



世界政治与国际关系原版影印丛书



# 外交学经典选读：从柯门斯到瓦泰勒

DIPLOMATIC CLASSICS:

SELECTED TEXTS FROM COMMYNES TO VATTTEL

〔英〕杰夫·贝里奇 编

G. R. Berridge



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# Diplomatic Classics

## Selected texts from Commynes to Vattel

Edited and introduced by

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PEKING UNIVERSITY PRESS

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## 出版说明

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这套“世界政治与国际关系原版影印丛书”,正是基于上述认识而组织出版的,并且得到了我国国际关系教学与科研领域最有权威的专家教授们的认可,他们分别来自北京大学国际关系学院、复旦大学国际关系与公共事务学院、中国人民大学国际关系学院、外交学院、清华大学国际问题研究所、中国社会科学院世界经济与政治研究所、中共中央党校战略研究所等单位,作为本套丛书的学术顾问,他们愿意向我国该学科及相关领域的广大学者和学生共同推荐这套丛书。

本丛书第一批先行选入几本经典文献选读性质的国外优秀教材,内容主要在国际关系理论方面,也包括国际政治经济学方面的优秀教材。它们皆可称为原文中的精品,值得研读和收藏,不仅如此,由于它们本身在国外的大学课堂里都是应用较广的教材和读物,所以特别适合作为我国国际关系与世界政治专业大学教学中的参考读物,甚至可以直接作为以外文授课的课堂教材。在每本书的前面,我们都邀请国内比较权威的专家学者撰写了精彩的导读,以指导读者更好地阅读和使用这些文献。

今后,我们会陆续推出更新、更好的原版教材和专著,希望广大读者提出宝贵意见和建议,尤其欢迎更多的专家学者向我们推荐适合引进的国外优秀教材和专著,以帮助我们完善这套丛书的出版,并最终形成一套完整的世界政治与国际关系及其相关学科适用的原文教学研究参考书系。

最后也要特别提醒读者,我们引进这套丛书,目的主要在于推动学术交流、促进学科发育、完善教学体系,而其著作者的出发点和指导思想、基本观点和结论等,则完全属于由读者加以认识、比较、讨论甚至批评的内容,均不代表北京大学出版社。

# 古典思想的当代性

## ——《外交学经典选读》导读

庞中英

2004年,英国著名的帕尔格雷夫—麦克米兰出版公司出版了英国著名外交学研究学者贝里奇教授(G. R. Berridge)选编的《外交学经典选读》一书。不久,我收到了贝里奇寄赠的该书。

对外交理论和实践的深入探讨离不开阅读有关外交学的经典(古典)文献。所谓“经典”,无非是过去的但却与今天仍然相关的(为当代的人们仍然珍视的)文献。

今天,年轻的华人学者很难读到或者读懂汉语的经典文献。同样,对英语世界的学者来说,要阅读那些属于“经典”之列的英语文献也非易事。

英语世界关于外交和国际关系的近代早期(中世纪结束后到18世纪)文献很多,但都分散在各种各样的文字中,如文章、书信、回忆录、公文、著作章节等。缺少耐心的当代读者还是难以比较全面地接近这些东西。即使人们进入存放这些文献的现代图书馆,费力找到了相关的文献,也难以触及这些文献的“涉外”核心部分。为了解决这个问题,贝里奇教授不厌其烦,在伦敦英国国家图书馆(不列颠图书馆)和莱斯特大学图书馆完成了《外交学经典选读》一书的选编工作。该书篇幅上不过是个小册子,却十分精要和权威,摘要、收录了西方最具有代表性的近代外交思想文献。它们依次是:柯门斯的《回忆录》、马基雅弗利的《给拉法埃洛·吉罗拉米大使出使帝国的建议》、圭恰迪尼的《杂感》、真蒂利的《使馆三书》、奥特芒的《论大使》、培根的《论谈判》、德·薇拉的《论完美的大使》、格劳秀斯的《论公使馆的权利》、黎塞留的《政治遗嘱》、威克福的《大使及其职责》、卡利埃的《与君主谈判的艺术》、宾克斯胡克的《对大使的管辖》、佩凯的《论谈判艺术》、瓦泰勒的《万国法》。

这本书确实方便了需要了解西方近代早期外交思想的人们。为帮助读者把不同政治人物的不同外交思想联系起来,负责的贝里奇教授为此写了一篇深入浅出的《导言》。这是一篇出色的论文。贝里奇一向认为,外交学的中心对象是外交谈判。所以,在这里,他主要讲了谈判的艺术、外交人事、谈判的管道和国际体系

中的外交等四大问题。

过去的一百多年,由于技术进步、人口变化、新的国家和非国家的国际行动者(行为体)在世界范围内大量出现,世界外交体系发生了巨大变化。20世纪后期以来,微观的国家外交和宏观的国际外交制度变得空前复杂。当下,因为全球化挑战的巨大性,无论是外交理论家还是外交实践家,对外交的变化都更感兴趣。21世纪开始以来,作为“世界唯一超级大国”的美国准备进行前所未有的外交改革。2006年1月18日,美国国务卿赖斯在著名的乔治城大学外事学院发表演说,首次提出美国外交大转变的任务及其宏伟目标,提出“变革外交”(transformational diplomacy)的概念,并表示“我们一定要改变旧的外交制度,以便服务于新的外交目标”。

然而,人们不应该忘记,外交的变化性不过是事物的一个方面,另一方面,外交思想和外交制度总是具有其顽固的连续性。外交的变化无论多大也不可能切断外交的历史。西方,甚至整个世界外交体系,今天面对和处理的外交问题,就其类型而言,其中大量的问题确实是当代产生的,不过,很多外交问题的历史根源深厚,有的问题在性质上本来就不是什么新问题。五百多年前的政治家面对和处理外交问题的方式和方法,在今天仍然有着价值和意义。

在全球化的国际关系时代阅读近代先贤的外交思想,不失为一种特别的知识享受,更可获得应对当代外交挑战的灵感。

*For Sheila*

## Preface and Acknowledgements

I have produced this book in order to make more accessible the thought of some of the most important figures writing on diplomacy in the period when modern diplomacy was taking shape, that is, in the interval between the end of the middle ages and the French revolution. Choosing the texts was not difficult because not that many are readily available even to a holder of a reader's ticket for the British Library. Choosing the selections in some cases, however, was another matter. I shall not say much about this here because I say something on the subject in the introduction to each chapter. For some of the writers the selection was easy because what they had to say about diplomacy was relatively little, and it was concentrated in a letter (Machiavelli), essay (Bacon), or chapter (Grotius, Richelieu). For the rest the task was more challenging, either because their tracts were much longer or because they were unusually organized. In some of these instances I have felt it necessary to rearrange the extracts under my own sub-headings. Selections also became more difficult towards the end, and notably in the case of Callières, because I wished to avoid excessive repetition in extracts from the later texts of what was to be found in those from the earlier ones, even though the later expositions might be more lucid.

I am grateful to Alison Howson of Palgrave for supporting this project, to Alain Lempereur for inviting me to talk on this period at a conference on Talleyrand in Paris in February 2004 (which gave me an extra incentive to work on the introductory essay), and especially to Paul Sharp for his valuable criticism of the first draft. I am also grateful to the University of Wisconsin Press for permission to reproduce Chapter VI of Part II of *The Political Testament of Cardinal Richelieu: The significant chapters and supporting selections*, translated by Henry Bertram Hill (Madison, 1961). Finally, I am also in debt – once more – to my wife, Sheila, for assisting me with the translation from French into English of the passages reproduced from Pecquet's *Discours sur l'Art de Négociier* and De Vera's *Le Parfait Ambassadeur*. To the best of my knowledge, these are published here in English for the first time.

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G. R. B., Leicester

# Foreword

It has become a commonplace to assert that the world of international relations is changing fundamentally. Information and communications technologies have collapsed distance. The revolution in democratic expectations has opened up the foreign policy process to a host of new actors empowered by the importance now attached to wealth. And a single power looms over all the rest, transforming relations of equality into relations of hierarchy.

One of the principal casualties of these changes is said to be poor old diplomacy. Those who practise it have been sidelined – witness the irrelevance of the US State Department to the processes by which the United States recently decided to invade Iraq. Those who study it have been reduced to picking over gobbets from the good old days when the rules of the diplomatic game played properly were being laid down.

Professor G. R. Berridge has performed a great service, therefore, by presenting the following selection of writings, for they explode the claims above as the products of people who probably write too much and, almost certainly, read too little. They do so by demonstrating clearly that the depreciations of its preoccupations and effectiveness which diplomacy confronts today are not so much new as permanently operating factors with which it always has to deal. “Who is to be represented?” is a political question which may appear to fade into the background at times but, as Commynes demonstrates, never goes away. Diplomacy is always despised by the powerful, willful and self-righteous because, as the selections from Richlieu, de Callieres and Vattel demonstrate, it expresses restraints upon their ambition or, worse, asks them to restrain themselves.

Reading the following selections, therefore, involves neither a meditation on the diplomatic preoccupations of past times nor an education into the origins of a modern diplomatic system which – good or bad – is now in terminal decline. Rather, it provides an opportunity to see how these authors tackled problems not entirely unlike those which we face today, with a clarity and incisiveness which often makes our own efforts look pedantic, and with the kind of wisdom which is always at a premium.

Paul Sharp and Donna Lee

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# Introduction

The birth of the diplomatic system of the modern era was the corollary of the close of the middle ages and the emergence of the modern state, and its principal institution was the resident embassy (Anderson, Ch. 1; Mattingly, Ch. 22). Since this was entirely novel, it is not surprising that it caused comment, chiefly on the part of lawyers and those who had served on such embassies. The resident or 'lieger'<sup>1</sup> embassy, as it was known, had obvious advantages for sending states but was this nest of 'honourable spies' not, by the same token, a serious threat to receiving states – even to the stability of their regimes? In light of this worry, which was widespread even if it was less pronounced in some states than in others,<sup>2</sup> what limits should be imposed on the actions of the resident ambassador? If it was accepted, nevertheless, that his work was of great importance, other questions followed. Was there not an *obligation* on all states to admit permanent missions? What were the attributes of the 'perfect ambassador' and how, in consequence, should he be trained? Should not his whole mission, including the permanently occupied house that now bore his sovereign's crest, be protected by special privileges and, if so, in what degree?

These were the questions that drew most of the attention of the writers on diplomacy in the early modern period, though a host of secondary ones came in their train. In this introduction I shall attempt to sum up the characteristic answers given to them by early modern writers and offer some observations on them of my own. In order to give shape to this account I shall begin with what they had to say about the activity of diplomacy itself, or the art of 'negotiation' as it was usually called at that time. For the early moderns this had the broad connotation of 'doing business', though I shall concentrate on that part of it concerned particularly with producing agreements. I shall then consider their prescriptions about the personnel of diplomacy, and conclude with an

examination of their views concerning the channels through which negotiations were conducted.<sup>3</sup>

### The art of negotiation

One of the first to give thought to that aspect of the art of negotiation that was concerned with how to secure lasting agreements was the great Florentine statesman and historian, Francesco Guicciardini. In his *Ricordi* he voiced the first expression of which I am aware of what subsequently came to be known as the doctrine of the ripe moment. An attempt to negotiate before the 'right season', he remarked, was not only likely to be a waste of time and resources but *counter-productive*. However, it was in the nature of the genre of which the *Ricordi* were an example that this maxim was unelaborated, and it remained to Richelieu to push the argument further with the celebrated insistence, in his *Political Testament*, published in the following century, on the value of continuous negotiation. At first glance this contradicted Guicciardini – but only when sight is lost of the fact that Richelieu did not favour necessarily negotiating always at the same pace or intensity. 'Negotiation' *before* 'the right instant' meant simply preparing the ground for the launch of a more formal push for agreement. Low profile in style and more concerned with developing trust, encouraging sympathy, and so on – what we now call 'pre-negotiations' – this kind of *négociation continue* was not likely to result in any loss if it came to nothing. However, Richelieu does not explain why. He says merely that '[n]egotiations are innocuous remedies which never do harm', adding that even failed ones produce intelligence and may usefully buy time.<sup>4</sup> This was nevertheless a considerable advance in the theory of negotiation.

As they warmed to the theme, the early moderns began to examine a variety of other aspects of the art of negotiation. Considerable interest, for example, was shown in the advantages and disadvantages of oral compared to written exchanges, and they concluded that there was much to be said for the former. In this regard, incidentally, they were more convincing than Harold Nicolson, who claimed – in what was nevertheless probably the most influential work on the subject published in the twentieth century – that diplomacy is 'a written rather than a verbal art' (Nicolson, 1939, p. 113). In the early seventeenth century Francis Bacon opened his own account of negotiating by observing that it was sometimes better to deal by word of mouth than by letter because it provided opportunities to communicate by body language as well. Negotiation by word of mouth was believed to be especially valuable in

the early stage of a negotiation. It was more suitable to probing the other side, adjusting quickly to its reactions, conveying a more nuanced account of the intentions of one's master – and would be more useful if subsequent denial of some statement was necessary. Notwithstanding these views, Wicquefort had prefixed his own chapter on how the ambassador ought to negotiate with the observation that 'There is no rule to be given for the manner of negotiation . . . . In this the ambassador must follow the custom of the court where he is'.<sup>5</sup>

The early moderns were also insistent that secrecy was essential to successful negotiations. This was not so much because in its absence negotiators would be more concerned with playing to their domestic audiences, which were hardly on hand or as influential to the degree that they are today. Rather it was to avoid sabotage by rivals, as Antoine Pecquet, *premier commis* at the French foreign ministry, explained in 1737. It had the further advantage, according to the Spanish ambassador, De Vera, of enhancing the reputation of statesmen via drama. For without secrecy no suspense would attend their deliberations and no astonishment greet the achievement of any agreement. Renaissance diplomats had had an 'obsession with secrecy' (Mallett, p. 65) but by the seventeenth and eighteenth centuries writers did not dwell on the need for it at any length because they tended to regard it as self-evident, as indeed it is. For Wicquefort it was merely an aspect of the great virtue of 'prudence'.

A variation on the theme of secrecy in negotiating was the question of whether or not a prince should be completely frank about his real intentions with his own ambassador. In what for him was an unusually lengthy discussion, Guicciardini held that there were advantages and disadvantages to either course of action. On balance, however, and always providing the ambassador was discreet, honest, and loyal, it was his view that he should be taken into the confidence of the prince. De Vera tended to the same view.

Pecquet, who insisted that all of life was negotiation, pegged an important part of his own book – albeit only implicitly – to a concept that has subsequently come to command considerable attention on the part of scholars, namely, the *stages* through which a negotiation should and usually does proceed (Zartman and Berman). He also discussed the strategy and tactics of making concessions and, as befitted a foreign ministry official, drew attention to the importance of clarity in treaties. It was, however, left to Callières – who generally took the longer view – to bring out most eloquently the fundamental point that successful negotiations produce *lasting* agreements, and that to achieve this both parties must emerge as winners. Though it might be added that

Guicciardini had made essentially the same point much earlier when he had observed that it was useless to strive for perfection. He also appears to have been virtually alone among the early moderns in attaching emphasis to the point that agreements should always be followed up.

### Mediation

Then as now, negotiations often required mediation, and, in view of the argument currently aroused by this subject – especially on the issue of impartiality – it is particularly interesting to note what the early moderns had to say on it. They are unanimous that a mediator is, *by definition*, impartial. ‘The mediator’, says Vattel, ‘should observe an exact impartiality’, though the more worldly Wicquefort adds that this is not easy to achieve, either on the part of the prince in question or the ambassador whom he selects as his agent in the business. But this merely means that ‘the one ought to be very circumspect in offering his mediation; and the conduct of the other so regular that he may not be suspected of partiality in any respect whatever’. Wicquefort also observes that an offer of mediation by a state with interests closer to one party than the other will, nevertheless, sometimes be accepted by the latter. Why would it do this? Because, he explains, it is the lesser of two evils and the world is not a perfect place; besides, because a mediator must secure peace it is likely to prove less partial once the negotiations have actually started. This is the point. The early moderns would rightly have dismissed the claim that the best mediator is biased as a category error.

Why do states offer their mediation? Vattel believed that it was a ‘sacred duty’ but – as a statement of fact – Callières was obviously nearer the mark. ‘It is likewise the interest of a great prince’, he wrote, ‘to employ ministers to offer his mediation in quarrels that arise between sovereigns, and to procure peace to them by the authority of his mediation. Nothing is more proper to raise the reputation of his power, and to make it respected by all nations’. This was widely understood – and feared (Lossky, p. 170; Russell, 1986, pp. 80–1). This was not the whole story in the early modern period, any more than it is the whole story now. It was and is, however, a good part of it.

### The personnel

#### ‘The perfect ambassador’

In a variation on the well-established ‘mirror of princes’ genre, early modern thought on diplomacy gave great prominence to portraits of

diplomatic supermen and has been roundly attacked for so doing (Keens-Soper and Schweitzer, pp. 21–3). Nevertheless, since the chief aim of the writers of these tracts was to provide professional instruction rather than grand theory, it can hardly be said that this impulse was misplaced. Even the practically-minded Wicquefort, who right at the beginning of his book expresses his contempt for this sort of writing, clearly has no objection to it in principle.<sup>6</sup> Moreover, from the beginning of the early modern period writers on diplomacy had demonstrated that they were not so naive as to believe that there was just *one* perfect ambassador, that is to say, one suitable for all occasions. As Behrens points out, 'they are always insisting that different types of business must be transacted by different types and different numbers of men, and that the nature of an ambassador's mission and the dignity of his master and of the court to which he is accredited must be indicated by his own social position' (Behrens, p. 620). Though initially the special envoy was in mind, subsequently such commentators as Bacon (albeit in a more general context), Hotman, Richelieu, and Pecquet made exactly the same point in regard to the new residents. This was an important qualification to the presentation of *the* perfect ambassador. Nevertheless, his figure was also presented in general shape. What did he look like?

Recalling that he was required to represent the dignity of he who sent him, Gentili expected him to be handsome, well born (others made clear that this implied rich), and intelligent. He should be eloquent and a good linguist. He should also be a paragon of moral virtue – brave, temperate, prudent, and, above all, loyal to his master. This was the authentic voice of the emerging world of sovereign states. (The 'perfect ambassador' is discussed further in the section below on 'The ambassador in ordinary, ...'.)

An important footnote to the question of the perfect ambassador that most writers were eager to append to their texts was the extent to which various professions and groups measured up to the ideal. Merchants and soldiers were examined in this light, even – interestingly enough – women, discussion of whom also focused on whether or not, as wives, they should be allowed to accompany ambassadors.<sup>7</sup> By the latter years of the sixteenth century, however, the main question was whether or not clergymen remained suitable for employment as ambassadors. This was partly because by this time ecclesiastics were beginning to lose their dominance in the ranks of envoys and partly because religion had become such a serious issue in international rivalries (Mattingly, p. 206). In practice, if an ambassador was not a clergyman he was less likely to

feel a moral tug if his master required him to stoop to some low practice. Wicquefort, who also felt that the celibacy of the clergy further diluted their patriotism because they had no heirs to whom to pass on their land and other possessions, was uncompromising on the question: 'There is no serving of two masters, nor dividing the heart...'. Callières was of the same view. Nevertheless, the idea that churchmen made good diplomats did not die easily. In 1650 the English lawyer, Richard Zouche, thought the matter still controversial and, for his own part, seemed to favour their employment on 'civil embassies' (Zouche, pp. 90–1). Not surprisingly, Richelieu – no doubt encouraged by the extraordinary Dominican philosopher, Tommaso Campanella – lent it strong support, drawing the opposite conclusion to Wicquefort from the celibacy of the clergy. Having neither wives nor children, they were, he maintained, less driven by personal interest.<sup>8</sup>

### Education and apprenticeship

The early modern writers on diplomacy were unanimous that the ambassador's task was so important that he required careful preparation for it (Anderson, pp. 80–96). Callières, who was well ahead of his time in this regard, took this line of reasoning to its logical conclusion by claiming that diplomacy should be a separate profession. All believed that novices could learn something of the *technical knowledge* required in the performance of their tasks from books such as their own, and especially works of history. Wicquefort also emphasized the value of studying important diplomatic memoirs, country reports ('relations'), and treaties. Callières added to this syllabus the genealogies of princes and their alliances by marriage. Foreign language study was, of course, also strongly recommended and, for this reason among others, so was foreign travel. There was, however, an overwhelmingly strong sentiment that *practical knowledge* could be acquired only at the elbow of a master, that is to say, by apprenticeship – preferably at a mission in the republic universally held to possess the best diplomatic service in the world, that is to say, Venice. Of course, in this they were right and practice followed in the shape of the unpaid attaché. Indeed, it is because human beings are its 'plastic material' that diplomacy is among the practical arts most dependent on this method of developing skill (Oakeshott, p. 9). I feel compelled to add at this point that the simulations of experience known as 'negotiation workshops' that are so popular on diplomatic training courses today are nothing more than poor vehicles for instruction in formal technique masquerading as devices for imparting practical

knowledge. No early modern writer on diplomacy would have been so foolish as to take them seriously, except as entertainment.

## The channels of negotiation

### 'Summitry' passing away

What we now call 'summits' continued to play a minor role in diplomacy until well into the sixteenth century and naturally, when they did, attracted considerable attention (Anderson, p. 10). Nevertheless, there was at that time no norm of 'head of state immunity', so it is not surprising that, as the immunity of their ambassadors became more firmly established, the question began to be raised as to whether princes themselves had immunity from local jurisdiction when abroad. After all, they were more tempting targets for embarrassment, capture for ransom, or murder (Freys, pp. 83–4, 130–1). In the middle of the seventeenth century opinion remained divided (Zouche, pp. 65–6) but in 1720 the influential Dutch jurist and international lawyer, Cornelis van Bynkershoek, came out unreservedly in favour of the prince. While conceding that the very small amount of case law gave no clear direction, he was emphatic that princes abroad, whose situation was exactly analogous to that of their envoys, should for that reason be granted exactly the same immunities. A little over a quarter of a century later, Vattel took this for granted. Indeed, he went further, stating flatly what Bynkershoek had only at one point implied: If a 'prince has come to negotiate some matter of public business,' wrote Vattel, 'he should unquestionably enjoy, *in an even higher degree than others*, all the rights of ambassadors [emphasis added].'

Despite the fact that princes by this time had more legal security, no-one, with the probable exception of a few princes themselves, thought that 'summitry' was a good idea in the seventeenth and eighteenth centuries. Negotiation by princes is barely noticed at all in the writings on diplomacy of the early moderns – albeit that it was generally beyond their ambassador-focused remit. In fact, this is very much a case of the dog that did not bark, an eloquent silence that confirmed that the conduct of diplomacy by princes themselves was not only dying but passing away unlamented. But perhaps it was also because Commynes, in a book of memoirs held to have appeared in as many different editions as the Bible, had by the third decade of the sixteenth century already provided a devastating case against it.

Most princes, Commynes believed, did not have the appropriate education for conducting negotiations, being particularly deficient in