The new organization was as much a result of principles as the French Empire's interest in standardized tolls and efficient navigation, both a product France's need to work with and compete against German rulers along the Rhine.

The Magistrate was short-lived. In 1806, the Holy Roman Empire dissolved, effectively ending the Octroi Convention. With Napoleon's forced abdication in 1814 and the dismantling of the French Empire, Napoleon's reforms were also in danger of disappearing. At the 1815 Congress of Vienna, the major underlying question for diplomats was how to re-balance Europe to form a more stable European order. The question before the International Rivers Committee, then, was which French reforms to keep and how much to regress from French innovations on the Rhine.

The creation of the Rhine Commission was affected by three forces at the Congress of Vienna: first, the notion of balance or equilibrium in central Europe to limit French and Russian power; second, Prussia's ambitions for territorial gains to become the foremost German state; and lastly, an emerging notion that European states should collectively work for the common good, particularly for security and economic advances. The first two pushed for a return to political arrangements as they were before Napoleon while the last, shaped by social and intellectual forces discussed in the last chapter, suggested a new way of conceptualizing the river and a new type of interstate body to govern it.

The four Great Powers at the Congress of Vienna—Great Britain, Austria, Russia and Prussia—arrived at the conference with their own security agendas and desired territorial settlements along with a general concern for restoring some form of equilibrium to Europe's geopolitical landscape. Of these players, Russia had the largest population, territory and standing army, but diplomatic ineptitude and the combined interests of other powers barred Russia from achieving its main objective of annexing Poland (Chapman 1998: 23-24). Prussia aimed to increase and consolidate its territories to establish control over Northern Germany (Jarrett 2013). However, Prussia lacked leverage as it had been sidelined from the war since its 1806 defeat to Napoleon at Jena. Prior to the conference and without the other powers, Russia and Prussia had agreed to the 1813 Treaty of Kalisch where Russia would annex Poland and Prussia would gain Saxony. Disagreement over this treaty almost triggered war between the powers in January 1815 as Britain, Austria and France signed a secret treaty to oppose Russia and Prussia's territorial ambitions with force if necessary (Nicolson 1946: 176-179). Territorial gains and particularly the status of Saxony dominated Prussia efforts at the Congress as evidenced in Prussian diplomat Wilhelm von Humboldt's lengthy letters to his wife.

The wish for a balance in central Europe united Austria and Great Britain. Austria entered the war against Napoleon late in 1813 and therefore lacked diplomatic leverage despite being ably represented by the incomparable Klemens von Metternich. Napoleon's liberal political ideas threatened the precarious internal unity of the multiethnic Austria Empire just as a strong France and Russia loomed threateningly for Austrian foreign policy. Metternich couched his call for a strong central Europe in what he termed a 'just equilibrium'—a concept that squared well with Britain's aim for a balance of power in Europe (Chapman 1998: 17). With a diplomatic team headed by Lord Castlereagh, Britain wanted a balance in central Europe to prevent any possible French invasion of England. To do so, Castlereagh worked to establish a united Low Countries of the Netherlands and Belgium into a single state closely allied to Britain under the House of Orange (Nicolson 1946: 206-8). This combined state would have unforeseen consequences for

the Rhine Commission. From 1815 until Belgium declared independence in 1831, the United Netherlands's refusal to accept free navigation on the Rhine would slow liberalization along the river. In addition, in compensation for not allowing Prussia to swallow all of Saxony, the Congress granted Prussia half of the east bank of the Rhine and a large part of Westphalia as part of a buffer zone (known as the *cordon sanitaire*) against future French aggression. This territorial concession made Cologne a Prussian city and Prussia the largest state along the Rhine. From then onward, Prussian attitudes towards the river would be inseparable from its ambition to unify the German states. These historically contingent factors would shape the cast and contours of the political contest that played out over the Rhine Commission.

In addition to a balance on continental Europe, Great Britain aimed to promote political and particularly economic liberalism to include the abolition of the slave trade, freedom of the seas and free trade along international rivers (Chapman 1998: 20). Britain was victorious at sea against Napoleon, a fact that allowed Britain to maintain lucrative international trade routes, contest Napoleon's Continent System and control most of France's colonies. Stability in Europe would allow Britain to freely pursue political and economic gains internationally. Liberalizing European rivers and transforming them into efficient economic highways would allow Britain to expand its markets within continent Europe as well.

France arrived at Vienna defeated, and the restored Bourbon monarchy viewed damage control as its first priority. Throughout the proceedings, the French diplomatic team headed by Charles Talleyrand, an experienced diplomat who had worked for the French Republic, Napoleon and now the reestablished Louis XVIII, argued that the restored monarchy would lose legitimacy if the Great Powers punished France too harshly as the Prussian general staff had wished—an appeal to diplomats' proclivities towards restoring a pre-Napoleonic political order and a veiled threat hinting at the revolutionary forces that still simmered in French politics (Jarrett 2013: 64). Further, squabbles over territorial settlements gave France an opportunity to reassert itself, and it emerged having made relatively light territorial concessions, and therefore maintaining its riparian status on the banks of the Rhine.

The particular geopolitical fears and interests of the Great Powers shaped how they viewed the peace conference. However, diplomats at the Congress did not deliberate in a vacuum with only political interests affecting their actions. Recent historiography has highlighted the importance of the Congress' intense social obligations in shaping interactions and fomenting interpersonal rivalries between key diplomats (see for example Jarrett 2014 and Sluga 2015). In addition, as the top echelon of educated society, diplomats at Vienna were also inevitably products of social and intellectual milieus that framed their thinking, particularly the intellectual undercurrent that shaped their understanding of the natural world. As Paul Johnson eloquently wrote:

And here we must pause to note that statesmen, however much they may think they are guided by the unalterable laws of realpolitik and national self-interests, are in fact as much influenced by cultural trends and fashions as everyone else. Castlereagh, Metternich, Talleyrand and Alexander lived in the same world as Beethoven and Byron, Turner and Victor Hugo, and felt the same intellectual breezes on the cheeks (1991).

Hence, while diplomats at Vienna were concerned about territorial gains and containing France, their thinking was also shaped by the intellectual forces of the Second Scientific Revolution that combined Romantic sensibilities with a driving faith in rationality and scientific progress. Diplomats' attitude towards freedom of navigation and commerce on the Rhine partially hinged on their geopolitical fear and interests but was also formed by the prevailing idea of the age that taming the river would bring moral and economic benefits to European society.

One prominent example of how the intellectual ideas of the times may have entered Vienna's diplomatic chambers is the instance of Prussian representative Wilhelm von Humboldt. He was the most active member of the Congress of Vienna's International Rivers Committee which established the Rhine Commission. He was also the brother of naturalist and explorer Alexander von Humboldt who journeyed up the Rhine in 1789 and wrote a treatise on the mineralogy of basalts along the river before heading further afield to Russia and the Americas. Both grew up tutored in Enlightenment ideas; in fact, with the onset of the French Revolution, their first tutor Joachim Heinrich Campe ran off to France to witness "the funeral of French despotism" (Wulf 2015: 96; Bauer 2012: 27). Pursuing politics rather than the natural sciences, Wilhelm became a noted humanist who corresponded with luminaries such as Goethe, Wolf and Schiller. Later, he would be credited with the reform of the German educational system and the establishment of the modern research university where "the institutionalization of discovery was integrated with teaching for the first time" (Watson 2010: 226)—an understanding of the role knowledge plays in social advancement that embodied the spirit of the second scientific revolution. At Vienna, Humboldt was admired for his reasoning powers, which, one newspaper article described as "cold and clear as a December sun" (Bauer 2012: 347). Humboldt's views of how the Congress should approach transboundary rivers, then, cannot be sealed off from these broader intellectual commitments to scientific rationality and its role in bettering society. Rather, the scientific and Romantic spirit of the times seeped into the conference chambers in Vienna.

At Vienna, French diplomat Charles Talleyrand and his team toiled to keep Napoleon's reforms on the Rhine River as a cooperative framework to advance peace and economic propensity on this common European river. However, the Great Powers held the balance as two impulses tugged at their deliberation—the need to restore balance in Europe but also a desire to tame the river to render it an effective highway for global commerce. The rest of the chapter will detail

how this tension was played out through three legal understandings of the transboundary river as private property, common property of riparian state and international commons.

The Congress of Vienna and the International Rivers Committee

The Congress of Vienna's International Rivers Committee met 12 times between 2 February and 27 March 1815. The meetings included the four Great Powers with interest on the Rhine—the French, the English, the Austrians and the Prussians—and all riparian states (Nicolson 1946: 217). For scholars looking back, the International Rivers Committee marked a critical juncture for the evolution of norms governing freedom of navigation and commerce along international rivers. At the 1856 Paris conference, Austrian representative Count Karl Ferdinand von Buol would reflect on the Congress of Vienna as a decisive moment when the European community adopted two moral ideas—the abolition of the slave trade and free navigation of rivers (Thayer 1917: 39). In CK Webster's 1919 account of the Congress written for the British Foreign Office, amidst a scathing paragraph on the statesmen's limited outlook and lack of faith and courage, Webster identifies "regulation of International Rivers" as the one or two minor points on which the statesmen "did much for the future government of Europe" (148). In their work on European rulemaking, Kaiser and Schot describe the Congress's general principle regarding international rivers as a revolutionary idea that "signaled a new interest in stimulating trade for the sake of progress and peace" (2014: 113). According to these accounts, then, the Congress represented a turning point where actors adopted the norm of freedom of navigation and commerce on international rivers and established the first international river regime on the Rhine.

A closer look at what happened in the International Rivers Committee suggests that rather than a case of normative and institutional innovation, what emerged was a step backwards from the liberal reforms of the French Empire. As the following section will detail, the Committee pulled back from adopting an institutional body with the independent authority to rise above fractious river politics and rejected the notion that the transboundary river is the common property of all riparian state or international commons. However, the Committee did retain some Napoleonic reforms. They agree that some standardized regulations should govern navigation on the Rhine in an effort to make the river a more effective highway—and ended the systems of tolls and monopolies as a roadblock to the free navigation of the river. This hybrid decision to adopt some liberal economic reforms but establish an institution with no enforcement mandate would hinder the effectiveness of the Commission in its first decades. However, in establishing an institutional framework, the Committee did make it possible for the body to evolve and gain competencies in the late-19th and early-20th centuries as the Rhine model was extended to other rivers.

Therefore, the 1815 Rhine Commission was not, as is often suggested, a moment of institutional progress towards a liberal global governance regime, but a break from the reforms began by the French. In addition, rather than a unanimous agreement on specific norms that ought to govern all international rivers, the creation of the Commission was contingent on the specific politics of the Rhine in the early 19th-century. At the time, European diplomats debated how best to engage with Napoleon's sensible liberal reforms—what Humboldt termed “a very good piece of work, the utility of which has been proved by experience”—without the unsavory baggage of French revolutionary politics. In other words, in the Committee, the Great Powers maneuvered to keep some rational reforms along the Rhine while they contrived a return to a pre-Napoleonic balance of power politics—where, as Humboldt noted, “no riparian State should be disturbed in the exercise of its rights of sovereignty” (Kaeckenbeeck 1918: 43-4).

The rest of the chapter will lay out the debates rehearsed in the International Rivers Committee and afterwards and how deliberations revolved around defining the river as an international common, a private object or common property of the riparian state as defined by the Octroi Convention. It was a contest that would have consequences for the design of the new institution that emerged and would empower and disempower different actors along the Rhine. It was also a contest embedded in the specific political configurations of a post-Napoleonic Europe that pitted restoration of antebellum politics and against the intellectual undercurrents of the early-19th century that saw the rationalization of nature as a moral as well as economic benefit to all society.

International Technocrats at Work

The International Rivers Committee barely warrants a mention in most histories of the Vienna Congress. Other concerns occupied the Congress during the early months of 1815 including intense negotiations over territorial gains and losses and Napoleon's escape from Elba on 26 February. Mark Jarrett's four-hundred-page book barely dedicates a sentence to the committee. He combines international rivers and a uniform system of ranks between representatives as examples of “an instructive demonstration of what could be achieved through conference diplomacy, honest negotiation and a willingness to compromise” (2013: 146). Nicolson's classic analysis of the Congress offers an entire paragraph and a less sanguine account of the political machinations that played out in the Committee. Nevertheless, he characterizes the International River Committee's accomplishments as “definite and effective” (1917: 216).

Similarly, IR scholarship on the Congress of Vienna focuses on the balance of power, collective action, the concert system, security commitments and hegemonic interests rather than freedom of navigation and commerce along international rivers (Holsti 1992; Schroeder 1994; Ikenberry

2001; Mitzen 2013). John Ikenberry's work contends that Great Britain's hegemonic leadership forged the post-war order by locking actors into the subsequent collective security institution (2001: 80-116). Jennifer Mitzen argues that the Congress innovatively persuaded its members that European public interests could only be preserved through the collective intentionality of public power channeled through a consultative forums—"these states committed themselves to replacing the individualistic norms of the eighteenth-century balance of power system, where European order was produced by an invisible hand, with self-conscious, collective management, that is, with a more visible hand" (2013:101). In these accounts, aside from a footnote or as a line item on a list of the Congress' accomplishments (for example, see Schroeder 1994: 573 and Mitzen 2013: 88), the International Rivers Committee was invisible.

This lack of commentary reflects the few words diplomats themselves wrote on the committee. In Prussian representative Wilhelm von Humboldt's letters to his wife Caroline—letters that were almost certainly monitored by Metternich's spies—Humboldt mentions the committee only at the end of a letter dated 23 February couched in complaints about the heaviness of his workload (*in ihren Briefen 1812-1815*: 486). British representative Lord Clancarty's official correspondence also rarely mentioned the Committee, and when he did, only in connection with his impossible workload (*FO 92/17*). In French representative Talleyrand's correspondence with King Louis XVIII, only one sentence mentions Talleyrand's satisfaction with the adopted principles on river navigation (*Letter LIII*, 15 February 1815).

In the few places the Committee does appear in historical research, it is cast as a technocratic body concerned only with equitably sharing and preserving access to the Rhine as an economic good. For example, Mark Jarrett describes France's Duke of Dalberg and Great British's Lord Clancarty on the International Rivers Committee as the Congress' "technocrats" who took a "more consistent and scientific approach" (2013: 116). Both men also served on the Congress' Statistical Committee which is also characterized as a technocratic body tasked with dividing the territorial spoils of war based on rational population science. This technocratic designation, however, elides the deeply political nature of both committees' work which shaped underlying ideas about how international truths can be judged and how international policies should be formulated. Further, this 'technocratic' designation brackets the social forces that pushed for the application of technocratic models on the anarchic international as a rational and generalizable way to govern international conflict.

Three Meanings of the International River

In February and March 1815, the International Rivers Committee discussed the nature of the interstate body that would manage the Rhine as a transboundary waterway. The Committee

discussed the legal language of the preliminary treaty articles concluded at Paris, the status of tolls, boatmen monopolies and compulsory transfers, and the amount of independent authority the commission ought to have. Previous scholarship on the Congress of Vienna has debated whether it represented a radical new conceptualization of international politics and cooperation (Jervis 1982; Schroeder 1994; Mitzen 2013) or a deeply conservative return to pre-Napoleonic power politics (Kagan 1998; Slantchev 2005). In the International Rivers Committee, the Congress was a conservative force that rolled back liberal advancements and returned Rhine politics to previous patterns of competition with a few notable exceptions—the end to tolls and monopolies along the river and the effort to standardize regulations. These exceptions emerged from the understanding of the international river as an artery that must be kept free for the moral and economic benefit of global society. It is an understanding of the river that speaks to the Enlightenment logic of taming and rationalizing nature for the good for society.

Legally, during feudalism, the international river was treated as private property, and few limits were placed on what landlords and local sovereigns could do to extract wealth from their river or whom they might bar from entrance onto the river. This definition of the international river, however, was challenged by two legal arguments—Roman law and the law of Nature. Under Roman imperial law, rivers were considered *res publicae jure gentium* and “a thing common to all.” The right to freely navigate, fish and use the banks for loading and unloading belongs to all citizens (Kaeckenbeeck 1918: 6-7). Similarly, those who saw the law of Nature as a legitimate source of international law, as laid out in the writings of Hugo Grotius and Emer de Vattel, also argued that the international river should belong to all. Drawing from reason rather than positive law, these proponents of natural law argued that no one of any nation could be excluded from the use of inexhaustible things such as the sea and flowing water (Kaeckenbeeck 1918: 6-7). Where states stood on questions of international law, however, often reflected their geopolitical fears and interests. Throughout the Committee’s deliberations, diplomats used these subtle legal definitions to play out political contests over the meaning of an international river. In these debates, interpreting the transboundary river as common property—and therefore subject to collective management and a more standardized and rational treatment of navigation and tolls—is not the same as the river as international and therefore open to all nations. Though subtle, these two variations had vastly different economic and political implications.

Early in the International River Committee’s proceedings in February and March 1815, the Duke of Dalberg representing France proposed a memorandum as the basis of discussion that defined the Rhine as the joint property of all riparian states (Klüber 1815: 13)³²—a definition

³² Johann Klüber was a law professor who was granted permission to attend the Congress of Vienna and collected information to publish eight volumes on the Congress proceedings. Almost all the secondary sources that discuss the 1815 International Rivers Committee convened as part of the Congress of Vienna reference Volume III of Klüber’s work.

based on Napoleon's Octroi Convention. At the following meeting, Lord Clancarty representing Great Britain argued that Dalberg's proposal failed to reflect the principles of free navigation agreed to in the Paris Treaty. Instead, Clancarty suggested that free navigation and commerce on the Rhine should be extended to all nations and be forbidden to no one (Klüber 1815: 21). This dispute over subtle wording represented a deeper conflict. The British saw the river as a global common and viewed free navigation and commerce on international rivers as the right of all people—a legal interpretation that stemmed from Britain's position as the only non-riparian state on the committee and from its commitment to liberal economic policies. The riparian states did not favor this view. According to Klüber's account, smaller states in the committee rejected both the common property and international right interpretations. Instead, they believed the Paris Treaty's preliminary articles only aimed to eliminate navigation obstacles and "did not give all subjects of non-riparian states an equal navigation right as those of riparian states and for which they cannot reciprocate" (1815: 171). Hence, these states did not interpret the term *free* as an abstract principle but as a river absent of physical obstacles.

Another example of this contestation over defining the river was over the role of tolls. Clancarty proposed an amendment stating that tolls should not be viewed as a revenue source, and should only be collected to cover maintenance costs along the river (Klüber 1815: 171). Accepting this amendment meant that riparian states were custodians and caretakers rather than private owners of the river. Again, the riparian states disagreed—they were reluctant to sacrifice any advantage to the liberal notions of the Rhine as an open international highway. The theory of common ownership, however, fared no better as the Committee rejected French attempts to establish a common toll office and maintain towpaths from a common fund. While they agreed that tolls should be standardized, states confirmed the old interpretation of the river as private property and decided that toll revenue would be divided according to the proportion of bank ownership. Towpaths remained the responsibility of each state individually.

Further, the Rhine Commission itself would have little power. Rather than an independent body with the authority to enforce standard regulations along the entire river, the Rhine Commission would only be an assembly of riparian states meeting every six months to discuss disputes over regulations (Klüber 1815: 83). Britain, as a non-riparian state, would not be granted a position on the Rhine Commission until the 1919 Versailles Treaty a century later. The only independent responsibility left to the Commission, then, was a judicial one to decide cases but no power to enforce outcomes (Chamberlain 1923: 179-180). Hence, the Commission would function as a consultative body that would in no way encroach on state sovereignty. Having agreed to these general principles, the Committee left the drafting of regulations to the Commission.

However, this was not a straightforward victory for those who wished to revert to pre-Napoleon definitions as the smaller powers along the Rhine protested any permanent central organization. In a dispatch from late March, Count Georg Münster representing Nassau wrote to his sovereign regarding the committee on international rivers: “It seemed to me that this business was ill-digested, and I do not think myself called on to make sacrifice gratuitously, at your Royal Highness’ expense, to favor some vague ideas on the liberty of commerce!” (Münster 1868)

In addition, the boatmen monopolies operating out of Cologne, Mainz and Strasburg became a point of political contestation. The Committee heard arguments presented by representatives from Mainz and Frankfurt as well as by M. Mappes, a former director-general of Napoleon’s Magistrate. Arguments for and against traditional boatmen monopolies were framed in terms of rational economic interest. Frankfurt maintained that monopolies harmed competition—after all, “a merchant knows his own interest”. In response, Mainz argued that the monopolies guaranteed the speed and security of commerce at a reasonable cost for merchants (Klüber 1815: 24). The Committee sided with Frankfurt for ending the monopolies and traditional privileges—the Rhine might be the private property of states but certain good neighbor principles must apply.

In the end, the Committee adopted an awkward and ambiguous compromise. Article CIV of the Final Act of the Congress stated that “the navigation of the rivers ... shall be entirely free, and shall not, in respect to commerce, be prohibited to anyone.” The ambiguity here is that ‘shall be entirely free’ can be interpreted multiple ways. Ultimately, the definition favors a return to river politics prior to the French Revolution. While riparian states agreed to streamline tolls and end monopolies in favor of more efficient commerce, they did not wish to define the Rhine as an open, international highway. Navigation rights, then, were a prerogative of riparian states to be conferred on commerce of all nations at riparian states’ discretion—it was not a declaration of natural law principles. But, private property must also be governed by rules to make commerce more rational, and the Rhine Commission was established to oversee those rules. However, like institutions, ideas have path-dependent properties of their own. The phrasing of the river as “entirely free” would, by the 1856 Paris diplomatic conference to end the Crimean War, be accepted as a declaration of principle, not just a description of the physical lack of obstacles.

A careful study of the discussions and outcomes at Vienna confirm that the International Rivers Committee did not champion new norms or introduce a revolutionary international institution. In fact, like the Congress itself, the Rivers Committee was conservative and represented a retreat from Napoleon’s innovations. Rather than the joint property of riparian states or the common right of all humankind, the committee decided to favor the idea that the river was the private property of riparian states who allowed other nations the right of navigation and

commerce. However, the Committee did not revert to an antebellum arrangement either—they had decided against unnecessary tolls and traditional privileges and had agreed to create a Rhine Commission to resolve disputes between states. As a result, the Commission ended up with a hybrid model between the restoration of old practices—as necessitated by the conservative mood of post-Napoleonic politics—and Napoleonic innovations—an interpretation of the river as a chaotic force that science should tame and harness for the advancement of society.

The establishment of the hybrid institution did not end the disagreements over how to define the Rhine or other transboundary rivers. As the next section will briefly illustrate, the contest over applying liberal economic principles to international rivers continued after 1815 to affect post-formative institutional politics along the Rhine. It would be over fifteen years until the Mainz Convention of 1831 before the Commission agreed on how to apply the loose and ambiguous principles outlined at Vienna. Contestation over the meaning of the river is not only important at Vienna as a critical juncture but continues to shape institutional design after the initial creation.

Despite diplomats' recalcitrance in accepting and applying the liberal principles that emerged from the International Rivers Committee, the adoption of these principles into European law would have subsequent path-dependent effects as the idea of the Vienna model would be evoked again and again at subsequent diplomatic conferences. Furthermore, all three interpretations of the international river—as private property, joint property or international commons—saw the river as an economic entity. This construction of the river as a rational commercial highway played a dominant role in how the International Rivers Committee understood the object over which they cooperated and paved the way for the few points of agreement at Vienna.

Schematic Simplification

However, this construction of the river as an economic entity to be rationalized for commerce had subsequent path-dependent implications. As discussed in the last chapter, Johann Tulla's Rhine rectification scheme flattened curves and streamlined the multiple meanings of the Rhine River into a one-dimensional economic object for a simple purpose. At the Congress of Vienna, a similar simplification occurred. In the International Rivers Committee, diplomats attempted to represent the political messiness of the Rhine's political history through schematic language:

The navigation of the rivers, along their whole course, referred to in the preceding Article, from the point where each of them becomes navigable, to its mouth, shall be entirely free, and shall not, in respect to commerce, be prohibited to any one; it being understood that the regulations established with regard to the police of this navigation, shall be respected; as they will be framed alike for all, and as favorable as possible to the commerce of all nations (Article CIX, *Final Act of the Congress of Vienna*).

Further, the Treaty granted the Commission power and responsibility “to regulate, by common consent, all that regards its [the Rhine’s] navigation.” Navigation regulations, duties and policing along the river all reflect this single purpose—“in order that no obstacle may be experienced to the navigation” of the river (Articles CVIII- CXVII).

The reduction of the river to an economic object presented several problems. First, the other functions of the river—as drinking water, habitat for wildlife and as an essential resource for the health of human societies—were left neglected. Framing the international river as a commercial entity continued to dominate subsequent discussions over Dutch control of the Rhine’s mouth and the regulation of increasing numbers steamboats which first made their appearance on the river in 1816. This logic reduced river management to a question of profit and loss and created collective action impasses that ignored environmental degradation as long as shipping continued unhindered. Through the Commission’s first decades, the growth of steam power and industry quickened the pace of economic extraction from and pollution of the river, and by the 1970s, giving the Rhine another title: “Europe’s most Romantic sewer” (Loucks and Gladwell 1999: 49; Cioc 2002: 3).

Second, this schematic language also erased hundreds of years of oscillating cooperation and conflict over the Rhine and blurred the fact that the Treaty and the international institution it created represented continued disagreement as much as a step towards rational international governance of the river. It obscured the specific contingent politics of the post-Napoleonic European moment that forged consensus and shaped the design of the Commission. This schematic representation allows later scholars, particularly liberal institutionalisms, to pinpoint the story of the Rhine as a functional narrative of forging cooperation from conflict—and transformed the story into a generalizable model for taming the international river that can be then applied to geographies across time and space. The remainder of the dissertation discusses this generalizing move to apply the Treaty of Vienna to two subsequent international rivers.

Post-Formative Contestation from 1815-1831

Despite subsequent reference to the Treaty of Vienna as the critical moment when freedom of navigation on international rivers was enshrined as a shining principle of European law, very little agreement was actually achieved in the International Rivers Committee. Even after the ink dried on the Vienna Treaty, states continued to debate the meaning of the Rhine.

Notwithstanding agreement at Vienna for states to cooperate in removing navigation obstacles such as unnecessary tolls and monopolies from the Rhine, it was easier said than done. The Commission’s first task was to draft new statutes for the river—but states worked to maintain their advantages and this inaugural task took until 1831 to accomplish. The Dutch, supported by

Baden and France, stood by its right to regulate trade at the Rhine's mouth into the North Sea. First, the Dutch claimed, the principles established at the Congress of Vienna were applicable "jusqu'à la mer" or to the sea, and not into the sea. Therefore the Dutch maintained the right to regulate and tax shipping that passed through their territorial waters between the Rhine and the open seas (Chamberlain 1923: 193). Second, the Dutch argued, once the river entered the Rhine delta, only the branch still called the Rhine would be subject to the principles established at Vienna. Less than 20 kilometers upstream from Nijmegen in Holland, the river splits into three main branches: the Waal, the Lek and the IJssel. The IJssel meanders north and enters the sea north of Amsterdam while the Lek and Waal flow west towards Rotterdam. The branch that retains the name Rhine is unnavigable and vanishes into the sand before even reaching the sea. At Vienna, the Dutch agreed the Waal would be considered the continuation of the Rhine, but now the Dutch argued that the Waal ends at Gorinchem and all else beyond is either the Meuse River or part of Dutch territorial seas (Phillimore 1879: 237; Lawrence 1864: 256). By these two technicalities, the Dutch clung onto their right to unilaterally regulate shipping in the Rhine delta.

Austria and Britain protested repeatedly against Holland's legal gymnastics to circumvent the Vienna agreement. At the 1821 Congress of Verona, the Duke of Wellington representing the British and supported by Austria, Prussia and Russia requested that Holland abide by the principles agreed to at Vienna. At the 1822 Congress of Laybach, the British representative again protested against the Dutch. Austria wrote another protest in 1826 with strong language:

It was inconceivable how the Government of the Netherlands could flatter itself with the hope of making a right obscure and doubtful by prolix observations on the main resolution, and to do away with the principle of free navigation of the Rhine, which was proclaimed in the face of the world in the first document of the political restoration of Europe, and on the same day when Holland was given up to the House of Orange (Phillimore 1879: 239).

Not only do Holland's arguments not pass the common sense test, Holland is portrayed here as being ungrateful and hypocritical. After all, united Holland owed its existence to the Congress of Vienna, and now, after benefitting from the treaty, Holland was turning against the spirit of the concordance. However, beneath the quibble over legal language is the quibble over power. The Dutch wanted to maintain the power to define the river as it chose—as its private territory subject to its regulations rather than as an international object under the administrative purview of the Rhine Commission or managed for some vague notion of a larger global good.

In response, enacting the classic security dilemma, Prussia with Cologne within its border and Hesse-Darmstadt with Mainz refused to give up their rights and boatmen monopolies. If Holland would not allow their boats access to the sea, then Cologne and Mainz would not allow

free shipping up the river. France and the other German states, however, were more concerned about local trade along the Rhine than international trade into the sea and demanded that Cologne and Mainz end their now illegal privileges as stipulated by the Congress of Vienna. French trade bypassed Holland completely through overland networks that directed traffic to French ports on the English Channel. Frustrated by Mainz, Frankfurt organized an overland service by wagon around the city (Chamberlain 1923: 194-6).

Therefore, a decade into the Commission's life, political stalemate paralyzed the fledgling body and negotiations over the river was conducted bilaterally rather than through the Commission. In 1820, France and Baden concluded an agreement to regulate the river between Strasburg and Basel, and Baden concluded another bilateral treaty with Bavaria in 1825 (*Rheinurkunden Vol I*: 165 & 182). Holland softened its position as time dragged on, and United Holland disintegrated with Belgium gaining independence in 1831. During this period, Prussia and Holland turned to bilateral negotiations to hammer out a deal and presented the settlement to the Commission in 1829. This agreement became the 1831 Mainz Convention (Chamberlain 1923: 198). The treaty stipulates the Rhine should be free from the point it became navigable into the sea ("bis in die See") and that the Waal and Lek Rivers would both be considered the continuation of the Rhine (Phillimore 1879: 240). The traditional privileges of cities along the Rhine finally came to an end. In fact, all tolls soon disappeared altogether under Prussia's scheme of establishing a customs union across German states. The attempt to define the Rhine as a German river, then, began to play its part in German unification.

However, even as Prussia and the Netherlands disagreed over interpretations of the Vienna Treaty and whether the Rhine constituted international or private property, they continued to cooperate under the understanding of the river as an economic highway. In October 1816, the two states agreed to a treaty that if a sandbank appeared, they would cooperate on measure to protect shipping (Chamberlain 1923: 199). Hence, despite squabbling over control of the river, all parties continued to operate under the understanding of the Rhine River as an international economic highway and willingly cooperated to engineer a more efficient European road.

Conclusion

The Congress of Vienna is marked as the beginning of many important European institutions including the freedom of navigation and commerce on international rivers and the creation of administrative bodies to manage them. To decide on international river governance, diplomats established the International Rivers Committee tasked to determine if Europe should continue liberal reforms initiated by the French Revolution on rivers such as the Rhine and Scheldt, or regress from those reforms and return to pre-Napoleonic politics along those rivers. As this

chapter has illustrated, the Committee fashioned a hybrid and ambiguous solution that retained limited Napoleonic reforms for improve navigation while returning to the pre-war definition of the transboundary river as private property of individual riparian sovereigns. It created a weak interstate organization with the stated objective of standardizing navigations regulations on the Rhine but little power to enforce its decisions. This bipolar outcome stemmed from two opposing forces at work on the Congress—the largely conservative orientation of the Congress of Vienna intent on restoring pre-Napoleonic balance of power to Europe and the underlying intellectual ethos of the times which viewed the river as a unruly danger that must be tamed and rationalized for the benefit of society.

Furthermore, the core of discussions in the International Rivers Committee was a political contest to define the transboundary river as private property, joint property or international commons. Beneath this contest between nuanced legal meanings, however, is the common understanding of the river as an economic highway that ought to be rationalized to serve society. This understanding of the river created the permissive intellectual conditions that allowed the Rhine Commission to be established despite the conservative mood of the 1815 Congress. As the following empirical chapters on the Danube and Congo Commissions will illustrate, this idea of the international river as a commercial highway became a part of the international institution, and the model of the Rhine Commission would frame subsequent discussions of international cooperation along transboundary rivers.

Chapter 5:
Disciplining the Connecting River

"The Danube is the river along which different peoples meet and mingle and crossbreed, rather than being, as the Rhine is, a mythical custodian of the purity of the race." – Claudio Magris, 1986

Diplomats gathered at Vienna in 1855 and then in Paris in 1856 to negotiate the treaty to end the Crimean War. All parties agreed on four points to be addressed. The second point concerned the freedom of commerce and navigation at the Danube's mouth based on principles established on the Rhine by the 1815 Congress of Vienna. However, the Danube was a different river than the Rhine not only hydrologically but also in the intellectual and cultural imagination of mid-19th century Europe. Like the Rhine, the Danube was seen as a commercial highway to be tamed and rationalized for a quickly industrializing Europe. However, unlike odes to the Romantic German or even the pan-European Rhine, depictions of the Danube celebrated its ability to connect time and space. Taming the Danube meant controlling these connections.

Under the Roman Empire, the Danube represented the frontier that separated the civilized world from the barbarians, and since then, no single power has governed the entire Danube valley. As the second longest river in Europe after the Volga, the Danube River flows 1,777 miles (2,860 kilometers) from Germany's Black Forest to the Black Sea through nine European countries—Germany, Austria, Slovakia, Hungary, Serbia, Croatia, Ukraine, Bulgaria and Romania. The river has been part of the Roman Empire, Ottoman Empire, Austrian-Hungarian Empire, the Third Reich and the Soviet sphere of influence. The upper and lower Danube are divided by the Iron Gates, imposing rock formations that hindered navigation for centuries and currently forms the border between Serbia and Romania. Near its mouth at Cernavodă in Romania, rather than heading straight for the Black Sea, the Danube turns north and slows down. At Galati, the river again turns east to enter the Danube delta. This hydrological quirk reduces the speed of the river at this juncture depositing sediment in the delta—sediment buildup that became the focal point of 19th century Anglo-Russian disputes over control of the river's mouth. Hence, the idea of an international commission was a cooperative scientific solution to tame political disagreements and to clear the river's clogged mouth for commerce.

To tame the Danube, however, was also to control time. In *Meditations*, Marcus Aurelius wrote: "Time is a river, or violent torrent of things coming into being; each one, as soon as it has appeared, is swept off and disappears, and is succeeded by another, which is swept away in its turn". All things such as "a rose in spring" or "diseases, death, calamities, treacheries" came and went in the natural course of things; only fools felt joy or sorrow. Between 171 and 173 CE, Marcus Aurelius fought the German tribes along the Danube at Carnuntum—and perhaps he watched the river flow by as he contemplated the futility of his repeated wars against the outside world. Enlightenment faith that human ingenuity can tame rivers, create ever-blooming gardens

and stave off death, disease, calamities and treacheries countered Marcus Aurelius' stoic and fatalistic viewpoint. In the metaphor here, taming the river also aimed to discipline time—both in the sense of overcoming destructive histories and controlling future calamities the river might bring. Diplomats at the 1856 Paris Peace Conference intended to do both with the establishment of the European Commission of the Danube—to end past conflict over the river and propose a new international organization that would ensure the future of peaceful cooperation along the river.

This chapter details the social construction of the Danube as a connecting river that brought free trade, civilization and order from the West to an anarchic East. The first section of the chapter outlines the vision of the Danube as a civilizing instrument bringing progress along with trade to Eastern Europe. The second section details the desire to tame the Danube's physical and well as metaphysical dangers, collapsing the material and ideational river into the same construction. However, a highway that connects can also be reversed, threatening to bring instability back up the river. The chapter's final section explores these fears, which expressed themselves in the dark shadows of Gothic tales such as the vampire Count Dracula who came from the far eastern reaches of the Danube to conquer the West. Hence, the Danube links the familiar West with a semi-familiar Eastern Europe, a distorted self that threatened to corrupt and destabilize the familiar. Taming the Danube, therefore, signified the ability to regulate the ideas, people and monsters that sought to migrate upriver. These constructions of the river created the permissive conditions that informed the establishment of the 1856 European Commission of the Danube. The creation of an international body to oversee the Danube delta intended to tame the river for political and moral as well as economic aims.

The Civilizing *Wasserstrasse*: The Danube as an Economic Highway

The Danube had always been an avenue of trade with goods such as wine, ore and salt enriching local populations along the river's banks since Neolithic times³³. Until the industrial period, trade along the Danube River was largely localized with the Mediterranean offering a more attractive international transport link (East 1932: 337). In the 18th century, Austria consolidated control over the upper Danube. The Empire organized weekly transit for passengers, merchandise and mail from Vienna to Ulm—roughly 650 kilometers or 400 miles over ten days—on large flat-bottomed rafts called *Ordinari* that were powered by either horses or rowers (Coates 2013: 47; East 1932: 339). However, the river's role as a large-scale commercial highway was hindered by fractious Hungarian politics.

³³ Archeological evidence suggests large towns, with population up to 10,000 people, arose between the Danube and Dnieper Rivers between 5,000 and 3,500 BCE, five hundred years before the Tigris and Euphrates cities. These towns established Europe's first long-distance trade route in *Spondylus gaderopus*, pink and white spiny oyster shells whose glowing beauty made them a desirable item (Thorpe 2013: xvi).

In the mid-19th century, however, the Danube River as a commercial highway emerged on the international agenda. One reason was technological—the introduction of steamboats helped overcome navigational difficulties along the river making the Danube a viable long-distance transportation route. In 1830, the Austrian Danube Steam Navigation Company began to operate between Vienna and Pressburg, and travelers celebrated the promise of steam for further economic development of the river (East 1932: 340; Quin 1836). The other reason that Danubian trade was propelled onto the international agenda was the ideological link made in the 19th century between free trade, peace, and civilizational advancement.

The 1846 repeal of the Corn Laws in Britain pushed commercial interests to search for raw material abroad and the fertile Danube valley seemed a tantalizing source. An article published in the *Dublin University Magazine* in November 1856 extolled the bounty of the Danube, quoting McCulloh's *Commercial Dictionary* which states: "the capacities of this great river as a commercial highway are certainly unequalled by those of any other European stream; and their full development would be of incalculable advantage not merely to countries on its banks but to all commercial nations" (Nov 1854: 625-26). The lands alongside the river are described as overflowing in resources: metals, rock salt, timber, hides, wool, tallow, sheep, goatskin, grain, hemp and cotton. McCulloh's description almost salivates with commercial desire in describing "the enormous resources of the country, its exuberant fertility, the lowness of price and the laboriousness and parsimony of the people..." (*Dublin University Magazine* Nov 1854: 626; Urquhart 1833: 164; 1851: 13-14).

Detailed reports from British Vice Consul Charles Cunningham stationed at Galatz also described the booming international trade transiting through the Danube delta. From a report on shipping setting off from Galatz, Cunningham tallied 133 Austrian, 160 English, 13 French, 447 Greek, 96 Russian, 44 Sardinian and one Prussian vessel registered to enter Galatz in 1849 (*FO* 97/402; September 1850). In a different letter prepared for diplomats at the Vienna negotiations, Cunningham reports that 132 British vessels entered the Danube delta at Galatz and Ibraila in 1848, 129 in 1849, 106 in 1850, 304 in 1851 and 339 in 1852. The total number of vessels to Great Britain from the two locations numbered 230 in 1848, 297 in 1849, 253 in 1850, 616 in 1851 and 650 in 1852 (*PRO* 30/22/18/4)³⁴. The increase of British trade passing through the Danube delta highlighted the increasing importance of the delta for British foreign policy.

However, this is not a simple story of interests driving foreign policy. For the British, the promotion of free trade was linked intimately with civilizational discourses. In a speech before

³⁴ The relative slowing of the rate of growth in trade was likely related to the Revolutions of 1848 and the political turmoil it inspired in the Danubian principalities (Ardeleanu 2014: 235).

the House of Commons in 1842, Lord Palmerston advocated for the repeal of the Corn Laws by laying out this liberal economic vision:

Why is the earth on which we live divided into zones and climates? Why, I ask, do different countries yield different productions to people experiencing similar wants? Why are they intersected with mighty rivers – the natural highways of nations? Why are lands the most distant from each other, brought almost into contact by the very ocean which seems to divide them? Why, Sir, is it that man may be dependent upon man. It is that the exchange of commodities may be accompanied by the extension and diffusion... multiplying and confirming friendly relations. It is, that commerce may freely go forth, leading civilization with one hand, and peace with the other, to render mankind happier, wiser and better (*The Annual Register of 1842*).

Here, Palmerston's evocation of the river as the natural highway of nations not only constructs the river as a functional object of human commerce, but also naturalizes his liberal economic argument. According to Palmerston's logic, the existence of natural geographies such as rivers and oceans can only be explained by their usefulness to human commerce. At the same time, commerce naturally leads to not only interdependence and wealth but wisdom, peace and ultimately civilization. Palmerston then describes this commercial civilization as the natural state of affairs and charges that restrictive duties "fetter the inborn energies of man." Hence, Palmerston embeds the construction of the transnational river as an economic object in the foundation of his liberal and civilizing rhetoric. While Palmerston does not explicitly mention the Danube in his speech, the river figured prominently in mid-19th century British policy toward Russia and the Ottoman Empire. Starting as early as 1829, the British foreign office under Foreign Secretary George Hamilton Gordon, 4th Earl of Aberdeen, began voicing objections against Russian control of Danubian trade (Ardeleanu 2014: 133; *FO 97/402*: 259).

Romanian scholar Constantin Ardeleanu clearly draws the link between Britain's liberal economic policies and growing anti-Russian sentiments through the polemical works of David Urquhart whom John Howes Gleason (1950) credits with shaping the character of anti-Russian sentiments in Britain in the 19th century (2014: 136)³⁵. A purported expert on Turkish affairs and sent by King William IV on a commercial mission down the Danube in 1833, Urquhart's writings painted Russia as a protectionist power with the malicious intention of hampering British access to cheap and abundant goods. Again, this is not a simple argument of economic interest; rather, Urquhart saw commerce as a political tool:

What more advantageous ally can we find for our diplomatic exertions than commerce itself? Let extensive depots of English ware be established on the Danube and at Trebizonde, and Turkey will find in them better support than in fleets or armies (Urquhart 1833: 174).

³⁵Gleason writes: "the anti-Russian sentiment of the period bore Urquhart's stamp. More than any one man he was responsible for the character not of British policy but of British opinion about Russia during the growth of Russophobia to maturity" (quoted in Ardeleanu 2014: 136).

Here, Urquhart describes British commerce as a defense for the Ottomans against Russian aggression and reveals a political impetus behind Danubian trade. In the same account, Urquhart also describes commerce as producing not only economic wealth but also other benefits: “communications are opened, connections established, desires created, energies raised, and progress commences. Commerce naturally, in every case, has this effect...” (1833: 142-3). Hence, commerce has a naturally civilizing effect beyond pure accumulation of wealth, and a Russian Empire that hinders commerce denies the blessings of civilization to Eastern Europe.

In congruence with political constructions of the Danube, travel accounts also highlighted the river as an economic highway that transported liberal ideas and civilization along with goods. In the 1836 introduction to an account of his journey down the Danube, journalist Michael Joseph Quin describes how expanding steam locomotion along the Danube would increase commercial enterprise. Quin suggests that transforming the Danube into a commercial waterway will be a boon to riverside populations by developing local resources and mobilizing the energies of local populations. There is a decidedly moral dimension to this understanding of commerce. Quin declares that “commerce, it is well known, brings blessings both physical and intellectual in her train,” and that the opening of the Danube to steam travel would inevitably bring “liberal principles among the strongholds of absolute power, or of aristocratic pride” (1836: 3). For Quin and like-minded liberals, the river carries ideas as well as goods, but unlike the flow of goods, civilizational ideas flowed in one direction.

The destination of these civilizational ideas was the ‘East’. Throughout his narrative, Quin describes the advantages of steam in bringing “those countries, which have hitherto seemed scarcely to belong to Europe” into the “pale of civilization.” Again, Quin iterates that commerce will not only multiply the natural riches of the region but also improve laws and institutions, bringing to the people “new combinations, not only of physical, but also of moral strength” with the potential to catalyze changes for the entire European continent (1836: 107-8). Quin even quotes Prince Milosch of Servia (modern day Serbia) whose speech to the Servian nation encourages his people to give up the peculiar, provincial habits of Servia for the “civilization and enlightenment characterizing the nations of Europe” (1836: 120).

Similarly, R. T. Claridge’s 1837 travel guide along the Danube declares that as the most important river that “runs through the heart of Europe,” the Danube brings “the highest purpose of civilization, commerce and political freedom” which Russia’s “sinister policy” now jeopardized (74-5). When Adolphus Slade reached the delta, he lauded how commerce was transforming Galatz and Sulina into civilized places despite other political forces that wished otherwise (1840). William Beattie’s 1843 descriptions echo the other accounts as he proclaims

that connecting the Danube by steamboat is “an event which has led to important consequences, both as it regards the advancement of trade and the general progress of civilization in the East” (iv). Further along in his account, Beattie portrays the Turkish towns along the Danube as having an air of “neglect” and “decay” but that “the steam navigation of the Danube is now giving a fresh and unexpected impulse” by reviving the native industry of the region (223-4). Commerce, then, had the ability to civilize and revitalize.

Therefore, in travel accounts as much as political discourse, the Danube was seen not only as a site of potential economic gain but as a political and civilizational tool that naturally brought progress to the East. Civilization and commerce went hand-in-hand down the river.

Taming the Dangerous Danube

Alongside constructions of the Danube as a civilizing commercial highway, the river was also seen as a dangerous and untamed force that required constant management. The river’s perils were expressed in two different ways. First, the Danube presented physical dangers, from the floods that repeatedly devastated communities along its banks, to navigational difficulties for those who intended to use the river as an economic highway. Secondly, the river represented metaphysical dangers—the anarchy and chaos that threatened to overwhelm orderly and rational commercial civilization. This section will detail how these material and ideational dangers came together to shape the desire to tame the river. Both dangers required human ingenuity and political will to overcome.

Along the Austrian section of the upper Danube, narrow gorges created intricately interlaced fluvial channels that threatened navigation. Two infamous whirlpools—the *Strudel* and *Wirbel*—gained much attention in 19th century travelogues (Coates 2013: 47). In his 1827 account of the descent down the Danube from Ratisbon to Vienna, British writer James Robinson Planché describes the *Wirbel*:

On the northern side is the celebrated whirlpool, formed most probably by the violence with which the two currents of the Danube are hurled against each other on leaving the Worthinsel, and again checked and divided by the Hausstein [a large 150-meters long rock]. This whirlpool measures sometimes nearly fifty feet in diameter... in the centre the water forms a perfect funnel, and a large branch of fir was whirling round and round in it, as if some invisible hand were stirring the natural cauldron, making it boil and bubble (1827: 194-5).

Local legends surround both whirlpools, often blaming water spirits that demanded sacrificial victims from passing boats. Both Planché and William Beattie refer to the *Strudel* and *Wirbel* as the Scylla and Charybdis of the Danube, borrowing from Homer’s *Odyssey* to confer a mythical grandeur to the journey and a sense of heroic conquest to the successful navigation of the

river.³⁶ The combination of these perils and the wildly sublime landscape, Beattie writes, “produces a powerful sensation on the minds even of those who had been all their lives familiar with danger” (Beattie 1843: 100). These depictions of the Danube River conjure physical as well as metaphysical dangers through visions of an evil spirit stirring the natural cauldron as human victims watch in horror. Another account published in *the Aberdeen Journal* describes navigational difficulties along the upper Danube:

The excited waters drive on the boat until it flies before them with the rapidity of an arrow... the boat must cut them rapidly and decisively, like a knife, and the utmost precision, boldness and local knowledge are required in the steersman (*The Aberdeen Journal*, ‘The Cataracts of the Danube,’ 04 October 1843).

In the 18th century, equipped with gunpowder, Austrian Empress Maria Theresa’s engineers removed 30 cubic fathoms of rock from the riverbed to tame the *Strudel*. This plan backfired as the redirected currents created new navigational dangers and required additional treatments of gunpowder.³⁷ In the 19th century, to tame the *Wirbel*, Emperor Franz Josef blasted through the Hausstein rock formation. Josef mounted a plaque on the left bank that declared victory against the river: “Kaiser Franz Josef freed shipping from the dangers of the Donau-Wirbel by blowing up the island of Hausstein 1853-1866” (Coates 2013: 51). By the mid-19th century, Beattie was assuring travelers that “rocks in the bed of the river have been blasted, and the former obstructions so greatly diminished, that in the present day the *Strudel* and *Wirbel* present no other danger than what may be caused by the ignorance or negligence of boatmen; so that tourists may contemplate the scene without alarm” (1843: 100). Due to the victory of human will over nature, passengers could now enjoy the beautiful scenery without fear.

Perhaps the most treacherous section of the river for navigators was the Iron Gate or Kazan gorge, a rocky 120-kilometer stretch of limestone cliffs in the Transylvanian Alps that separates the upper and lower Danube. The name Kazan in Turkish means “hissing kettle” describing the sound of the rushing water. Here, the river squeezes between the jagged rocks creating dangerous eddies and whirlpools. Of this treacherous passage, Quin writes:

These rocks, though so long washed by the torrent are still as rough as when the river first found or forced its way amongst them. They are in large masses, tumbled about in every sort of shape and position, and now that they are completely exposed to view, in consequence of the depression of the river, they looked terrific; the gaping jaws, as it were, of some infernal monster. When the Danube is at its ordinary height, replenished by its usual tributaries, the roar of its waters, in hurrying through the “Iron Gate,” is

³⁶ Scylla and Charybdis were two sea monsters that blocked Odysseus’ journey home. Scylla is depicted as a six-headed sea monster on one side of the Strait of Messina while Charybdis is a whirlpool threatening the other shore. Odysseus was forced to choose between the two—and steered his ship towards Scylla choosing to sacrifice a few men to the monster than to chance the entire boat through the whirlpool.

³⁷ Blasting the rock changed currents in such a way that the flow now shot vessels directly into a midstream rock called the *Wildriss* (Coates 2013: 51).

borne on the winds for many miles around, like the sound of continued peals of thunder (1836: 122).

For centuries, the Iron Gate barred large vessels from navigating between the upper and lower river. Since Roman times, authorities have built roads to bypass the treacherous water and connect the upper and lower river. The Roman road was a remarkable engineering feat that combined footpaths carved from rock with a wooden road suspended from the cliffs. To commemorate this impressive achievement, Trajan installed a victorious tablet which read: “The Emperor Caesar, son of the divine Nerva Trajan Augustus Germanicus, High Priest and for the Fourth Time Tribune, Father of the Country and for the fourth time consul, overcame the hazards of the mountain and the river and opened this road” (Beattie 2010: 208). Here, as early as the Romans, leaders celebrated their victory over the river as a reflection of their political greatness. The conquest was both physical and moral demonstrating Trajan’s power over nature as well as his ability to control and overcome all that stood in his way.

Even as steamboats began transforming navigation on the river, passengers disembarked and crossed the Iron Gates overland. Starting in the 1830s, various attempts to blast through the Iron Gates met with hydrological and political resistance. As Slade’s account describes, Count Istvan Szechenyi, a local notable, attempted to blast through the reef but was hindered by water levels and the Ottoman authorities who had responded to his request for permission: “that as Allah had placed the rocks there, it would be impious to remove them”³⁸ (1840: 165). Any improvements would have to overcome both physical and political barriers to free commerce on the Danube. Works were ongoing when the 1878 Treaty of Berlin authorized a tax on shipping to continue engineering works³⁹. Into the mid-20th century, vessels continued to require assistance to navigate the Iron Gate. In the 1960s and 70s, the Iron Gate Dam finally pacified the treacherous currents (Coates 2013: 57).

Yearly floods were another persistent danger along the river. One curious phenomenon that threatened riverside cities like Budapest was the *Eisstoss* or ice dam that blocked the river until the spring thaw released the river. In the winter of 1837-8, harsh weather created a massive ice dam a meter thick that shut down the river, and when the ice broke in early-March, a wall of water rushed onto the city at a peak of 29 meters above average river level (Coates 2013: 45). This episode was immediately recorded in the form of romantic poetry in George Meredith’s 1838 verse *The Nuptials of Attila*:

³⁸ Slade speculates that the Ottomans were “influenced by Russia” and “determined to refuse leave.”

³⁹ The 1878 Treaty of Berlin ended Ottoman authority in continental Europe, except for the small island of Ada Kaleh on the Danube near the Iron Gates. The island was accidentally left out of the Treaty of Berlin and remained under Turkish authority until after World War I and the Treaty of Trianon in 1920 when it became part of Romania. The Iron Gate dam submerged the island along with Roman archeological ruins along the Iron Gorge (Beattie 2010: 203).

When the pitch of frost subsides,
Danube with a shout of power
Loosens his imprisoned tides:
Wide around the frightened plains
Shake to hear his riven chains,
Dreadfuller than heaven in wrath,
As he makes himself a path

Similarly devastating ice floods ravaged Regensburg in 1784, Bratislava in 1809 and Vienna in 1830 (Pišút 2009). In 1875, when the artificial riverbed first began to control the Danube at Vienna, the mayor reportedly toasted the taming of the river as the sweetest human triumph over nature (Coates 2013: 62).

The river's dangerous natural scenery often inspired romantic enthusiasm from travelers and artists alike. In 1838, while reading about floods that devastated Budapest, Hungarian composer Franz Liszt recalled: "I was suddenly transported back to the past...A magnificent landscape emerged before my eyes... it was the Danube rushing over the reefs" (Coates 2013: 47). An inherent tension pulled at these conceptions of the Danube—the dangerous river must be tamed for navigation, and at the same time, the river's allure depended on romantic conceptions of its perils.

The Danube Delta and Russian Intransigence

In the final stretch before reaching the Black Sea, navigation was particularly hazardous. Many routes twist through the wild and swampy Danube delta, but large merchant vessels were only able to navigate the middle route known as the Sulina (or Soulina) channel (Chamberlain 1918: 20). The Danube slows down as it nears the delta, and the sand and silt carried from upstream quickly accumulates in sandbars to obstruct shipping. These challenges often proved fatal for inexperienced navigators in the 19th century.

With the 1829 Treaty of Adrianople, the Danube delta came under Russian control, and in accordance with the principles established by the 1815 Treaty of Vienna, it was now Russian responsibility to maintain the Danube's mouth for commerce (Geffcken 1883: 6). The British Vice Consul at Galatz⁴⁰ Charles Cunningham wrote of Russian efforts at the Danube delta, "Notwithstanding the intention of the Imperial government, it is clear that the duties assumed at Sulina have hitherto not been satisfactorily performed" (*FO 78/977*: 189). As this and volumes of British foreign office and merchant correspondence suggested, Russia did not fulfill its obligation to keep the river's mouth conducive to commerce in three important areas: first, in

⁴⁰ Counsels and Charges d'Affaires, as representatives of the British government and not of the Queen, the official head of state, are not technically in the diplomatic service (Jones 1976: 70).

maintaining the depth of the river for shipping; second, in ensuring law and order in the delta; and third, in keeping a reasonable quarantine at the Danube's mouth.

Accounts of navigation in the delta stressed Russia's willful neglect in maintaining the depth of the river. According to merchants and British foreign office reports, when the delta was under Ottoman control, Ottoman authorities maintained the channel at a depth of 16 feet. But under the Russians, channel depth reduced to 10 feet or even 8.5 feet during adverse winds (*Newcastle Courant* 18 June 1841; Chamberlain 1923: 35; *FO 78/977*: 86).⁴¹ To maintain channel depth, the Ottomans reportedly did not use expensive methods. Instead, according to an article in *London's Daily News*, they had kept channel depth by "means of heavy iron rakes, which they obliged all vessels to drag after them during their passage out of the Danube" (28 June 1853). Lieutenant Colonel Edward St. John Neale, British Counsel at Varna, reported the same story heard from a pilot from the Austrian steamer company (*FO 78/977*: 87). The British pointed to this fact as proof of Russia's antagonism towards free trade on the Danube—Russians could have easily maintained the channel but actively stalled to favor trade from the Russian port of Odessa.

Correspondence from Charles Cunningham in at Galatz and St. Vincent Lloyd, British Vice Consul in Ismail, related a similar story. Cunningham framed the situation as simple: Russia had neglected to maintain the depth of the Danube channel and therefore had become a barrier to British trade:

There is little doubt that a small steam-boat of 20 or 30 horse-power passing and repassing over the bar when the weather permitted, drawing a heavy iron rake after her, would keep the water on the Sulina bar at 16, perhaps 18, feet English (at least, it appears that while the Sulina was in possession of the Turks, the depth of 16 feet was kept on the bar by causing each sailing vessel as she went out to drag a similar rake after them); and it is evident this might be done at a very trifling expense (*Correspondence* 1853: 30 September 1850).⁴²

Lloyd concurred with Cunningham's assessment. To help Russia clear the Sulina channel, the British had sent a steam dredging machine. The machine was designed to dig up and deposit sand and silt from the river bottom onto an awaiting barge. Lloyd describes the machine's ineffectiveness and questions whether the machine was the best means for clearing the bar. "It appears to me, and my opinion has been confirmed by that of most persons competent to judge, that the only effectual means to be employed is the dragging of a properly constructed harrow in and out of the river, over the bar, by a steam vessel." All that is needed, Lloyd writes, is to

⁴¹ Measurements used here are in English feet as oppose to Venetian feet.

⁴² To address these navigation problems, British foreign secretary Viscount Palmerston directed British emissaries to press Russian Foreign Minister Count Karl Nesselrode to find a solution. To demonstrate British policymakers' eagerness to achieve results, Palmerston gave a speech before Parliament outlining the extensive correspondence between Britain and Russia on the subject (*The Morning Chronicle* 20 August 1853; Hajnal 1920: 64). The body of correspondence between Cunningham, Lloyd, other British diplomats in the region and officials in London from 9 February 1849 to 15 July 1853 was published and cited here as *Correspondence* 1853

loosen the sand and silt so the river's natural flow could carry the debris into the Black Sea. This simple solution, Lloyd maintained, does not require complex equipment and saves on fuel and manual labor (*Correspondence* 1853: 13 July 1851).

Further, the delta under Russian control was portrayed as lawless, uncivilized and dangerous. Silt build-up along the Sulina channel required merchants to remove weight from their ships and carry the excess cargo overland or in smaller vessels (a practice called lighterage). Lighterage increased transport costs and exposed merchants to extortion and piracy. Russian authorities did not regulate the increasing traffic or impose rules on locals who provided lighterage services for foreign merchants (Chamberlain 1923: 35; *Correspondence* 1853). The anarchic situation was described in a lively account from a merchant in London's *The Morning Post*:

No harbour master, no regulations. Greeks, Turks, Austrians, Russians, English, and all nations jumbled together, and might is right... knives and pistols continually in requisition. Thank goodness, we are all right yet, though we have had two or three hair-breadth escapes... But I have not told you our worst predicament; the winding up of which will be that the large vessels cannot tell what their expenses will be, or when they will get over the bar. Half-a-dozen lighters to lighten 700 or 800 sails of ships, some of 400 tons. The whole place is mad (*The Morning Post* 21 May 1847).

In addition to lighterage, foreign ships navigating the Danube delta needed to hire experienced pilots to navigate the treacherous sandbars. Charlatans often took advantage of foreign vessels and passed themselves off as experienced pilots; suitable pilots often charged extortionate rates. Lloyd described in a report from November 1848 that "good pilots are difficult to be procured and demanded enormous wages, persons totally incompetent offered themselves as pilots and were accepted as such; many of them having several such engagements at the same time, employing others to fulfil them" (*FO* 78/977: 32). Writing from the British Consulate in Varna in January 1849, Neale amplified Lloyd's report on the dangers to British shipping from "the ignorance and unskillfulness of the persons who under the present regulations of the Russian authorities, are not prohibited from offering their services as pilots to shipping at the mouth of the river" (*FO* 78/977: 29-30). These practices resulted in shipwrecks that contributed to the already hazardous navigation, and commercial vessels were often left disabled in the channel as their cargo spoiled.

Here, the delta's dangers were pointedly two-fold: first, the hydrological challenges of the river; but second and more frustrating was the anarchic lawlessness that exacerbated and compounded the river's physical dangers. E. L. Butte, British Counsel at Bucharest, reported as early as 1830 on the lawless conditions on the delta: "great obstacles thrown into the way of commerce by the irregular and arbitrary conduct of the Russian authorities" who searched some vessels more than eight times along the delta channels (*FO* 97/402: 259). Almost two decades later, Neale characterized Sulina as a "little California"—a boom town where people flocked to get rich

quickly (*FO* 78/977: 60). Lloyd described Russian control of the delta as chaotic and uncivilized with characters of ill-repute, likely under the protection of the authorities, waiting to prey on merchant ships entering Sulina (14 November 1848 *Correspondence* 1853). Cunningham described one incident where an Austrian commander was arrested without reason as “a dangerous precedent”—occurrences that the Austrians also protested through diplomatic channels (*FO* 78/977: 190; Hajnal 1920: 64).

Finally, in addition to its responsibility to maintain shipping routes, the 1829 Treaty of Adrianople gave Russia the right to establish a quarantine station on the delta. Russia authorities argued that the quarantine station protected Russian territory from criminals and the spread of epidemics such as cholera and plague (Hajnal 1920: 63; Chamberlain 1923: 31-2). The British, however, cried foul play and spun a different narrative. Goods were subject to quarantine for up to forty days (Baumgart 1981: 125)—an outrageous barrier to free trade. E. L. Butte wrote that at the quarantine station Russians arbitrarily discriminated against foreigners as “loaves of sugar, etc. are spoiled or damaged through their exposures to the rain in the open air. Other goods insusceptible to contagion such as truncheons of rum are equally placed under a quarantine of many days” (*FO* 97/402: 259). In addition, Butte reported that Russians arbitrarily arrested foreigners, breaking down doors and forcing foreigners to house Russian soldiers at their own expense (*FO* 97/403: 329). A British merchant’s account described the dangerous conditions brought by the unnecessary quarantines, and even an invasive search, as the “barbarism of the Russian system” (*Manchester Guardian* 1856).

Navigational difficulties in the Danube delta highlighted two different sorts of danger—first, the physical perils caused by natural hydrological forces, but secondly, the moral dangers posed by anarchy and lawlessness which allowed the first set of perils to persist and triumph. Russian neglect permitted nature to gain the upper hand in hindering free trade; and in doing so, Russian policy also impeded the trappings of civilization that naturally accompanied free commerce. At Vienna in 1855 and Paris in 1856, diplomats established a joint commission to ensure freedom of navigation on the Danube as a major concession of the Crimean War—it was not only a concession to keep the physical forces at bay but a moral and political commitment to banish the chaos that prevented civilizing forces from taking root.

‘Desolation of Desolation’: Internationalizing the Ugly Delta

While travelogues waxed poetic about the splendors of the upper Danube, travelers depict the lower Danube and particularly the Danube delta in less than bucolic terms. In 1836, Englishman Edmund Spencer traveled down the Danube by steamboat and his portrayal of the landscape changed from sublime beauty, to lovely, to miserable desolation. Upon reaching Wallachia on

the approach to the Danube delta, he lamented that one settlement was “miserable to the extreme” and described the marshy banks of the broad river as infested with mosquitoes and sandflies making sleep impossible. Julia Pardoe’s 1837, JJ Best’s 1842 and William Beattie’s 1844 accounts also echoed this perennial complaint. Spencer goes on to write dismissively that “throughout the whole of that immense district, notwithstanding it has the advantages of a fine climate and fertile soil adapted to every production, there was not a single object to delight the eye and gladden the heart” (1837: 81). As he enters the Danube delta, Spencer continues to depict the landscape negatively: “as to cultivation there is none, being literally a desolation of desolation” (1837: 89). For audiences, this language juxtaposed the ‘emptiness’ of the lower Danube with the splendor of the history-laden upper Danube and coded the untamed natural landscape as something repulsive and undesirable.

Other travelers describe the lower Danube and delta with surprisingly similar vocabulary. In his 1839 travel guide of the Danube River, R.T. Claridge compares the beauty around Kazan to the beauty of the Rhine valley. In Adolphus Slade’s 1840 account, he maintains the same scenery surpasses the best along the Rhine.⁴³ However, Claridge describes the delta as “a monotonous extent of flat, muddy, marshy, and dreary country, as far as the eye can reach, without anything to relieve it” (172). He goes on to describe the town of Galatz as “a miserable place, though said to be of considerable commercial importance” (173). Similarly, Beattie (1844) describes Galatz and Braila as practical but terrible cities full of mosquitoes and noxious fumes without comfort. Additionally, he depicts the Danube delta in particularly unfaltering terms:

A dreary monotonous track of flat swamps covered with reeds, and inhabited by gulls, pelicans, and water fowls, and presenting hardly a feature, during seventy or eighty miles, to refresh the eye or awaken historical association (Beattie 1844: 23).

Likewise, other authors either choose to say very little about the landscape of the lower Danube and delta or used similarly dismissive language. Poet Robert Snow describes the lower river as “endless forests and wild ugly swamps” (1842: 27). Scottish writer Felicia Skene dismisses the “unhealthy” mists and the “flat, uninteresting stretch of lowlands” of the lower Danube (1847: 297-299). English traveler and writer Julia Pardoe’s account narrates entering the Danube mouth from the tempestuous Black Sea and describes the landscape as “low, marshy, and treeless, presenting as desolate an appearance as can well be conceived” (1854[1837]: 316)⁴⁴.

⁴³ “The old chateaux, the green vineyards, and the pretty villages of the Rhine are wanting; but nature shows herself on the Danube in a grander mood, under wilder and more impressive forms. Here the atheist must acknowledge a God” (161).

⁴⁴ Southeast Europe provided a particularly attractive destination for female travelers such as Julia Pardoe and Felicia Skene, perhaps because of its proximity to Europe, and at once challenged and reinforced the shifting narratives and imperialist assumption of the 19th and early-20th centuries (Hammond 2000).

In their narratives, authors frequently offered two reasons for the lower Danube's aesthetic ugliness. First, the deserted and "semi-barbaric" countryside is attributed to Ottoman despotism (Spencer 1837: 80-81) or Russian repression (Slade 1840: 200). Second, as suggested by all descriptions above, the very uninhabited and wild state of the lower river and delta lies at the heart of its unattractiveness. Spencer relates the countryside's lack of cultivation to its desolation. In his anti-Russian tract on the Danube, David Urquhart writes that the Danube "loses itself" in swamps as it turns north, and "its useless wanderings extends a hundred and fifty miles, carrying it away from the direction of its usefulness" (1853: 107). The uninhabited islands of the marshes, Urquhart writes, are "in themselves utterly valueless" (1853: 17). When Julia Pardoe landed in a "wretched" little hamlet on the Silistrian riverbank, she was surprised that "not the slightest attempt at a garden was visible, though the village stood upon the verge of an extensive wild" (1854[1837]: 317). Given the fertility of the land, she could not understand why the inhabitants had not sought to improve upon nature through the medium of the garden. Here, Pardoe's offhand remark reveals not only her English prejudices but speaks to a wider sentiment about how the delta might be improved—through human industriousness and the transformation of an ugly useless swamp into a useful, rational and habitable transport hub.

The two logics outlined above are not unrelated—both Ottoman despotism and Russian repression prevented the Danube delta from becoming tamed and rendered useful, unjustly leaving the delta a desolate wasteland. According to this logic, a just, civilized authority should be installed to transform the delta into a rational, economic landscape that facilitated, rather than restricted, the civilizing force of free trade. The Danube delta, unfortunately, lacked such a civilized authority. At the 1855 Vienna and 1856 Paris conferences, in British and French insistence on being part of an international commission to manage the delta and oversee legal regulations, civil improvements and engineering works, one can read a desire to overcome anarchy, not only as an economic but a moral necessity. The 1856 Danube Commission was a political and civilizing project to bring rationality and civilization to the furthest reaches of Europe.

The River That Flows Backwards

The Danube as an economic highway connects Europe to the East. However, in a metaphorical sense, there was the attractive idea that the Danube flowed backwards from the East to the West, connecting Europe with its ancient past in Greece and reversing the natural flow of time and geography. Unlike most rivers, the markers measuring distance on the Danube start from zero at the lighthouse on the delta and increases upriver. As journalist Nick Thorpe points out, aside from a brief period in the mid-18th century when German Swabians headed downriver to settle, goods as well as people and ideas have always flowed upriver (2013: xv).

In the early-19th century, German romantic poet Friedrich Hölderlin wrote a series of river poems. In addition to works about the Rhine and Neckar, he wrote an untitled poem about the Danube which his editor posthumously entitled *the Ister* after the ancient Greek name for the lower Danube. The poem draws the ready analogy between the river and time—and Hölderlin's vision of the Danube flows backwards bringing the intellectual gifts of Greek civilization to 19th century Germany:

Yet almost this river seems
To travel backwards and
I think it must come from the East

Hölderlin left the work unfinished. Almost a century later, Martin Heidegger focused on the poem in a series of lectures. For Heidegger, Hölderlin's hymn of praise for the Ister highlights the fundamental tension between the foreign and the native—the foreign east as ever-present even at the river's source in Germany (Coates 2013: 80). Throughout history, the Danube often did seem to flow backwards, bringing the Romans, the Mongols, the Slavs, the Turks and finally British and French commercial vessels upstream with all their newfangled ideas about trade, civilization and legitimate authority. At the same time, reminders of ancient battles and sagas seem embedded into the Danube's riverscape transporting those who traveled down the river backwards in time. Taming the Danube and particular the Danube delta—the source of the foreign East—also offered 19th century Europeans the chance to tame their own bloody histories and stem the dangerous passions that might flow back up the river.

Hölderlin's Romantic conception of nature did not mean he believed the river should be left alone—in fact, civilization depended on improving nature. Metaphorically, if time is a torrent that flows in one direction, as Marcus Aurelius proposed in *Meditations*, then reversing the river to bring back ancient Greek civilization is a deliberate act of human will upon time, changing its natural flow for our purpose. As Kim Hutchings highlights, Machiavelli also envisioned natural or chronotic time as open to being reshaped by fortune or virtue through the conduct of politics (2008: 8). Central to Hölderlin's poem was the sense that human agency can and should shape nature to render it conducive to civilization:

But the rock needs incisions
And the earth needs furrows,
Would be desolate else, unabiding

This passage could almost have been written for the Danube Commission's mission on the delta. The engineers and bureaucrats intended to do exactly as Hölderlin advises, to transform a desolate land into a civilized space through engineering works. Flowing backwards, however,

posed certain dangers—Heidegger’s foreign that penetrated into the heart of Europe challenged deeply held ideas and identities that threatened to upset the stability of political order.

The Red Danube

Despite Richard Strauss’ indelible imprint on the European imagination as to the color of the Danube, nowhere along its length could the river genuinely be considered blue. Instead, as Hungarian author Emil Lengyel’s 1940 book on the Danube suggests, the river flows brown, green and bloody red. Of the metaphorical red Danube, Lengyel writes, “it has seen more wars than any other river” (1940: 3) from its position on the Roman frontier as the last defense against barbarian tribes to multiple set piece battles during the Napoleonic Wars.⁴⁵ Despite his overwrought prose and utopian political agenda⁴⁶, Lengyel’s color for the lower Danube makes metaphorical sense. By the mid-19th century, travelers’ narratives of trips down the Danube often evoked its bloody past, allowing the flowing river to lead them across time as much as space. As Henry Fromby declares after describing the Danube’s intimate links to European history, “the lambent gliding movement of the so mighty and ancient a stream, could not fail irresistibly to float the memory of the past before the voyager” (1843: 14).

The ruins of Carnuntum, one of the most important Roman fortifications on the *limes* from where Marcus Aurelius wrote *Meditations* and fought the Marcomanni tribe, can be seen on the riverbank halfway between Vienna and Budapest (Beattie 2010: 109). The remains of Trajan’s great bridge built across the Danube to suppress the Dacians on the opposite bank inspired in 19th century travelers a melancholic sense of fallen greatness—a once mighty empire eroded by the forces of time and wantonness of barbarians who eventually overran the Roman *limes* (Beattie 1843: 235; Best 1842: 313).

Historical references to the Danube take on a decidedly martial tinge which seems almost embedded into the picturesque landscape itself. William Beattie reminds the reader in his 1843 account:

...the hordes of Attila—the warrior knights of Charlemagne—the long array of Christian Pilgrims—the hardy bands of Gustavus Adolphus—the turbaned troops of Solyman the Magnificent—the victorious army of our own Marlborough, and the

⁴⁵ Since the mid-19th century, the Danube featured not only in the Crimean War and the Balkan Wars but in all the bloodiest moments of the 20th century. World War I erupted from the Danube valley, and Mauthausen-Gusen, one of the most notorious Nazi concentration camps, was located on the Danube’s bank. The Iron Curtain divided the Danube, and the river runs through Belgrade which suffered extensive damage during the Yugoslav War including from NATO bombings.

⁴⁶ Lengyel starts his section on the Red Danube: “Rivers, unlike flags, do not change their colors as they flow from one country into another” (1940: 139)—as this passage suggests, he believed that if we listened to the river, we would cease to divide the river into political units and unite the river valley into one.

adventurous legion of Napoleon, have all marched in splendid succession, and left behind them tales and tradition which have become part of the scenery (1843: 2).

Both as a border between powers and as a conduit for invading armies, the Danube River has witnessed its share of battles. One of Britain's greatest military victories transpired on the banks of the Danube: the 1704 Battle of Blenheim where the Duke of Marlborough led an allied army to victory against the French and their Bavarian allies (Beattie 1843: 22). At the 1526 Battle of Mohács, an Ottoman army led by Suleiman the Magnificent defeated Louis II and dissolved an independent Hungary. Beattie describes fleeing Hungarians cut down by the Turks "who boasted that every Turkish scimitar on that day was red with Christian blood" (195). Further downstream, Beattie imagined the "sepulchers of Gothic Warriors" accompanied by the few material reminders of Roman greatness (228). R.T. Claridge described the fortress at Widden (modern day Vidin) as the largest in Bulgaria and having surrendered twice: to Austrians in 1689 and to Russia in 1828, each time washing the riverside with blood (1839: 168). Upon reaching the fortress of Ismail where the Danube splits into the channels of the delta, Adolphus Slade's travelogue quotes Lord Byron's poem *Don Juan* describing the "scene of the fiercest assault and bloodiest slaughter in modern times" (1840:201-2)—the siege of Ismail in 1790 during the Russo-Turkish war when Russia captured the supposedly impregnable fortress:

There was an end of Ismael's hapless town!
Far flashed her burning towers o'er Danube's stream,
And redly ran her blushing waters down.
The horrid war-whoop and the shriller scream
Rose still; but fainter were the thunders grown
Of forty thousand who had manned the wall.
Some hundreds breathed—the rest were silent all

Victors often appropriated these battlefield confrontations as nationalist emblems. From the Russian side, the capture of Ismail inspired poet Gavril Derzhavina to compose what became the first Russian national anthem which begins: "Danube's swiftly flowing waters/ Are at last in our firm hands" (translated in Thorpe 2013: 7). A Turkish military march from the mid-19th century and still popular in the 21st century references Esztergom, a castle on the Danube northwest of Budapest and site of an Ottoman victory in 1543 when Suleiman the Magnificent, victor at Mohács, also took the stronghold.

The drama of the Crimean War also played out on the lower Danube's banks, and at the Paris Peace Conference in 1856, the red river was very much on diplomats' minds and agendas. If the red Danube is intimately linked to the river's fractious past, a new international institution for the river then, aims to overcome this past and transform the river into a less violent and more civilized color.

The Danube River connects heartland Europe to the Balkans—known in 19th century texts as the “Near East”—and the Russian and Ottoman Empires beyond. Throughout the 19th century, this region played a liminal role for Western European identity, presenting, as Lene Hansen describes, “a borderline, a gate, a bridge, a crossroad, and a frontier” (2006: 87). This vision of the Balkans as a nexus between worlds echoed voices from the mid-19th century. For example, French philologist and writer Cyprien Robert describes the Slavs as an intermediary between “Asia and Europe, between immobility and progress, between the past and the future, between preservation and revolution” (1852: 4). Therefore, while the traditional Danube runs east and transports liberalism and civilization downriver, a fear lingered in the European imagination that the river, like Hölderlin’s Ister, might be reversed. Unlike Hölderlin’s river, this backwards Danube threatened to bring disorder from a semi-familiar geography back into the European heartland.

Drawing on Edward Said’s 1978 *Orientalism*, recent scholarship has proposed a Balkan variant of Orientalism as either a demi-Orientalization (Wolff 1994) or a “colonization of the mind” in which the West intellectually appropriated the region without the formal trappings of imperialism (Goldsworthy 1998). Others have argued that Said’s model offers a flawed lens through which to evaluate Western Europe’s engagement with the Near East. Fundamentally, they contend, Balkanism evolved independently of Orientalism and remains qualitatively different from Said’s model of the West leveraging the power-knowledge nexus as a hegemonic tool of domination (Todorova 1997; Hammond 2008).

As Maria Todorova’s work on the Balkans argues, neither the Balkans, the West nor the relationship between the two should be essentialized as a homogenous cultural imaginary—identities shifted across time and space. Russians focused their interest on Bulgaria as an oppressed Slavic people while French and British Romantics concentrated on Greece as the cradle of civilization. The future head of the Prussian General Staff Helmuth von Moltke attributed any progressive trends he saw in the region to Russia while the British often blamed regressive trends on Russian rule (Todorova 1997: 71). While many blamed the region’s backwardness on Ottoman rule, condemnation was far from universal. Englishman Henry Blount’s 1636 account praised “Turkish disposition” as “generous, loving, and honest” (Todorova 1997: 91). As analyzed in this chapter, even within largely British travel writings along the Danube in the 1840s, diverse cultural imaginaries contended with one another. But, as Todorova’s analysis highlights, the 1830s represented an important moment in the West’s engagement with the Balkans as British interest in the region altered from trade to political engagement (1997: 95). The analysis of travelogues along the Danube bears out this

politicization. Hence, by the 1856 Paris Peace Conference, the Near East was not just a wild space for adventurers but had become a political geography where notions of civilization and political legitimacy were entangled in the riverscape.

In Andrew Hammond's work building on Todorov's on the Balkans, he examines imagery in Balkan travel writing from the mid-19th century to World War I. Hammond shows that like the Orient, Western travelers viewed the Balkans as a place of mystery, degeneracy, savagery, chaos and irrationality (Hammond 2008: 202-3). Unlike accounts of the Orient, however, travelers in the Balkans depicted the region as a hyper-masculine space without civilization or history. Hammond concludes that for the West, the Balkans represent "less a secure marker of alterity than an unstable and unsettling process loosed from clear identity, an obscure boundary along the European peripheries where categories, oppositions, and essentialized groups are cast into confusion" (2008: 204). In essence, rather than demarcating the self from the other, the Balkans played a much more unsettling role in the Western imaginary—presenting a "distorted mirror" with the potential to disturb order by upsetting established hierarchies and reversing the flow of civilization down the Danube.

The most unsettling distorted reflection to travel back from the eastern reaches of the Danube was the vampire, first popularized by John Polidori's 1819 book *The Vampyre* and later stamped onto the Western imagination by Bram Stoker's 1897 *Dracula*. Author Erik Butler maintains that the myth's appeal speaks to one trait uniting all vampires—"the power to move between and undo borders otherwise holding identities in place. At this monster's core lies an affinity for rupture, change, and mutation" (2010: 2). Vampires rupture time by being at once ancient and futuristic in their ability to overcome death and decay; vampires rupture space by invading from the outside, seducing us with their uncanny allure. Analysts of vampires as a 19th century literary trope have also acknowledged the association between vampire stories and geopolitical fears that gnawed at Western Europe (Senf 1988; Gibson 2006). Matthew Gibson's work on French and British vampires view these myths as a way for authors to express often unpopular views and "political commentary on the Eastern Question" (2006: 2). The vampire trope reveals a distorted self as at once human and monster that violates accepted constructs of nature and politics.

Bram Stoker's *Dracula* links the disquieting specter of the distorted man to the Danube River and the foreign lands bordering the Danube delta. Near the book's denouement, in hot pursuit of Dracula, the protagonists travel up the Danube because, as one character narrates, "I felt sure that he must go by the Danube mouth, or by somewhere in the Black Sea, since by that way he come." (340). Dracula came from the far reaches of the foreign east to "invade" London and inspire unnatural behavior in young women. His ability to control nature through his command

of fog aided in his flight—and only the intervention of the rational English protagonists with steamboats and railroads could finally stop the unnatural being from succeeding in his plans. Here, the ‘noxious fumes’ repeatedly depicted in 19th century travelers’ accounts of the Danube swamps takes on a supernatural quality, representing an unseen evil that expressed itself in the river’s untamed characteristics. Dracula the vampire gave form to the disquieting fear that instability could travel up the Danube and unsettle European political order. Attempts to tame the Danube delta, then, pushed back against this fear by using rational institutions to not only rectify the river but forestall that chaos stemming from unchecked anarchy.

Conclusion

Fears that the fluid identities of the Near East threatened European stability came to fruition in the 20th century as war and anarchy did flow back up the Danube first in World War I and then again in World War II as the German regime occupied the Danube valley. For a time in the late-19th century, the European Commission of the Danube transformed Sulina on the delta into a civilized outpost buzzing with the multilingual activity of international bureaucrats, merchants and engineers. But by the time the Iron Curtain cut the Danube in half in the mid-20th century, political upheaval had erased the lower river’s international identity, and the delta had become the private domain of Romanian dictator Nicolae Ceaușescu.

In the 1950s, Ceaușescu attempted to transform the Danube delta into prosperous farmland—he wanted to conquer land from the wilderness as Frederick the Great had done in the 18th century. He sent political prisoners against the communist regime to forced labor digging a channel, a more rational riverbed for the Danube to efficiently enter the Black Sea. Romanian poet Andrei Ciurunga, who experienced the scheme first-hand as a political prisoner, wrote of the channel project (translated in Thorpe 2013):

History flows backwards now
Gathering in its wide pages
This terrible river
Water spills from three mouths of the Danube,
But from the fourth, blood

Under Ceaușescu, all the Danube Commission’s efforts to tame the river seemed folly and the Danube once again became the red river wash in human blood.

This chapter details the social constructions of the Danube River in the Western imagination in the mid-19th century. The meaning of the Danube as a connecting highway that brought free trade and civilization from the West to the East informed diplomatic efforts in 1855 and 1856 to establish peace in Eastern Europe and create an international commission to manage the Danube

delta. The political deliberations at Vienna and Paris will be discussed in the next chapter, but underlying these debates was a specific vision of what taming the Danube meant for stability in Europe. The international commission established to manage the delta aimed to secure the flow of civilization and progress from the West to the East. In taming the delta and transforming the swampy wasteland into a useful space for free commerce and civilization to flourish, the Danube Commission also intended to transform a chaotic space that threatened to destabilize the region into a rational space conducive to international cooperation. However, if taming and rationalizing the Danube delta was to free human society from the ravages of a red river, then Ceaușescu's failed and bloody project to once again tame the delta reveals the hubris of our assumptions.

Chapter 6:

The 1856 Treaty of Paris and the Danube Commission

At the 1815 Congress of Vienna, French representative Charles Talleyrand stated: “the center of gravity of Europe is not in Paris or Berlin, but in the mouths of the Danube” (Hajnal 1920: 38). Indeed, for the next three centuries, the lower Danube would be a site of intense geopolitical contestation. However, the first international executive body with states holding joint authority over territory half a continent away was also created to manage the lower Danube River as a cooperative international space in the mid-19th century.

This chapter analyzes the creation of the European Commission of the Danube in 1856 with the Treaty of Paris following the Crimean War. The first section considers the political context and the specific constellations of power governing the Danube River at the Paris peace conference. The second section details discussions between European diplomats on how to apply principles established by the Treaty of Vienna to the Danube River. Specifically, I trace how competing understandings of the river as private property versus international commons complicated the creation of institutions to manage the river. Further, I demonstrate these debates echo the same arguments voiced by the 1815 International Rivers Committee, and that changes in outcome reflected the specific context of the Danube rather than any advances in stronger international principles governing international river. Here, I counter the view that the Danube Commission represented a progressive evolution in international norms from the 1815 Rhine Commission. It would be historically problematic to view 1815 or 1856 as a critical juncture where principles of freedom of navigation along international rivers triumphed over interpretations of the river as private, sovereign property.

Finally, the last section examines the two commissions that emerged from the 1856 Paris peace conference—and how the permanent riparian commission failed while the temporary European Commission consolidated to become a forceful institution. If both commissions arose against the same geopolitical context and history of contested meaning over the international river, what accounts for the difference in outcome? I suggest the construction of the lower Danube as an untamed space in need of rational governance and an understanding of the Danube as a conduit to bring civilization to the periphery of Europe shaped the success of the temporary European Commission, while political impasse stymied the first commission. Hence, the lower Danube was a very different river than the upper Danube or the Rhine in the European imagination, and the Enlightenment project to tame the international river was imbedded in the very beginnings of this international institution.

Anglo-Russian Competition and the Danube Delta

The Crimean War highlighted the dominant fissures in mid-19th century European politics, with the retreat of the Ottoman Empire playing like a leitmotif over diplomatic activities until World

War I. Ostensibly, the war began over a dispute regarding whether Russia's Orthodox Church or France's Catholic Church should be seen as protector of Christians in the Ottoman Empire and thus hold the keys to Bethlehem's Church of the Nativity. However, the three-year war involved larger questions triggered by the Ottoman Empire's decline⁴⁷ including Russia's ambitions south and west into the Black Sea and Central Asia, Britain's expanding trade interests in the region, Germany's and Italy's national unification struggles⁴⁸ and the tension between the preservation of the older social order and a new revolutionary nationalism threatening to overturn that order. The European Commission of the Danube, then, was created amidst a whirlwind of geopolitical and social change, and accounts of the Crimean War and its aftermath rarely offer analysis on the question of Danube navigation. Most works that focus on the freedom of navigation at the Danube's mouth frame the episode as part of intensifying Anglo-Russian conflict throughout the 19th century (Urquhart 1833; Puryear 1931), or as a stepping stone to the first intergovernmental global governance projects of the early 20th century (Baicoianu 1917; Kaeckenbeeck 1918; Hajnal 1919; Chamberlain 1923). More recently, Romanian scholars have examined the role of the 1856 Danube Commission in their own national history (Cernovodeanu 1986; Florescu 1997; Ardeleanu 2014; Munteanu 2015).

In the early 19th century, the Ottoman Empire controlled the Danube's mouth where the 2,860-kilometer river empties into the Black Sea. Upstream of Ottoman territory, a sizeable section of the Danube's navigable length passed through the Austrian Empire. The Ottoman Empire bled territory as its authority waned, and Russia took full advantage to pursue its ambition for a warm water port open to naval activity all year round—an ambition first planted in the Russian imperial imagination by Peter the Great in the 17th century. Controlling the Black Sea and the Dardanelles into the Mediterranean Sea would affirm Russia's position as a global naval power (Lambert 2011:37-40). In addition, Russia increased its control over Eastern Europe. With the 1812 Treaty of Bucharest, Russia became a riparian state along the Danube, and with the 1829 Treaty of Adrianople, Russia secured control over the entire Danube delta (Chamberlain 1923: 27). With control of the Danube delta, Russia also became responsible for maintaining freedom of navigation at the Danube's mouth according to the principles of the Congress of Vienna.

Great Britain watched Russia's expansion and dreams of naval grandeur with concern. Eastern Europe, the Black Sea and Central Asia stood between Europe and Britain's prized possession of India. One important British concern was Russia's increasing capacity to hamper Britain's lines of communications and trade. As Lord John Russell polemically stated in Parliament, "if

⁴⁷ When Tsar Nicholas I asked Austrian Chancellor Klemens von Metternich in 1833 what he thought of the Turks as the sick man of Europe, Metternich responded, "Is Your Majesty addressing the doctor or the heir?" (Palmer 1972: 261). As Metternich's quip suggests, the question before European powers was whether to prop the sick man up and hope he lives or start dividing up his possession.

⁴⁸ Both Prussia and Sardinia participated in the Crimean War and subsequent peace conference in hopes of enhancing their positions within unification struggles.

we do not stop the Russians on the Danube, we shall have to stop them on the Indus” (quoted in Richardson 1994: 83). In addition to concern over Central Asia, from the 1830s onward, British commercial interests along the Danube increased, and merchants and diplomats familiar with navigation at the Danube’s mouth increasingly complained of Russian neglect in keeping the shipping channels free from obstruction. As detailed in the previous chapter, international shipping was obstructed by sand and silt buildup, but trade also suffered due to lawlessness on the delta and arbitrary quarantine standards.

Most accounts suggest that Russia actively neglected navigation at the Danube’s mouth in favor of Russian trade out of Odessa, a Black Sea port roughly 200 kilometers north of the delta (see for example Baumgart 1981: 126; Chamberlain 1923: 36; Urquhart 1951: 14). However, as Constantin Ardeleanu’s detailed scholarship describes, internal Russian politics complicated this assumption. While some such as Count Egor Frantsevich Kankrin and certain Odessa merchants advocated for shutting down Danube trade at Sulina, important Russian policymakers including Tsar Nicholas I and Chancellor Karl Nesselrode did not advocate such an approach. In fact, Count Mikhail Vorontsov even argued that Russia would gain from the growth of Danube trade. Hence, Ardeleanu concludes, “available sources do not prove that an official policy was decided to hinder trade on the Danube” (2014: 167). Indeed, British Foreign Secretary Palmerston also dismissed the logic that Russia gained from obstructing trade at Sulina to favor Odessa: “it is plainly manifest that any such idea would be erroneous, and that prosperous commerce by the Danube would in no way interfere with prosperous commerce by Odessa” (24 September 1851 *Correspondence* 1853). Tsar Nicholas I also echoed these sentiments (Ardeleanu 2014: 168). Global demand would readily absorb any supply of cheap goods from the region. Therefore, it would be inaccurate to describe events on the Danube delta as a simple function of geopolitical competition between two growing superpowers.

In the early-19th century, the Anglo-Russian relationship included both conflictual and cooperative moments. Prior to the Crimean War, the verbal and secret Agreement of 1844 between Britain and Russia stipulated that both would work to maintain the integrity of the Ottoman Empire, and Russia would consult Britain before making any moves against the Ottoman Empire (Puryear 1931: 6). Further, when the weight of complaints about Russia’s obstruction of Danube shipping reached high levels of the British government, Foreign Secretary Palmerston directed British emissaries to press Count Nesselrode for a solution. To demonstrate his government’s eagerness to achieve results, Palmerston gave a speech before Parliament outlining the extensive correspondence between Britain and Russia concerning Danube navigation between 1849 and 1853 (*The Morning Chronicle* 20 August 1853; Hajnal 1920: 64). Count Nesselrode assured Britain that efforts were being made to clear the shipping channel and strict directives had been sent to local authorities. Later, British officials would

express skepticism as to how hard Russia had tried to improve navigation on the Danube delta (3 April 1855, *FO* 7/461), but Russian efforts seemed sincere⁴⁹. Hence, it would be simplistic to reduce navigation difficulties in the Danube delta to simple economic or political jealousy. The hydrological challenges of the delta, as will be experienced by the Danube Commission after its inception, confounded simple solutions and contributed to the international confrontation over navigation on the Danube.

In addition to the underlying material basis for Anglo-Russian confrontation at the Danube's mouth, the rivalry was not purely interest-driven and involved ideological factors that shaped perceptions of what the Danube meant for Britain. Scholars such as J. H. Gleason (1950) have argued that between 1815 and 1841, anti-Russian sentiments were manufactured in Britain—a feeling based as much on competition for markets as a civilizational discourse against the policies of a reactionary Russia. In a prominent example, in 1854, Foreign Secretary the Earl of Clarendon laid before Parliament the reason for Britain's involvement in the Crimean War:

We cannot suppose that the intelligence and civilization of Central Europe would be any more a barrier to such encroachments than the intelligence and civilization of Rome were a barrier to the encroachment of the Huns. And, my Lords, the more we examine this question the more gigantic is the force it assumes. We are not now engaged in the Eastern question, as it is commonly called, but it is the battle of civilization against barbarism, for the independence of Europe.

Here, Clarendon argues that the 'Eastern Question' concerned something greater than material and commercial interest. He elevates the conflict to a struggle to preserve European civilization against the encroachment of barbarism. While Clarendon does not specifically mention the Danube River by name, the river is implied as the border between Rome and the Huns, between civilization and barbarism. As argued previously, taming and rationalizing the Danube delta became a civilizational mission with the river as a conduit for civilization to flow east.

Alongside Britain, France also watched Russian advancement in Eastern Europe with concern. In the mid-19th century, Napoleon III sought to restore France to a position of prominence and to place himself as the arbiter of European balance of power (Richardson 1994: 80). Similar to Britain, France had interests in the Mediterranean and Middle East, and did not want Russia to dominate lines of communications and trade in the Black Sea and Dardanelles. Additionally, with its history of republican politics and Catholic population, France viewed reactionary and Orthodox Russia with suspicion (Figes 2010: 5-8). Military victory over Russia in the Crimea

⁴⁹ For example, in 1845, Count Nesselrode sent inspectors to investigate the Military Governor of Bessarabia, General Pavel Ivanovici Fedorov, to resolve the lawlessness of the Danube delta. In 1847, Tsar Nicholas I personally sent another investigator. However, these inspectors were unable to resolve the situation as the administrative corruption of the remote Danube delta ran deep (Ardeleanu 2014: 170). Similarly, technical solutions such as steam diggers failed to resolve the silt build-up due to the hydrological complexity of the delta (Ardeleanu 2010).

and a seat on the Commission to manage the Danube delta would keep Russia contained and also advance French prestige on the European political stage.

Austria's involvement in the Crimean War resembled a complex balancing act—Austria aspired to play a pivotal role in diplomatic negotiations without actually entering the war. In the early-19th century, Austria and Russia competed for influence in Eastern Europe while cooperating under the Holy Alliance to maintain the conservative order in Europe. Russian intervention in the 1848 revolutions had checked internal forces that threatened the integrity of the Hapsburg monarchy. However, the upper Danube was an imperial highway that bound Austrian lands together, and Russian control over the delta proved problematic for the transport of Austrian goods internationally. Situated in central Europe, Austria stood at a central geographic location and aimed to check Russian advance up the Danube, but financial difficulties and the underlying social fissures that triggered the 1848 revolts weakened Austria (Schroeder 1972). Throughout the war, France and Britain hoped Austria would join them against Russia, but Austria resisted and established diplomatic negotiations instead. Finally, Russia agreed to peace talks at Paris when Austria issued an ultimatum threatening to join the allies on the battlefield if Russia did not accept terms (Baumgart 1981: 68-9). At the Paris Peace Conference, when Emperor Napoleon III expressed regret that Austria had not participated in the war and therefore did not gain territory or power, Austrian Foreign Minister Count Karl Ferdinand von Buol⁵⁰ responded that Austria's intervention might have gained both, "but it would certainly also have brought her a great increase and variety of troubles" (Hajnal 1920: 73).

Hence, the European powers negotiated to end the Crimean War with different fears about the post-war settlement, and those fears played out in their different interpretations of the Danube as an international river.

History of Cooperation and Conflict on the Danube

The history of the Danube River as a highway very much echoes that of the Rhine where local authorities treated the river as private property subject to tolls and monopolies. Henrik Hajnal's 1920 account of the Danube's history tells of local medieval nobility who attached large metal chains across the Danube to regulate river traffic and enforce tolls (1920: 8-9)⁵¹. The custom of

⁵⁰ Historians have judged Count Buol harshly, describing him as a liberal Anglophile unfit for the importance of his position as foreign minister and blaming him for the decline of Austria foreign policy after Metternich. This dim view of Buol, historian Roy A. Austensen contends, is not entirely justified. A careful analysis of Buol's career suggests that while he did have pro-British leanings, he was an able statesman with strong ideas who inherited problematic legacies from his predecessors and who faced divisive internal opposition (Schroeder 1968; Austensen 1973: 180-187). His general approach was to move closer to France and Britain, and he saw Austria's role as to moderate French and British war aims (Austensen 1973: 190).

⁵¹ Hajnal describes 12th century documentation from the Austrian town of Stein that list the treasures that flowed upriver including raw silk, gold, silver, oil, laurel leaves, saffron, cinnamon, pepper and ginger. Prince Leopold

transshipping allowed local guilds to divide the river between them, and only boatmen from a particular guild could operate boats along each stretch of river. Even at the Danube's mouth, foreign cargo had to be transferred to Ottoman ships to enter the Black Sea (Hajnal 1920: 22). Another practice known as staple-rights required foreign boats to unload their cargo at local ports and display their goods for a set time so local merchants had the first chance to buy. The guilds maintained towpaths and kept the waterway navigable. In exchange, merchants paid a toll to the guild (Hajnal 1920: 42; Chamberlain 1923: 20-21). These monopolistic rights enriched local authorities but hindered trade along the Danube.

In the 18th century, however, as trade increased and local authorities tamed the legendary natural dangers that hampered navigation along the Danube, authorities along the river signed bilateral treaties to expand the freedom to navigate the entire river. The 1718 Treaty of Passarowitz between Austria and Russia agreed that subjects of both empires could freely navigate and trade on the Danube. In 1739, Austria and the Ottoman Empire agreed to similar terms in the Treaty of Belgrade. In 1784, Russia and the Ottomans agreed to similar provisions and Austria was given most favored nation status (Hajnal 1920: 20-23; Chamberlain 1923: 26)⁵². These reciprocal agreements regarded the Danube as joint property shared amongst riparian empires; navigation rights were only extended to other nations at the discretion of its joint owners⁵³. This series of treaties also highlights an important difference between the Rhine and Danube—the Danube flowed from the heart of civilization out towards a liminal space between the known Europe and the unknown East. The Danube's bloody history invokes battles between empires and is fraught with anxiety about external invasion.

At the 1815 Congress of Vienna, the French representative Emmerich Joseph von Dalberg on the International Rivers Committee proposed to include the Danube River along with the Rhine, the Main, the Neckar, the Mosel, the Meuse and the Scheldt as an international river. If passed, the principle that all nations had the same right to freedom of navigation along an international river would have been extended to the Danube. However, Dalberg's proposal was rejected since the Danube lay beyond the territorial jurisdiction of the Congress. In addition, as previously argued in Chapter 4, while in principle the Treaty of Vienna proclaimed the transboundary river as international commons, in practice states continued to dispute the international nature of the Rhine in favor of treating the river as a private highway. By the 1850s, however, all powers recognized the Treaty of Vienna as a declaration that the principle of freedom of navigation and commerce should apply to all international rivers. When the diplomats in 1855-6 turned their

levied taxes on these goods—taxes that he pocketed. Apparently taxes were also levied on female slaves exported to Turkey (1920: 111).

⁵² Emperor Joseph II had the agreement published along with a list of things that would sell well in the Ottoman Empire, and he actively subsidized and encouraged firms to take advantage of the Eastern market (Hajnal 1920: 116-7).

⁵³ For example, Great Britain and Austria signed a treaty with the Ottomans in 1839.

attention to navigation on the Danube, the proposed treaty text stated that “the Lower Danube shall be subject to the general stipulations of the Treaty of Vienna in respect to the navigation of rivers” (*PRO* 30/22/18/8, No. 31). In the final days at the 1856 Paris conference, Count Buol argued that the peace conference should adopt a moral idea; the two moral ideas he believed the Congress of Vienna adopted were the abolition of the slave trade and the free navigation of rivers (Thayer 1917: 39). Hence, by 1856, the Treaty of Vienna had become shorthand for the liberal and moral principle that transboundary rivers should be open to freedom of navigation and commerce for all nations. However, as the next section will show, while diplomats agreed on the principle, they disagreed on how the principle should be applied and therefore contested the meaning behind the lofty legal language.

Diplomats in 1855-6 looked to the Final Act of the Congress of Vienna as the model for applying freedom of navigation to the Danube, but the Rhine Commission established in 1816 included only riparian states. Aside from drawing up navigation regulations, the Commission had little power and met once a year as an appeals tribunal (Kaeckenbeeck 1918: 65-6). The Danube offered additional dangers—both physically and morally—that required international action. First, the commission needed to actively pursue engineering works to keep the delta’s shipping channels free from obstruction. In addition, the Danube was seen as a civilizing river that brought values along with goods to the East. Hence, a different type of international body was required. In September 1850, British Vice Consul Charles Cunningham laid out four ways to resolve the Danube’s navigation problems: 1) for the Russian government to undertake the project; 2) for the Russian government to hire contractors; 3) for a Commission of all nations interested in Danube navigation to undertake the project; and 4) for the Commission to hire contractors (*Correspondence* 1853: 30 September 1850). All four options require something more powerful and proactive than the Rhine Commission. The next section will consider the debates at Vienna in 1855 and Paris in 1856 as they revealed different interpretations of the international river at the creation of the European Commission to manage the Danube delta.

Applying the Congress of Vienna to the Danube

In the formal language of the diplomatic conferences, all European diplomats needed to do to ensure freedom of navigation on the Danube was to ‘apply’ what was previously concluded at the Congress of Vienna to another river⁵⁴. However, the matter of applying Vienna was much more politically and diplomatically volatile than implied by the administrative language. Not only was the Final Act of the Congress of Vienna vague when it came to actually enforcing the

⁵⁴ For example, Austrian representative Baron Prokesch’s proposal at the Vienna Conference starts: “The Act of the Congress of Vienna... having established in its articles 108 to 116 the principles intended to regulate the navigation of rivers which traverse several States, the Contracting Powers mutually agree to stipulate that, for the future, these principles shall be equally applied to the lower course of the Danube...”

principle of freedom of navigation along international rivers, diplomats also disagreed over whether the Vienna model applied to the Danube or whether the river required a completely different set of international principles.

Deliberations about the terms that would eventually dictate the end of the Crimean War began almost as soon as hostilities. In December 1853, French, British and Austrian representatives met in Vienna to discuss the four main war aims⁵⁵, which eventually became the backbone of the 1856 Paris Treaty (Baicianu 1917: 51-2). In August 1854, the allies sent a memorandum to the Russian representative in Vienna, Prince Alexander Gorchakov, on their four major war aims. Point Two on the freedom of navigation on the Danube stated that relations between Russia and the Ottoman Empire could only be repaired if navigation at the Danube's mouth is freed from obstructions as outlined by the Treaty of Vienna (Geffcken 1883: 8). The memo continues: "This goal seems most likely achieved if the land included in the Danube delta was declared neutral. Care for preserving and clearing the mouths should be entrusted to an organization ("une société") that will be accountable to all the Powers" (quoted in Hajnal 1920: 70). The allies met again in December 1854 and sent a memorandum outlining the conditions for peace; Prince Gorchakov agreed to the points as a basis for negotiations. In March and April 1855, Count Buol, representative of the Austrian Emperor, convened the Conference of Vienna to discuss the memorandum and included representatives from Great Britain, France, Austria, Turkey and Russia.

The 1855 Vienna Conference

Already at the 1855 Vienna Conference, diplomats were divided over the international river as private property, jointly held shared property or international commons. From the start, France and Great Britain interpreted the Danube as an international economic entity that ensured the moral and commercial benefits of international trade for all nations. Ahead of the Conference, French Foreign Minister Edouard Drouyn de Lhuys sent instructions to French representative Baron de Bourquency maintaining that "possession without control of the main mouth [of the Danube] brought, as to the navigation of this great river, moral and material obstacles, detrimental to trade of all nations" (Geffcken 1883: 8). Similarly, Foreign Secretary the Earl of Clarendon wrote to British representative Lord Westmoreland that the allies should ensure the establishment of an independent authority to remove navigation obstacles, and that Russia should give up its rights since it has previously neglected this duty (Geffcken 1883: 9). The international river, then, was the responsibility of all nations, and its maintenance was too morally and materially important to be left up to whoever happened to hold sovereignty over the banks.

⁵⁵ Four war aims: 1) Russia will end its protection over the Danubian Principalities (Moldavia, Wallachia and Serbia); 2) freedom of navigation on the Danube River for all nations; 3) the end of Russian power ("neutralization") on the Black Sea; and 4) the Christian population in the Ottoman Empire to be placed under European protection.

At the first session at the Vienna Conference, Buol presented the second of four points in the peace terms worded as thus: “the freedom of the navigation of the Danube shall be completely secured by effectual means and placed under the control of a permanent syndical authority” (Kaeckenbeeck 1918: 85). On 21 and 23 March (Protocol 4 and 5), diplomats discussed this proposal. Here, Russia upheld the river as private property—and only the sovereign had the right to grant navigation rights to ships of other nations. Prince Gorchakov maintained that Russia had always granted “the principle of freedom of navigation for all merchant flags” and had made efforts to remove navigation obstacles. And, he continued, if the word *syndicate* proposed by Buol “implied the exercise of any right of sovereignty”, then Russia must object since the delta was under Russian authority. Rather, Russia wanted the body that would carry out works on the delta to be solely scientific and technical—not political—and the term *European Commission*, was chosen instead (Kaeckenbeeck 1918: 88-9; Geffcken 1883: 10).

Austria, as a riparian state, advocated for interpreting the international river as joint property. The Austrian proposal divided the river into two segments: the upper and the lower Danube. On the upper Danube, Austria held sovereignty and intended to treat the river as internal, private property. On the lower river, its transboundary nature required a different method. The Austrian proposal allowed for a European syndicate to establish regulations on the lower Danube, but the power to execute and enforce regulations would rest with a body comprised only of riparian states (Geffcken 1883: 9-10; Kaeckenbeeck 1918: 90). When Britain and France objected and pressed for positions on the executive committee, the Austrians responded that according to the model established at the Congress of Vienna, only the riparian states sat on river commissions. Here, divergence over how to ‘apply’ the Congress of Vienna reveals the unclear and politically charged nature of the seemingly straightforward proposal to extend principles already agreed to at the Congress of Vienna to the Danube. Certainly all sides purported to endorse the principle of free navigation and commerce on the Danube, but how that principle translated to the design of the commission depended heavily on this contestation over what the Treaty of Vienna model meant—and by extension what the transboundary river signified.

For Britain, Austria’s logic was unacceptable—only the second executive commission would have actual powers to enforce free navigation and commerce on the lower Danube. This body required a British and French member to keep the Russians in line due to a history of Russian intransigence. In a note from British representative Lord John Russell to Count Buol in March 1855, Russell wrote:

Her Majesty's government can well understand why Russia who has always prevented the removal of obstructions to the free navigation of the Danube should object to English and French Commissioners, who would carefully watch her proceedings, but

the ground on which Austria joins in and supports the objections of Russia is not intelligible (*FO 7/461*).

Further, in April 1855, Lord Russell send another letter to Count Buol challenging Austria's logic that having French and British representatives on the executive committee would violate the model established by the Congress of Vienna:

Have been attentively considered by her Majesty's government, who are of opinion that if the navigation of the Danube is to be regulated in accordance with the Treaty of Vienna the Commission should consist of a Bavarian, an Austrian, a Russian and a Turkish member, and the regulations should apply to the whole course of the Danube from the sea up to the point where it first becomes navigable and such an arrangement should require no further guarantee. If on the other hand there is to be a special arrangement to which Bavaria is not to be a party, and which is to apply only to that part of the river from the sea upwards to the point where it ceases to divide Austrian and Turkish territory, that is to the point where both banks are Austrian, *then the Treaty of Vienna is no longer the rule*, and the Commission to be appointed ought to contain an English and a French Member because England and France are deeply interested in having the channels of the River kept free and open (*PRO 30/22/18/4*, No. 31; emphasis mine).

Here, Britain specifically attacks Austria's logic regarding the applicability of the 1815 Treaty of Vienna—if Austria wished for the exact same institutional formulation as used for the Rhine Commission, then Austria would not be allowed to divide the river into two administrative segments and must invite a Bavarian representative to the Commission. Austria was adamantly opposed to this suggestion. The British argument, then, suggested that establishing the Danube Commission was not an application of the Congress of Vienna, but the creation of something new—an independent, international body with power to oversee an international highway for the benefit of all nations. The final treaty language in 1855 favored Britain's interpretation: "the freedom of the Danube and of its mouths shall be effectually secured by European institutions, in which the Contracting Powers shall be equally represented, without prejudice to the special position of the riparian Powers" (Kaeckenbeeck 1918: 91). In this language, all contracting powers would have a place on any institutions established to guarantee freedom of the Danube as international commons. However, the Vienna Conference collapsed without success, and the following year at Paris, the entire debate was rehearsed again.

In addition, related to Point Three of the peace terms, Austria proposed that Britain station ships of war at the Danube's mouth as a more effective means than any joint commission to guard against Russian intransigence and ensure freedom of navigation. Lord John Russell responded that ships of war would not be an appropriate remedy since "the evils complained of are not acts of violence which the presence of a ship of war could prevent but acts of willful omission which a member of the Executive Commission could watch and demand to have remedied" (*FO 7/461*, 3 April 1855: 312). Maintaining ships of war would effectively make the Danube delta a

military object; instead Russell's words paint the international river as a civilian geography to be conquered and tamed not by warships but by rational engineers and bureaucrats.

The 1855 Vienna Conference failed due to disagreement over Point Three—the neutralization of the Black Sea. The Anglo-French interpretation equated 'neutralization' to the demilitarization of the region while Austria interpreted 'neutralization' as a system of balancing with all powers keeping a naval presence in the Black Sea to deter Russia. Russia refused to accept the Anglo-French interpretation, and the British and French refused the Austrian plan (Baumgart 1981: 13). Lord John Russell resigned over the conference's failure, and George Villiers, 4th Earl of Clarendon, replaced him as the British representative. Edouard Drouyn de Lhuys also resigned as the French representative, and his replacement Count Alexandre Walewski⁵⁶ hosted the peace conference held the following year in Paris. By then, allied victory at Sevastopol in September 1855 elevated them to a stronger bargaining position.

The 1856 Paris Conference

Representatives from Great Britain, France, Russia, Austria, the Ottoman Empire, Sardinia and Prussia convened at the 1856 Paris Peace Conference to establish peace after three years of war and roughly 640,000 deaths⁵⁷ (Baumgart 1981: 216). Similar to other diplomatic occasions of the century, intense contact between parties included social and formal functions day and night: "intrigue, persuasion, eavesdropping went on at the breakfasts and dinners, at the balls, plays and receptions, in the drawing-rooms and even in the boudoirs" (Thayer 1917: 34). While the analysis here focuses exclusively on discussions about freedom of navigation on the Danube, these debates occurred around highly charged negotiations over post-war territorial and military adjustments and amidst interpersonal rivalries. Indeed, like the International Rivers Committee at the Congress of Vienna, most works on the Paris Conference sideline discussions on the establishment of the Danube Commission in favor of detailing more contentious territorial and military issues⁵⁸. At the same time, a sense of joint purpose united the diplomats and animated their efforts to restore peace and order to Europe. Guaranteeing freedom of navigation on the Danube was seen as part of this joint European effort.

⁵⁶ Walewski was widely acknowledged as an illegitimate son of Napoleon Bonaparte, and Clarendon wrote that his intellect was "not of an order to fit him for the management of the foreign affairs of France at a moment of great crisis" (Conacher 1987: 45). The antagonism between Clarendon and Walewski was palpable and even noted in official reports (Hajnal 1920: 73).

⁵⁷ Baumgart's history of the Crimean War draws from a variety of sources to estimate the total casualty to include illness and battlefield related death: French 95,000; British 22,000; Russia 470,000; Ottomans 45,000; Sardinia 2,000.

⁵⁸ For example P Schroeder's *Austria, Great Britain and the Crimean War* (1972), Winfried Baumgart's *Peace of Paris 1856* (1981) and JB Conacher's *Britain and the Crimea, 1855-56* (1987)

At Paris, diplomats revisited arguments voiced the year before between Austria and Britain and France on the application of the 1815 Treaty of Vienna to the Danube. Territorial adjustments demanded by the first point of the peace terms meant that Russia was no longer a riparian state, and three new Danubian Principalities—Moldavia, Wallachia and Serbia—were established under the suzerainty of the Ottoman Empire. Russia no longer had claims on the Danube, but Austria continued to insist on dividing the Danube between the upper river—Austria’s private sovereign jurisdiction—and the lower river—a jointly held transboundary entity. Ahead of the conference, the Emperor sent strict instructions to his Austrian representatives to treat the river as two separate units. In the margins of one note, Emperor Franz Joseph wrote:

There must be a very clear distinction made between the question of the Sulina and that of the Danube proper. On the former, all the powers have equal rights, whereas, on the latter, only the Riparian states have got a say in the matter (quoted in Hajnal 1920: 72)

Hence, during discussions on the Danube, Count Buol insisted that the European Commission will “affect only the interests of the navigation of the Lower Danube” (Kaeckenbeeck 1918: 93). Debate raged back and forth between Austria and Britain and French over this point in the 6th session (held 6 March) and 8th session (held 12 March) (*Parliamentary Papers 1856, LXI 2073*). French representative Count Walewski identified two distinct goals regarding the Danube: first, applying the principles established at the Congress of Vienna to the entire river; and second, removing obstacles to shipping in the delta. The peace treaty, he insisted, needed to address both since the two aims are interlinked. Therefore, the river must be treated as one indivisible whole. In addition, the British representatives highlighted that since “the condition assented to by the Belligerents referred to the Danube, it must be held to mean the entire navigable stream” and not just the lower Danube (*FO 27/1169*, 19 March 1856: underlined in the original). A river as a commercial highway must have one meaning throughout and consistent regulations—it made little sense to divide the Danube into private property and international commons subject to different rules.

Count Buol countered with assurances that Austria intended to uphold the principle of freedom of navigation along the entire river but might be “hampered...by previous engagements and acquired rights which it has an obligation to take into account” (*Parliamentary Papers 1856, LXI 2073*: 36). By this statement, Buol was referring to an exclusive trade monopoly granted to the Danube Lloyd Navigation Company⁵⁹ until 1880, thus treating the river as private property that could be leased out by the Austrian government to commercial entities at will. According to Buol, Clarendon replied: “You want Europe not only to clear the mouths of the Danube, but also to give you the exclusive right of trading there!” (Hajnal 1920: 75; also *Parliamentary Papers 1856, LXI 2073*: 36). Both Britain and France objected to Austria’s resistance—they

⁵⁹The Austrian Lloyd Company was founded 30 April 1836 through government concessions and took over the Austrian Danube Steam Navigation Company (Hajnal 1920: 145)

insisted on applying the Treaty of Vienna principles to the entire navigable length of the river overseen by a commission of all riparian states. As Clarendon wrote in a report back to Palmerston in London:

Count Buol was asked whether the Belligerent Powers who alone had opened the navigation of the Danube and were about to take measures to rescue the freedom of its navigation by which Austria more than any other Power would be benefitted were likely to consent to his proposal which was to exclude them from the Danube and guarantee to an Austrian Company a monopoly of the traffic (*FO* 27/1169 3 March 1856).

After all, Austria had not contributed militarily to the allied victory in the Crimean War, and allowing Austria exclusive control over the upper Danube would give Austria unfair advantage since the European commission would work to improve navigation on the lower Danube for the disproportionate benefit of Austrian trade (Hajnal 1923: 74; Geffcken 1883: 11-12). Count Buol believed he stood on the losing side of this debate. In several reports to Emperor Franz Joseph, Buol first stressed that he had presented Austria's arguments for a divided river forcefully, particularly as the "decrees of the Vienna Congress make no provision for interference by the European Powers" since only riparian countries had rights on the Rhine Commission. The other parties agreed. However, Buol maintained, the Austrian position of dividing the Danube could not be sustained as "all the members being against us":

I consider it a moral impossibility to assert that principles of the Vienna Congress can never be applied to the Danube. Such an assertion would call forth a unanimous cry of displeasure; it might even frustrate the whole work of the Peace Conference, and rob us of the fruits of the freedom of the mouths of the Danube... In conclusion, I humbly beg Your Majesty to bear in mind that it is far better to grant this freedom of our own will and accord, than to wait till we are forced to do so (quoted in Hajnal 1920: 77).

Here, some have questioned whether Buol's inability to stand his ground reveals a weakness of character or even treasonous pro-British leanings. However, the political weight of Europe stood against him. In addition, as Buol's comment concerning the adoption of moral ideas at major conferences suggests, he believed in the moral value of liberal, universal ideas. A free Danube would be in line with these values. In response to Buol's letters, on 16 March 1856, Austrian Emperor Franz Joseph gave his consent to the application of the Treaty of Vienna to the entire river. During the 10th session on 18 March, Buol acquiesced to the proposed treaty language and agreed to the creation of two commissions (*Parliamentary Papers* 1856, LXI 2073: 43). Buol's text suggested that the European Commission would complete its task within two or three years and thus end foreign interference on the Danube delta in favor of an executive commission of riparian states (Kaeckenbeeck 1918: 97).

The 1856 Treaty of Paris

The final text of the 1856 Paris Treaty applied navigation principles established at Vienna to the Danube River. Unlike the Treaty of Vienna, which was a general declaration of principles, the Paris Treaty was more concrete in specifying how to ensure navigation along the Danube River. Article XV stipulated that navigation on the Danube shall not be impeded: tolls will be collected to maintain navigation, and police and quarantine regulations will be established and will hinder navigation as little as possible. To enact Article XV, a European Commission of all parties to the treaty—Britain, Austria, France, Prussia, Russia, Sardinia and the Ottoman Empire—shall plan the engineering works and draft the code of navigation at the Danube’s mouth. In addition, “the flags of all nations shall be treated on the footing of perfect equality” along the entire river following principles of the 1815 Treaty of Vienna (Chamberlain 1918: 27; Kaeckenbeeck 1918: 98-9). Article XVII established the second, permanent riparian commission with delegates from Austria, Bavaria, the Ottomans, Wurtemberg and the Danubian Principalities. Hence, with the 1856 Treaty of Paris, the first international organization was born were non-riparian states exercised authority over a geographic space a continent away.

However, the establishment of the Danube Commission should not be considered the victory of the British and French interpretation of the Danube as international commons. In fact, the Paris Treaty split the Danube as Austria had intended. The delta became an international geography under the joint jurisdiction of all parties that signed the Paris Treaty. However, while freedom of navigation would apply to the upper Danube in principle, this segment remained the common property of riparian states, particularly Austria, who jealously defended its right to manage the upper Danube without interference. Two commissions would be established to manage the two different understandings of the Danube: a European Commission comprised of all the treaty’s signatories including Prussia and Sardinia to clear the mouths of the Danube; and second, a permanent executive commission of riparian states to prepare regulations, remove impediments and take over the management of the delta after the temporary commission is dissolved. This tension between a private and international geography continued to dominate cooperation over the Danube—and helped favor one understanding of the river over the other. As will be detailed in the following section, the second commission never gained traction while the European Commission became the only commission on the Danube.

Hence, throughout debates at Vienna and Paris, all parties agreed to apply the Treaty of Vienna to the Danube, but disagreed as to the meaning of the international river and therefore what ‘applying’ the Treaty of Vienna meant. In addition, early in the discussion, diplomats discussed the nature of the Commission as a political or technical entity. In response to Russia’s early insistence on the scientific and technical nature of the Commission, Baron Bourqueney argued at

the 1855 Vienna Conference that “it was impossible to divest of all political character a question which had been raised to the importance of a European guarantee.” Here, Bourqueny pinpoints a pivotal insight about the Danube Commission and international organizations in general—the political cannot be untangled from the scientific and technical. Attempts to do so with the Rhine and Danube Commissions resulted in a distorted analysis of each commission.

How the European Commission Became Permanent

The contestation over whether the Danube should be considered jointly held private property or international commons did not end with the signing of the 1856 Paris Peace Treaty; the dueling interpretations of the river continued to haunt the commissions that emerged from the treaty. Despite diplomats’ agreement on the universal applicability of Articles 108 to 117 of the Final Act of the Congress of Vienna to the Danube as an international river, Austria continued to resist and held to a restrictive interpretation of the 1856 Paris agreement over the lower river while others argued for the more liberal interpretation. Austria’s recalcitrant position echoed Dutch resistance in applying the Treaty of Vienna to the Rhine as detailed in Chapter 4. Prussia, who maintained a restrictive interpretation of the Treaty of Vienna with respect to the Rhine, pushed for a liberal application to the Danube (Kaeckenbeeck 1918: 100). The shifting interest of the parties and their geographic position on the river often determined which interpretation they supported with respect to each particular river. However, despite being a site of pre-war conflict, the Danube delta became an arena of cooperation and the contestation that marred the riparian commission did not spread to the delta.

The Riparian Commission

The riparian commission—with Austria, Bavaria, Turkey, Württemberg and the three Danube Principalities of Servia, Moldavia and Wallachia— convened in Vienna starting 29 November 1856 with the Austrian representative as chairperson. One of the committee’s main tasks was to draft articles of navigation. In addition, the commission established three subcommittees: the first to formulate plans for freedom of navigation; the second to determine duties, quarantines, and other regulations; and a third subcommittee to prepare a strategy for the elimination of obstacles to navigation along the river.

Immediately, Austria dominated discussions on the articles of navigation and pushed to restrict rights for non-riparian countries. This included a scheme for toll collection to be managed solely by riparian states and to continue the Austrian monopoly over regular steam services along the upper river (Hajnal 1920: 83). Austria proposed language stipulating that navigation for vessels coming from or going to the high seas should be free for all nations but that “the use

of the river navigation, properly so called, between the ports of the Danube without going on to the high seas, is reserved to the vessels of the riparian countries of the river” (Kaeckenbeeck 1918: 102). Further, Austria attributed resistance to its proposals from other states such as Servia (modern day Serbia) to the interference of outside parties such as France. Events came to an impasse in February 1857 when the European Danube Commission wrote to the Riparian Commission asking for a copy of the body’s meeting minutes as both commissions ought to coordinate policies regarding the same river. Bavaria, Württemberg and Servia did not object to the request but Austria refused—the Austrian chairperson adjourned the meetings and refused subsequent requests to reconvene. By the following year, all representatives had left Vienna and the riparian commission was never resumed (Hajnal 1920: 83-5).

A conference of European powers convened in Paris in August 1858 and reviewed the Riparian Commission’s drafted articles of navigation. British representative Lord Cowley objected to the articles’ blatant disregard for the principles established by the Vienna and Paris agreements. In addition, the French representative maintained that all tributaries of the Danube should also be open to free navigation without monopolies as France had recently canceled a concession with the Moldavian Government based on this principle. In response, Austria representative Baron Hübner contended that Austria and the riparian commission did not need the consent of other European powers to carry out the navigation articles. Further, Hübner argued that a restrictive interpretation of freedom of navigation had been applied to the Rhine with regular service right reserved for riparian states. Technically, Hübner was correct⁶⁰. However, Lord Cowley had the backing of all others and retorted that just because the Rhine Commission wrongly applied the Vienna principles should not be taken as a precedent for the Danube Commission or as proof that only riparian states had the right to free navigation of the river. Following the British lead, French representative Count Walewski also declared that parties should follow the principles established at Vienna rather than subsequent interpretations of the treaty (Hajnal 1920: 85-7; Kaeckenbeeck 1918: 105-7). Lord Cowley won the argument but Austria continued to stall rather than reconvene the Riparian Commission and enact changes demanded by others. Again almost a decade later in March 1866, Russia asked about the Riparian Danube Commission and why it had not reconvened; Austria continued to prevaricate (Hajnal 1920: 88).

Hence, contestation between Austria and the other powers over the meaning of the international river and the correct application of established principles of freedom of navigation continued long past any formal critical juncture presented by the 1856 Paris conference. Indeed, rather

⁶⁰ Hübner even brought up the argument that the Treaty of Paris interpreted free as “merely the preservation of navigation from such impediments” to navigation rather and did not grant “to all the subjects of non-riparian states an equal right of navigation with that enjoyed by the subjects of the riparian state, and in turn for which there would be no reciprocity” (Kaeckenbeeck 1918: 109). See Chapter 4 for full discussion.

than occluding interpretative possibilities, the 1856 Paris Peace conference seemed to open up new avenues for continued contestation.

The European Danube Commission

Despite disputes over interpreting principles governing the upper river, even Baron Hübner admitted that with respect to the Danube's mouth, "a new state of things" had been created (Kaeckenbeeck 1918: 110). Unlike disagreements over the upper Danube, all actors agreed on the need for a capable international body to tame the lawless delta—a difference explained by the construction of the Danube delta as an uncivilized, dangerous space that required rational governance. From this perspective, as detailed in the last chapter, local authorities were either unwilling or unable to manage the delta, and European powers needed to institute an outside body to tame this space for global commerce. Hence the narrative of the lower Danube as a connecting river between civilization and barbarism shaped perceptions and allowed for the relatively uncontested creation of the European Commission.

The European Commission first convened on 4 November 1856 and started work immediately with none of the delays associated with the riparian commission. The Commission conducted an engineering survey, built embankments, jetties, and even a lighthouse, and created a lifeboat service. The depth at the Sulina channel improved from nine feet in 1857 to 17.5 feet in 1861 to 19 feet in 1871 (Chamberlain 1923: 54). The Paris Conference had originally stipulated that the European Commission would operate temporarily for two years to clear the navigation routes on the delta. However, the task was larger than anticipated, and the Commission was extended again and again as the engineering works grew to adapt to ever-changing economic needs. In 1865, the commission was granted a five-year extension; in 1871 a 12-year extension; and in 1883, the commission was given a 20-year extension automatically renewed every three years after that (Blackburn 1930). Therefore, contrary to what the text of the 1856 Paris treaty stated, the permanent riparian river commission disappeared while the supposedly temporary European Commission of the Danube remained a fixed institution.

Furthermore, the European Commission not only became permanent but extended its authority. First, to finance the extensive engineering works and infrastructure improvements on the delta, the Commission contracted loans guaranteed by the member states (except Russia) and levied duties based on tonnage to pay those loans⁶¹. Second, to maintain order and enforce regulations, the Commission gained not only regulatory capacity but also policing and judicial powers. The Commission created sanitation and quarantine measures, regulated lighterage services, managed

⁶¹ At first, the Ottoman Empire advanced the Commission funds, but with a convention signed at Galatz on 30 April 1868, the signatories of the 1856 Paris Treaty agreed to guarantee the loans of the Commission (Kaeckenbeeck 1918: 119).

the hiring of pilots and instituted navigation regulations that were “binding not only in police matters but also before the civil courts” (Chamberlain 1923: 57). To enforce its authority, the Commission hired two international officers stationed at Sulina—an inspector general of the lower Danube and the captain of the port. Through these changes, the European Commission evolved from a temporary body with the singular purpose of improving navigation into a quasi-territorial authority with its own employees, courts, policing and flag.

The European Commission became a permanent body with administrative, regulatory, fiscal and judicial powers first in lower Danube and then upriver. By the early 20th century, liberal thinkers such as Leonard Woolf lauded the European Commission as an achievement in international governance and the first international executive body (Woolf 1916: 21). The secondary sources used throughout this analysis by Chamberlain, Kaeckenbeeck and Hajnal date from this period of liberal optimism where experts in international law looked to the European Commission as a model for international government. In 1930, Glen A. Blackburn’s article on control over the Danube even described the Commission as being “at the twilight of statehood” and something quite extraordinary in European history” (1154).

The steady expansion of the European Commission of the Danube may seem surprising or even alarming if we simply viewed its creation as a technocratic solution to the engineering problem of adequate depth at the river’s mouth. After all, both commissions derived their legal authority from the same 1856 agreement which failed to end the heated disagreements over the nature of the upper river. However, the success of the European Commission is less surprising if viewed with the understanding that the internationalized lower Danube was imagined as a conduit for civilization to flow from the heart of Europe to the east—and the delta as a wild, anarchic space in need of rational governance. Indeed, the ungoverned region had already sparked the Crimean War, and if left unmanaged, the red river might fuel future conflicts. Hence, the Enlightenment narrative that nature and history should be tamed for the economic and moral benefit of society was imbedded in the Danube Commission from its inception.

Conclusion

This chapter has discussed the creation of the European Commission of the Danube at the 1856 Paris Peace Conference as the first international organization where states exercised authority over a foreign geography located a continent away. In analyzing the specific political context and the debates and negotiations surrounding the application of the 1815 Treaty of Vienna to the Danube, I have outlined how cooperation and conflict transcend supposed critical junctures and continue before, during and after the signing of treaties and creation of international bodies. Rather than a straightforward story of normative progression or consolidation, the application of

the 1815 Treaty of Vienna to the Danube was largely shaped by power politics and historical contingency. However, I argue that the construction of the Danube's mouth as an untamed, anarchic geography cast the European Commission as not only an economic and engineering project but moral enterprise to tame the forces of irrationality and anarchy on the margins of Europe. Indeed, this construction clarifies why the European Commission on the Danube delta strengthened in the late-19th century while the Riparian Commission dissolved.

In the mid-1850s, as General Charles George Gordon traveled down the Danube River, he noted the difficult tasks ahead for the newly created commission. Over the winter of 1856-7, he met several of the commissioners including Major Stokes for Britain, Colonel Besson for France and Prince Stourdza as the second Turkish commissioner. In a letter from 15 April 1857, Gordon wrote to a friend "what the Danube Commission is about no one knows" (1884: 136). However, as the European Commission commenced its tasks, this early uncertainty melted away. By the early-20th century, when American missionary John Augustine Zahm traversed the Danube delta on his way to Bagdad, he described the great works accomplished by the commission "for the betterment of this great international waterway" (1922: 33). By the time of Zahm's travelogue, the commission's undertakings were praised as the triumph of rational engineering over the anarchic forces of nature and politics.

Following World War I and the dissolution of the Hapsburg Empire, the Danube Commission was finally extended to the entire navigable length of the river from Ulm in Germany. With the end of World War II, the Danube River was once again divided—not between the private upper river and the international lower river—but by the Iron Curtain. One article in 1951 laments:

Unstable like the waters they are set up to control, the international regimes which have from time to time been constituted for Europe's international waterways have been in a state of almost constant flux since the first attempt to secure freedom of navigation was made by the Congress of Vienna in 1815 (G.L.: 419).

As these statements suggest, how one views the lessons of history depends on where one stands. For the optimistic liberal internationalists of the early-20th century, the European Commission of the Danube represented the advancement of society against the forces of chaos and irrationality; for a world on the verge of a terrifying nuclear standoff, the Commission was just another failed experiment in the dustbin of European history. Perhaps at the start of the 21st century, we have recovered a bit of the liberal optimism with a reunited Europe and a new integrated regime to manage the Danube signed in Bulgaria in 1994. Therefore, any teleology applied to the creation of an institution is a narrative product of the viewer rather than a stable historical truth. Indeed, fears that the Danube might flow backwards bringing dangerous people and ideas into the heart of Europe still linger.

Chapter 7:
Civilizing the Imperial River

*Then I saw the Congo, creeping through the black
Cutting through the forest with a golden track*
- Nicholas Vachel Lindsay (1915)

Diplomats gathered at the 1885 Berlin Conference looked to access Africa's resources and markets but without sparking violent competition and without upsetting balance of power in Europe. To do so, diplomats attempted to apply previously established European models of cooperative management to the Congo basin. The Congo River as the object of cooperation, however, held different meanings than the Rhine or Danube Rivers for both diplomats at Berlin and the wider European public. Rather than an internal river or a connecting river, Europeans envisioned the Congo as a blank, foreign space that called for the salutary guidance European models—hence, a colonial river that must be civilized and ruled. The following chapter charts the construction of the Congo River as a colonial highway that would bring commercial rationality and civilization to an empty space. The Congo River as an untamed colonial object would also reveal deep anxieties Europeans developed about their own civilizational and moral superiority.

The Congo River is an unusual river—many miles before voyagers approached the mouth of the river from the open seas, a dark yellow stream invades the blue waves pouring 1.4 million cubic feet of water into the sea. In addition, unlike most tropical rivers, the Congo's flow fluctuated curiously little with the seasons. These characteristics arose from two hydrological facts. First, much of the Congo runs its course on a plateau, but in the final 350 kilometers (220 miles), the river drops nearly 300 meters (1,000 feet) sending the water rushing with incredible force towards the ocean. Second, unlike other rivers such as the Amazon, the Congo flows in a semi-circle draining from land both above and below the equator. The equator roughly divides dry and wet season so the water drained into the river is roughly equal all year round. There were two main social consequences for these hydrological quirks: first, it was difficult to navigate up the river by boat and the largest trading center was established in modern day Kinshasa and Brazzaville at the start of the river's descent; and second, these final section held immense hydroelectric potential due to its force and consistency (Hochschild 1999: 17; Harms 1981: 1).

However, as this chapter will contend, the Congo River's hydrological peculiarities did not in themselves constitute a different meaning for the Congo as an international river. Rather, the Congo's physical characteristics interacted with social forces in the late-19th century to create a conceptualization of this river that is different than the rivers studied in the previous chapters. The Congo River was seen as a colonial highway that would impose commerce and civilization on Africa's untamed interior. As a colonial highway, the Congo River also represented a prize in European imperial competition. Attempts at the Berlin Conference to generalize previous

European institutional models to the Congo River without addressing the underlying difference in the meaning of the river doomed the institutional experiment to failure.

Imagining Emptiness along the Congo River

Diplomats and policymakers at the 1884-5 Berlin Conference envisioned that the Congo River flowed through a conceptual blankness. This imaginary emptiness was constructed by experts—explorers, cartographer and legal authorities—foremost experts in their field who used their epistemic authority to shape European leaders’ understanding of the Congo basin. Few at the conference had ever set foot along the Congo River and diplomats depended on information from those with more privileged epistemic claims to know. The following section details how these European experts were able to erase the conceptual, geographic and legal status of peoples and geographies along the Congo basin. For each category in this section, I identify one prominent expert who actively shaped Europeans’ understanding of the Congo basin. These experts, however, were not standalone agents in this story; they were products of their historical milieu and part of an underlying epistemic confidence in human society’s ability to deploy a full range of technical tools to dissect, analyze and tame the Congo basin.

Henry Morton Stanley and Conceptual Emptiness

In the late 19th century, Henry Morton Stanley was an acknowledged expert on the Congo basin. From 1874-77, the Anglo-American Stanley, financed by the *New York Herald* and the *Daily Telegraph*, travelled from Zanzibar to Boma on the West Coast of Africa along the entire length of the Congo River (van Reybrouck 2014: 33). On a previous trip, he had encountered David Livingstone along the shore of Lake Tanganyika and supposedly uttered the immortal line, “Dr. Livingstone, I presume?” Upon his return to Europe from traveling the length of the Congo, the French press compared Stanley’s exploits to Hannibal’s and Napoleon’s (Hochschild 1998: 31). In the 1880s, now financed by King Leopold II of Belgium, Stanley returned to the Congo River to explore the river and establish stations along its navigable length. Based on his experiences, Stanley published two best-selling travelogues of the Congo translated into several languages: *Through the Dark Continent* in two volumes (1878) and *The Congo and the Founding of Its Free State* in two volumes (1885) (Youngs 2006: 38). In addition, he frequently authored newspaper articles and gave speeches about the commercial potential along the Congo River.

At the 1885 Berlin Conference, Stanley attended as a technical expert. As one of the only persons in attendance who had spent extensive time in the Congo, he held diplomats across Europe mesmerized by his vivid descriptions of the river and its environs. Throughout his

writings and talks, Stanley portrayed the Congo basin as moral and historical emptiness to be filled with the light of European civilization and commerce. In his 1885 book on the Congo, Stanley describes the river as possessing “extreme historical barrenness” without the classical associations other African rivers such as the Nile and Niger had. He writes in his typical melodramatic fashion:

No grand event is connected with its name; nothing has ever been performed in connection with the Congo to make its history popularly interesting to those who are not engaged in commerce or some special study of it. No military, naval, or scientific enterprise of any magnitude is associated with its name (Stanley 1886, I: 102).

When Stanley does allude to the river’s history, it is a colonial history since Portuguese explorer Diogo Cão claimed the Congo’s mouth with stone pillars in 1482. He describes the “dismal local history that arouses a gruesome feeling when we recall the slave-trading days”—a history that will be erased with the civilizing light of a European antislavery campaign. In another example that depicts the Congo’s imaginary emptiness, Stanley tells a companion in *Through the Dark Continent*:

Now, look at this, the latest chart which Europeans have drawn of this region. It is a blank, perfectly white... I assure you, Frank, this enormous void is about to be filled up. Blank as it is, it has a singular fascination for me. Never has white paper possessed such a charm for me as this has, and I have already mentally peopled it, filled it with most wonderful pictures of towns, villages, rivers, countries and tribes” (Stanley 1878: 449).

Here, Stanley not only suggests to readers that the Congo is blank, but that the European imagination should fill it up, and throughout Stanley’s narrative, he fills this imaginary emptiness with European products: both material and ideational. Both European the emptiness and the need to fill the space culminate in the spread of commerce along the river as a civilizing project—a mission that the Berlin Conference considered its foremost aim, as will be further discussed in the next chapter. Stanley’s account effectively moved many Europeans to imagine how they would fill the conceptual emptiness along the Congo River including the man who would have the most important influence on the region’s future—King Leopold II of Belgium.

Cartographers and Geographic Emptiness

In addition to the conceptual emptiness Stanley described for an awe-struck European public, 19th century cartographers portrayed the Congo basin as a geographic emptiness through the use of white space. Previous to the mid-18th century, unexplored spaces on maps were not left blank but filled with imaginary animals and landscape or descriptive texts. Only with Jean B. B. d’Anville’s 1749 map of Africa did the convention of blank spaces become the cartographic norm. Local narratives described the social and political structures that populated this supposed geographic emptiness but mapmakers excluded non-Western knowledge as unscientific and

therefore unreliable. Only accounts with the epistemic authority of meticulous scientific measurements could be used in cartographic reproductions. The emptiness “desocialized space” and striped those along the Congo River of their geographic existence (Basset 1994:324). This cartography emptiness would not be understood by diplomats at Berlin as neutral uncertainty but became an invitation for Europeans with imperial ambitions to appropriate the empty territory.

The Congo basin was not the only geographic objects to be erased through the science of cartography. For centuries before the Berlin Conference, the poor and powerless have been mapped out of existence. In an earlier imperial example, 17th century English surveyors omitted Irish cabins from maps not because of the lack of knowledge but as an expression of political and religion authority. Likewise in the 18th century, the poor in London and Native Americans of Virginia experienced the same disappearing act (Harley 1988: 292). In fact, Leopold II of Belgium consciously used geography in the service of his imperial ambitions in the Congo. In April 1884, he launched a journal titled *Le Mouvement Géographique* that produced maps, research and news articles with the stated purpose of supporting Leopold’s political agenda in the Congo (Nicolai 1993).

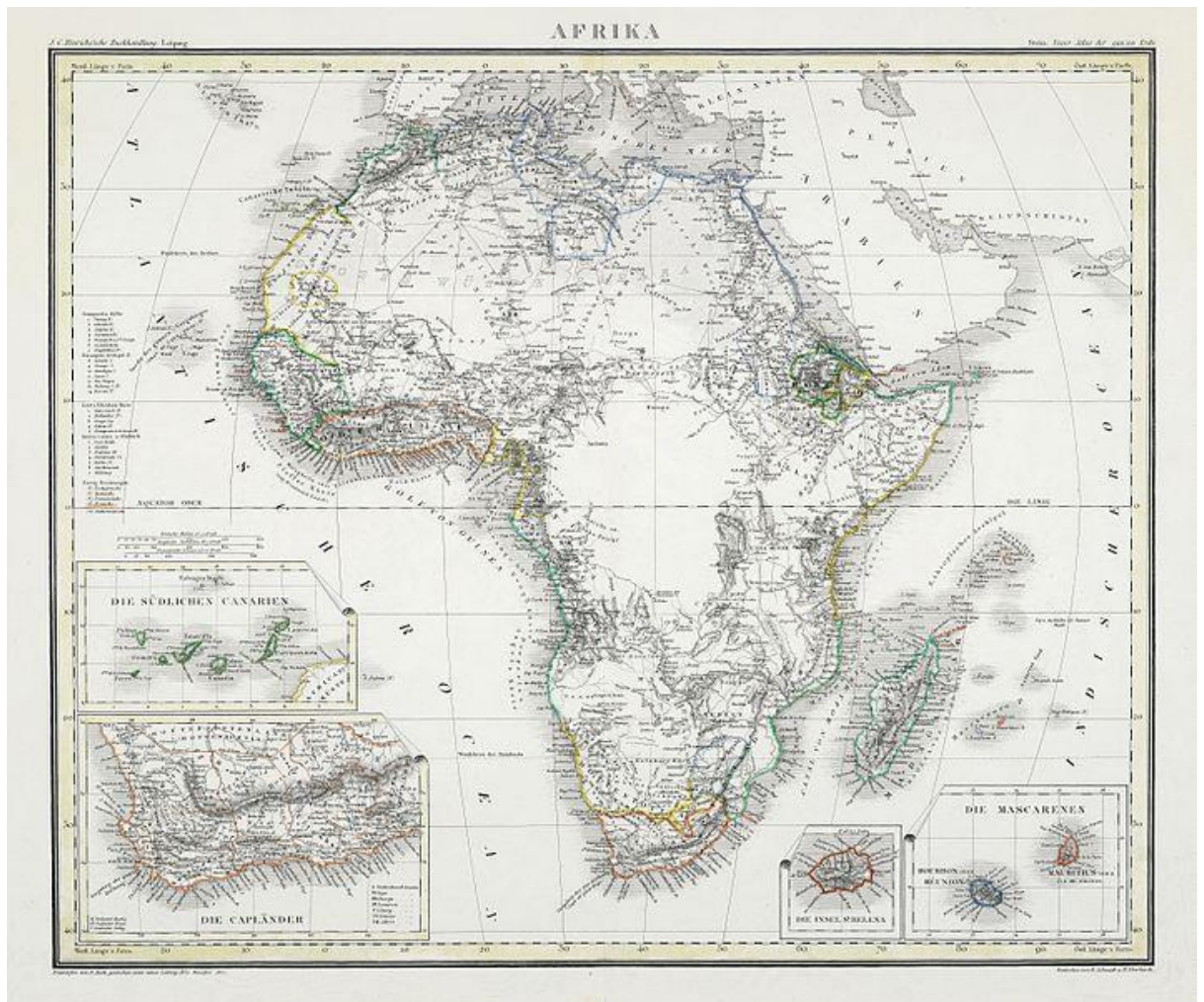


Figure 3. Map of Africa 1861.

Heck, G., Leipzig Stein Co. 1861 Electronic version created 2003 as part of the Florida Map Collection;
 Wikicommons Public Domain; [online] available at: <http://palmm.fcla.edu/map/> [Accessed 10
 Augustu 2015].



Figure 4. Berlin Conference (with map of Africa in the conference hall)

Wikicommons Public Domain; [online] available at:

https://commons.wikimedia.org/wiki/File:Berlin_Conference_1884.jpg [Accessed 11 August 2015].

At the Berlin Conference, the map hanging in the conference hall was the Congo sections of the 63-sheet map of Africa that Regnault de Lannoy de Bissy created for the *Service Géographique de l'Armée* in Paris (see Figure 3 and 4). Lannoy de Bissy was a French officer in the Corps of Engineers who frequented Algeria since childhood and developed an interest in the African continent. In 1872, he was appointed commander of a French engineering unit in Algeria. Lannoy de Bissy's grand mapping venture of the entire continent was sparked by David Livingstone's death in May 1874 and the lack of knowledge about the extent of the great man's exploits. As he later wrote, "the general maps which summarized the results of his [Livingstone's] journeys over so many years was so reduced in scale that it gave no idea of the importance of the lands he had visited" (quoted in Loiseaux 2014: 2). Working with a network of correspondents to supplement existing explorers' accounts, Lannoy de Bissy meticulously mapped explorers' routes so that fellow Europeans could understand the grand scale of their undertakings. Hence, the mapping project was an introspective one; the subject was the great deeds of European explorers rather than the African continent itself.

The finished map reflected Lannoy de Bissy's painstaking efforts to translate all scientific knowledge of Africa onto cartographic space. Different local names for features and descriptive sentences were used to supplement the detailed geographic renderings. Lannoy de Bissy also relied on a transnational network of cartographers including British Ernst George Ravenstein, Belgian Lieutenant Van de Velde and Italian Federico Bonola stationed in Cairo (Loiseaux 2014: 9-10). For the Congo section, he relied on Stanley's accounts with much of the space left blank. For cartographers, the many blank spaces simply denoted gaps in exploration and perhaps the vast amount of work ahead to explore the unmapped geographies. Only by way of technical expertise can the Congo basin be made legible. In this way, the visibility of an entire river basin became dependent entirely on one method of knowing.

The Congo's invisibility at the Berlin Conference had a very real impact on perceptions of the continent. For the wider European public the emptiness became synonymous with the Congo basin and the African interior—a blank space to be filled by scientific knowledge and technical expertise. Once displayed in the halls the Berlin Conference, diplomats and policymakers saw in the blank spaces the vastness of their ambitions.

Sir Travers Twiss and the Legal Emptiness

International jurists at the Berlin Conference also shaped the Congo's conceptual emptiness with legal arguments. Sir Travers Twiss' credentials as a British and international jurist were impeccable. Educated at Oxford in the 1820s, Twiss' served as the Drummond Professor of

Political Economy at Oxford, Professor of International Law at King's College, London and Regius Professor of Civil Law at Oxford not to mention holding prestigious professional posts such as Queen's Advocate General and Vicar General to the Archbishop of Canterbury. In 1872, Twiss retired to Basle in self-imposed exile amidst considerable social scandal in London—he had entered a sham marriage with a prostitute whom they had tried to pass off as Polish nobility. Twiss attended the Berlin Conference as a technical expert and prominent international jurist (Sylvest 2008; Fitzmaurice 2009). Despite his retirement from British legal circles, Twiss held particular sway over the British delegation but was influential among other delegations as well. According to legal historian Andrew Fitzmaurice, Twiss's views on international law were not remarkable or uniquely British; his legal interpretations harmonized readily with jurists from Germany, France, Italy and the United States (2009: 147).

While Twiss maintained that international law should defend the weak state against the strong, he upheld two sets of international legal codes: first, the law of nations between civilized Europeans states, and second, a moral and natural law with and between African and East Asian powers. Africans, he wrote, cannot be held accountable to European international law as indigenous peoples had no knowledge of these laws. However, Africans cannot be ignorant of natural rights and laws as they do not depend on civilizational status. Hence, even the most isolated African societies remained bound by basic moral standards and natural law. While perhaps intended to release African political groups from European legal obligations, in reality, this separation between the two legal standards created a hierarchy that celebrated the material and moral progress emanating from the West while erasing African's legal status in the law of nations (Sylvest 2008: 409; Pitt 2012: 118). This legal position fitted with prevailing notions of the standards of civilization and moral justifications of European imperialism⁶².

This view of Africa's legal agency allowed Europeans to maintain Africans' legal competence when it suited them but to relegate Africans to legal emptiness when it did not suit. In published legal arguments prior to the Berlin conference, Twiss wrote in support of Leopold II's schemes along the Congo River by taking the position that:

A nation, which by any just means enlarges its dominions by the incorporation of new Provinces with the free will of their inhabitants, or by the occupation of vacant territory to which no other Nation can lay claim, is pursuing the legitimate object of its Being, the common welfare of its members (Twiss 1884).

Hence, Twiss suggests one can occupy Africa by either proving it is vacant territory or by obtaining the free will of the inhabitants. Leopold and his assistants attempted to do both. In the

⁶²Turan Kayaoglu's work argues that in the 19th century, international jurists "usurped" the Westphalian narrative to apply to international spaces where "Lacking a Westphalia-like arrangement, non-European societies remained in political disorder and religious intolerance" (2010: 195).

early 1880s, Twiss helped Stanley obtain the “free will” of inhabitants along the Congo River by concluding as many treaties as possible with local chiefs. Twiss and Stanley established more than 400 treaties in four years; some chiefs signed away their sovereign rights for some reams of cloth, uniforms and bottles of gin (Hochschild 1998: 71; van Reybrouck 2014: 51). While some legal scholars questioned whether “uncivilised tribes” possessed sovereignty that they could sign away, many legal scholars at the conference and afterwards supported Twiss’ position with respect to the legality of these treaties (Craven 2015). However, despite the existence of political authorities that had the competence to sign away their sovereign rights, territory along the Congo River was effectively legally empty at Berlin and African leaders were not invited to the conference where their legal status was a major topic of discussion. Africans were legally bound and not bound; both paths led to dispossession.

Subsequent legal scholars would pinpoint the Berlin Conference as a pivotal global moment where Africans were stripped of their competence as legal actors and Africa was transformed into a “conceptual *terra nullius*” ripe for European conquest (Anghie 2005: 91). As a prominent jurist at the conference, Twiss’s legal arguments helped create the accepted understanding that the Congo basin was a *terra nullius* without a pre-existing international legal status—an emptiness into which European positive law could be extended with the civilizing guidance of European institutions. Similar to the conceptual and cartographic realms, legal experts leading up to and at Berlin conceptualized the Congo basin as empty and waiting to be filled with European imports.

The visual clarity of the empty African map at Berlin crystalized for Europeans the task before them. In many ways, the conceptual emptiness described here reveals the epistemic boundaries of European expertise—the as yet unknown in late-19th century European understanding of the world. However, rather than accept blank spaces as contingent and fluid expressions of European epistemic limitations, the emptiness was naturalized as an accurate depiction of the world. Once naturalized, the emptiness became an invitation or even a challenge to explore more, to fashion better maps and to deploy more robust legal institutions to fill the blank spaces. At the 1884-5 Berlin Conference, the conceptual emptiness shaped European political vision of the Congo basin. Into this conceptual emptiness, Europeans now intended to extend commerce, and civilization. In the next section, I will explore how Europeans’ moral and civilizational aims in Africa were expressed through extending commercial practices along the Congo River.

Filling the Emptiness with Practices of Commercial Rationality

For diplomats at the 1884-5 Berlin Conference, the Congo River represented a commercial tool that would bring rationality, morality and civilization to the empty African interior. Historians

of late-19th century European imperialism in Africa disagree about the relative importance of commercial versus ideological rationales driving the scramble for territory (Crowe 1942; Gjersø 2015). However, I suggest that the two rationales were not opposing forces but often interlinked and reinforced one another. European political thought since the Enlightenment has viewed the practice of commerce itself as an instrument to bring civilization and rationality to untamed societies. Commerce along the international river as a colonial highway was the tool that would propel Africans—as it propelled Europeans—to develop from barbarian to civilized societies. Hence, the river as a commercial highway brought both wealth and civilization, both a material and moral gain.

The Enlightenment notion that commerce has a civilizing influence was advanced by a number of intellectuals in the 17th and 18th centuries. In David Hume's 1777 *Political Discourses*, he describes how commerce brings "happiness", "prosperity" and "greatness" to people and nations alike. Remarkably, he ended the chapter on commerce with the following observation:

What is the reason, why no people, living between the tropics, could ever yet attain to any art or civility, or reach even any police in their government, and any military discipline; while few nations in the temperate climates have been altogether deprived of these advantages?

Hume speculates that a probable cause of this geographic discrepancy in civilizational greatness is the weather in the tropics. Due to the heat, Hume muses, Africans likely have less need for clothing and housing and therefore failed to develop the inclinations, inventions and industries required to manufacture or trade in these goods. Fewer needs also results in fewer possessions which diminished these societies' need for police or military to protect private property. In his arguments, Hume expresses a sense of racial prejudice combined with geographic determinism that suggests the colder climate played an active role in the West's civilizational advancement.

Montesquieu's writings held early kernels of what would become the capitalist peace theory that would later be used by Norman Angell in 1933 to argue for international governance to end the structural threat of war. In an often cited passage, Montesquieu argues:

Commerce is a cure for the most destructive prejudices; for it is almost a general rule that wherever we find agreeable manners, there commerce flourishes; and that wherever there is commerce, there we meet with agreeable manners... Peace is the natural effect of trade. Two nations who traffic with each other become reciprocally dependent; for if one has an interest in buying, the other has an interest in selling; and thus their union is founded on their mutual necessities (*Spirit of the Laws* 1748, Book XX, Chapter 1).

In this passage, Montesquieu highlights two facets of the capitalist peace theory—economic interests and socialization. He argues that interest in selling and buying encourages peaceful

relations between two nations, but beyond the mutual material acquisition, there is something in the act of commercial transactions that moderates human enmity and civilizes. Therefore, the practice of commerce itself—the “spirit of commerce”—forges more peaceful characteristics and fundamentally more rational and agreeable relations between peoples. The two logics are not distinct but intertwined and reinforcing; commerce is a rational activity and the practice of commerce has the potential to transform the character of an entire people by both the wealth and the rational relations it generates.

In the 19th century, John Stuart Mill also highlights the importance of commerce in advancing society. In his collection of essays on civilization published in 1836, Mill argues that commerce is a hallmark of the advanced, civilized society: “in savage life, there is no commerce, no manufacturer, no agriculture, or next to none; a country rich in the fruits of agriculture, commerce and manufacturers we call civilized.” In his essays, commerce stands alongside the rule of law, complex cooperation and mutual protection in large-scale political units as what distinguishes civilization from barbarism. These criteria were interlinked as elements of a civilizational bundle; for example, Mill marveled at the complex cooperation and coordination entailed by large-scale commercial and manufacturing enterprises. For Mill, civilization is a progressive, but not necessarily unidirectional, move towards increased societal wealth and sophistication. Advanced civilizations—and in Mill’s mind, England was the most advanced—had a duty to aid barbarian societies along the continuum (Souffrant 2000; Jahn 2005). Even Karl Marx and Friedrich Engels in the 1848 *Communist Manifesto* borrows Mill’s civilizational discourse in arguing that the bourgeoisie, “by the rapid improvement of all instruments of production, by the immensely facilitated means of communications, draws all, even the most barbarian nations, into civilization”. Spreading commerce as a rational, cooperative practice was one way to civilize the empty unknown of Africa.

The means through which commerce brings about civilization is rational thought. In the mid-20th century, Joseph Schumpeter captured the close connection between rationality and the practice of commerce: “it is the everyday economic task to which we as a race owe our elementary training in rational thought and behavior—I have no hesitation in saying that all logic is derived from the pattern of the economic decisions” (1994[1942]: 122-3). Schumpeter traces the development of modern mathematics and “the spirit of rationalist individualism” from the capitalist concept of the monetary unit. Hence, capitalism was not just an accumulation of wealth but also a rational habit of mind that produced certain civilized and peaceful behaviors. European imperialists believed it was their duty to export these accoutrements of commercial civilization to Africa, and the river as a commercial highway would help them do so.

If nature had left Africa without clothing and civilization as Hume suggested, it was Europeans' moral duty to spread the civilizing hand of commerce to succeed where nature failed while enriching their own pockets. Both were morally laudable. Stanley used precisely this logic when he spoke to the Manchester crowds in October 1884 and asked them to imagine how much they could profit if every inhabitant of the Congo ordered just six outfits—two Sunday and four everyday ones—and a burial shroud for each family. Of course bringing Christianity and morality to Africa would require Europe to clothe the naked natives. He calculated the profit to be £16 million each year of Manchester calico at two pennies a yard (*Daily Mail*, 25 November 1884). Alongside the English, French textile interests also supported expanding colonial activities into Africa for similar reasons (Wright 1995[1974]: 293). Therefore, civilization and commerce did not stand alone; they combined to advance European commercial interests in Africa.

Commercial rationality suffuses Stanley's narrative as he invites Europeans to imagine the Congo River as a highway to an unexplored economic space. He writes:

There are 5250 statute miles of uninterrupted navigable water, which may by overcoming a little trouble at one rapid be increased to 6000 miles in the Upper Congo section of the Congo basin. The area through which these navigable channels flow is over 1,000,000 square miles superficial extent, and is throughout a fertile region unsurpassed for the variety of its natural productions (1886, II: 366).

Like Europeans who first saw the economic potential of the Rhine and the Danube Rivers as roads to lands overflowing with bountiful resources, Stanley advertised the Congo River in terms late-19th century Europe understood. He describes the one million Africans living among an abundance of “ivory, palm-oil, palm kernels, ground-nuts, gum-copal, orchilla-weed, camwood, cola-nuts, gum tragacanth, myrrh, frankincense, furs, skins, hides, feathers, copper, India-rubber, fibre of grasses, beeswax, bark-cloth, nutmeg, ginger, castor-oil nuts” and others raw material (1886, II: 368). Through this economic lens, Europeans viewed both people and nature along the river as economic commodities.

In addition, similar to engineers and explorers who wrote about the Danube delta as easily maintained as a commercial highway, Stanley downplays the severity of any natural barrier to commercial access by characterizing the river's rapids as “little trouble”. Those familiar with the lower Congo River's 32 cataracts might dispute Stanley's easy dismissal of the “one rapid” as easily tamed. It took Leopold's workers nine years to construct the 366 kilometers (227.4 miles) of the Matadi-Kinshasa Railway to bypass the rapids. The human costs of the railway construction were catalogued by accounts such as Roger Casement's 1904 report revealing

Leopold's vast abuses, Joseph Conrad's novel *Heart of Darkness* and Hochschild's history of Leopold's deadly Congo projects.

By the Berlin Conference, Enlightenment faith in commerce as a civilizing tool had taken on a moral and evangelical tinge. Stanley portrays the Congo as a highway into Africa's heartland that will bring commerce and moral goodness to a dark continent. Stanley ventriloquizes through Chief Makoko who gave Stanley and his boats safe passage along the river: "I have many things given me long ago from the white men's land, and I have often wished to see those who could make such wonderful things. I am told you people make all the cloth, the beads, the guns, the powder, plates, and glasses. Ah! You must be great and good people" (1886: I, 330). There is a hint of awe and envy in this statement as if Makoko desired increased contact with Europeans so he can become both good and great. Here, Stanley projects his vision of European commerce onto the chief. Commercial enterprise makes a society both *great* in the magnificent products invented, the complex productivity engendered and the prosperity created, but also *good* as a moral condition that follows from commercial activity. Here, Stanley unconsciously channels Hume, Montesquieu and Mill—commerce is not just a means to a material end. The practice of commerce is also a moral practice that fosters enlightened rationality.

At the opening session of the Berlin Conference, German Chancellor Otto von Bismarck sets out the rationale for the conference: "all the Governments invited share the wish to bring the natives of Africa within the pale of civilization by opening up the interior of that continent to commerce" as well as by giving inhabitants the means to instruct themselves, encouraging missions and ending the slave trade (Gavin and Betley 1973: 129). The three Cs of commerce, civilization and Christianity were not a checklist but a package that mutually enforced one another pushing Africa towards civilization. The method to bring civilization is through commercial rationality. As Bismarck also noted in his opening remarks, "The fundamental idea of this program is to facilitate the access of all commercial nations to the interior of Africa". Commerce, then, was central for diplomats at the Berlin Conference as a civilizing practice that benefited all involved. To transform the Congo River into a commercial entity capable of bringing civilization to the interior, however, the river must be tamed and rationalized.

The Breaker of Rocks

The taming of the Congo River features as part of the narrative that asserts the civilizing influence of commercial rationality on a barbaric, irrational geography. By the mid to late 19th century, the bucolic Mother Nature captured by early Romantic poets had darkened into a more

sinister entity⁶³. John Stuart Mill's 1854 essay on Nature paints a negative view of Mother Nature as not so motherly:

Nature impales men, breaks them as if on the wheel, casts them to be devoured by the wild beasts, burns them to death, crushes them with stones like the first Christian martyr, starves them with hunger, freezes them with cold, poisons them by the quick or slow venom of her exhalations, and has hundreds of other hideous deaths in reserve...

Here, Mill deploys uncharacteristically flamboyant language to argue against the "natural" as an ethical norm to be relied upon and returned to in moral philosophy (Adams 1992). In doing so, however, Mill links nature with fear and irrationality that we can only hope to tame through civilization. Stanley's view of nature is equally dismissive. Rather than celebrating the wild beauty of the Congo River, Stanley's descriptions seek to tame and rationalize the river through scientific discourse.

Stanley begins the narrative of his journey up the Congo River for King Leopold's IAC with a reproach of previous travel narratives along the river. These accounts described the river in flowery language but without scientific accuracy, anthropomorphizing the river as locked in a quarrel with the sea "with deep and indented frowns in his angry face, foaming with disdain and filling the air with noise" but neglecting to record the depth and speed of the river's mouth. Stanley expressed frustration with these accounts' lack of utility, only identifying one account by Captain James Kingston Tuckey as giving reliable information. "For the first time," Stanley wrote admiringly of Tuckey's journals, "the Lower Congo was shorn of all myth and fable, and was described with an accuracy that cannot be much excelled even in the present day." Throughout his own account, Stanley was careful to detail precise facts and figures—the depth of the river, the speed of flow, distances travelled and estimated population of natives. Even Stanley's analogies harken to industrial utility; he compares the Congo's mouth to a huge valve as if part of a machinery system. In doing so, Stanley uses scientific rationality to sweep away the illogical, primordial myths surrounding the African artery.

In the narrative, Stanley describes human society's relationship with the river as a battle in the same fashion as Johann Tulla described engineering plans along the Rhine River earlier in the 19th century and Frederick the Great described land reclamation along the Oder River in the 18th century. Stanley wrote admiringly of Dutch engineering works along the banks of the lower Congo as "an industrial war against flood encroachments"—a war against "the impetuous current" that Stanley planned to carry forward. Here, Stanley transports the Enlightenment war to tame nature to a colonial scale. In a passage at the beginning of his trip, Stanley writes:

⁶³ Wordsworth wrote that Nature "never did betray/ The heart that loved her" (1798) had turned into Tennyson's "Nature, red in tooth and claw" (1849). This shift in characterization was pointed out by Margaret Atwood (2011) in discussing *She: A History of Adventure* written in 1887 by H. Rider Haggard.

We feel still that it is a dangerous river to be trifled with. It has awful power when ruffled by impeding rocks, or when its waves rise up, remonstrant to the breeze, and fall heavy and sullen. But we also have power now—power gained by knowledge and harsh experience. We will brave the giant stream with steel cutters driven by steam!

Stanley's sentiments are unambiguous: the Congo River may be irrational and dangerous but is no match for the power of European civilization and technology. The river will yield to the steam engine.

The human conquest of nature by way of technology was highlighted in another poignant moment in Stanley's narrative. Stanley was particularly proud of one of the names Africans along the Congo River gave him—*Bula Matari* or "breaker of rocks". "It is for this work of pulverization of rock that the Vivi chiefs, wonderingly looking on while I taught my men how to wield a sledge-hammer effectively, bestowed on me the title of Bula Matari—Breaker of Rocks—with which, from the sea to Stanley Falls, all natives of the Congo are now so familiar" (1886, I: 147-8). This quote encapsulates not only Stanley's attitude towards the Congo but the West's ambition towards nature, particularly the dark nature of an untamed Africa. Rather than Mill's grim vision of nature impaling and breaking the vulnerable human being, the relationship is flipped and it is humanity that breaks the rocks to achieve its aims. European commercial practices follow precisely this logic to bring order and morality to barbaric nature.

Taming Time and Space

As discussed previously, the metaphorical river flows through space but also invites an analogy to the flow of time. The late-19th century quest to conquer the Congo intimated the ambition to tame both time and space. The journey up the river equated to a journey back into time towards a mystical origin of the world. To find this origin—an obsession that motivated European explorers in Africa from Livingston to Stanley to John Speke who "discovered" the source of the Nile—was to conquer time and nature. The popular imagination also equated Africa to a past Europe along a linear line of development. To travel upriver and tame it through European technology and rationality was to conquer nature and time.

While Joseph Conrad's *Heart of Darkness* is a work known for the atrocities it describes along the Congo River, it is often forgotten that the opening pages begin on the Thames estuary as a vessel at anchor awaits the tide. Conrad describes the scene through an impressionistic narration that captures the river's gauzy beauty. One of the sailors, Marlowe, draws an implicit link between the Europeans in Africa and the Roman soldiers who first arrived to colonize the banks of the Thames. He imagines the Roman looking around him in fascination and disgust at the

dark, untamed forests filled with barbaric people as he sails along the river. The analogy to European colonization is clear. But at the same time, Conrad makes an implicit association between the flow of time and the swell of the river:

We looked at the venerable stream not in the vivid flush of a short day that comes and departs forever, but in the august light of abiding memories. And indeed nothing is easier for a man who has, as the phrase goes, ‘followed the sea’ with reverence and affection, than to evoke the great spirit of the past upon the lower reaches of the Thames. The tidal current runs to and fro in its unceasing service, crowded with memories of men and ships it had borne to the rest of home or the battles of the sea (Conrad 1899: 4).

The river then is not just a geographic highway that connects physical landmarks but a temporal one that connects nodes of historical memory. Of Conrad’s river as a temporal highway, Simon Schama writes of the Thames, “to go upstream was, I knew, to go backward: from metropolitan din to ancient silence; westward toward the source of the waters, the beginnings of Britain in the Celtic limestone” (1995: 5). Rudyard Kipling’s poem, *The River Tales* (1911), as part of a series on the history of England also imagines the story of the Thames before the Romans. In the poem, the river remembers the “the Age of Ice and the mammoth herds”—a prehistory that can only be told from the river’s point of view as what connects human society to the time before. To understand and catalogue the river and to find its source, then, is analogous to human society’s taming of nature and time, bending and shaping both to society’s will.

Taming the Congo as a colonial river takes on even more significance as an allegory for European society’s conquest of nature and time. Translating time as space, John Agnew argues, is a central part of the modern geopolitical imagination—the West juxtaposes the temporal and the spatial in order to project the European past onto the “global present outside the modern world”. Put simply, Europeans view societies in Africa and Asia as *backwards* precisely as the term suggests: as occupying a position previous to Europe along the same temporal and developmental continuum. Therefore, history and geography are involved in the same enterprise of mapping the human developmental continuum along the axes of time and space. Further, Agnew highlights that the “the projection of temporal qualities drawn from a rendering of a specific historical experience onto terrestrial space” allows the modern geopolitical mind to essentialize, exoticize and totalize the ‘less developed’ other (1998: 35-6). It allowed Europeans to subsume the African wilderness into Western rational and moral epistemic constructs.

The taming of the Congo River was invariably part of the larger political project of European imperialism, and the river became a symbol of European state power. The primary instrument of European power projection in the Congo basin was the steamboat, which connected fortified outposts, and the river served as a military highway. Steamboats upriver carried guns, colonial

officials and the decrees of a faraway king to transform the people and landscape of the Congo basin. When Leopold imposed devastating rubber quotas on communities along the Congo, people simply moved away from the reach of colonial authorities along the river. Sixty to ninety percent of residents in one of the oldest trading posts along the river—Lukolela—disappeared between 1891 and 1901. As one witness said, “We ran away because we could no longer live with the things they did to us. Our village chieftains were hanged, we were murdered and starved. And we worked ourselves to death in order to find rubber” (Van Reybrouch 2014: 94). By 1900, it was obvious that the Berlin Conference’s goal to tame and civilize the Congo River had failed, bringing forth a new economic barbarism that rode the river into the heart of Africa.

Ordering the Universe

The drive to tame the Congo River, however, was not simply a high modern construct imposed by an all-powerful colonial government on irrational spaces (Scott 1998) but was part of a more pervasive societal attitude towards nature. In late-19th century Europe, the social and natural sciences came together in the mission to order and rationalize the universe.

Hunting as a metaphor for human mastery over nature has been a cultural and political trope since antiquity when the Assyrians King Ashurbanipal immortalized his lion hunts in stone as an emblem of state power and the royal obligation to protect the people. As European elites consolidated power over the polity and natural world, hunting as a pastime became ritualized as a symbolic practice rather than an actual act of providing for a family or protection. John M. MacKenzie charts the social significance of hunting from antiquity to Christian iconography to 19th century aristocratic leisure as a symbolic ritual—a “sport”—rather than an activity to provide sustenance (1988: 10). In fact, hunting for sustenance on aristocratic lands or poaching was severely penalized. The English Romantics embraced hunting as a glorification of the natural world but very little about pheasant covers, grouse moors, deer forests or bird blinds were in fact natural. The hunt became a ritual of aristocratic prestige and domination—over not only a territorial space but over untamed nature within that space. Taken to a colonial scale, white hunters in Africa in the 19th century played out the rituals of conquest.

Linked to hunting, another expression of the late-19th century European drive to conquer nature can be seen in the increased interest in ordering the world through the natural and social sciences. While botany and fossil-filled cabinets of curiosities had enthralled European publics since the 17th century, the publication of Darwin’s *Origin of Species* in 1859 spurred heightened debate surrounding natural history and the beginnings of social Darwinism (MacKenzie 1988: 36). Museums and World Exhibitions displayed collections of natural and cultural artefacts from the periphery. At the same time, European scientists weighed and catalogued the universe

at the atomic level with the first periodic tables published in 1869 by Russian Dmitri Mendeleev and in 1870 by German Lothar Meyer. Categorizing the natural world quickly spread into the study of human society as anthropology, ethnography and statistics sought to order and improve humans within the state and beyond (Hacking 1990; Franey 2001). The co-implication between the natural and social sciences and empire quickly grew as explorers sought to analyze exotic plants, animals and societies in unknown lands at the fringes of empire⁶⁴. European explorers raced to be the first to discover a river's source, an unknown species or a native tribe with the added bonus of naming the discovery such as the Rhinoceros *oswellii* named after Cotton Oswell, one of David Livingston's companions (Donovan: 41; MacKenzie: 39). Scientific exploration became a political enterprise to tame, control and rationalize nature. As Emil Torday wrote in 1913 on his views of the natives along the Congo River, "it is only by studying a man that you can understand him and only by understanding him that you can rule him" (290). The same can be said for the African wilderness—and the Congo River was the starting point from which imperial control could emanate.

The River as Mirror into the Heart of Darkness

While Europeans embraced the idea that the Congo River was a conceptual emptiness into which the West will bring the civilizing influence of commerce, currents of disquiet rippled through European imaginings of the Congo River. Joseph Conrad's *Heart of Darkness* unmask the tensions between commercial rationality and more existential uncertainties by reversing the narrative explored in the previous two sections. Rather than the using the river as a vehicle for bringing science and commerce to the African emptiness, Kurtz as the epitome of European civilization⁶⁵ travelled up the river to find his own irrationality and existential darkness. Rather than a civilizing instrument that leads to moral advancement and intellectual enlightenment, the river takes us somewhere else entirely. The journey Conrad takes his readers on upriver falsified the argument for the civilizing influence of economic practices along the commercial waterway. The following section explores two sets of conceptual tensions in European views of the Congo River which coincide with two fundamental tensions in European understandings of the world.

Between Internationalism and Imperialism

⁶⁴ MacKenzie quotes Richard Owen's address to the British Association for the Advancement of Science in 1858: "No empire in the world had ever so wide a range for the collection of the various forms of animal life as Great Britain... Never was there so much energy and intelligence displayed in the capture and transmission of exotic animals by the enterprising traveller in unknown lands and by the hardy settler in remote colonies, as by those who start from their native shores of Britain" (1998: 37)

⁶⁵ As Conrad writes, Kurtz was educated in England, his mother half English, his father half French and "all Europe contributed to the making of Kurtz". This description reflects Conrad himself who was born in Poland, spent years in the French and British merchant marines and finally made Britain his home.

The late-19th century European conceptualization of the Congo River as an empty international space to be tamed through civilizational practices exemplified the developing tension between notions of internationalism and imperialism. On the one hand, the late-19th century ushered in an era of intense colonial competition where far reaches of the world increasingly excited Europe's political, economic and moral attention. On the other hand, during the 19th century, internationalism gained strength as a response to conservative international structures affirmed by the Congress of Vienna and sustained by great power politics. Rather than developing in opposition, Mark Mazower argues that nationalism and internationalism emerged together as comrades-in-arms against the traditionalists (2012: xiv). Internationalism brought together strange bedfellows—evangelicals, merchants, journalists, scientists, lawyers and anarchists—to dream the dreams and nightmares of an increasingly interconnected world. Therefore, the idea of the international coexisted in symbiosis with the national while at the same time imperialism strove to subsume the international under the same governing logics as the national. Both liberal internationalism and imperialism blurred the boundaries between spaces and sought to impose the same moral and political logic beyond the borders of the territorial states. Therefore, internationalism and imperialism developed with family resemblances as celebrations of universal brotherhood often slid into paternalism. Viewed from this perspective, the spread of river commissions from the Rhine to the Danube and Congo reflected both liberal internationalist and imperial impulses as the scientific ethos of the times pushed policymakers to uncover generalizable solutions to tame global untamed spaces for the good of humanity. Nowhere was the tension between internationalism and imperialism more evident than at World's Fairs, which captured the Western public imagination like few other events in the second half of the 19th century.

The World's Fairs and Exhibitions highlighted the link between commercial practice and civilizational advancement. Riding on the exuberance of early industrialization and a sense of wonder at the world's growing interconnectedness, the first World's Fair was held in London in 1851 boasting more than six million visitors including Queen Victoria on several occasions. The fair's stated purpose was to "forward the progress of industrial civilization" (Findling 1990: xvii). The term *fair* harkens back to medieval marketplaces of trade and joviality. However, this new breed of fairs was less a market for the exchange of goods—at the 1851 fair, no prices were attached to the items which were not for sale— but a self-conscious showcase for the marvels of Western commercial progress. The religious tenor of medieval fairs had been replaced by the just as dogmatic ideology of scientific progress. This ideology, captured by fair exhibits such as the History of Labor in Paris 1867 and the History of Civilization in Paris 1900, viewed history as a linear, unidirectional advance towards, as historian Robert Rydell write in his book on the World's Fairs in America, a "utopian" future (1984: 4). Alongside the certainty of progress propelled by commercial rationality, the fairs also displayed two interrelated international

themes: the internationalism generated by peaceful cooperation between humanity and the imperial impulse to apply scientific methods to diminish the civilizational distance between the West and the periphery.

The internationalist and imperialist premise of the World's Fairs was built into its very fabric. While the home country always occupied the largest exhibition space, the majority of displays were devoted to foreign exhibitions and exotic colonial riches. The London Colonial and Indian Exhibition in 1886 showed off Britain's most prized colony while British exhibitions in Sydney and Melbourne in 1879-81, Calcutta 1883, and Kingston 1891 placed imperial wealth and progress on display for the global audience. Similarly, French fairs routinely promoted its North African colonies and the Dutch its holdings in the East Indies. The 1878 and 1889 Paris exhibitions included Negro Villages with human beings on display for the educational enrichment of visitors. Chicago's 1893 Columbian Exposition introduced fairgoers not only to the latest in urban planning, art and architecture but to anthropology that characterized non-whites as barbaric and childlike (Rydell 1984: 40). In Belgium, Leopold II used two expositions in Antwerp in 1885 and 1894 to demonstrate civilizational advances in the Congo. In a public relations *tour de force*, the 1894 exhibition charmed visitors with its displays of bountiful raw material and intricately carved ivory from the Congo, drawings by native children, modular homes as exemplars of European engineering to be exported to the region and a model steamer to navigate the Congo River (Findling 1990: 133). Such displays poignantly suggest that the Congo River basin was full of raw materials and children in need of European guidance.

Alongside colonial displays, these fairs espoused a sense of internationalist optimism that technology and scientific advancement can reach across nations to unite humanity. As Victor Hugo exclaimed in the guidebook to Paris' 1867 World's Fair, "Down with war! Let there be alliance! Concord! Unity! O France, adieu...Thou shalt no longer be France: thou shalt be Humanity! No longer a nation, thou shalt be Ubiquity". At the Paris fair, for the first time, exhibits were organized both by nation and by transnational groupings with Group X of the transnational classification being "articles whose special purpose was meant to improve the physical and moral conditions of the people" (Findling 1990: 33; 38). Transnational progress replaced nationalism as the driving ideology behind the displays. In conjunction with these fairs, organizers also held international congresses on important topics of the day that promoted a sense of international unity and progress.

One subtle way of demonstrating technology's promise for uniting humanity was through the fairs' control of nature through elaborate water features and landscaping design. The fairs competed with one another to integrate mastery over nature into the exhibition creating landscaped green spaces—such the Champ de Mars in Paris 1878 and the midway in Chicago

1889—as a backdrop to the narrative of commerce and civilizational progress. Mastery over water was particularly prominent. The ambitious civic engineering project to tame the Danube’s floods through a series of canals created the perfect location for the 1873 Vienna Fair (Findling 1990: 48). The 1878 Paris exposition was celebrated for its sophisticated hydraulic spectacles that pumped the Seine’s water through 37 kilometers (23 miles) of piping to beautify the entire exhibition hall. The water even powered elevators, cooled the Palace of Industry and produced 62-foot-high jets that wowed visitors (Findling 1990: 64). These spectacular demonstrations were designed to inspire a sense of awe and wonder that highlighted the power of scientific progress to transcend political and natural barriers.

The sentiments on show at the World’s Fairs in the late-19th century were very much present at the Berlin Conference which embodied the tension between internationalism and imperialism. On the one hand, as will be discussed further in the following chapter, the conference relied on the expertise of transnational scientists, explorers and international lawyers to spread liberal norms and institutions across the world in an effort to establish peaceful cooperation. On the other hand, the conference projected the European past onto the global periphery in an effort to bring the civilizing practices of science and commerce to a colonial space. The paradox of Berlin was that the conference was intended to forestall colonial competition but ended up intensifying it. Diplomats’ liberal internationalist intentions to spread the model of cooperative institution to Africa had trouble governing the excesses of Europeans imperialism because fundamentally, the two impulses shared the same root in their push to generalize a uniquely European set of institutional logics across space and time. The Berlin Conference and its violent aftermath expressed the tragedy of the liberal internationalist dream.

Between Commercial Rationality and Moral Uncertainty

Alongside the prevailing understanding of the Congo as an international river and commercial highway that would bring civilization and rationality to Africa, other darker understandings of the commercial possibilities of the colonial river hounded the European imagination. “By the end of the eighteen sixties” observed Robinson, Gallagher and Denny in their history of the Victorians’ scramble for Africa, “this optimistic idealism was cooling, as disappointments piled up and the millennium of peace, brotherhood and free trade receded” (1978 [1961]: 3). In Europe, the social backlash against the exponential accumulation of commercial wealth was spearheaded by Karl Marx and the compelling logic behind his historical materialism that inevitably led capitalist societies to world revolution. The backlash against Leopold II’s commercial enterprises along the Congo River, poignantly played out across the pages of Joseph Conrad’s *Heart of Darkness* (1899), exposed the moral and existential doubts that began

to seep into the myth of the civilizing effect of commercial rationality in the decades after the 1884-5 Berlin Conference.

While Montesquieu's famous passages support the civilizing influence of commerce, his works are notoriously unclear, often employing statements that directly contradict one another (Howse 2006:3). Almost as soon as he declares the pacifying and salutary effect commerce has on society, Montesquieu modifies the argument by distinguishing between how commerce affects relations between nations and reactions between individuals. Of individuals, he argues:

The spirit of trade produces in the mind of a man a certain sense of exact justice, opposite, on the one hand, to robbery, and on the other to those moral virtues which forbid our always adhering rigidly to the rules of private interests, and suffer us to neglect this for the advantage of others (*Spirit of the Laws* 1748, Book XX, Chapter 1).

Here, Montesquieu situates commercial values as the opposite of moral virtues as the rational calculations of profitmaking force us to neglect the public good for private gain. An individual obsessed with commercial values becomes exacting and miserly. Taken to the colonial context, this qualification against the civilizing effect of commercial rationality morphed into new moral uncertainty as if the dislocation caused by the foreign-ness of the Congo tore asunder the moral fabric of European society. As Adam Hochschild narrates, "men who would have been appalled to see someone using a *chicotte*⁶⁶ on the streets of Brussels or Paris or Stockholm accepted the act, in this different setting, as normal" (Hochschild 1998: 121). Or as station chief Georges Bricusse recorded in his diary in 1895, Africa desensitized him to human cruelty and suffering: "And to think that the first time I saw the *chicotte* administered, I was pale with fright. Africa has some use after all. I could now walk into fire as if to a wedding" (quoted in Hochschild 1998: 123). Certainly Leopold's heavy-handed policies and ruthless extractive activities created a permissive environment for these atrocities, but there was also the sense that the Congo was another universe not subject to the same European moral boundaries.

In many ways Conrad's *Heart of Darkness*, written fifteen years after the Berlin Conference, exposes these moral anxieties not as a story about Africa but as a story about Europe itself through the looking glass of a trip up the Congo River. Conrad's tale separates the trader's commercial rationality from Kurtz's metaphysical despair and opposes the two realms. Upon meeting Kurtz, the narrator Marlowe has a discussion with the manager over Kurtz's "unsound methods". While Kurtz's methods do seem unhinged, the irony here is that the commercial story as charted by Marlowe on his trip from the coast to the inner station is full of unsound methods—the emaciated bodies of the dying workers along the unfinished railroad that Stanley

⁶⁶ The *chicotte* was an instrument of punishment used in Leopold's Congo—a whip made of sun-dried hippopotamus hide cut into spiral stripes. Twenty-five lashes typically would render a person unconscious; a hundred or more became fatal

had promised would tame the river for commerce, and the violence perpetrated against the land and people in exchange for the “precious trickle of ivory”. Marlowe sees the irony in the manager’s comment. He defends Kurtz to the manager and muses to his audience, “Ah! But it was something to have at least a choice of nightmares” (104). For Marlowe, both the commercial butchery and Kurtz’s butchery were nightmare scenarios but at least Kurtz’s actions were raw and authentic—unlike Europe’s obsession with commercial butchery, a nightmare masked by the false sheen of rationality and civilization.

In Tim Young’s analysis of 19th century European travel narratives in Africa, he juxtaposes Conrad’s and Stanley’s descriptions of the blank map of Europe—the conceptual emptiness that shaped how those at the Berlin Conference divided up Africa. For Stanley, he longed to fill up the blank space: “I have already mentally peopled it, filled it with the most wonderful pictures of towns, villages, rivers, countries, and tribes—all in the imagination—and I am burning to see whether I am correct or not” (quoted in Youngs 1994: 1). For Stanley, the river led to a utopia of his own making, a vision shared by many explorers and policymakers across Europe who aimed to bring law and commercial civilization to the blank space while satisfying their own thirst for adventure. Conrad told a similar story of his youthful interest in Africa: “When nine years old or thereabouts... while looking at a map of Africa of the time and putting my finger on the blank space then representing the unsolved mystery of the continent, I said to myself... ‘When I grow up I shall go there’ ” (quoted in Hochschild 1998: 140).

By 1899, however, Conrad’s perceptions of the blank space had changed. The white space had become filled with something more sinister:

It had become a place of darkness. But there was in it one river especially, a mighty big river that you could see on the map, resembling an immense snake uncoiled, with its head in the sea, its body at rest curving afar over a vast country and its tail lost in the depths of the land. And as I looked at the map of it in a shop-window, it fascinated me as a snake would a bird—a silly little bird (quoted in Young 1994: 195).

Here, the river is no longer just a rationalized topography on a map. Instead, the river has taken on life as a snake with a three dimensional physicality. More importantly, the river has taken on agency as it charms Marlowe. The traditional narrative told by Stanley and other explorers of society’s conquest of nature has been reversed; nature in the form of the river-snake has seduced society and held rational society under its spell. The same existential unease about the heart of Africa can be distilled from the works of another Victorian novelist, H. Rider Haggard, whose novel *She: A History of Adventure* was first published in magazine instalments in 1886-7 and became one of the best-selling books of all times. *She* tells the story of European explorers who journey up a river to the interior of Africa to find a beautiful all-powerful she-demon that holds men spellbound. The metaphor here is palpable. The untamed nature in the African

interior holds the power to reverse civilization, returning even the most civilized Europeans to the state of irrational barbarism.

The Congo River, the object of cooperation at the Berlin Conference, was a different entity than the Rhine or even the Danube not simply because the river was materially different from the European rivers, but that Europeans had a fundamentally different construction of what the Congo River meant. The Congo River is located on a different continent but the real difference rested closer to home in late-19th century European narratives about the colonial river colored both by the optimism of conceptualizing the river as a conduit for civilizational practices and by fears of the reverse.

Conclusion

Like their predecessors at Vienna and Paris earlier in the 19th century, diplomats and experts at the 1884-5 Berlin Conference did not deliberate in a social vacuum—rather, they understood their political aims based on specific constructions of the meaning of the Congo basin. As this chapter contended, for late-19th century Europeans, the Congo as a colonial object represented a conceptual emptiness waiting to be filled with European civilization and institutions. The river was understood as a commercial highway that would bring the practices of rationality and civilization to untamed central Africa. Commerce, morality and civilization constituted a civilizational bundle that flowed upriver together. As Ronald Robinson et al. wrote of the Victorians' attitude towards Africa, they “clung to the gospel of restricted government and free trade, that moral improvement and intellectual enlightenment attended the growth of prosperity, that all three depended upon political and economic freedom, remained their characteristic and passionate belief” (1961: 2). Hence, for the Victorians and their continental colleagues, belief in the salutary effect of commerce was more gospel than theory, and they clung to this gospel in their efforts to civilize and control the irrational darkness of Africa.

However, as the next chapter will detail, diplomats at Berlin misjudged the generalizability of their civilizing models, particularly with respect to the establishment of international bodies to create international order and deter conflict. International institutions for managing international rivers do not have a natural teleology that charts the spread of successful river commissions across the world. As the Congo Commission example will demonstrate, faith in generalizable institutional models helped foster political myopia by discounting power politics and historical contingency, allowing not only institutional failure but one of the darkest chapters in Europe's engagement with Africa.

Chapter 8:

The 1885 Berlin Conference and the Non-Creation of the Congo Commission

If the 1815 Rhine and 1856 Danube Commissions could be considered successes in institutional creation and international governance, then the abortive Congo River Commission proposed in the text of the 1884-85 Berlin Conference was certainly a failure of international cooperation. Institutionalists who celebrated the creation of the Rhine and Danube Commissions as markers of international progress (Woolf 1916; Chamberlain 1923; Kaiser and Schot 2014) leave out the Berlin Conference and the case of the Congo River. International institutions do not have a natural teleology where they would spread from one geographic and political context to another, becoming ever more robust and established. This chapter will explore the political contestation surrounding the Congress of Berlin to highlight an example where European institutional models from the Rhine and Danube failed to bring cooperation and progress to the Congo River with near-genocidal results. Underlying discussions at Berlin was a different conceptualization of the river as a colonial highway that would impose free trade and European civilization to the periphery, with different implications than the Rhine discussed at Vienna or Danube at Paris.

Several competing meanings of the Congo River drove the paradox that resulted in the breakdown of efforts at Berlin to establish a cooperative international river commission. First, diplomats disagreed on whether the Rhine and Danube Commission was a model for all transboundary rivers. This disagreement was manifested in discussions during conference proceedings on whether the Congo River as an international space like the Danube Delta or a yet-unclaimed space open to private European colonial ambitions. Diplomats also disagreed on whether the Congo River was a conduit for free trade and civilization to enter Africa or merely a token in the balance of power in Europe. These tensions within discussions at the Berlin Conference led to treaty text that stipulated the creation of an international river commission while at the same time creating the political conditions that prevented such a commission from coming to fruition. Geographic spaces such as the Congo basin are not ‘naturally’ empty or international; similarly, they are not ‘naturally’ conducive to international management through institutions. It the co-constitution between social and material factors that imbued the Congo with political meaning, and therefore allowed or precluded certain institutional possibilities. However, faith in European institutional models created blinders to the power of these political meanings, establishing a paradoxical institution that would never leave the treaty pages on which it was written.

Leopold II, the Congo and the Berlin Conference

From when Portuguese explorer Diogo Cão claimed the Congo’s mouth with stone pillars in 1482 to the mid-19th century, European interest in western Africa remained primarily in maintaining a string of coastal trading posts. Explorers who tried to navigate the Congo River ran into hydrological barriers discussed previously: a deep canyon and impossible cataracts

prevented ships from sailing upstream. The discovery that rubber, ivory, palm-oil and ground nuts could be turned into profitable raw material for a quickly industrializing Europe catapulted inland Africa onto the geopolitical limelight (Crowe 1942: 12). In 1883, according to the Privy Council for Trade, the British ran a trade deficit with the West Coast of Africa importing £910,741 of palm oil and £298,488 of nut oil (*FO 403/47*, No. 17). Technological advances such as steamboats that could be disassembled and carried past the cataracts in pieces gave locomotion to this new age of exploration. Advances in weapons technology gave it firepower.

However, objectives other than resource acquisition also animated individual explorers and diplomats, national policies and the international public. Tales from the adventures of David Livingstone and Henry Morton Stanley ignited the public imagination and fueled the drive to civilize a backwards continent—starting with the abolition of the slave trade, a practice that Europeans had first taken to an unrepresented extent and now rejected as morally abhorrent and a practice carried out by cruel, uncivilized Arabs. Livingstone's three famed C's for Africa—commerce, Christianity and civilization—were taken up by Otto van Bismarck in his speech to open the Berlin Conference. The language of moral responsibility permeates of conference proceedings. European beliefs about their responsibility to civilize Africa may have been chauvinistic but nevertheless were sincerely held and operated hand in hand with commercial interests to frame general attitudes towards the African continent and the Congo River.

Fourteen states including the United States and Ottoman Empire attended the Berlin Conference between November 1884 and February 1885; of those, four major European states—Germany, France, Great Britain and Portugal—and one association—King Leopold II's International Association of the Congo—contended for influence at the conference in the scramble to divide Africa. Since the 15th century, the Portuguese had claimed territory along the Congo's mouth. In the 1870s, the French rushed to secure their interest using Italian-born explorer Savorgnan de Brazza to negotiate territorial concessions for France along the upper Congo River. Leopold II of Belgium surreptitiously pursued his interests in the Congo with the aid of British-born American journalist Henry Morton Stanley. Confronted with the increasing French and Belgian threat, the Portuguese sought to conclude a treaty with Britain to affirm Portuguese claims to territory between 5° 12' and 8° south latitude in exchange for conferring on Britain a most favored nation trade status and a joint Anglo-Portuguese commission to manage the river (Crowe 1942: 20). The British had first insisted on an international commission, but Portuguese insistence on a dual commission won out—a stipulation that fanned French and German fears of Britain's growing ambitions in West Africa. The France and Germany objected and the treaty was never ratified. Instead, in 1884, the German Chancellor called a conference in Berlin to settle these matters. From the beginning of the Berlin Conference, the notion of an international river commission was used as a political wedge that heightened rather than mitigated conflict.

In the decades preceding the Berlin Conference, Leopold II of Belgium had set events in motion on three fronts—diplomatic, legal and humanitarian—in his bid to transform the Congo River basin into a Belgian colony. As Adam Hochschild (1998) describes in an engaging work on Leopold’s Congo colony, Leopold took careful steps to conceal his machinations from the international community as well as Belgian leaders. On the international legal front, to ensure his claims were not subsequently challenged, Leopold instructed Stanley with the assistance of legal scholar Sir Travers Twiss to conclude as many treaties as possible with local chiefs to cede sovereignty over their territories. Of earlier versions of treaties, Leopold had admonished:

The text of the treaties Stanley has signed with the chieftains does not please me. It should at least contain an article stating that they relinquish their sovereignty rights to those territories. ... This effort is important and urgent. The treaties must be as brief as possible and, in the space of one or two articles, assign all rights to us (quoted in van Reybrouck 2014: 50).

Even if the chiefs could understand the English or French used to draft the treaties, it is unlikely they could have understood the gravity of these ‘sovereignty rights’ that they signed away.

Diplomatically, through his US agent Henry Shelton Sanford who hosted and charmed his way into the heart of American politics, King Leopold secured American recognition for his claims. Sanford shrewdly compared Belgian interests in the Congo basin to America’s support for establishing Liberia. He likened Leopold’s treaties with African tribes to 17th century Puritan treaties with the Native Americans. He secured the endorsement of the New York Chamber of Commerce, and even invited President Chester A. Arthur to his orange plantation in Florida in an effort to win the administration’s support. All this intense lobbying paid off. The US issued a statement in April 1884 announcing “its sympathy with and approval of the humane and benevolent purposes of the International Association of the Congo, administering, as it does, the interests of the Free States there established” (quoted in Hochschild 1998: 81).

Next, Leopold secured French recognition before the Berlin Conference through a clever ploy that offered the French *le droit de préemption* to be the first to buy the Congo in case Leopold cannot sustain the financial burden of managing such a vast holding (van Reybrouck 2014: 52; FO 403/46, No. 30). Through this devise, France was satisfied that the Congo would never fall into the hands of Britain or Portugal and recognized Leopold’s claims. Finally, Leopold even won over from German Chancellor Otto van Bismarck who had at first characterized Leopold’s proposal to incorporate the Congo into a new state as a “swindle” and sarcastically compared Leopold to an Italian “who considers that his charm and good looks will enable him to get away with anything” (Hochschild 1998: 83). However dimly Bismarck may have viewed Leopold’s schemes, he saw British, French and Portuguese ambitions in West Africa as greater threats to

Germany. By the opening days of the Berlin Conference, Bismarck was approaching the British delegation to win support for Leopold's claims in the Congo (*FO 403/48*, No. 18).

Finally, Leopold carefully maintained a humanitarian front to conceal his ambitions. A decade before the Berlin Conference, Leopold had started the International African Association (IAA) as a philanthropic organization. At its opening conference, Leopold proclaimed: "to pierce the darkness which hangs over entire peoples, is, I dare say, a crusade worthy of this century of progress". He went on to describe Belgium as a neutral and satisfied state with peaceful and humane intentions, and that he, Leopold, had "no other ambition than to serve her [Belgium] well" (quoted in Hochschild 1998: 44-5). In a published statement he insisted on:

...the completely charitable, completely scientific and philanthropic nature of the aim to be achieved. It is not a question of a business proposition; it is matter of a completely spontaneous collaboration between all those who wish to engage in introducing civilization to Africa (quoted in Anstey 1962: 59).

A few years later, Leopold created the devious International Association of the Congo (IAC) through which he would rule his Congo colony. The names IAA and IAC were calculated to be confusingly similar. As Leopold instructed "care must be taken not to let it be obvious that the Association of the Congo and the Africa Association are two different things" (quoted in Hochschild 1998: 65). Diplomatic missives from the conference bear out this confusion and often simply referred to "the International Association" rather than the organization's full name (see for example *FO 403/46*, No. 30). In addition, Leopold's public campaign concealed any evidence that his activities may not have been entirely in the service of promoting civilization and free trade. When Leopold publically released his treaties with Congo chiefs, he was careful to omit clauses on his monopoly over trade along the river (Hochschild 1998: 78). By the Berlin Conference, business interests such as the Manchester Chamber of Commerce were asking the British Foreign Office to support the "earnest efforts of His Majesty the king of the Belgians to establish civilization and free trade on the Upper Congo" (*FO 403/46*, No. 69). On the eve of the Berlin Conference, the *Daily Telegraph* printed a piece that lauded Leopold:

Leopold II... has knit adventurers, traders and missionaries of many races into one band of men, under the most illustrious of modern travelers [H.M. Stanley] to carry into the interior of Africa new ideas of law, order, humanity, and protection of the natives (22 October 1884).

Leopold did not set foot in the conference room at Berlin, but his aspirations in the Congo were ever-present and he walked away as the biggest winner. Credit and blame for the failure of the international institution along the Congo River, however, cannot be solely laid at the feet of one man. Not only did European representatives not hamper him, delegates even applauded Leopold at the conference's signing ceremony as the man who would bring order and civilization and guarantee free trade in the heart of Africa. While Europe's colonial empires engaged in power

politics to check one another's ambitions in West Africa, unassuming Leopold emerged with the Congo Free State as his personal colony. European diplomats' faith in the strength of normative and institutional models as enshrined in decades of European public law and played out on Rhine and Danube Commissions were no match for the single-minded drive of a guileful man who masterfully manipulated the ambiguities of European legal institutions and European balance of power politics to gain his prize.

Major Players at the Berlin Conference

Bismarck opened the Berlin Conference on 15 November 1884 by identifying three major issues before the delegates: first, establish freedom of commerce on the Congo River; second, establish freedom of navigation on the Congo and Niger Rivers; and third, establish a principle for effective occupation. The first two issues—which inform this discussion—were deliberated in November and December 1884. Much of the work occurred in committees, sub-committees and private backroom meetings before being brought to the general conference for discussion. Interestingly, merchants played an active role as chambers of commerce repeatedly lobbied their representatives on behalf of their commercial interests. British merchant associations and individual merchants as well as the German syndicate from Hamburg all demanded their voices be heard (*FO 403/46*, No. 71). Despite the conference's focus on an African space, it could be argued that the conference was actually convened to strike a deal on the balance of power in Europe.

For Bismarck, who hosted the conference, the Congo was a smokescreen. The historiography on Bismarck largely suggests that he was not interested in colonial expansion but rather in what manipulating the politics of African colonialism can do for him in Europe (Taylor 1955; Eyck 1964; Richter 1965; Crankshaw 1981).⁶⁷ In one story, Bismarck pointed at a map of Germany sandwiched between France and Russia and proclaimed: "This is my map of Africa!" (Taylor 1955: 221) Even if apocryphal, the story nicely illustrates Bismarck's view towards the Berlin Conference. In addition, two domestic reasons may have spurred Bismarck's fleeting interest in colonies. Firstly, Bismarck needed to court domestic economic and ideological pro-colonialism constituents ahead of an election. "The whole colonial business is a swindle, but we need it for the election" he wrote to his Vice Chancellor Karl von Boetticker (quoted in Richter 1965: 282). Second, he wished to drive a wedge between the German crowned prince and Great Britain (Crankshaw: 396). Bismarck did so through his opposition to the Anglo-Portuguese Treaty and his subsequent orchestration of a conference on West Africa. "What Bismarck really wanted, of course, was not colonies but a quarrel about colonies," wrote German historian Werner Richter

⁶⁷ Some historians view Bismarck's 1884-5 colonial acquisitions, which included territories five times the size of the German *Reich*, as intentional imperialism or even a long-term strategy, see Townsend 1930 and Pakenham 1991. Wehler 1969 argues Bismarck used imperialism to distract from domestic issues.

who then concluded that history punished Bismarck by giving him both a quarrel and a set of second-rate colonies (283-4). Hence, at the Berlin Conference, norms and institutions on a river half a world away interested Bismarck primarily as leverage for geopolitical maneuvers in the heartland of Europe.

For Great Britain, recognizing the IAC along the Congo was *quid pro quo*. Britain had few interests beyond free trade along the Congo River but was determined to keep the Niger River firmly under British control, French hopes notwithstanding. At first, British explorer Verney Lovett Cameron and then Stanley had tried to place territories along the Congo River under British control but Britain was not interested in colonizing the Congo⁶⁸. Despite their lack of interest in the Congo, they were very much concerned about the Niger. As Percy Anderson, an influential member of the British delegation at Berlin, wrote, “We must take our seat as the Niger Power” (Pakenham 1991: 241). At Berlin, Britain happily upheld the normative model of freedom of navigation and commerce for both rivers, but Britain angled for a different application of the principles of the Congress of Vienna. While an international commission should be established on the Congo, the British delegates insisted on a different treatment for the Niger because the British had sufficient control over the river’s mouth to be able to guarantee freedom of navigation and trade (Maluwa 1982: 378; van Reybrouck 2014: 53). As Chairman of the National Africa Company Lord Aberdare wrote to Granville:

The trade of the Lower Niger and its tributaries has been entirely the creation of British enterprise, after long efforts and many failures. The 100 factories now on the river are exclusively British, and it would appear unreasonable to subject it to the same authorities as the undeveloped and unowned waters of the Upper Congo (*FO 403/46*, No. 32).

Here Aberdare makes an interesting argument: the Niger River was under the purview of British sovereignty but the Congo, because it was ‘undeveloped and unowned’, should be considered international and placed under an international commission. This suggests that an international space was somehow the negation of sovereignty—the flip side of a concept which can only be imagined in relation to an understanding of sovereignty. Hence the historical development of the two concepts of ‘national’ and ‘international’ space was necessarily linked. To maintain separate treatment for the two West African rivers, Great Britain conceded on the Congo and recognized the IAC on the Congo while Germany, Belgium and the United States gave their support to Britain on the Niger question.

⁶⁸Until the late-Victorian period, Britain preferred to maintain an informal empire through protectorates in Africa to secure communications with its territorials in India and further east. Robinson, Gallagher and Denny argue that the internal collapse of the Egyptian Khedivial Regime in 1882 spurred the British to switch to imperialism (1978 [1961]: 465).

France's main objective at the Berlin Conference was to challenge British control of the Niger River while defending its claims over the lower Congo River, particularly the north bank where de Brazza was busy building trade links and negotiating treaties with native chiefs. Portuguese, British and IAC activities threatened these claims, and the French feared that the abortive Anglo-Portuguese Treaty represented a British attempt to gift the Congo basin to Portugal—who was less of a threat to Britain than to France. The French arrived at Berlin in what they believed to have been a strong position with a Franco-German alliance negotiated in late-1884 between Bismarck and Baron de Courcel, the French Ambassador to Berlin and representative at the conference. In exchange for cooperating with the Germans in West Africa to establish free trade along the Congo and unclaimed territories, Germany had agreed to back France in Egypt (Crowe 1942: 63). True to his reputation, however, Bismarck was a slippery ally and sided more often with Belgium and the British than with France at the conference. The French were not pleased. At one point, during discussions about the Congo's neutrality during war, Courcel shouted at the German and British delegates, "Do you take us for robbers?"⁶⁹ (Pakenham 1991: 250) If the French cannot have both banks of the Congo, they claimed at least the north bank. Ultimately, the territorial question was negotiated in private meetings between Leopold's representatives, Eugene Pirmez and Emile Banning, and French and Portuguese delegates. The French ended up with the north bank of the middle Congo from Brazzaville to the village of Manyanga and the Portuguese kept Nokki and the enclave of Cabinda on the north bank. These concessions kept the French and Portuguese happy while Leopold walked away with the larger prize.

At the eve of the Berlin Conference, if British Admiralty records at all accurately reflected on-the-ground realities, the mouth of the Congo River resembled a schoolhouse game where states scrambled to sign as many treaties and raise their flags over as much territory as possible. Representatives of the French, Portuguese and IAC raced to do so. The British, for the most part, stepped back from the fray as long as free trade continued unhindered. In response to a request from the Portuguese Governor of Angola to act against Stanley, the British consul responded that he had no power to intervene against an American citizen acting on behalf of a Belgian monarch (*ADM 123/86*). This strange commotion must have perplexed the native population.

As many subsequent commentators have noted, African representation of any sort was missing from the Berlin Conference. Only one person, Stanley who attended as a technical expert, had spent extensive time in West Africa. How Europeans understood the Congo River Basins—as a blank space to be mapped, divided and shared and an economic highway for economic goods—

⁶⁹ To be more exact, he shouted in French: "Nous prenez-vous pour des brigands?"

rested on a fundamentally different ontological assumption than how Africans saw the river basin in which they lived. In a humorous passage, Senior Officer of the West Coast Division Angus MacLeod wrote to Rear Admiral Nowell Salmon regarding how little European flags meant to the natives along the coast. MacLeod talked to a chief, and “he told us that the Holy Fathers at Landoma gave him the French flag a couple of months ago; he said that he hoisted any colors given to him and offered to display English ones there and then if I would supply him” (*ADM 123/86*, 17 April 1883). For the chief, a flag was just cloth. For the Europeans, it meant much more. A gulf of meaning separated the Europeans from their African interlocutors on the importance of cloth flags, paper treaties and ink lines to be drawn on a map in Berlin.

Bringing the European Model to Africa

European diplomats sought to apply two models of river management to West Africa—the first model was the norm of freedom of navigation and commerce on an international river, and second was the establishment of an international commission to manage and regulate the river for collective use. Both models were first applied to the Rhine River through the 1815 Treaty of Vienna and extended to the Danube with the 1856 Treaty of Paris and the Parana and Uruguay Rivers with a treaty in 1853⁷⁰. All parties at Berlin agreed on the need to guarantee freedom of navigation and commerce and to ensure “the proper and orderly development of European commerce in Africa” (Maluwa: 375). However, within this moment of seeming cooperation, different understandings of the river fought for ascendance. Should the river be the object of private imperialist desires or an international highway? Does the idea of an international river extend beyond the boundaries of Europe, and if so, with what modifications? As discussions at Berlin revealed, applying European river models to West Africa was not straightforward. Both generated extensive debate that not only questioned the legal application of previous European legal principles to Africa but contested the very meaning of an international river.

Model One: The Principle of Freedom of Navigation and Commerce

Every government at Berlin agreed that freedom of navigation and commerce should be applied to West Africa, but how is this vague principle actualized when it came to the colonial context? At the conference, diplomats divided the principles into two separate considerations: freedom of commerce in the Congo and freedom of navigation on the Congo and Niger. In reality, the two cannot be separated. European commerce in the Congo depended exclusively on the ability to freely navigate along the river and its tributaries, and hence, freedom of commerce depended on defining the Congo River. But even as diplomats agreed on the principles, they disagreed over the underlying meaning of the principle.

⁷⁰ As this dissertation focuses on European conferences and treaties establishing international river commission, it does not discuss the application of the Treaty of Vienna to the Parana and Uruguay Rivers in 1853. This could be an illuminating additional study for future research.

The conference started with the British delegation's general declaration attempting to define freedom of commerce on the Congo River. The declaration stated that flags of all nations shall have access to the river and its tributaries with no monopolies, no import and transit duties, and no taxes except "as may be levied as compensation for useful expenditure on trade, and, under this head, shall be equally borne by natives and foreigners of every nationality" (Protocol 1). According to this definition, which was accepted by the US, Germany, Italy and Belgium, the Congo River is an international and commercial highway open to free trade and should not be privatized through colonial conquest.

If an international river was a commercial thoroughfare, then the principle should be applied to the entire basin of all navigable rivers in West Africa. The British intended to push the general declaration even further—if the river is an international highway, then the principle should also be applied to the coastline between Gaboon and Angola since boats had to navigate the coastline to reach the Congo from Europe. The American wished to stretch the logic further still—extend the principle of freedom of commerce to the entire continent between the Congo and the Indian Ocean (*Malet to Granville*, 23 December 1884). Extending the principle in this way, however, was not politically palatable. Bismarck announced that the Berlin Conference's agenda only included the Niger and Congo Rivers and would leave the question of navigation on other waterways to subsequent discussions (Gavin and Betley 1973:129-130, Protocol No 1). One victory in expanding the principle was the adoption of Belgian representative Emile Banning's proposal to treat terrestrial routes constructed alongside unnavigable sections of the river as part of the international thoroughfare (Banning 1927: 28).

Of the major powers, Portugal and France voiced their objections to this understanding of the Congo River as an international space. Both committed themselves in principle to the freedom of navigation and trade along the Congo River, but they wanted those principles to be administered by sovereign colonial powers so Portugal and France could maintain autonomy in their claimed West African holdings. In response to the general declaration for freedom of navigation and commerce, the Portuguese representative Count de Launay stated that as of the Berlin Conference, there are no dues imposed on traders, but there is also in West Africa the "absence of that constant and effective governmental protection which is justly looked upon as compensation for taxes collected" (Gavin and Betley 1973: 136, Protocol No. 2). In other words, taxes are part of the civilizational package, and freedoms required a competent authority to protect them. Riparian colonial powers impose taxes in exchange for protection, and only with sovereign protection can traders enjoy actual freedom of navigation and commerce. Indeed, the enduring legacy of the conference, the idea of effective occupation, is based on this

logic. As elaborated in the previous chapter, Africa was considered a “conceptual *terra nullius*” to be ceded to any power that can offer effective administration (Anghie 2005: 91).

Another item on the conference agenda was to define the geographic extent of the Congo Basin so free commerce and navigation could be applied to an agreed upon geographic space. Outside the conference hall, Baron de Courcel told Bismarck that France did not wish to change the status quo by defining the Congo basin. France lost this battle (Crowe 1942: 107-8). Britain had always adhered to the principle that transboundary rivers such as the Rhine and Danube ought to be international entities but its attitude towards West Africa was more ambivalent. Britain supported defining the Congo River as international, but argued that the mouth of the Niger was under British control so there was no need for an international authority to ensure freedom of navigation and commerce. For Britain, the Niger was not a transboundary river but a solely British one. Therefore, ‘international’ space necessarily lacked an effective national authority.

The Moral River

Hence, even as diplomats at Berlin agreed in principle to international norms established by the 1815 Treaty of Vienna, the contested meaning of the river remained unresolved. Even for those who pushed for an understanding of the river as an international thoroughfare, the African river was not a purely economic instrument. Interwoven into how Europeans understood the Congo is the notion that the river is a colonial tool to take civilization and rational commercial values to the African continent. This interpretation of the international river differs subtly from previous discussions about Europe’s international rivers at Vienna and Paris—the international river is not simply a commercial highway that brought rationality and civilization in its wake but a self-consciously imperial tool to impose legitimate authority and moral values on an empty space. Here, commerce is not just an economic transaction but also a moral and civilizational one. Granville instructed British representative Malet on the moral limits of free trade along the Niger and Congo Rivers:

I have, however, to direct your attention to the consideration that commercial interests should not, in the opinion of Her Majesty’s Government, be looked upon as exclusively the subject of deliberation; while the opening of the Congo market is to be desired the welfare of the natives should not be neglected; to them it would be no benefit, but the reverse, if freedom of commerce, unchecked by reasonable control, should degenerate into license (*FO 403/47*, No. 28, 7 November 1884).

In other words, European commercial objectives along the Congo were part of a bundle of civilizational practices that ought to be tempered by moral concerns. Others at the conference shared similar sentiments. In his opening remarks, Bismarck linked European exploration and commercial movements along the river to the service of peace and humanity. Unlike discussions

about the Rhine or Danube, diplomats at Berlin paternalistically discussed “reasonable controls” that ought to be applied to two degenerate commercial activities that would hinder African’s civilizational progress: the trade in slaves and spirits.

Although not an official objective of the conference, the desire to end the slave trade permeated discussions on free trade. The Portuguese took credit for introducing “the seeds of civilization into Africa” and highlighted, without any intended irony, the “sacrifices which she has made to arrive at the total suppression of the Slave Trade in those territories” (Protocol 2). The Italian Ambassador enthusiastically backed the proposal for all powers to suppress slavery and stated that this “high treason against humanity should be comprised, like piracy, amongst crimes against international law, and punished as such” (Protocol 2, 5). These statements of moral indignation were underhandedly directed at the ‘Arab’ slave traders that capture the late-19th century European imagination as the perpetrators of this vile practice. All diplomats agreed and the General Articles of the Berlin Conference declared the Congo basin may not be used as “a market or means of transit for the trade in slaves, of whatever race they may be” and all Powers vowed to punish those who did (Article 9).

In addition to trade in human beings, diplomats at the conference also took up the “traffic in spirituous liquors” as questionable on an international river. First raised by Italy, the effort to limit the alcohol trade was then taken up and extended by M Serpa from Portugal who proposed the prohibition of liquor and spirits as well as “wooden collars, whips, and other instruments of torture made use of by slave-proprietors” (Protocol 2). The sentiment was later echoed by Malet (Britain), Count van der Straten (Belgium) and Mr. Kasson (US) at the fifth meeting. As Percy Anderson of the African Company noted in a submitted report to the conference, “It would be a disaster for the humane cause and a reproach to all civilized nations if the result of contact with foreign commerce should give birth to a passion amongst the native which would demoralize and degrade them.” While his company stood to make financial gains from any increases in trade, it would be countered “by the return to barbarism of these countries” (Gavin and Betley 1973: 223-4, Annex No. 16, Protocol 5). The campaign to limit trade in alcohol added a new dimension to principles of freedom of commerce and European transboundary river principles as applied to Africa. Prohibiting immoral trade was not part of the discussion at the creation of the Rhine and Danube Commissions. As directed towards the dark heart of Africa, the civilizing purpose of free trade took on more paternalistic and evangelical undertones.

These two moral stipulations against free trade prompted Leopold in 1889 to call an anti-slavery conference in Brussels to discuss how the prohibition against the slave trade and liquor might be enforced. While Leopold claimed the 1889 conference was convened for humanitarian motives, he was actually strapped for cash to finance his Congo schemes and aimed to override the 1885

Berlin Conference's prohibition against levying tariffs in the Congo. The resulting agreement, the Brussels Conference Act of 1890, allowed the Congo Free State to levy a 10 percent import tariff, thus violating freedom of commerce as stipulated by the Berlin Conference (Craven 2015: 56). Through these and other international ploys, Leopold continued to manipulate international moral sentiments to further his own purposes.

Hence, the battle lines were drawn. France and Portugal viewed the Congo basin as a private colonial space where colonial powers who held sovereignty granted freedom of navigation and commerce to other nations. In contrast, Germany, Belgium and Britain understood the Congo as an international space where freedom of navigation and commerce were intrinsic characteristics of the river basin and did not depend on the acquiescence of any European power. However, this understanding of the African river as an international commercial entity had subtly shifted from previous interpretations as applied to the Rhine and Danube Rivers. The Congo's identity as an international river and a commercial highway was now qualified by an explicit moral aim to civilize, and to restrict trade that did not civilize. This change had direct implications for how the principle of freedom of commerce would be applied in West Africa, particularly with respect to Arab traders who in the eyes of the Europeans perpetuated immoral commerce. Therefore, imbedded in European understandings of the Congo Commission from the beginning was a tension between the river as a humanitarian and civilizing instrument and the river as a touchstone of European imperial competition.

Model Two: The International River Commission

The second European model, related to but separate from the principle of freedom of navigation and commerce, was an international commission established to regulate navigation on the river to make free navigation possible. After all, international norms do not implement themselves. A practical body was needed to implement the norms by maintaining navigation lanes and creating and enforcing regulations. On the Rhine and Danube Rivers, the practical body took the form of international commissions and diplomats aimed to establish a similar body on the Congo basin. However, West Africa represented a different geopolitical space to Europe, and diplomats in Berlin were not naïve to how problematic extending the European model to West Africa might be. Prior to Berlin, the British Foreign Office meditated on the lack of "well-defined territories of civilized States" as a problem for establishing a cooperative institution to manage the Congo: "The problem therefore to be solved is the application of the general principles of the Treaty of Vienna to the very different circumstances that present themselves in Africa" (*Granville to Plessen*, 8 October 1884).

The British may have intuited that implementing European institutional models in Africa would be different, but they did not realize that the difference lay in the shifting meaning of the river. While European actors argued over whether the Congo River was private sovereignty territory or international highway, the construction of the Congo River as a highway that carried both commerce and civilization into a barbarian space was different than conceptions of the Danube and Rhine Rivers at the time those commissions were established. As a colonial space, the Congo River did not just lack “well-defined territories of civilized States” but also was subject to a different set of power configurations than European rivers. Applying a set of European principles and institutions to a different geopolitical context proved problematic.

The Danube Commission loomed as a model to be imitated or to be derogated from for those at Berlin. Prior to the conference, the British Foreign Office had written to Mr. Sanderson, British representative on the Danube Commission, for him to explain “the manner in which, in practice, effect is given to the decision of the European Commission of the Danube” (*FO 78/3724*; Lord Fitzmaurice to P Sanderson, 20 October 1884). Sanderson replied with details on how the Commission managed financial affairs, established regulations and enforced those regulations on the Lower Danube. He describes how the Commission coped with its tricky role of enforcing international navigation regulations between competing states (*FO 403/46*, 27 October 1884, No. 90). Despite some awareness that the West African context might be different, discussions of institutional design at Berlin reflected only European geopolitical fault lines and did not address the very different meaning of the Congo River.

All the states at Berlin agreed in principle on the founding of an International Commission of the Congo based on the Rhine and Danube models. But this seeming formal cooperation concealed conflict over the nature of an International Commission: would it be an independent body capable of independent action or a dependent body whose actions relied on the changing politics of participating European powers? In other words, would the new body independently oversee an international river or be subordinate to riparian powers on a private, colonial river? Fundamentally, the question still revolved around contested meanings of the Congo River. No European nation owned it before. But now, as European commercial and moral interests in Africa grew, was the empty river basin an invitation to be conquered and civilized by individual European powers or is it an international space to be administered by an international body?

These opposing understandings of the river competed within the formal language of cooperation used at Berlin. During discussions, Belgium, Germany and Great Britain largely advocated for a strong, independent Commission with full powers to regulate navigation and commerce while France and Portugal, supported by Russia who continued to object to the Danube Commission, pressed for giving the body as little power as possible (Crowe 1942: 131-33). Diplomats agreed

the Commission would take on certain functions similar to the Rhine and Danube Commissions: remove any hindrance to freedom of navigation; collect standardized fees needed to do so; draft navigation regulations; and police them. But the conference remained divided on how the Congo Commission would execute these functions.

The Russian delegate to Berlin, Count Pyotr Kapnist, began the fifth meeting on 18 December 1884 by objecting to the universality of the Rhine and Danube models. In his opinion, diplomats at the conference had a “tendency to enlarge and generalize the range of the Acts relative to the Danube... and to turn these Acts and these resolutions into doctrine of international law.” He maintained that the Danube Commission was not a general application of the Final Act of the Congress of Vienna, but an exceptional circumstance due to the lack of effective sovereign control on the Danube delta. Hence, the Danube model’s application to the Congo should also be considered the exception rather than the rule since the model would not be applied to the Niger. The Austral-Hungarian delegate Count Szechenyi agreed with this view (Gavin and Betley 1973: 174-183, Protocol No. 5). In this interpretation, the river is only internationalized as a last resort when all other authorities failed. Therefore, the International Commission would not be a way to prevent conflict but to manage the outcome of conflict. Germany and Britain did not object and the conference adopted this interpretation.

In fact, the Danube model was not faithfully applied to the proposed Congo Commission. The battle was fought on two issues—the sovereignty of the commission and its ability to borrow money. On the issue of sovereignty, the Commission would only be independent of territorial authorities “where no Power exercises sovereign rights”. On places where there is a sovereignty power, the Commission will “concert its actions (*s’entendra*)” with that power (*General Act*, Article 20). However, the Berlin Conference itself installed a sovereign power over most of the Congo Basin as all states recognized Leopold’s IAC and the Congo Free State as sovereign over the space⁷¹. The Portuguese and French also held authority over portions of the river basin. An established Congo Commission would have to coordinate with these competing powers (Crowe 1942: 134; Banning 1927: 28-9). Hence, even if the Commission had been created, it would have had little latitude for independent action. With these stipulations and the creation of the Congo Free State as sovereign over the Congo basin, the Commission became a diplomatic formality never to leave the pages of the legal document.

Second, the Danube Commission had the independent power to borrow money with its debts guaranteed by the Commission’s participating states. This allowed the Danube Commission to take on engineering works to improve navigation; duties would be collected afterwards to repay

⁷¹ The US, Germany, Great Britain, Italy, Austria-Hungary, the Netherlands, Spain, France, Russia, Sweden, Norway, Portugal and the Belgian government all concluded treaties with the IAC recognizing

the loan. If the Congo Commission was to become an effective institution, it also needed funds to cover startup costs. At first, Germany had suggested that the Congo Commission's loans be guaranteed, and Britain and Belgium supported this proposal. However, the French and Portuguese disagreed and won out against this proposal. The final wording stated that the Congo Commission can negotiate loans but only "in its own name" and "exclusively guaranteed by the revenues raised by the said Commission" (*General Act*, Article 23). Undoubtedly few private European investors would risk negotiating a loan with a new International Commission in an unknown continent without a guarantor. In effect, the proposed Congo Commission was left without viable funding.

On paper, the General Acts of the Berlin Conference and the proposed Congo Commission seemed like the seamless continuation and consolidation of an established European institution to manage international rivers. However, given the above limitations, it is no surprise the Congo Commission never became a reality. Even if it had been established, the Commission would have had little independent life. The outward continuity of norms and institutions at Berlin was deceitful and no more than a fig leaf over European powers' territorial ambitions—and no one was more ambitious than King Leopold II. Once the diplomats at Berlin recognized the IAC's sovereignty over the Congo, and the organization became synonymous with the Congo Free State, Leopold had finally secured his colony. The meaning of the Congo River that won out, then, was not the river as an international highway, but as a blank territory and invitation for colonial conquest and subjugation. Therefore, at Berlin, seventy years after the freedom of navigation and commerce was enshrined in the 1815 Treaty of Vienna and a Commission was established on the Rhine to implement that treaty, the validity of the principle and its appropriate application were still in question.

Institutional Failure

The abortive 1885 Congo Commission demonstrated the problem with how IR conceptualizes international norms and institutions. On paper, the conference seemed the flawless example of cooperation between states leading to the advancement of international norms and institutions. In reality, the conference was a failure for the institution for the management of transboundary rivers—in fact one can even view the conference as fashioning a new institution of colonial occupation by establishing the principle of effective occupation. However, the Commission did not fail simply because of Leopold's schemes, but because European powers at Berlin tried to generalize their institutional model onto a river that was imbued with different meanings and subject to different power configuration than the Rhine or Danube.

It's Not Just the Economy

Mathew Craven highlights a paradox in how subsequent scholarship characterizes the legacy of the Berlin Conference. Some historians, such as Crowe and Pakenham, conclude that the conference was a complete failure. Pakenham wrote of the conference: “there were thirty-eight clauses to the General Act, all as hollow as the pillars in the great saloon” (1991: 254). The Berlin Conference indeed failed to secure freedom of navigation and commerce along the Niger and Congo rivers; monopolies quickly arose along the rivers and particularly the Congo basin which became the private domain of Leopold II (Crowe 1942: 3). Other scholars, particularly international lawyers, pinpoint the Berlin Conference as a pivotal global moment where Africans were stripped of their competence as legal actors and Africa was transformed into a “conceptual *terra nullius*” ripe for European conquest (Anghie 2005: 91). How can the same conference have been such a failure and yet such a pivotal historical milestone?

Craven squares the circle by arguing that the Berlin West African Conference of 1884-5 was both an anti- and pro-colonial enterprise—that like Foucault’s carceral system, the Conference created “an institution whose effect may be traced through the apparent confounding of its own expectations” (2015: 35). Rather than setting out to divide Africa, participants at the conference genuinely intended to create an international, neutral and non-sovereign space in the Congo basin and along the Congo and Niger rivers.

To deter colonization, diplomats took away the economic incentive for would-be colonizers. No imports and exports duties could be levied on goods except for a non-discriminatory fee to cover the expenses of maintaining freedom of commerce and navigation. Hence, colonizing the Congo will not pay off economically. But in internationalizing the Congo basin and Niger and Congo rivers, the conference also transformed it into a *terra nullius* ripe for those who did not mind the economic expense. In essence, the framers of the Berlin agreement misunderstood the impetus for late-19th century European imperialism. The outcome of the Berlin Conference was designed to solve rational cooperation dilemmas, but failed to account for non-economic logics such as power, prestige and status that mixed with economic and civilizing missions into a complex basket of motivations that drove Europeans in the scramble for Africa.

It is easy to believe that one man was responsible for the failure of international norms and institutions to effectively govern the Congo. While Leopold bears a large portion of the blame and infamy for the atrocities that subsequently occurred along this ‘international’ river, he did not acquire the Congo purely through his own carefully planned malevolence. His meticulous strategy of hiding his motives behind the pretense of humanitarianism and free trade and the use of the IAC as a legitimate front made it easier for other states to consent to his ploy, but ultimately, he was in the right place at the right time amidst a greater European power struggle.

It would not have taken much reflection to see through Leopold's scheming. In addition to Leopold's enemies in Belgium, and Bismarck, who had his suspicions, observers on the ground also voiced their skepticism towards Leopold's supposedly humanitarian plan. As an example, a letter dated 22 March 1884 from Nowell Salmon, British Rear Admiral and Commander in Chief of the Cape of Good Hope and West Africa Station, to the Secretary of the Admiralty describes a brief journey Salmon took up the Congo River:

The Association or Comité or Stanley is still pushing on at enormous expense above Stanley Pool; the traders are much puzzled at their proceeding, for while professing purely philanthropic motives, it is acquiring territory and making trading treaties...

Whatever may be the ultimate object of the International Association, I cannot believe that the Stanley route, with its alternative river and land stages will ever become a trade route, even now any one going to Stanley Pool will prefer walking the whole distance... The Congo is no doubt a grand river to look at but above Boma its navigation is ordinarily difficult and even dangerous... Banana [a port at the Congo's mouth] seemed a busy place: there were lying there four steamers: I cannot, however, think the trade is sufficient for so many and such expensive establishments as have been formed on the river. I have no doubt that part of the present activity is the result of the action of the International Association (*ADM 123/87*).

During his short trip, Admiral Salmon noted two major contradictions between Leopold's goals and his actions. First, the IAC declared only non-political, philanthropic motives so why was it furiously signing treaties that required native tribes to give up full sovereignty over their land? Second, the IAC proclaimed free trade as an animating feature of its activities, so why did the IAC choose to develop such a problematic river to navigate? As described previously, from Stanley Pool to the Atlantic Coast, the river descends 1,000 feet through dangerous cataracts that barred navigation. Building a railway between the Atlantic and Stanley Pool across the jagged canyons, as Leopold intended, would be difficult and expensive. The invention of the rubber tire was still several years in the future,⁷² and as Admiral Salmon noted, there was not enough trade to warrant Leopold's interests in the Congo River as a major trading artery. As Salmon insinuates, something else was afoot.

He was not the only one. The Assistant Under-Secretary of the Foreign Office Thomas Villiers Lister saw copies of Leopold's treaties that reached the British Foreign Office and wrote to Granville in May 1884 asking him not to recognize the IAC as an independent power at the upcoming conference as the US had foolishly done and the French had greedily done. Lister declares that Leopold is perpetuating a fraud and asks Granville to beware of the "shabby and

⁷² The first pneumatic tire that could be easily manufactured was patented in 1888. The pneumatic tire required rubber—a natural resource that was plentiful in the Congo—and made the Congo colony lucrative. Many of the most egregious stories of abuse and criminal violence in the Belgian Congo in the following decades come from Leopold's rubber plantations.

mischievous trick which the King [Leopold] has played” (*PRO 30/29/198*, 20 May 1884). Great Power Politics at Berlin, however, made British recognition of the IAC imperative.

Despite Leopold’s duplicity, he was not playing an unknown game. The French, the Portuguese and the British competed to sign treaties up and down the West African Coast for native leaders to cede their land or become protectorates. The British sent Colonel E. H. Hewitt. Admiralty records reveal land signed away for a pittance and treaties with an ‘X’ marked next to a long list of chiefs’ names. “A French man of war anchored off the bar of the Cameroon River... made a treaty with King Passall to cede the country to the French; payment to be made to him of £2000 or £3000 pounds and an iron house” (*ADM 123/87*, 13 November 1883: 94). Brazza for the French along the Congo, Joseph Thomson for the British in Northern Nigeria, and Carl Peters for the Germans in East Africa all busily collected treaties with native authorities (Craven 2015: 40-1). Hence, while Leopold’s treaties with native chiefs were strange given the IAC’s claim to be a purely humanitarian organization, his true purpose and techniques were not.

It is possible that some representatives at Berlin believed Leopold’s smokescreen; after all, Leopold had charmed, maneuvered or blackmailed his way to recognition from three states—America, France and Germany—before the conference began. Throughout the negotiation of the Anglo-Portuguese Treaty, Leopold had engaged in an amiable exchange of correspondence with Lord Granville, the British Secretary of State for Foreign Affairs. Granville was sympathetic to Leopold’s view even after British public opinion and the British parliament turned against Leopold at the revelation of his agreement with France (Crowe 1942: 78; Anstey 1962: 173-4). However, the players at Berlin believed Leopold because it was convenient not to dig deeper.

Put bluntly, France did not want the Congo to fall into British or Portuguese hands, the British did not want the Congo to fall into French hands, the Germans did not want the European balance of power to shift too much in any direction and the British, Germans and Americans all wanted free trade. Bismarck was right; the map of Africa began with balance of power in Europe. Recognizing the IAC and its control over the Congo seemed like a win-win situation for all involved. But what seemed like successful cooperation was actually hopelessly flawed in fostering two divergent interpretations of the Congo River—both as a humanitarian conduit to spread free trade and civilization to Africa as well as a token in the balance of power in Europe. The Congo could not successfully be both. Those who hoped for the former placed their faith in generalizable institutional models founded on the legitimacy of European River Commission. Those who hoped for the latter allowed them to do so.

The formal treaty language at Berlin followed the logic of the river as an economic entity to be opened and preserved for free trade and commerce. The treaty dis-incentivized actors from privatizing the river for economic gain. However, over-confidence in this model created blinders against the political implications of the unresolved meanings of the Congo basin that pulled at the heart of the conference. Leopold took advantage of the unresolved meanings to hasten the breakdown of cooperation and establish his own meaning of the river as his own personal private property. He did not attend the Berlin Conference but became the principal winner as he walked away with a personal colony 76 times the size of Belgium.

Of Generalizable Models

Related to ambiguities about the Congo as sovereign and territorial or international, an economic instrument or a political river was the questions of cooperation along international rivers in general. Was the Berlin Conference's intention to create a commission on the Congo River part of a long-term governance project to institutionalize the international management of a new category of 'international' rivers? This speaks to whether the international river had become a broader concept in international politics to be generalized across time and space or whether the Danube delta was a one-time anomaly.

In making the link between Berlin's short-term failure and long-term importance, Craven argues that "for freedom of commerce to become the 'rule' in Central Africa, it was dependent, above all else, upon the creation of the requisite infrastructure—ports, warehouses, roads, railways and telegraph systems". To construct the requisite infrastructure required "the full armature of sovereignty" to engage loans and provide security and so the logic of free trade not only allowed but invited colonization of the Congo (2015: 55). This argument makes sense in the singular context of the Berlin Conference as a standalone historical moment. What Craven's argument side-lines is the historical context at Berlin and the role played by the Danube Commission model. The Berlin Conference was not the first European attempt to create a commission to manage a river as an international highway. The Danube Commission provided an alternative method for securing loans and building infrastructure to establish free trade and navigation. The Danube Commission demonstrated that a river commission can have independent powers to negotiate international loans and police the Danube delta. It is a model that diplomats at Berlin knew about but did not reconstruct.

Diplomats at Berlin did not and could not reconstruct the Danube Commission precisely because the Congo basin presented a different sort of space than either the Rhine or the Danube Rivers—an empty colonial space on which European powers hoped to write their own imperial greatness. While the British, French and Germans aimed to use the conference to reinforce

international order and balance, the Russian and Austrian delegates used the conference to reopen and recontest the model of the Danube Commission and the meaning of an international river by claiming the Danube Commission was the exception rather than the rule. Therefore, while it seemed that progressive advancement of international norms and institutions from the Rhine to the Danube should have continued in 1885, actors used different meanings of the international river to drive fissures into the model of the international river commission. Hence, the case of the Congo River Commission warns us against adopting a smooth and global story of gradual progression in the increase of international cooperation along international rivers.

Conclusion

In a newspaper article in 1896, Henry Morton Stanley wrote that the period immediately after the Berlin Conference reminded him of “the way my black followers used to rush with gleaming knives for slaughtered game during our travels... I do not blame them at all; on the contrary, I think it admirable, necessary and inevitable. The starving white man must be satisfied, or he will become ugly” (*The Logansport Reporter*, 27 February 1896). Stanley’s observation illustrates nicely the dark side of what the Congo represented in the European imagination. While his earlier writings described the Congo as a conceptual emptiness waiting to be filled by the civilizing force of European commercial practices, this later comment shows a different side of the Congo basin a mere token in European rivalries. The Congo as a colonial river retained both meanings, and as this chapter has demonstrated, diplomats’ technocratic faith in rational international institutions to deter aggression and stem the tide of violence left the Congo basin vulnerable to exactly what they had hoped to avoid.

Chapter 9:
International Rivers in the 20th Century and the Problem of History

The failure of the 1885 Congo Commission to promote international peace and security along the Congo basin did not hinder the spread and consolidation of international river commissions as a tool to fashion cooperation. The following brief chapter follows the history of international cooperation on the Rhine, Danube and Congo Rivers into the early-20th century with another critical European diplomatic event: the 1919 Treaty of Versailles. I will contend that the Paris Peace Conference viewed cooperation along international rivers as a technocratic and apolitical task that follows in the progressive footsteps of previous conferences. The chapter then moves through the 20th century and highlights historical moments on each of the three rivers discussed above that counter the narrative that international institutions are necessarily progressive and apolitical forces for peace and cooperation.

1919 and the Treaty of Versailles

While this dissertation focuses on the creation of three international river commissions at three 19th century diplomatic conferences, negotiations over the international institution governing transboundary waterways continued at the 1919 Treaty of Versailles and beyond. The following section briefly outlines how at Paris in 1919, European diplomats and policymakers continued the themes discussed in this analysis—treating international river governance as a technocratic story of institutional progress while using the supposedly functional institutional framework as a political tool to tame dangerous forces in international relations.

World War I began on the Danube River with the first shots of the war fired from gunboats in a bombardment of the Serbian capital Belgrade. The war raged along the Danube. Serbians mined the river at its border with Austria, and Austria sent military supplies and mine layers downriver to its potential ally Bulgaria. The Danube Commission continued to operate as previously until Romania declared war in August 1916, but the closing of the Dardanelles meant the Commission could no longer receive funding and fuel from Western Europe and was unable to continue engineering works (Chamberlain 1923: 126). With the outbreak of the Romanian War, the Central Powers established a new Danube Commission based on the Rhine Commission. This new body included only riparian states and held a supervisory role rather than executive powers as before. Romania's surrender in November 1918 returned the river to Allied control, and in April 1919 a provisional Danube Commission under the command of British Naval Officer Sir Ernest Troubridge was established to aid the distribution of relief goods and continuation of commercial shipping (Temperley 1920, Vol 2: 311; Popper 1943: 241).

The Rhine and Congo Rivers were also involved in World War I, albeit less dramatically. An international legal quarrel arose on the Rhine as the Allies disputed the transport of sand, gravel

stone and scrap metal to Germany along the river. The Dutch, however, argued that the material would be used for civilian purposes rather than military, and therefore according to the Rhine convention, should be allowed to be shipped despite the war (Chamberlain 1923: 266-8). In the Belgian Congo, the colonial government mobilized the *Force Publique*, the colony's military and police force, which fought on three fronts—Cameroon, Rhodesia and German East Africa (Van Reybrouch 2014: 132). In addition, the Congo's rich copper mines supplied the British and American armaments. Artillery shells on the European front contained brass casing made of 75 percent Congolese copper (Van Reybrouch 2014: 136). The increase in copper exports also made the Belgian government-in-exile rich. In war as in peace, the Congo basin's abundant natural resources remained a curse that enriched its masters by fueling the machinery of death.

A Story of Technocratic Progress

The 1919 Paris peace conference was dominated by the Council of Four comprised of the main victors of the war: Great Britain, the United States, France and Italy. At its second meeting on 25 January, the conference created four commissions: first for assigning responsibilities and penalties; second for assigning reparations for damages; third for discussing international labor regulations; and lastly for discussing international control of ports, waterways and railways. All four were considered technical bodies, but particularly the final body. At the first meeting of the Commission on the International Regime of Ports, Waterways and Railways, Albert Claveille of France opened the session by noting that France's second member to the Commission would be "at one time an Engineer, at another a Professor of Law, or any other qualified person according to the nature of the question" (Dockrill 1989: 68).

Furthermore, while delegates at first agreed to discuss general principles of freedom of transit and then move to the specifics, the Commission eventually decided to begin by deliberating concrete cases. Indeed, the French representative recommended that the Commission begin with the simplest case—the case of the international regime of rivers—where the Commission's work would be eased by "such concrete and old-established precedents" (Dockrill 1989: 82). Therefore, the Commission's work was presented as a continuation of the practical work began in 1815 with merely the added task of improving on old-established framework. Technical experts such as engineers and law professor would advise in deliberations as they had done throughout the 19th century.

All four technical commissions except the reparations commission were to be composed of two representatives from each of the five victorious powers—the Council of Four plus Japan—and five representatives elected by other states. At the 25 January meeting, Belgium followed by Brazil, Serbia, Greece, Portugal, Czechoslovakia, Romania, China, Siam and Poland protested

this unfair allocation of representation and requested positions on the four commissions (Finch 1919: 172-3). In response, Clemenceau stated the Great Powers responsible for winning the war could reasonably exclude all other states and consult solely among themselves. However, their fairmindedness has allowed delegates from other states to participate. But if every country had a seat on every commission, nothing would be accomplished. Hence, procedures were established to ensure that the “immediate and useful work” could be accomplished (Finch 1919: 173). In the specific case of the Commission on Ports, Waterways and Railways, Czechoslovakia, Poland, Portugal and Rumania were also given seats on the body after persistent petition. Within a few months, the Commission had established new administrative bodies on the Elbe, the Oder, the Niemen, the Rhine and the Danube⁷³. Clemenceau’s response to the issue of representation was meant to suggest that practicality and efficiency more than politics limited the participation of smaller states.

The previous tension between interpreting the transboundary river as private or shared property and interpreting the river as international commons was absent at Versailles—largely due to the absence of Germany and Austria-Hungary, the two major pre-war riparian states on the Rhine and Danube. Nevertheless, the Netherlands, who did not sit on the Commission, sent a special delegation to argue for a return to the pre-war Central Commission of the Rhine comprised of only riparian states. In a report to the full conference, the Commission’s president Italian representative Silvio Crespi noted the Netherlands’ protest but maintained that the Commission “had already come to the conclusion that an International Rhine Commission as necessary” (Dockrill 1989: 90). Finally, it seemed, the international interpretation of the river had won out over petty national interest to maintain exclusive control over the waterways.

The 1919 Versailles Treaty adopted sweeping measures streamlining the joint management of international rivers. On the Danube, the Treaty re-established the European Commission with a temporary membership of Britain, France, Italy and Romania until another conference could be held to determine its future (Article 346). In addition, the Treaty established the International Danube Commission to manage the navigable river from Ulm to Braila⁷⁴. It would be comprised of two German representatives, a representative of every riparian state and one representative for each non-riparian state on the European Commission (Article 347). The Treaty re-created the Rhine Commission under the 1868 Mannheim Convention with headquarters in Strasbourg, newly reclaimed by the French. The membership, however, would include non-riparian states

⁷³ These rivers were declared ‘international’ to include “all navigable parts of these river systems which naturally provide more than one state with access to the sea, with or without transshipment from one vessel to another; together with lateral canals and channels constructed either to duplicate or to improve naturally navigable section of the specific river” (Miller 1919: 676).

⁷⁴ See Chapter 6 for more on the division of the Danube River between management of the navigable river between Ulm in Germany and Braila right before the Danube delta, and the management of the river’s seagoing section as it meanders through the Danube delta. This latter was the purview of the European Commission of the Danube.

with two representatives from the Netherlands, two from Switzerland, four from Germany, four from France, two from Britain, two from Italy and two from Belgium (Article 355). Therefore, British aims at Vienna in 1815 and Paris in 1856 were finally achieved—the Rhine and Danube would be considered international rivers their entire navigable length and would be managed by an international commission with non-riparian states to guarantee impartiality.

In other words, as American representative to the Commission David Hunter Miller wrote, “The principle of freedom of international rivers has been contended for since at least 1792” has finally been codified at Versailles (1919: 675). Further, Miller insinuates that this step towards closer commercial integration brings Europe closer to peace and prosperity just as the interstate commerce clause of the US constitution brought the union together. Miller quotes a letter from Clemenceau that declares:

The Allied and Associated Powers believe that the arrangements which they propose are vital to the free life of the new inland states that are being established and that they are no derogation from the rights of the other riparian states. If viewed according to the discredited doctrine that every state is engaged in a desperate struggle for ascendancy over its neighbors, no doubt such an arrangement may be an impediment to the artificial strangling of a rival. But if it be the ideal that nations are to cooperate in the ways of commerce and peace, it is natural and right. The provision of the presence of representatives of non-riparian states on these river commissions is security that the general interest will be considered (quoted in Miller 1919: 683).

Clemenceau’s words echo arguments since the 17th century from Montesquieu through Adam Smith to Richard Cobden and Lord Palmerston that free trade brings peace and cooperation. The international river, as a natural commercial thoroughfare, reinforces the liberal contention that free trade is a natural and moral right. A truly international commission preserves this natural, moral gift of the commercial river against the discredited Machiavellian notions of anarchic international competition. Hence, these institutions tame destructive political rivalry as it tames the wild, destructive river.

It was in this period of liberal euphoria that historians and commentators would look back on the 1815 Rhine Commission and the 1856 Danube Commission as stepping stones towards the comprehensive regime in 1919 that finally establish the principle of freedom of navigation and commerce along international rivers for ships of all nations. Ahead of the peace conference, Edward Krehbiel published an article in *Political Science Quarterly* extolling the moral virtues of the Danube Commission, arguing that “the moral sovereignty... of an international joint agent become more effective for good because it offers an organ through which nations can approach one another on the basis of common or united action, instead of as rivals” (1918: 49). Similarly, Leonard Woolf marveled at the Final Act of the 1815 Congress of Vienna, writing “it is remarkable... that the navigation declaration was not only the first example of deliberate

international legislation, but it led to the creation of the first international Executive in the Danube Commission” (1916: 29). In Kaeckenbeeck’s 1918 volume on international rivers, he introduces the work by admitting that “if he [the author] is at all biased, it can only be in favor of a true and loyal international spirit, and in opposition to national egoism and bad faith.” He goes on to suggest, given the opportunity with the cessation of conflicts in the Great War, “why not create a new committee of navigation to improve upon, and complete, the work of the Committee of Navigation of the Congress of Vienna?” (1918: v-vi). These accounts conceived the 19th century development of international river commissions as the progressive work of a rational and moral internationalism that would harmonize interests and discourage conflict.

The first secretary of the International Danube Commission Otto Popper (1920-29) celebrated the temporary Inter-Allied Danube Commission under Troubridge for its administrative and technical competence in restoring shipping to the Danube. He writes that under this temporary body, “politics were banned from transport which was considered exclusively a Public Utility Undertaking” (Popper 1943: 242). Further, Popper poetically muses, in addition to the three Great Powers on the Danube Commission, a fourth played an important role—that of “the spirit of modern technical science, represented by many outstanding personalities” who forged cooperation under difficult circumstances (1943: 245). One could extend Popper’s sentiments to the consolidation of the entire international regime governing transboundary rivers at Versailles in 1919 where the technocratic spirit finally won out over irrational, self-interested nationalism. It seems that finally after a century of institutional consolidation, the international institution managing transboundary waterways had finally become a truly international and impartial governance force. However, the next sections will challenge this narrative.

A Not So Liberal Peace

The agreements made governing international rivers at Paris in 1919 were not as liberal and impartial as it would first seem. Some historians have highlighted the treaty as a victor’s peace over a defeated enemy and an instrument to secure against future German aggression (Taylor 1961; Wood 1964).

In *The Economic Consequences of the Peace*, John Maynard Keynes dismisses the agreements concerning international river commissions as part of a set of petty treaty provisions designed to chastise and humiliate Germany at Versailles. He describes them as “pinpricks, interferences and vexations, not so much objectionable for their solid consequences, as dishonorable to the Allies in light of their professions” (1920, Chapter IV, Section iii). Here, Keynes’ states that he does not dispute the laudable goal of establishing freedom of navigation for all nations along international rivers. Rather, his harsh words criticize how the victors wished to carry out the principle. On the new Rhine, Danube and Elbe Commissions, Germany would have a minority

of votes while Great Britain and other non-riparian Allied states would be given prominent positions on the Commissions. For Keynes, this was not the creation of a liberal international institution to peaceably manage a contested transboundary geography. Rather, it was a victor's peace. It was a punishment where Germany's great waterways—vital economic resources—were “handed over to foreign bodies with the widest power” (1920, Chapter IV, Section iii). The river commissions were wielded as international political tools of power to control a dangerous Germany.

Other accounts describe the treaty more favorably but even they confess certain aspects of the treaty were not ideal reflections of their principles. Versailles extended freedom of navigation, as previously applied to the Danube, to an entire set of European rivers. Non-riparian states on these commissions would ensure that principles are applied fairly and larger riparian states do not dominate smaller ones (Chamberlain 1923: 133). However, even Chamberlain admits that some treaty provisions “look more like revenge than justice” (1923: 129), particularly Article 332 which, after declaring that ships of all nations would be treated equally, also states that:

Nevertheless, German vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power, without special authority from such Power (Article 332, 1919 Versailles Treaty).

Furthermore, the re-established Rhine Commission would have equal numbers of French and German Commissioners with a French President presiding—in spite of the fact that restored French economic interests along the Rhine remained minimal. Even Chamberlain saw no good reason for this beyond a purely geopolitical one (1923: 279). Worse, the European Commission on the Danube was re-established with only Allied states—Britain, France, Italy and Romania—with additional members to be admitted by the unanimous agreement of all members (Popper 1943: 243-4). As even Popper admits of the Statute of the Danube:

Unfortunately this fundamental document was drafted during a period when much of the original spirit of Wilson's Fourteen Points was beginning to fade. As it stands the Statute is a somewhat unsatisfactory compromise between broad conceptions and narrow-mindedness (244).

Even in conference proceedings, it was clear that the Commission on the International Regime of Ports, Waterways and Railways served not only as a functional platform but a political one. At the second meeting of the Commission, the British delegation presented a draft convention on the general principle of freedom of transit. The French responded that while they supported the noble sentiments that inspired the draft, such general principles were outside the purview of the peace treaty, particularly as such a principle “would apply equally to all nations, enemy as well as Allied and Associated”. To be more clear, French representative Mr. Claveille declared he would “take no part in anything which would give freedom of transit to enemies as well as to

Allies” (Dockrill 1989: 70). Belgium supported the French objection arguing that “care must be taken not to lose the benefit of the victory which they had gained over the Germans” (Dockrill 1989: 70). For the French and their supporters, even technical commissions at Versailles were avenues for imposing a peace settlement on Germany and the Central Powers, not for creating international norms and institutions where all states are equal. Despite its technocratic window-dressing, the underlying goal that animated the committee’s actions was political.

The German observers at the conference strongly protested the addition of non-riparian states to the river commissions. However, the Allies replied that these rivers had been international since the 1815 Congress of Vienna and their status have been confirmed by international conventions ever since. In addition, the river commissions would only carry out the technical application of Articles 332-337 of the Versailles Treaty which were in agreement with all precedence reaching back to the 1815 Congress of Vienna. Finally, the non-riparian states would ensure that the strongest riparian state did not dominate affairs (Temperley 1920, Vol 2: 107). Here, the Allied Powers made two main points: first that the river commissions were functional bodies designed to carry out uncontested, technical tasks; and second, these institutions were designed to tame international politics in a just and equitable way. Once again, Allied arguments eluded the contested nature of international river commissions by smoothing out its rocky history into a linear narrative of functional progress. The language of legal continuity served to mask the power politics behind the establishment of the supposedly functional body.

The Tragedy of International Water Politics

Viewing the history of international river commission from 1919, it would be understandable to conclude that the body of international norms and overall institution governing the management of transboundary rivers had been progressive and successful in fostering cooperation. What began as an orphan of Napoleonic reform had become recognized and enshrined in international law and practices as a model for interstate cooperation. In the following section, I suggest that reframing the narrative using different dates and goalposts can draw out tragic strains within the harmonies of international river cooperation.

The Rhine and Environmental Tragedy

In 1946, the Netherlands submitted a complaint to the newly restored post-World War II Rhine Commission consisting of the US, Belgium, Britain, France, the Netherlands and Switzerland. The complaint concerned the polluted condition of the lower Rhine River on which the Dutch depended for 61 percent of its household and agricultural water use. At first, the dire condition of the lower Rhine was attributed to wartime damage to Germany’s waste disposal and sewage

treatment infrastructure. However, the problem ran deeper. In 1950, the Dutch established an advisory council with France, Switzerland and the Federal Republic of Germany⁷⁵ to study the issue. After only a few years of measuring the river's pH levels, free oxygen, ammonia, nitrates, chlorides, phenol and radioactivity, the council concluded the lower river was so polluted that emergency measures would be required to save it (Lekan 2008: 114).

For over a century, the Rhine Commission had fostered interstate cooperation in transforming the river into an international superhighway. This objective was so thoroughly realized that at the start of the 21st century, the Rhine remains second in the world after the Mississippi River in terms of the volume of traffic (Cioc 2002: 4). However, the Rhine Commission's efficiency in taming the river into a rational commercial highway also meant the body's failure to appreciate the fragility of other facets in the river's relationship with society. Before the 1950s, experts and policymakers believed in the Rhine's self-cleaning properties. Environmental movements in the late-19th century attempted to preserve what they believe was 'pristine' nature in the form of reserves or parks rather than a holistic analysis of the river's health (Lekan 2008: 112). Hence, the 19th century conceptualization of the river as an economic highway, based on scientific faith in technocratic progress, made the Rhine Commission blind to the river as a habitat and source of clean water for human and animal populations.

The Rhine's environmental decline stemmed from three major transboundary water problems: waste disposal, industrial pollution and river rectification schemes. In 1897, Mannheim began dumping untreated sewage into the river. Worms, located eight miles downstream, depended on the river for drinking water and brought a lawsuit against Mannheim. Worms lost and was forced to reengineer its water infrastructure based on groundwater. The greater consequence, however, was that other cities felt they too could dispose of untreated sewage in the Rhine with impunity, and as late as 1956, twenty-nine riverside cities lacked property sewage treatment (Cioc 2002: 139-40; Lekan 2008: 115-6). In addition to organic waste, industrial pollution particularly in the Westphalia and Ruhr regions devastated the river. Chemical factories upriver producing dyes, explosives, fertilizer, acids, alkalis and paper also spurred the degradation of water quality even as they transformed Germany into an industrial powerhouse (Lekan 2008: 116). The Emscher River, which flows through Westphalia into the Rhine, was case in point. In the late-19th century, mining interests divided Westphalia's three Rhine tributaries into three functions: the Ruhr to provide clean water, the Lippe to serve as a transport canal, and the Emscher to be the sewage canal (Cioc 2002: 88). As a result, the river became an oozing black sewer. In 1901, bacteriologist Rudolph Emmerich, sent to investigate a typhoid epidemic, wrote of the Emscher River: "here we find a black, thick, swampy, rotten and fermenting manure,

⁷⁵ This body eventually became the International Commission for the Protection of the Rhine Against Pollution, chartered in 1963, with the addition of Luxembourg.

which hardly moves: during summer, gas bubbles burst, poisoning the surrounding area” (quoted in Cioc 2002: 91)⁷⁶. By 1920, a member of the Reichstag had dubbed the Emscher River *Der Höllenfluss*, the River of Hell.

Finally, the Rhine rectification projects that began with Johann Tulla in the early-19th century and continued by Eduard Adolph Nobiling under an ascendant Prussian state also contributed to the river’s environmental decline. Nobiling’s plans went further than Tulla’s to straighten the river into a rational, uniform transportation highway, creating a new type of artificial barrier still visible on the river (Cioc 2002: 56). These projects worsened pollution. In disciplining the river, the rectification projects ended seasonal floods, and therefore the floodplains no longer acted as a filter for toxins. In addition, the lack of seasonal floods meant that groundwater tables were not able to replenish, forcing riverside communities to depend increasingly on the polluted river (Lekan 2008: 117). As pollution worsened, a visible sign of the river’s declining health was the number of poisoned fish that washed up on the Rhine’s shores. In the 1950s and 60s, fish kills regularly blighted the river, prompting East Germany’s Socialist Unity Party to label the Rhine the ‘river of horrors’. In 1952, an article in the *Düsseldorfer Nachrichten* summed up the situation: “the mighty river is... no longer in a state where it can digest the dirt and masses of feces fed into it... the weakened self-cleaning powers of the river, which has been transformed into a cesspool, are no longer able to master them” (quoted in Lekan 2008: 122).

Therefore, in the aftermath of World War II, the Rhine was in environmental crisis not because the Rhine Commission had failed, but because it succeeded in transforming the inconsistent Rhine into a straight, consistent economic highway. The idea of the river as a wild space to be tamed through science for the economic benefit of society—an idea imbedded in the founding of the Rhine Commission—had path-dependent effects.

The Danube and Geopolitical Tragedy

Following another world war, another diplomatic conference convened in Belgrade in 1948 to establish a post-war settlement for the Danube. A familiar cast of characters attended including the US, the United Kingdom, France and Russia now the USSR. However, political control over the river had shifted—and for the first time since 1856, the West no longer exercised authority over the Danube’s mouth. As John C. Campbell describes in *Foreign Affairs* in 1949, “the three Western powers...were an impotent minority at Belgrade” as the Soviet representative Andrey Vyshinsky, “his manner overbearing and offensive”, dominated the conference and effortlessly pushed through Moscow’s draft convention (315). The new regimes of Eastern European sided

⁷⁶ Even the Ruhr River, which was reserved as the clean water supply, suffered as large quantities of water was removed for use thus lowering the water tables and slowing the flow. August Thienemann in 1911 described the lower Ruhr River as “yellow soup with foam” and “milky gray mud” (quoted in Cioc 2012: 92).

with Vyshinsky over the objection of the US, UK and France. The new Danube Convention did away with the International and European Commissions and returned to a commission of solely riparian states with one delegate each. The Soviet Union had gained territory along the river and was allotted two delegates (G.L. 1951: 424). The new Convention permitted Soviet warships to patrol the lower river and also created a Soviet-Romanian body to administer the Danube delta (Campbell 1949: 318). The Soviet Union's proposal reversed almost a century of agreements internationalizing the Danube as a neutral commercial highway.

Since 1856, the progressive consolidation of the European Commission of the Danube as the first truly international organization—with non-riparian states—seemed unstoppable, and it was repeatedly evoked as a model for other international river commissions. In 1930, historian Glen Blackbourn had celebrated the Danube Commission as an independent force in international politics, quoting the World Court which had found that the Commission “exercises its functions in complete independence of the territorial authorities” (1930: 1154). The 1927 World Court case emerged from a dispute between Romania and Britain over the Commission's jurisdiction, and Romania lost its argument against the Commission on all accounts.⁷⁷ For Blackbourn, the World Court's findings confirmed the Danube Commission's increased relevance and “is one demonstration of the growing recognition of the futility of arbitrary political frontiers not based upon logical economic considerations” (1930: 1159). Hence, the Commission's increased authority represents the victory of economic rationality over irrational self-interested politics.

Events in the 1930s disrupted Blackbourn's technocratic liberal narrative. Hitler's power over the Danubian states grew, and in 1939, he was allocated a seat on the European Commission. In 1940, Germany called a meeting in Vienna to dissolve the International Commission, removing French, British and American influence over the upper Danube River to Braila (Campbell 1949: 317). On the delta, the USSR's growing power also came into conflict with the liberal principles the West had fostered since 1856. What the West forgot about its own history along the Danube is that conceptualizations of the river, even rational and technocratic ones, must be unpinned by political authority. Even cooperative institutions a century in the making can be quickly undone in a geopolitical moment.

In December 1951, at its first meeting, the Romanian president of the new Danube Commission Grigore Preoteasa thanked the Soviets for defeating fascism and removing “the domination of the imperialist Powers...from the largest section of the Danube”. Under Soviet guidance, the

⁷⁷ The controversy was over whether the European Commission had jurisdiction over the Danube between Galatz and Braila. Romania claimed that the Commission only had technical and not ‘jurisdictional’ competence. In 1920, the commissioner wrote to the Paris Conference asking for clarification of its purview, but a collision in 1921 in this area prompted the Commission to take on policing and jurisdictional powers. Romania protested. In 1924, the case first went in to the League of Nations, which did not answer the question, and then to the World Court in 1926 (Blackbourn 1930: 1157-8).

new Commission can now finally work for the “economic and social progress of the Danubian nations” rather than only focusing on international navigation to support free trade in favor of the West as the previous imperialist commission had done (G.L 1951: 425)⁷⁸. The Danube as a connecting river had been reversed. The river was once again the joint private property of the Soviet bloc rather than international commons—a change in legal definition that reflected the distribution of political power along the river.

From his historical vantage point in the late 1940s, Campbell was much less sanguine about the technocratic institutions established following World War I. Campbell contends that rather than a question of economic liberalization, “the Danube has always been a political question”. While economics and trade had been repeatedly used as the pretense for controlling the Danube River, “powers which have been concerned either with opening it or closing it have been more interested in their influence and control in the Danubian region than in navigation on the river itself” (1949: 316). Hence, the river as an international commercial highway was neither inevitable nor natural; it was a tool used by the ascendant West to ensure their influence in Eastern Europe. The Soviets used a different conceptualization of the river to consolidate their influence in the Balkans. The tragedy here is the West’s conviction that their conceptualization of the river, as a rationalizing and taming force, and the technocratic institutions built around it had a progressive inevitability. Ideational path-dependence, in this case, blinded the West to oncoming change.

The Congo and Human Tragedy

The Cold War did not only transform international cooperation on the Danube, its geopolitical exigencies also shaped political landscape of the Congo River. In 30 June 1960, the Democratic Republic of the Congo (then called the Republic of the Congo) gained its independence from Belgium. On that day, Belgian King Baudouin’s speech in Leopoldville (renamed Kinshasa in 1966) haughtily told the assembled Congolese that Leopold II, “a champion of civilization,” and subsequent Belgian officials deserve “our admiration and your thanks.” In addition, Baudouin condescendingly told them that they “must prove that we have been right to trust you” (quoted in Gerard and Kuklick 2015: 22). Leading the Congolese was charismatic Patrice Lumumba, who became Prime Minister following his party’s electoral victory in May 1960. He responded to Baudouin’s paternalistic remarks by celebrating Congo’s struggle for independence: “we are proud of this struggle of tears, of fire, and of blood that... put an end to the humiliating slavery that was once imposed upon us” (quoted in Gerard and Kuklick 2015: 25). Lumumba’s assertive nationalism, as demonstrated by his impassioned speech, made him unpopular with the

⁷⁸ Interestingly, Tito’s break with the Soviets in June 1948 meant that the Yugoslav delegate refused to cooperate on the new Commission and remained a minority of one on all issues (G.L 1951: 426).

West. When Lumumba turned to the Soviet Union for help, the US Central Intelligence Agency was greenlighted to eliminate him, an order that came from President Dwight D. Eisenhower (Gerard and Kuklick 2015:143; Hochschild 1998: 30-2). Joseph-Desiré Mobutu, the military commander who helped execute the coup d'état, stepped into the power vacuum and established a dictatorship that lasted until 1997. Again, a Western power had acted to 'guide' the Congo down the 'correct' developmental path with disastrous consequences for the local population.

Lumumba's death was just one more human tragedy that has haunted the Congo River basin since the failure of the 1885 Congo Commission to ensure international cooperation rather than resource conflict in Africa. In two decades, an estimated 10 million Africans died in Leopold's quest for rubber wealth and imperial prestige. But he was not alone. Neighboring colonial authorities in French West Africa, German-ruled Cameroon and Portuguese-ruled Angola followed Leopold's example of forced labor and exploitation (Hochschild 1998: 278-80). Under the Belgians, the situation improved in degree but not in kind as crippling head taxes forced local communities to labor in plantations and mines as diamonds and copper became the key commodities in the early 20th century (Deibert 2013: 17). Following Lumumba's assassination and over three decades of oppression under Mobutu, the Congo was again plunged into conflict as neighboring countries rushed to plunder the Congo's resources, resulting in an estimated 3.8 million deaths between 1998 and 2004 according to the International Rescue Committee (Turner 2007: 3). The Congo's abundance in natural resources continued to be a curse as the mining of precious metals—including 34 percent of the world's cobalt used in US fighter jets and 64 percent of the world's known coltan reserves essential in mobile phones and computers (Deibert 2013: 107)—replaced rubber extraction as the reason for foreign interest in the Congo. These human tragedies arose from the interlinkages between international geopolitics, copious natural riches and the paternalistic, civilizing ideology that reliably accompanied any Western involvement in the region. Contrary to Stanley's late 19th-century promises, the Congo as an international river produced a trade that was anything but free and civilizing.

In addition, Belgium had done its best to monopolize and colonize the discourse by erasing all historical memory of Leopold's Congo Free State. In 1908, King Leopold II finally relinquished the Congo to the Belgian state in exchange for the state assuming 110 million francs of his debts along with 45.5 million francs to finish his building projects and 50 million francs as a "mark of gratitude" for Leopold's "great sacrifices". After the handover, furnaces reportedly burned for eight days in Brussels to destroy government records, and Leopold's agents in the Congo also systematically eliminated records there (Hochschild 1998: 297). In 1975, Belgian diplomat Jules Marchal asked to examine records of the 1904-5 Commission of Inquiry into Leopold's Congo holdings and was denied access. As late as 1959, textbooks for noncommissioned officers of the *Force Publique* stated that Belgians heroically saved the Congo from Arab slave

traders in “the most humanitarian campaign of the century” as they liberated “the decimated and exploited peoples of this part of Africa” (quoted in Hochschild 1998: 299). Jules Marchal’s persistence and Adam Hochschild’s eloquence have uncovered Leopold’s accomplishments to the world, but even in the early-21st century, few who enjoy the royal galleries at the Belgian beach resort of Ostend pause to contemplate what funded these lavish building projects.

Each successive wave of violence ripped at the social foundations of Congolese society. From Leopold’s use of women and children as hostages to ensure villages met stringent rubber quotas to modern militia groups’ use of rape as a weapon of war, these methods strike at not only the victims involved but can traumatize the entire community (see for example Pratt and Werchick 2004; Trenholm 2009; Meger 2010). And while the world continues to conceptualize the Congo River basin as an economic highway leading the West to enormous natural resources or a moral highway to finally bring democracy and civilization to the heart of Africa, other human or environmental understandings of the region remain sidelined or unexplored. Though the Congo Commission never transpired, the idea of the Congo River as a civilizing commercial highway continued to resonate. For most Westerners, the Congo basin remains a conceptual emptiness devoid of its own history and agency.

The Problem of Historical Narrative

The accounts of 20th century politics along the Rhine, Danube and Congo presented above are by no means comprehensive. However, they further anchor the argument of this thesis that it is deeply problematic to analyze international institutions as technocratic bodies that progressively consolidate over time as rational solutions to overcome barriers to international cooperation. Rather, institutional dynamics reflect both underlying social forces that construct the meaning behind the object of cooperation, and the political contingencies of each historical moment. No teleology can be implied and an institution that seems a resounding success in 1919 can within decades become an abject failure in international cooperation.

It is not inconsistent with the argument outlined here to suggest that different end dates might transform my tragic interpretations of each river commission into more hopeful narratives. Due to effective anti-pollution mobilization and policies, by 1996 the Rhine was designated one the cleanest rivers in Europe. After the collapse of the Soviet Union, the International Commission for the Protection of the Danube River was established in 1994. The body has become active in sustainable water management and pollution control, changing the former interpretation of the Danube as purely an economic highway. Local organizations along the Danube are even restoring oxbows and meanders to the river, absent since 19th century rectifications projects straightened the river, to help fish populations thrive (Thorpe 2013: 239). And one day in the

future, perhaps, we can look back from a peaceful and prosperous Congo basin on the 1885 Berlin Conference as a necessary stepping stone to eventual success. Perhaps all this is true; history is indeterminate. However, the tragic strains highlighted here are too often left out in favor of successful histories that celebrate technocratic development and contribute to the conception of institutions as always progressive.

Conclusion

Till taught by pain, men really know not what good water's worth – Byron, Don Juan, Canto II, LXXXIV (1819)

This dissertation has presented a new way of conceptualizing international institutions, based on a Constructivist meta-theoretical framework, which engages history and geography to uncover the functionalist assumptions that shape current understanding of international cooperation. In analyzing the 19th century beginnings of the international institution to manage transboundary waterways, this project made two interrelated critical points.

First, diplomats at each pivotal conference discussed in this work believed they were apolitical bodies gathered to resolve the technical question of river management and to apply, or modify, previously established models for their task. This belief stemmed from the construction of the international river as an economic highway to be tamed and domesticated for the benefit of global commerce—a construction that became imbedded in institutional models and adopted by subsequent scholarship on river commissions. Indeed, most scholarly accounts have described 19th century diplomatic committees established to discuss transboundary waterways as practical bodies formulating technocratic solutions. However, the detailed analysis of each diplomatic conference presented above challenges the view that these commissions solely dealt with apolitical and functional issues. Belief that they were functional bodies resulted in institutional outcomes which, particularly in the Congo, confounded diplomats' intentions. Second, this dissertation challenges the view that the 19th century presented a smooth, linear story of institutional progression and consolidation. Rather, as detailed in this work, each river commission was contested anew as variations in each river's place in the European imagination interacted with the political and geographic context and contingency to form unique institutional outcomes. Smoothing over history into one grand technocratic narrative has allowed subsequent scholars to perceive not only this first institution but all international institutions are functional tools to fashion economic cooperation. Too often left out of the analysis are the micro historical and geographic contingencies that shape diplomats' everyday practices and the macro social forces the underpin institutions.

As critical geographers have reminded us, the physical environment matters in global politics, not through straightforward causal mechanism as suggested by traditional geopolitical thinkers or their Realist cousins, but through a complex, co-implicated networks of power and meaning construction. As Constructivists have reminded us, even if they fail in their own terms, history matters in the study of international politics because history is the process of construction through which current social forces and political identities emerge. This occurs at the level of reality, the level of knowledge construction and the mutually constitutive process between the

two. To explore the historical forces that shaped the creation of the first international institution, this dissertation has analyzed the governance of international rivers as viewed through three 19th century diplomatic junctures or institutional turning points along three different rivers.

This project began with the creation of the Rhine Commission by the 1815 Congress of Vienna, convened following the Napoleonic wars. I have argued the transnational project to re-engineer the Rhine into an efficient economic highway was not a simple technical project, but a moral and state-building enterprise to make conquests from the barbarism of stagnation and disuses. Straightening the river and confining it to one riverbed would not only prevent floods, increase navigation efficiency and reclaim land from marshes but improve the temperament and outlook of the population. This Enlightenment faith in the ability of activist science to improve nature and society—akin to James Scott’s high modernist ethos—developed along with the Second Scientific Revolution at the turn of the 19th century. Through this scientific and cameralist lens, the Rhine was seen as an economic object that ought to be straightened, tamed and domesticated for human commerce—and along the way, rectifying the Rhine would be a moral and political project to build institutions to tame and improve society.

This construction of the Rhine River as an economic highway created the permissive conditions behind diplomats’ activities at the Congress of Vienna’s International Rivers Committee and allowed the Rhine Commission to be a political possibility. International conferences should not be seen as discrete units of analysis hermetically sealed off from the cultural and intellectual milieu of their times. Rather, the undercurrents of the Second Scientific Revolution seeped into the committee rooms to inform deliberations. At the 1815 Congress, diplomats debated whether to keep Napoleonic innovations in interstate river governance or to return to antebellum river practices along the Rhine. The conservative spirit of the Congress pushed diplomats to roll back Napoleon’s new-fangled institutions, but a rational, technocratic faith in taming river politics pulled diplomats in another direction. As Chapter 4 argued, the resulting compromise between the conservative interpretation of the river as private property and the liberal notion of the transboundary waterway as international commons reflected the two opposing impulses. While faith in the civilizing benefits of taming the river made the Rhine Commission possible, it was the historical and geographic contingencies of the Congress of Vienna that shaped the contours of the commission that emerged.

The Danube Commission created by the 1856 Paris Peace Conference was the first international executive body established to govern an internationalized space. Only riparian states sat on the Rhine Commission which had a consultative role rather than real executive power. However, the Danube Commission included non-riparian states that exercised fiscal, legal and executive authority over the Danube delta. This difference in institutional scope, I argued, emerged from a

different conceptualization of the Danube as an international river. As Chapter 5 detailed, rather than an internal road, the Danube was seen as a connecting highway that brought commerce, rational governance and civilizational values from the center to Europe to its periphery in the east. The East represented a liminal and unsettling place for Western European identities, and taming the river and particularly the anarchic delta at the far reaches of the river pacified this volatile and potentially violent connection. This construction of the Danube delta as an untamed and dangerous space absent of legitimate authority created the permissive conditions that allowed diplomats at the Paris Peace Conference to create a powerful international commission.

On the surface, the 1856 Danube Commission seemed a continuation and consolidation of the institution created at the Congress of Vienna. However, the Danube was a different river than the Rhine—and that variance was a product of both the river's natural hydrology and the river's place in the Western European imagination. The Danube slows down before entering the Black Sea, depositing sand and silt in the twisting channels of the vast delta. The natural debris and the inability of Russian authority to clear the debris hindered navigation and fueled international tensions. The Danube Commission created to govern the delta was at once a protest against the natural forces—but also the political forces—that failed to promote free trade along the river. As I argued in Chapter 6, the 1856 Danube Commission was not a direct application and continuation of the Rhine Commission and the 1815 Treaty of Vienna; the meaning of the international river had to be contested anew. The institutional outcome was not just a rational fix to a technocratic problem but shaped by the geopolitical contingency and power politics at play in the post-Crimea settlement.

At the 1885 Berlin Conference, European diplomats aimed to bring the institutional model of river governance developed in the 19th century with the Rhine and Danube Commissions to a colonial space. European explorers, mapmaker and legal experts all constructed the Congo basin as a blank space devoid of history and legitimate authority. The Congo River as a civilizing tool would fill this empty space with commercial rationality, rational institutions and the moral light of civilization. As detailed in Chapter 7, unlike the Danube River which connected Europe to a dissimilar but recognizable peripheral space, the Congo basin was a foreign, colonial space that required overt paternalistic guidance. The untamed Congo River posed unrepresented dangers to Europe. As Joseph Conrad's *Heart of Darkness* reveals, the dark heart of Africa threatened to strip Europeans of their morality and civilization. Taming and rationalizing the Congo River, then, was an attempt to guard against this reversal of the civilizational continuum.

At Berlin, diplomats aimed to apply European normative and institutional models to the empty Congo basin. However, while diplomats agreed on an international river commission similar to the Danube Commission, the commission remained only words on a legal document and never

became reality. If all parties at Berlin agreed to extend the international institution managing international rivers to the Congo, then what went wrong? Chapter 8 maintained that the geopolitical contest over the meaning of the Congo constructed the river as both a civilizing commercial highway and a token in the imperial competition over Africa. The first meaning made possible the creation of the Commission; the second meaning meant that the Commission would never come into fruition as the emptiness would be filled by the jealous ambitions of European states rather than rational cooperation. Diplomats' faith in the progressive advance of international river governance and its generalized ability to tame irrational politics meant they sidelined both the contingent history of the Congo basin and the specific European history that made the Danube and Rhine Commissions possible. The human carnage that befell the Congo River following the 1885 Berlin Conference illustrates the tragic potential of high modernist international schemes to tame and rationalize nature.

Technocratic Hubris and Ideational Path-Dependency

While each river analyzed in this dissertation takes on a different shades of meaning in the 19th century European imagination, all three transboundary rivers were seen as economic highways that would carry values as well as commerce to create a more rational and peaceful world. As I have argued, at each conference, Enlightenment faith that technical, rational solutions could be devised to tame nature—both physical and human nature—was imbedded into the institution. Once imbedded, this high modernist ethos took on ideational path-dependent logics and the desire to tame the river took on international and intertemporal dimensions. Since the early-19th century, technocratic narratives continue to dominate projects to tame and correct the river. As the following will briefly illustrate, high modernist faith in technology's ability to simplify, tame and improve nature framed 19th and 20th century attitudes towards large-scale dam projects and continue to shape cooperation along transboundary rivers today.

Dams and Technology: Temples to Modernity

With the advent of dams in the 19th and early-20th centuries, projects to tame the river took on new meaning. The river was no longer only an efficient economic highway for free trade but a pathway to achieve prosperity, economic development and civilizational greatness. Crowds and commentators alike celebrated dams along German rivers in the years before World War I with praise for the ability of science to “force”, “compel” and “shackle” natural forces for the benefit of society (Blackbourn 2006: 180). In dedicating the Hoover Dam, completed in 1936, Franklin D. Roosevelt congratulated the project in transforming a “turbulent, dangerous river” and a “cactus-covered waste” into a useful economic engine through a “great feat of mankind” (1957: 438-41). Damming projects also took on imperial scope. In the 19th century, British engineers

built barrages and canals along the Indus River to trap seasonal floodwaters and transform the wasteland of the Indus plains into an agricultural paradise, with even a new and rational urban center—present day Faisalabad—laid out in the design of a Union Jack to clearly delineate ethnic quarters (Pearce 2006: 40-3). Here, in the newly irrigated plains, the British grew cotton, a heat-intensive and water-intensive crop, to feed domestic industries. Similarly in Egypt, the British maintained barrages to irrigate the Nile valley for cotton production. These barrages reduced seasonal floods and the fertilizing silt that accompanied the floods, forcing agriculture to rely on synthetic fertilizers (D’Souza 2006; Cookson-Hills 2013). British engineers lauded the construction of the lower Aswan dam in the 1890s as a height of technological progress and rational, scientific control of the Nile’s bounty.

This conceptualization of technical and civilizational progress continued into the post-colonial context. With the end of British rule, nationalist Egyptian leader Gamel Abdel Nasser extolled the new Aswan High Dam project as a vehicle for “everlasting prosperity”, while Indian Prime Minister Jawaharlal Nehru referred to hydroelectric dams as the “new temples of India, where I worship” (Bell 2009: 113). In the 1950s, Chinese leader Mao Zedong supported the project to build a dam across the Yangtze River with a poem called “Swimming”, composed following his public relations stunt where he swam across the river:

We will make a stone wall
Against the upper river to the west
And hold back steamy clouds and rain of Wu peaks
Over tall chasms will be a calm lake
And if the goddess of these mountains is not dead
She will marvel at the changed world

The Grand Ethiopian Renaissance Dam, a 5 million dollar hydroelectric dam on the upper Blue Nile, was unveiled by Ethiopia in April 2011 to much the same rhetoric. Ethiopian officials and engineers maintained that the dam would, like US’s Hoover Dam, not only supply electricity but end poverty and bring development and prosperity (Pottinger 2013). At a fundraiser for the project, 15-year old Ethiopian spokesperson Hannah Godefa told the Ethiopian diaspora, “Just imagine, with the building of the dam will come roads, railroads, homes and more industries... Ethiopia has a chance to prove to the world that they can rise in challenging times. The next generation and I are asking you to bring a better Ethiopia into our hands” (quoted in Yao 2013).

Therefore, even today, large projects to harness the untapped economic potential of untamed rivers remain both a moral project to advance progress and civilization and a state-building project to transform underdeveloped regions into useful spaces to serve society. Human ability to control the river’s raging torrents remains a political statement about power, prestige and greatness. However, like early-19th century river rectification schemes that failed to prevent

floods, these projects have enormous environmental and human costs and almost always fail to deliver the promised economic outcomes.

International River Commissions in the Late-20th Century

These ideas of technological progress and civilizational advancement continue to frame interstate cooperation over transboundary rivers. A recent continuation of the international institution to manage international rivers is the 1995 Mekong River Commission. On the surface, the river commission seems the model cooperative framework between Cambodia, Laos, Thailand, and Vietnam to equitably share the Mekong River. However, this view reflects functionalist biases and restrict water discourse to the legal, economic and institutional concerns of powerful international players rather than the distributional and sustainability concerns of the local and poor (Sneddon and Fox 2006). Hence, the technocratic vision of these actors and their drive to tame the river for transnational economic use drown out other conceptualizations of the river. As Sneddon and Fox highlight, the Asian Development Bank and bilateral donors imagined the Mekong to have certain characteristics— ‘under-utilized’ and ‘uncontrolled’—and imposed that reality on local populations. The 1995 agreement, celebrated as a triumph of state cooperation, envisions the river as a network of channels to be used by its ‘owners’: Cambodia, Vietnam, China, Myanmar, Thailand and Laos. By upholding one understanding of the river as a wild resource that ought to be tamed for society’s economic benefit, the agreement ignores the ecological and hydrological dimension of the river for the fisherman and villagers.

In another example, the 1997 Cooperation Framework Agreement of the Nile Basin and the 1999 Nile Basin Initiative (NBI) as a platform to promote communication and collaboration between Nile countries extended the international institution to manage international rivers to the Nile River. This framework purports to “promote integrated management, sustainable development, and harmonious utilization of the water resources of the Basin” (nilebasin.org 2016). However, rather than a ‘harmonious’ functional body to address water challenges, the framework’s legal language creates a façade over deep-seated historical contestations. Egypt and Sudan have not agreed to the framework due to reservation over one article—Article 14b—because the text does not protect their “current use and rights” (Nicol and Cascão 2011)⁷⁹. These rights extend back to colonial agreements made by British official and Egypt and Sudan over water allocation. These colonial legacies and constructions of the Nile as an instrument of imperial power interact with current power distribution along the Nile to create the impasse that haunts the framework. Analyzing the NBI and the Cooperative Framework as simply functional

⁷⁹ Currently, Article 14b states: “the Nile Basin States therefore agree, in a spirit of cooperation, to work together to ensure that all states achieve and sustain water security and not to significantly affect the water security of any other Nile Basin State”. Egypt and Sudan wish to add: “... not to *adversely* affect the water security and *current use and rights* of any other Nile Basin States”.

tools to establish cooperation over an economic resource misses important elements of the picture. Reconceptualizing international institutions by engaging history and geography as this dissertation has done allows IR scholars not only to understand the surface negotiations but the underlying social and political forces that shape, frame and propel international cooperation.

A Final Word on Historical Narrative

Despite the dissertation's pessimistic outlook towards technocratic solutions to the problem of international cooperation, it does not hold that all technologies are manifestly doomed to fail. Similarly, critical assessment of the assumptions that underpin international institutions does not suggest that all institutional outcomes are patently oppressive. Adopting either perspective would be to misread the lessons of history. The goal here is to highlight that neither are ends in themselves but historically contingent phenomena that uniquely reflect the social-material forces and historical context of their times.

Historian David Blackbourn cautions against those who attempt to frame environmental history as an optimistic or pessimistic story of society against nature—as a progressive tale of society's triumph over nature or a tragic tale of society's degradation of nature.

Neither way of framing this history is really satisfactory. Both tell a one-eyed tale. Even in our age of sound-bites and simple story lines, with its inbuilt bias against complexity, it is surely still possible to hold two contradictory ideas in our heads (2006: 11).

This eloquent plea extends beyond simply those who view environmental history as a singular history of human tragedy. Blackbourn also condemns those who simplified the complexities of history—and also society—into simple binaries and digestible lessons. These simplified narratives do a disservice to both the author and reader, and closes us off to the questions we have not yet thought to ask.

Throughout this dissertation, I have argued that history should not be considered a singular narrative of success or failure with digestible, causal lessons to be garnered from the databank of the past. Rather, the hope here is that with a fuller understanding of the complexities our world, we gain a measure of humility and a more complete appreciation of the possibilities and limitations of our determination to reshape and reorder international politics.

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