

QUELLEN UND STUDIEN
ZUR BALTISCHEN GESCHICHTE

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DIE BALTISCHEN KAPITULATIONEN
VON 1710

Kontext – Wirkungen – Interpretationen



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Aufgabe, die Stimmung vor allem der baltischen Ritterschaften nach 1721 gegenüber Schweden einmal näher zu untersuchen. Ein gewichtiger Teil der schwedischen Führung ließ im 18. Jahrhundert jedenfalls keine Zweifel darüber aufkommen, dass Liv- und Estland eigentlich zum Schwedischen Reich gehörten und dass die beiden von Schweden angezettelten Kriege 1741–1743 und 1788–1790 trotz einer offensichtlichen militärischen Überlegenheit Russlands auch deshalb Aussicht auf Erfolg hätten, weil sich der baltische Adel bei der ersten sich bietenden Gelegenheit auf die Seite Schwedens schlagen würde. Ob die Ritterschaften dies genauso sahen, ist eine weitgehend offene Forschungsfrage.

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The Capitulations of 1710 in the Context of
Peter the Great's Foreign Propaganda*

Introduction

Die Moscovitischen Avisen haben gemeiniglich die Eigenschaft an sich, daß man ihnen entweder nicht glauben darff, oder nicht glauben will, weil sie gröstentheils aus solchen Orten einlauffen, die *extremement* parteyisch sind, und dasjenige, was sie wünschen, auff eine solche Art erzehlen, als hätten sie alles durch ein Vergrößerungs-Glaß angesehen, das übrige aber, was ihnen nicht recht in den Kram dienet, entweder auslassen, oder mit treflich ausgekünstelten Expreßionen in Zweiffel ziehen¹.

This opinion by Philipp Balthasar Sinold von Schütz, the editor of the news journal "Europäische Fama", reflects both the curiosity of the European educated elites about Muscovite affairs and their agonizing awareness that the information that trickled through did not come from independent sources and was thus utterly unreliable. The thirst for news was increased manifold at the time of the Great Northern War, when Peter the Great entered the scene of European politics by joining the anti-Swedish offensive alliance with Saxony-Poland and Denmark, and declared war on Sweden in September 1700. War created a market for information, which was readily provided not only by news writers and publishers like von Schütz, but also by government officials, paid propagandists and partisan enthusiasts who

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¹ "The Muscovite newsletters have a common feature that one is not able to or does not want to believe them, because they arrive mostly from places that are extremely partisan, and they tell things that they wish to tell as through a magnifying glass, and whatever does not serve their purpose, is either left out or put into doubt with concocted expressions." [Philipp Balthasar Sinold von SCHÜTZ,] *Die Europäische Fama, Welche den gegenwärtigen Zustand der vornehmsten Höfe entdeckt. Der 29. Theil. Gedruckt zum ersten mahl 1705. und zum 4. mahl wieder aufgelegt, [Leipzig] 1707*, p. 332; cf. Heinrich DOERRIES, *Rußlands Eindringen in Europa in der Epoche Peters des Großen. Studien zur zeitgenössischen Publizistik und Staatenkunde*, Königsberg 1939, pp. 181–183.

attempted to manipulate public opinion². The situation of war created fertile ground for the spread of all sorts of rumours, malicious allegations and self-glorifying lies, especially because it was almost impossible to acquire reliable information due to the cessation of much of the traffic and commerce.

The chief aim of this article is to put Peter the Great's war in the Baltic in the context of Russia's propagandistic efforts in Europe. The military and diplomatic events leading to the conquest and annexation of the Swedish Baltic provinces have been studied in sufficient detail, but the impact of Peter's wars and conquests on the minds of the European reading public has received much less attention³. I am going to follow how the Russian government adapted the arguments and rhetoric of their propaganda campaign according to their shifting war aims. It also has to be noted that propaganda is not just a *post factum* reaction to what has happened on the field, but the need to justify one's actions may also have an impact on the actions themselves. Quentin Skinner has famously argued that

the problem facing an agent who wishes to legitimate what he is doing at the same time as gaining what he wants cannot simply be the instrumental problem of tailoring his normative language in order to fit his projects. It must in part be the problem of tailoring his projects in order to fit the available normative language⁴.

In other words, the tricks with the 'magnifying glass' and 'concocted expressions' only work to a certain extent. Even cynical and ruthless statesmen might discover the long-term benefits of abiding by conventions, agreements or generally accepted moral requirements at the cost of more immediate gain, if the former seems to outweigh the latter. If a ruler puts any value on his reputation as a 'Christian and just' ruler, it is clearly easier to acquire such a reputation if he avoids violating the respective moral and legal codes

² See also Pärtel PIIRIMÄE, War and Polemics in Early Modern Europe, in: Exploring Cultural History. Essays in Honour of Peter Burke, ed. by Melissa CALARESU / Filippo de VI-VO / Joan-Pau RUBIES, Aldershot 2010, pp. 133–149.

³ A relatively well researched aspect of the story is the changing image of Peter in Britain: Matthew S. ANDERSON, Britain's Discovery of Russia 1553–1815, London / New York 1958; Matthew S. ANDERSON, English Views of Russia in the Age of Peter the Great, in: The American Slavic and Eastern European Review 13 (1954), pp. 200–214; Anthony CROSS, Peter the Great Through British Eyes: Perceptions and Representations of the Tsar since 1698, Cambridge 2000. A more general survey is Martin MALLA, Russia under Western Eyes: From the Bronze Horseman to the Lenin Mausoleum, Cambridge, Ma. 2000.

⁴ Quentin SKINNER, The Foundations of Modern Political Thought, Vol. I, Cambridge 1978, pp. xii–xiii.

in actual practice. Thus, I am going to ask whether the wish to appear as such a ruler might have influenced not just Peter's rhetoric but also his actions in the Baltic provinces.

This question pertains particularly to the capitulations of 1710, which were unusually generous by contemporary standards. This has not remained unnoticed in the historiography. One of the most comprehensive studies on the content, context and significance of the capitulations was published in 1960 by Soviet Estonian historian August Traat, which despite its strong ideological bias typical of the time of its writing contains a number of useful insights. Traat asks why the Russian government did not use the superior strength of its army to force unconditional surrender and, instead, chose to conclude the capitulation treaties with more lenient conditions for the opponent. Secondly, Traat asks why the Russians constrained their future scope of action even more by signing agreements with the local governing estates rather than just with the garrisons⁵. In the following discussion, Traat rightly points to a number of practical considerations. From the military point of view, unnecessary losses to their own army and the destruction of the conquered cities were avoided. From the political point of view, the compliance and future cooperation of the local estates was ensured. But Traat perceptively also points to several propagandistic aspects. The Russians had to "follow contemporary customs of war so as not to give well-founded arguments for anti-Russian propaganda". Secondly, the tsar attempted to portray the unification of Livland and Estland with Russia "in a formal-judicial sense as voluntary", which would have been an additional argument when the possession of the provinces became contested during the future peace conference⁶. In his massive study of Peter the Great published in 1964, Reinhard Wittram discusses the matter independently of Traat⁷. Wittram also points out that the estates would have signed agreements even if they had been offered far less favourable conditions⁸. Analysing the reasons for the tsar's generosity, Wittram particularly emphasizes the need to avoid depopulation, to restore the economic strength of the provinces and to use their institutional and human capital for the reorganization of Russia. He

⁵ August TRAAAT, Liivi- ja Eestimaa kapitulatsioonid aastast 1710 [The capitulations of Livland and Estland in 1710], in: Eesti ühendamisest Venemaaga ja selle ajaloolisest tähtsusest, hg. v. Artur VASSAR, Tallinn 1960, pp. 103–145, here: p. 124.

⁶ Ibid., pp. 125–127.

⁷ Reinhard WITTRAM, Peter I. Czar und Kaiser. Zur Geschichte Peters des Großen in seiner Zeit, 2 Vols., Göttingen 1964, here: Vol. I, pp. 348–354.

⁸ Ibid., Vol. I, p. 351.

also notes that “in Livland, the support of the estates was a trump card in the diplomatic game against King August”, and in both provinces the agreements provided additional security against Swedish attempts of a reconquest. Wittram focuses less on the broader propagandistic effects of the capitulations, but adds one interesting idea: the agreement with the German estates enabled Peter to introduce his imperial title. Wittram points to the fact that in several documents signed in connection to the capitulations, Peter used not only his traditional title ‘czar’, but also ‘imperator’ and ‘Kaiser’ which referred to the western or European tradition of empire. At about the same time Russian high-ranking officials started using the imperial title in internal communication with Peter, as well as began to insist on its usage in diplomatic correspondence with European courts⁹.

It seems warranted, after the half a century that has passed since these studies, to take a new and more systematic look at all these suggestions and to find new evidence concerning the capitulations from this angle. The main aim of this article is to study the possible ideological effects of the capitulations in the broader context of Russia’s propaganda efforts during the Great Northern War.

Justifying the Baltic Conquest

Peter the Great was the first Russian ruler who consciously and effectively promoted the image of his country in Europe. The overarching message of his propaganda was that Russia was not such a barbaric nation as had been generally believed in Europe, but a traditionally Christian country, albeit somewhat lagging behind in development, which was partly caused by the efforts of its enemies to isolate Russia from the rest of Europe. Now, thanks to the reforms instigated by Tsar Peter, Russians were gradually becoming a ‘civilized’ and ‘polite’ nation, equal (and in some respects perhaps even superior) to other European nations¹⁰. Peter realized the importance of the printing press for getting his message across to wider audiences, and he employed a number of foreigners as diplomats and counsellors who were more aware

⁹ WITTRAM, Peter I. (as in note 7), Vol. I, p. 354; Vol. II, pp. 250–252.

¹⁰ Cf. Pärtel PIIRIMÄE, Russia, the Turks and Europe: Legitimations of War and the Formation of European Identity in the Early Modern Period, in: *Journal of Early Modern History* 11 (2007), pp. 63–86; Ekkehard KLUG, “Europa” und “europäisch” im russischen Denken vom 16. bis zum frühen 19. Jahrhundert, in: *Saeculum* 38 (1987), pp. 193–224.

of the rhetorical and argumentative strategies used in Europe¹¹. Russia’s improving image in Europe was, of course, not entirely a result of propagandistic efforts, because there was an increasing number of travellers who, while pointing out the despotism of the tsars and the ‘barbarous’ lifestyle of their subjects, were nevertheless struck by the grand designs and enthusiasm of Peter in reforming the country¹².

Apart from deeply personal and psychological reasons, which prompted Peter to seek acknowledgement by the European rulers he admired and sought to emulate, there were also various more practical reasons for the improvement of Russia’s image abroad. The successful implementation of reform plans depended on the influx of skilled foreigners who were reluctant to move over to a country seen as barbaric and inhospitable. Also, it was certainly easier to move around European courts in the search for allies, if one did not think of the Muscovites as the implacable enemies of European Christendom – an image stemming from the times of Ivan IV (‘the Terrible’), sustained and enhanced by the polemical writings produced mainly by Russia’s western neighbours¹³.

A war, particularly an offensive one, created numerous propagandistic challenges. ‘Christian and civilized’ rulers were expected to follow certain legal and moral prescripts, and the duty to abstain from unjust wars was a central part of their code of behaviour. To be clear, this was often translated into a prescript of finding or inventing sufficiently plausible legal reasons for going to war. Yet those who were seen as habitually breaking the code by waging offensive wars without sufficient legal grounds found their interna-

¹¹ Gary MARKER, *Publishing, Printing and the Origins of Intellectual Life in Russia*, Princeton, N.J. 1985; James CRACRAFT, *The Petrine Revolution in Russian Culture*, Cambridge, Ma. / London 2004; Lindsey HUGHES, *Russia in the Age of Peter the Great*, New Haven / London 1998; DOERRIES, *Rußlands Eindringen* (as in note 1).

¹² E.g. Friedrich Christian WEBER, *The Present State of Russia*. 2 Vols., Orig. 1722–1723. Facsim. reprint London 1968; more examples in ANDERSON, *Britain’s Discovery* (as in note 3).

¹³ Andreas KAPPELER, *Ivan Groznyi im Spiegel der ausländischen Druckschriften seiner Zeit. Ein Beitrag zur Geschichte des westlichen Rußlandbildes*, Bern / Frankfurt am Main 1972 (*Geist und Werk der Zeiten* 33), passim. Cf. *Rude & Barbarous Kingdom: Russia in the Accounts of 16th-Century English Voyagers*, ed. by Lloyd E. BERRY / Robert O. CRUMMEY, Madison 1968; Markus OSTERRIEDER, *Von Tyrannen und Barbaren: mentale Sichtweisen und Begründungen des Livländischen Kriegs in Polen-Litauen*, in: *Der Krieg im Mittelalter und in der frühen Neuzeit. Gründe, Begründungen, Bilder, Bräuche, Recht*, ed. by Horst BRUNNER, Wiesbaden 1999 (*Imagines medii aevi* 3), pp. 395–426; Aleksandr FILIUSHKIN, *Kak Rossiia stala dlia Evropy Aziei?* [How did Russia become Asia for Europe?], in: *Ab Imperio* 5 (2004), No. 1, pp. 191–228.

tional reputation greatly harmed. Thus Louis XIV was castigated as “the most Christian Turk” by his Protestant enemies, with an aim to mobilize alliances against him¹⁴. For these reasons, during military conflicts in 17th- and 18th-century Europe, all kinds of pamphlet publications and broadsheets proliferated, with an aim to demonstrate the justness of one’s own arms and the unjustness of those of the enemies¹⁵.

Peter’s challenge of justifying his war against Sweden could be divided into three sub-problems, according to the normative understanding of the criteria of *bellum iustum* of his day. First of all, a ruler who went to war needed *iusta causa*: sufficient material ground, such as self-defence against an unjust attack, recovery of property or punishment for injuries if compensation was not obtainable by peaceful means. Secondly, the criterion of *recta intentio*, which meant that the only legitimate goal was the restitution of ‘a just and honourable peace’. Rulers were not allowed to use the opportunity of war (even if one had a just cause) for territorial aggrandizement or disproportionate punishment of the opponent. Thirdly, they were also expected to follow the prescriptions of *ius in bello*, i.e. laws of war that regulated how enemy soldiers, captives, the civil population and their property was to be treated. Compliance with all these rules distinguished ‘Christian and civilized’ rulers from the ‘barbaric’ ones¹⁶.

¹⁴ English historian Thomas B. Macaulay summarizes the debates in the House of Commons in 1689: “He was called the most Christian Turk, the most Christian ravager of Christendom, the most Christian barbarian who had perpetrated on Christian outrages of which his infidel allies would have been ashamed.” Thomas Babington MACAULAY, *The History of England from the Accession of James II*. Vol. 1, London 1864, p. 303. Cf. Peter BURKE, *The Fabrication of Louis XIV*, New Haven / London 1992, ch. 10.

¹⁵ Some collections: *Acta publica*, 3 vols., ed. by Michael Caspar LUNDORP, Frankfurt a. M. 1629–1640; *Theatrum Europaeum*, 21 Vols., Frankfurt a. M. 1635–1738; *A General Collection of Treatys, Declarations of War, Manifestos, and other Publick Papers, Relating to Peace and War*, 4 Vols., London 1710–1732; *Memoires pour servir a l’histoire du XVIII^e siecle contenant les negociations, traitez, resolutions, et autres documens authentiques concernant les affaires d’etat*, 14 Vols., ed. by Guillaume de LAMBERTY, 2nd ed. Amsterdam 1735–1740; Gustav Edvard KLEMMING, *Samtida skrifter rörande Sveriges förhållanden till fremmande magter*, 2 Vols., Stockholm 1881–1883 (Kongl. Bibliotekets Samlingar); *Flugschriftensammlung Gustav Freytag. Vollständige Wiedergabe der 6265 Flugschriften aus dem 15. bis 17. Jh. sowie des Katalogs von Paul Hohenemser*. 2 Parts, Munich et al., 1980–1981; John Roger PAAS, *The German Political Broadsheet, 1600–1700*, 7 Vols., Wiesbaden 1985–2002.

¹⁶ For an introduction to the topic, see Robert L. HOLMES, *On War and Morality*, Princeton 1989; Stephen C. NEFF, *War and the Law of Nations: a General History*, Cambridge 2005; Frederick RUSSELL, *The Just War in the Middle Ages*, Cambridge 1975; Steven P. LEE, *Ethics and War: an Introduction*, Cambridge 2012; Gregory M. REICHBURG, *Jus ad*

Peter had serious troubles on all three fronts. I am not going to spend much space on the first of these (the story of Russia’s legitimization of its attack on Sweden in 1700), as I have discussed it more thoroughly elsewhere¹⁷. It suffices to say that Peter originally justified his war as a retribution for disrespect and injuries that he had suffered while visiting Riga during his Grand Embassy to Europe in 1697, and for various damages caused by Swedish subjects to some Russian merchants and diplomats, which the Swedes had been unwilling to compensate for. What is important in the context of the conquest of the Baltic provinces is that Russia’s shifting war aims also led to a change in the argument as to why the war was actually initiated in the first place. This brings us to the second front, the question of *recta intentio* or Russian war aims. The conquest of Estland and Livland was never an explicit goal of the tsar, even if he secretly harboured thoughts of such an expansion when he went to war in 1700. A more realistic war aim, and the one agreed upon with his closest ally King August, was merely a reconquest of “old Russian territory” – Ingria and Karelia – which had been lost to Sweden during the Time of Troubles and relinquished officially with the peace treaty of Stolbovo in 1617. It was agreed prior to the war that Livland and Estland were to become August’s possessions¹⁸.

The Saxon-Polish defeat at Riga and the thrashing of the Russian army by the Swedes at Narva in 1700 pushed even these plans into a realm of day-dreaming. The decision of Karl XII to turn towards Poland and Saxony, rather than to go after the tsar, enabled Peter to recover his forces. By 1704, he had conquered Karelia and Ingria, including Narva, thus accomplishing his original war aims. On the tsar’s orders, General Sheremetev thoroughly devastated the territories of Estland and Livland. The tsar had acquired Au-

Bellum, in *War: Essays in Political Philosophy*, ed. by Larry MAY, New York / Cambridge 2008, pp. 11–29; Nicholas RENGGER, *The Jus in Bello in Historical and Philosophical Perspective*, in *ibid.*, pp. 30–46; and the source texts in: *The Ethics of War: Classic and Contemporary Readings*, ed. by Gregory M. REICHBURG / Henrik SYSE, Oxford 2006.

¹⁷ Pärtel PIIRIMÄE, Johann Reinhold von Patkuli poleemilised kirjutised [Johann Reinhold von Patkul’s polemical writings], in: *Läänemere provintside arenguperspektiivid Rootsii suurriigis 16./17. sajandil*, Vol. III, ed. by Enn KÜNG, Tartu 2009, pp. 155–187, here: pp. 165–171. Shorter account in English: Pärtel PIIRIMÄE, *Russia, the Turks and Europe* (as in note 10), pp. 81–82.

¹⁸ For a military and diplomatic history of Peter’s war, see esp. WITTRAM, *Peter I* (as in note 7). Cf. Robert I. FROST, *The Northern Wars: War, State and Society in Northeastern Europe, 1558–1721*, Harlow 2000; Ragnhild M. HATTON, *Charles XII of Sweden*, London 1968; David G. KIRBY, *Northern Europe in the Early Modern Period: the Baltic World 1492–1772*, London / New York 1990; HUGHES, *Russia* (as in note 11), pp. 22–65.

gust's consent for his campaign in these provinces when their alliance treaty was renewed at Birsén in 1701¹⁹. The tsar promised to assist August's war effort by conquering Estland and Livland for Poland. After the conquest of Dorpat (Tartu) in July 1704, he deliberately created the impression that he was willing to hand it over to August, despite calling it "our glorious patrimonial city" (*slavnyi otechestvennyi grad*) in his reports to Russian grandees on the successful siege²⁰. The approach of the Swedish forces in 1708 prompted Peter to evacuate from Livland and systematically destroy the city of Tartu. The situation changed completely with the Russian victory achieved at Poltava, after which August acknowledged Peter's possession of Estland, yet managed to squeeze out the promise to receive Livland from him in case of a successful conquest²¹. This agreement was still valid when Riga capitulated to the tsar's forces in July 1710 and capitulation agreements were signed with the garrison and the burghers of Riga and the *Ritterschaft* of Livland. The tsar immediately started using the title "Lord and Possessor of the Dukedom of Livland, Ingria and Karelia", yet he did not reject the contractual rights of August, instead postponing the final settlement to the peace treaty²². *De facto* conquest of Estland followed in September 1710 when capitulation agreements were signed with the garrison and burghers of Reval (Tallinn) and the *Ritterschaft* of Estland²³. Russia acquired *de jure* recognition of possession of both provinces in the peace treaty of Nystad in 1721²⁴.

Peter's takeover of the provinces was not just a matter of dispute between him and August, but also of his public reputation. Namely, Peter justified

¹⁹ For Russian promises to Poland, see WITTRAM, Peter I (as in note 7), Vol. I, pp. 244–262.

²⁰ Pis'ma i bumagi imperatora Petra Velikogo [Letters and papers of emperor Peter the Great], t. 3 (1704–1705), S.-Peterburg 1893, No. 680–683, pp. 104–108; WITTRAM, Peter I (as in note 7), Vol. I, p. 259.

²¹ *Ibid.*, Vol. I, p. 325.

²² *Ibid.*, Vol. I, p. 339.

²³ Published in: Die Capitulationen der livländischen Ritter- und Landschaft und der Stadt Riga vom 4. Juli 1710 nebst deren Confirmationen. Nach den Originaldocumenten mit Voraussetzung des Privilegium Sigismundi Augusti und einigen Beilagen, hg. v. Carl SCHIRREN, Dorpat 1865; Die Capitulationen der estländischen Ritterschaft und der Stadt Reval vom Jahre 1710 nebst deren Confirmationen. Nach den Originalen mit andern dazu gehörigen Documenten und der Capitulation von Pernau, hg. v. Eduard WINKELMANN, Reval 1865.

²⁴ §4 of the Nystad treaty. The contemporary treaty text in German, Swedish and Russian is available in: http://www.histdoc.net/nystad/nystad_title.html (14.11.2013).

his campaign in Livland not with Russia's independent rights to the province, but by his contractual obligations to August who was the one who allegedly possessed legal claims to it. Hence, Peter did not keep his promises to August in secret but publicly declared his intentions to hand over Livland to its rightful owner. In 1704, Peter published an official proclamation or "Universalialia" to the inhabitants of Livland, which was also or even primarily directed to European audiences²⁵. The document proclaimed that the tsar had invaded Livland "with a true and definite aim to return this province, which by the rights known to the entire world belongs to the Crown of Poland, and had been taken by the Crown of Sweden by violence and injustice, to the Crown of Poland"²⁶. The tsar announced that until the handover, he would take the province under his protection, promising the preservation of everyone's life, property and rights.

The Russians repeated the same argument when the tsar's troops moved again into Livland in 1709. They had to respond to an official publication (placate) issued by the General-Governor of Livland Nils Stromberg on 22 October 1709. Stromberg refers to the "patents" and "universalialia" spread in the country by the Muscovites, which had coaxed the people to break their obligations as subjects of the king of Sweden and transfer allegiance to Russia. He expresses his opinion that his faithful subjects are reasonable enough not to trust such promises, considering Russians' previous record of "murder, firebrand, unheard torture, deportation of innocent people to barbaric slavery." Nevertheless, he prohibits expressly subjection to the enemy's pro-

²⁵ Russian original in: Pis'ma (as in note 20), no. 713, pp. 149–153. Published in: [von SCHÜTZ,] Europäische Fama (as in note 1), pp. 336–341; Das Jm Augusto 1704 glücklich besiegte Narva, Durch Die nunmehr der Welt sich auf dem Europäischen Theatro zeigende Sieghaffte Waffen Des Allerdurchlaucht. und Großmächtigsten Czaarens und Groß-Fürstens in Moscau [et]c. Herrn Petri Alexievviz [...], pp. 22 ff. Heinrich Doerries supposes that the proclamation was never printed and was only distributed through German newsletters: DOERRIES, Rußlands Eindringen (as in note 1), p. 163. Wittram therefore proposes that the information in "Europäische Fama" that the "Universalialia" was "durch das gantze Lieflland publiciret" might have been an invention of Johann Reinhold von Patkul: WITTRAM, Peter I (as in note 7), Vol. I, p. 453. Both Doerries and Wittram were unaware of a 4-page separate print, a copy of which is held at the Tartu University Library: Universalialia, So Ihre Czaarische Majestät in dem Hertzogthum Lief-Land publiciren lassen [dat. 3. July 1704], see URL: <http://dspace.utlib.ee/dspace/handle/10062/28299> (14.11.2013). It might be the case, however, that this was printed later with international audiences in mind.

²⁶ Universalialia, So Ihre Czaarische Majestät (as in note 25), f. 1 v.

tection for whatever reason and commands Livonians to join the Royal Army for the defence of the country²⁷.

The Russian response was written in the form of a public letter from General Sheremetev to Stromberg, dated 31 January 1710. It was described as “a clever answer” by a Russian-friendly publication aimed at German-speaking audiences in Europe²⁸. It was, undeniably, a skilful development of the 1704 “Universalialia”, employing arguments from political theory suitable for the case of Sweden’s Baltic provinces. Sheremetev argued that the tsar had indeed promised “to rescue the knighthood from Swedish servitude and from the hugely unjust reduction from which they have suffered for a long time, and to restore them to their old state and liberties”²⁹. Peter pursued this “dessein” because he was Christian and just. The king of Sweden, on the other hand, had treated the provinces as stepchildren and abandoned them, offering them for free plunder in the course of eight years (the unintended irony was that it was the Russians who did the plundering). The main argument was that the king did not fulfil his duties to his subjects, but followed the instincts of vengeance and ambition when he left Livland to hunt down the king of Poland. Therefore, the subjects were by “the right of nature” dispensed from all their duties to the king, rather than obliged to join his forces against their own “saviour”. At this moment, the text appeals to the principle shared by all “reasonable people”, namely that “if the protection of the prince ceases, also the obedience and faith of the subjects ends, because this *vinculum* must surely be mutual”³⁰. The letter continues that the future will demonstrate that the tsar will not only keep his own promises but also restore the “privileges, rights, laws and customs sworn but not kept by the Swedish authorities”. Stromberg’s accusations about Russian unchris-

²⁷ Ihrer Königl. Majestät zu Schweden / Meines allergnädigsten Königes Raht / und General-Gouverneur Niels Stromberg [...] Gegeben auff dem Königlichen Schlosse zu Riga den 22. Octobr. 1709, in Eesti Ajalooarhiiv (Estonian Historical Archives, EAA, Tartu): f. 1, säi. 2, nim. 36, l. 427.

²⁸ Des Königlichen Schwedischen General-Gouverneurs zu Riga, Niels Strohmbergs, wider Jhro Groß-Czaarische Majestät heraus gegebenes Manifest, und die Von dem Moscovitischen Obristen Baris Schermetef darauff wohlgefaßte und kluge Antwort, Gedruckt in ult. Januario 1710 [s. l.], unpag.

²⁹ “[...] darin die Versicherung gegeben / daß eine Wol gebohrne Ritter- und Landshafft / von der Schwedischen Servitude, und von der / so lange Zeit mit dem Reductions- und Liquidations-Gewalt / und in vorigen Stand und alte Freyheit restituiert werden solte.” Ibid.

³⁰ “[...] wo eines großen Herrn Schutz auffhöret / da cessiret auch der Gehorsam und die Treue der Unterthanen / weil dieses vinculum billig mutuuum seyn muß.” Ibid.

tian and barbaric acts are rejected as false accusations. The text ends with sarcastic remarks on the calls to join the Swedish forces, which exist only as “chimera, but not in *rerum natura*”³¹.

This publication provides a central propagandistic context for the capitulations signed with the Baltic estates half a year later. The argument that obligation is conditional on protection goes back to the idea of mutual ties of faith between the feudal suzerain and his vassal, but it was also a central claim in the contractual theory of sovereignty by modern natural law theorists such as Thomas Hobbes, Samuel Pufendorf and John Locke. Reinhard Wittram supposes that the author of the text might have been Gerhard Johann von Löwenwolde, a nobleman from Estland who had previously served King August and in 1709 entered the service of the tsar³². This hypothesis is plausible, considering that the theory of mutual contract was anathema not only to the apologists of the absolute power of the Swedish king, but even more to the Divine right absolutism of the Russian tsardom. The theory reflected rather precisely the views of the Baltic noblemen who had protested against the absolutist policies of Charles XI in Livland³³. This shows clearly the length to which the Russians were willing to go to secure the possession of the provinces. At this moment they did not worry about the potential for future disobedience inherent in these contractual arguments, as a more acute worry was how to create a legal framework against the claims of *both* the king of Sweden and the king of Poland. Sheremetev’s letter avoided open antagonism with August, leaving the possibility that the “saviour” would relinquish the provinces to him as the future overlord. Yet the shift of the argument from the historical-legal claims of Poland to the voluntary act of the local estates suggested that the tsar could easily replace August as a new legitimate overlord, should the Livonians choose to subject themselves to him. The extensive promises outlined in the letter amount to nothing but a call upon the nobilities to do exactly this. The desired voluntary act of submission was then indeed secured by the capitulations.

In Estland the matter was easier for the Russians than in Livland, because Poland could demonstrate no stronger historical claims over this province

³¹ Des Königlichen Schwedischen General-Gouverneurs (as in note 28).

³² WITTRAM, Peter I (as in note 7), Vol. I, pp. 326–327, 332–333.

³³ Johann Reinhold von Patkul expressed very similar views about the constitutional relationship of Livland to its Polish and Swedish overlords. Cf. Pärtel PIIRIMÄE, Swedish or Livonian patria? On the identities of Livonian nobility in the seventeenth century, in: Baltic regionalism, ed. by IDEM / Andres ANDRESEN, Special Issue of Ajalooline Ajakiri. The Estonian Historical Journal 2012, no. 1–2, pp. 13–32.

than Russia, and any claims August might have had were renounced by him in the treaties of 1709. August's claims over Livland, however, were by no means brushed aside by the capitulations, as he believed that only he had been entitled to receive the allegiance of the local estates due to his historical rights. This is why Russia started to invent new legal claims against Sweden, in order to broaden, in retrospect, the scope of Russia's legitimate war goals. These claims were publicly launched in Petr Shafirov's "A discourse concerning the just causes of the war between Sweden and Russia", the most extensive and thoroughly argued piece of propaganda produced by Russians during the war³⁴. Shafirov's discourse, written in 1716 and published in 1717 in both Russian and German³⁵ (and in 1722 also in English³⁶), consisted of three main parts: first, the exposition of "the just, weighty and lawful causes" for Peter's attack on Sweden in 1700; second, the demonstration that the king of Sweden was "the Cause of the long Continuance of this war"; and third, that the tsar had waged the war "according to the Custom and Maxims of all civilized and Christian Nations"³⁷.

The first part was largely new compared to the original legitimization of war from 1700. Shafirov distinguished between "ancient and modern causes", which "necessitated" the tsar to begin the war. The modern causes were the affronts received at Riga that had formed the essence of the original justification, which Russian Ambassador Matveev had presented in The Hague in the autumn of 1700³⁸. But Shafirov put much more emphasis on the "ancient" ones. These consisted of the territorial pretensions of Russia towards Sweden. It is important to point out again that from the legal standpoint

³⁴ I will quote from the reprint which contains both the English and Russian version: [Petr P. SHAFIROV,] *A Discourse Concerning the Just Causes of the War between Sweden and Russia, 1700–1721*, ed. by William E. BUTLER, Dobbs Ferry, N.Y., 1973. The text is assessed in: CRACRAFT, *The Petrine Revolution* (as in note 11), p. 186 ff.; Lauri MÄLKSOO, *The History of International Legal Theory in Russia: a Civilizational Dialogue with Europe*, in: *The European Journal of International Law* 19 (2008), pp. 211–232; PIIRIMÄE, *Russia, the Turks, and Europe* (as in note 10), *passim*.

³⁵ [Petr P. SHAFIROV,] *Rassuzhdenie. Kakie zakonnye prichiny ego tsarskoe velichestvo Petr Pervyi, tsar' i povelitel' Vserossiiskii [...] k nachatiu voiny protiv korolia Karla XII, Shvedskogo, v 1700 godu imel [...]*, Moscow 1717; *Raisonnement, Was für Rechtmässige Ursachen Se. Czaarische Majest. Petrus der Erste / Czar und Kayser aller Reußen [...] gehabt, den Krieg wieder den König in Schweden Carolum den XIIten, Ao: Christi 1700. anzufangen [...]*, St. Petersburg 1717.

³⁶ The English translation was published as an appendix to: Friedrich Christian WEBER, *The Present State of Russia, 2 Vols.*, London 1722–1723.

³⁷ [SHAFIROV,] *A Discourse* (as in note 34), pp. 239–240.

³⁸ *Ibid.*, pp. 274–290.

there were two different sets of territories under debate. First, Karelia and Ingria, which had formerly belonged to the tsars of Russia but had been lost to Sweden with the peace treaty of Stolbovo in 1617. Second, Estland and Livland, which had never legally belonged to the tsars or the grand dukes of Muscovy – they had only been in their (partial) possession during the wars in the second half of the 16th century and in the 1650s, but were relinquished again in subsequent peace agreements. This distinction had been quite clear throughout the Great Northern War, and it was reflected in the agreements with Poland, as we saw above. It was much easier to justify the attempt to recapture relatively recently lost provinces (even though the loss was legally acknowledged in a treaty), compared to the acquisition of entirely new ones. In fact, already in 1700, a semi-official pro-Russian pamphlet supplemented the official reasons (affronts in Riga) with some more realistic ones. One of these was the argument that the provinces of Ingria and Karelia, which "since olden times have undisputedly belonged to the Grand Duchy of Muscovy", had been seized by Sweden, taking advantage of Muscovy's "internal troubles" in the early 17th century. No similar claims were advanced towards Livland or Estland in this pamphlet³⁹.

One of the chief aims of Shafirov's text was to blur this crucial distinction. Shafirov starts with the demonstration that Ingria and Karelia "did of old make part of the Russian Empire" and that the Peace of Stolbovo had been an "extorted Treaty" and therefore illegitimate. However, he does not stop there but suggests an analogy with how Estland and Livland had been taken from Russia during the Livonian War:

The Swedes being convinced in their Conscience, by the like unjust Means they had wrested from Russia and annexed to their Kingdom the Provinces of Livonia and Esthonia, which formerly partly had belonged to the Dominions of the Czars of Russia, partly had been under their Protection and paid Tribute to them; they stipulated in this Treaty, and made the Russian Ambassadors consent to it, that Russia should resign all its Pretensions to the said Provinces [Ingria and Karelia; P.P.]. [...] In this manner the Crown of Sweden became possessed of the foresaid Provinces, contrary to all Equity and

³⁹ Printed in: *Livonica, Oder einiger Zu mehrer Erläuterung Der Mit Anfang des 1700. Jahrs in Lieflland enstandenen Unruhe dienlicher Stücke und actorum publicorum*, s. l. [1703], fasc IV, pp. 37 ff. The text, written by J. R. von Patkul, is discussed in PIIRIMÄE, *Johann Reinhold von Patkuli poleemilised kirjutised* (as in note 17), pp. 166–169.

Charity, and against many Pacifications and Defensive Alliances, to the irreparable Damage of the Russian Empire [...]”⁴⁰.

Shafirov accumulates historical evidence that in his view proves that Livland and Estland had formerly been “under the Jurisdiction and Protection of the Russian Crown”. Here he could resort to claims that had already been launched during the Livonian War, including the “building” of Dorpat in 1030 by Yaroslav, the Grand Prince of Kiev, and the “Dorpat tribute” which allegedly proves that the bishops and the Teutonic Order only held the territories as vassals of Russian monarchs⁴¹. Shafirov also suggests that various treaties between Russia and Sweden concluded in the second half of the 16th century amounted to the Swedish renunciation of their claims to Livland and Estland, but he does not introduce the reader to the treaties in which the Russians renounced their own claims⁴². Nor does he mention the documents that formed the actual legal basis for the Swedish possession of the provinces, namely the contracts of submission concluded in 1561 by King Erik XIV with the city of Reval and the nobilities of Harrien-Wirland, and the treaties of Altmark and Oliva with Poland. All this indicates that “A Discourse” was written for a broader international audience that was not necessarily informed of the basic facts in the history of the region.

In this new retrospective legitimation, the Baltic capitulations played no explicit role at all. Neither was the annexation of the provinces mentioned in the latter parts of the text, which dealt with Russia’s peace offers and conduct in war. This seems to suggest that Shafirov, who was undoubtedly one of Russia’s chief ideologists at the time, did not think of the 1710 treaties as the best or most appropriate legal basis for the possession of the provinces. We can only speculate about his reasoning in 1716, just like we can only

⁴⁰ [SHAFIROV,] A Discourse (as in note 34), p. 269. Cf. Reinhard WITTRAM, Die Unterwerfung Livlands und Estlands 1710, in: Geschichte und Gegenwartsbewußtsein: historische Betrachtungen und Untersuchungen. Festschrift für Hans Rothfels zum 70. Geburtstag, hg. v. Waldemar BESSON, Göttingen 1963, pp. 278–310, here: pp. 307–308.

⁴¹ “Accordingly the Bishops and Heer-meisters (Commanders of the Teutonick Order) who governed over the said Cities, owned the Russian Monarchs for their supreme Lords, and paid a yearly Tribute to them as Vassals [...]”. [SHAFIROV,] A Discourse (as in note 34), p. 242. On Ivan IV’s claims on Livonia, see Anti SELART, Livland – ein russisches Erbland?, in: Russland an der Ostsee. Imperiale Strategien der Macht und kulturelle Wahrnehmungsmuster (16. bis 20. Jahrhundert) / Russia on the Baltic: Imperial Strategies of Power and Cultural Patterns of Perception (16th – 20th Centuries), ed. by Karsten BRÜGGMANN / Bradley D. WOODWORTH, Wien / Köln / Weimar 2012 (Quellen und Studien zur baltischen Geschichte 22), pp. 29–65.

⁴² [SHAFIROV,] A Discourse (as in note 34), pp. 242–257.

speculate about Russian motives when they signed the treaties in 1710. It seems possible that the central contractualist idea of the Löwenwolde-Sheremetev text from 1710, which emphasized the voluntary and mutually binding character of the capitulations that followed, was held instrumentally useful at the time of its publication but was later found to be prejudicial to the rights of monarchs. Shafirov’s argument emphasizes, instead, Russia’s historical rights and the tsar’s freedom to act in claiming them. While Shafirov never referred to Livland and Estland as “patrimonial lands” (in Russian: *voтчина / otchina*) in the style of Ivan IV – this would not have been accepted internationally⁴³ – he effectively argued that it was Russia’s justified historical claims that entitled the tsar to offer protection and accept submission. As the text was directed to broader European audiences, the chief aim of this argument was to render the acquisition of the provinces at a future peace conference more palatable. But the suggestion that the lands were now in the hands of their ‘rightful’ owner also constrained the future liberty of the new subjects to swap overlords again in case they felt their privileges were violated. The creation of a legal basis for the possession of the provinces that was independent of the capitulations and the Nystad peace treaty was definitely viewed as desirable by the Russians, particularly considering that the wording of the capitulation treaties (especially various clauses in the *General-Confirmationen*) had already sown seeds for future disagreements, whether or not the successors of Peter the Great were legally bound to confirm the Baltic privileges.

The Baltic Provinces and Peter’s Imperial Title

What is the relationship of the 1710 agreements to Peter the Great’s imperial title? As indicated above, in various documents signed in relation to the Baltic capitulations, Peter used the titles ‘imperator’ and ‘Kaiser’, in addition to his traditional title ‘tsar’ (as in the German *Gross-Czaarische Majestät*). The first of these instances was the “Universal” for Estland from 16 August

⁴³ At the Nystad peace negotiations a clear distinction between Russia’s “patrimonial” lands and new acquisitions was made: WITTRAM, Peter I (as in note 7), Vol. 2, pp. 455–456. In the domestic propaganda, by contrast, Narva and Tartu (and sometimes entire Livland) were habitually called “patrimonial” (*otechestvennye*): Elena POGOSIAN, Zavoevanie Baltiiskikh zemel’ v ofitsial’noi ideologii Petra I (1703–1705 gg.) [The conquest of the Baltic lands in the official ideology of Peter I (1703–1705)], in: Na perekrestke kul’tur: russkie v Baltiiskom regione. Ch. 1, Kaliningrad 2004, pp. 144–153.

1710, in which the tsar bore the title “von Gottes Gnaden Czaar und Imperator von allen Reussen”⁴⁴. A similar formulation followed in the capitulations of the Estonian *Ritterschaft*⁴⁵ and the city of Reval⁴⁶, and in the general confirmation of the privileges of the Livonian *Ritterschaft*⁴⁷ and the city of Riga⁴⁸. This had not been the usage in earlier diplomatic documents of the Russian chancellery. Since it was the same period that the tsar’s officials started demanding the acknowledgement of the new title by other European states, the question arises whether there might have been any connection between the acquisition of the provinces and the adoption of the new title. Was there anything special about the possession of these provinces, or about the manner in which these provinces were acquired, which changed the legal status of the Russian rulers and made the ‘tsar’ into an ‘emperor’?

It might be tempting to argue that since the concept ‘empire’ implies the amalgamation of a number of kingdoms and lands, the acquisition of Livland and Estland transformed the character of the tsar’s *gosudarstvo* to the extent that it became an ‘empire’ and the ‘tsar’ was transformed into an ‘imperator’. One may also point to the fact that the provinces had formerly been a part of the Holy Roman Empire. Perhaps this elevated the status of the tsar? These suggestions, however, are not corroborated by contemporary sources. The endeavour of Peter the Great to find acknowledgement for his imperial title was met with resentment by a number of European powers, especially the Emperor⁴⁹, which is why the Russians made an effort to find the most convincing justification for the adoption of the title. The acquisition of the Baltic provinces was never used to support the imperial title. Instead, the Russians argued that it was not a new title at all but that ‘Kaiser’ and ‘imperator’ were the correct German and Latin translations of the Slavonic ‘tsar’, which the grand dukes of Muscovy had intermittently used from the 15th century and officially adopted in 1547. The trouble was that heretofore the Western powers had not acknowledged that ‘tsar’ is an equiv-

⁴⁴ Die Capitulationen der estländischen Ritterschaft (as in note 23), p. 21.

⁴⁵ Ibid., p. 59.

⁴⁶ Ibid., p. 44.

⁴⁷ Die Capitulationen der livländischen Ritterschaft (as in note 23), pp. 47–49.

⁴⁸ Ibid. pp. 73–75. The Russian version was “My Petr’ Pervyi, Bozheiu milostiiu Tsar’ i imperator Vserossiiskii i prochaia i prochaia” [We, Peter the First, By the Grace of God Tsar and Emperor of All Russia etc, etc.]. References to other documents in WITTRAM, Peter I (as in note 7), Vol. 1, p. 480, note 53.

⁴⁹ Ibid., Vol. II, pp. 462–474; Karl-Heinz RUFFMANN, England und der russische Zaren- und Kaisertitel, in: Jahrbücher für Geschichte Osteuropas 3 (1955), pp. 217–224.

alent title to ‘emperor’, as this would have meant to recognize both the equality of Muscovite grand dukes with the Holy Roman Emperor and his superiority to European kings. In the 16th century, the title ‘tsar’ was generally not translated as ‘Kaiser’ or ‘imperator’ but transcribed as ‘tsar’ or ‘czar’, thus preserving its Slavonic character. The fact that ‘tsar’ was just another derivation from the Roman ‘Caesar’ either escaped notice or it was not considered as important⁵⁰.

There were exceptions to this translation practice. The English did not find it problematic in the 17th century to address Muscovite grand dukes as ‘emperor’ and the French occasionally addressed tsars as *Empereur des Russies*⁵¹. This usage did not, however, suggest the equality of tsars with the Holy Roman Emperor, but it showed that the tsars were considered as exotic rulers outside the orbit of the Christian commonwealth of nations. Once Tsar Peter started to play a greater role in European diplomacy and to claim his equality with the Holy Roman Emperors around 1710, attitudes changed and European governments refrained from such usage. When Russian negotiators Gavriil Golovkin and Petr Shafirov presented in 1717 to the English side the 17th-century letters as proof of the imperial title, the English negotiator Charles Whitworth said that the embellished titles had been customary in letters sent to “Turkey, Marocco, China, and other nations shut out of the pale of Christianity, and the common course of Correspondence”, and if the tsar wanted to be treated as a European ruler, he must be contented with the style used for the king of France⁵².

But the Russians were able to uncover even more significant evidence. In 1514 Emperor Maximilian had addressed Tsar Vassili III as “brother” and “Käyser und Herscher aller Rewssen”. This unique departure from the cus-

⁵⁰ On the adoption of the title ‘tsar’, see Aleksandr I. FILIUSHKIN, Tituly russkikh gosudarei [Titles of Russian rulers], Sankt-Peterburg 2006; Jaakko LEHTOVIRTA, Ivan IV as Emperor: the Imperial Theme in the Establishment of Muscovite Tsardom, Turku 1999; Isabel de MADARIAGA, Tsar into Emperor: the Title of Peter the Great, in: Royal and Republican Sovereignty in Early Modern Europe. Essays in Memory of Ragnhild Hatton, ed. by Robert ORESKO et al., Cambridge 2006, pp. 351–381; Sergey BOGATYREV, Reinventing the Russian Monarchy in the 1550s: Ivan the Terrible, the Dynasty, and the Church, in: The Slavonic and East European Review 85 (2007), pp. 271–295; Hedwig FLEISCH-HACKER, Die staats- und völkerrechtlichen Grundlagen der moskauischen Außenpolitik (14.–17. Jahrhundert), Breslau 1938 (Jahrbücher für Geschichte Osteuropas, Beiheft 1).

⁵¹ MADARIAGA, Tsar into Emperor (as in note 50), pp. 367–368. The English translated the title of Ivan the Terrible as follows: “We, greatest Ivan Vassilleviche by the Grace of God Emperor of all Russia and Great Duke”, FILIUSHKIN, Tituly (as in note 50), p. 113.

⁵² Quoted from RUFFMANN, England (as in note 49), p. 223.

tom of preserving the Slavonic title or translating it as 'rex' had been caused by the wish of the Emperor to form an alliance against Poland-Lithuania⁵³. The letter was published in 1718 in German to prove that the Holy Roman Emperor, "the first among the monarchs of the world" had already recognized the imperial title⁵⁴. This text was mentioned in all contemporary publications that discussed Peter's claim on the imperial title. After Peter was unilaterally declared 'imperator' by the Senate and the Synod in 1721⁵⁵ and the Russians increased their efforts to find acknowledgement for the new title, several treatises were published in Europe that provided a systematic analysis of Russia's claims. It was generally concluded that it was a mistake to translate the Slavonic 'tsar' as 'Kaiser' or 'imperator' because 'tsar' means a ruler who is roughly equivalent to European kings – he is above the dukes but definitely inferior to a 'Caesar'⁵⁶. Evidence was produced which showed that in the 17th century the tsars had made attempts at the court in Vienna to find acceptance for their imperial title but were even refused the title 'majesty' on the grounds that the Christian world had only one emperor⁵⁷.

⁵³ MADARIAGA, *Tsar into Emperor* (as in note 50), pp. 260–361; RUFFMANN, *England* (as in note 49), p. 217.

⁵⁴ Nachdeme man in der Reichs-Gesandten-Cantzeley in Mosko die alte Archiven durchsuchen und registriren lassen ist darunter ein Original-Schreiben von Ihro Majestät dem Römischen Käyser Maximiliano [...] gefunden worden, welches Seine Majestät Anno 1514 [...] an den Czaaren und Groß-Fürsten [...], St. Petersburg 1718. Published also in Friedrich Christian WEBER, *Das veränderte Russland, in welchem die izezige Verfassung des geist- und weltlichen Regiments [...]*, 2 Vols., Frankfurt 1721, here: Vol. I, pp. 356 ff. Weber writes that the document was found by Shafirov in Moscow archives in March 1719, but his dating appears wrong, as the text was introduced to the ministers of Holland in German and Dutch in 1718: [Philipp Balthasar Sinold von SCHÜTZ,] *Europäische Fama, Welche den gegenwärtigen Zustand der vornehmsten Höfe entdeckt. Der 214 Theil*, [Leipzig] 1718, p. 878. Vienna disputed the authenticity of the letter but in the 19th century it was proved to be genuine: MADARIAGA, *Tsar into Emperor* (as in note 50), p. 374.

⁵⁵ MADARIAGA, *Tsar into Emperor* (as in note 50), 351. Analyzed in: Elena POGOSIAN, *Petr I – arkhitektori rossiiskoi istorii* [Peter I – the architect of Russian history], Sankt-Peterburg 2001, part 2, ch. 1, § 3.

⁵⁶ Martin SCHMEIZEL, *Oratio inauguralis de titulo imperatoris, quem tzaarus Russorum sibi dari praetendit*, Jena 1722, p. 27; [Friedrich Ludwig von BERGER,] *Politisches Bedencken Über die Frage: Ob Der Kayserliche Titul und Nahmen [...] dem Czaaren von Rußland communiciret werden könne?*, [s. l.] 1722, p. 16. Cf. [von SCHÜTZ,] *Europäische Fama* (as in note 54), p. 884.

⁵⁷ "nulli in orbe christiano, nisi unico et soli romanorum imperatori, debitam [...]": [von BERGER,] *Politisches Bedencken* (as in note 56), p. 22; Cf. [von SCHÜTZ,] *Europäische Fama* (as in note 54), p. 885; SCHMEIZEL, *Oratio* (as in note 56), pp. 47–48.

Friedrich Ludwig von Berger explained in 1722 that the difference between 'empire' and 'kingdom' was qualitative, not quantitative: it did not depend on the size of the state, nor on the number of acquired kingdoms, otherwise the Spanish and the British would have become emperors long ago. 'Empire' was a purely legal concept and in Europe there could be only one such realm. If the estates of some state conveyed 'titulum imperatorium' to their ruler, they were free to do so (albeit such a step was unheard of in Europe), but it did not concern the other nations⁵⁸. Of course, it was also a free choice of other rulers to call the Russian tsars as they wished, as Balthasar von Schütz remarked in 1718. He wrote that the occasional attributions of the imperial title by various European states had taken place "aus Complaisance, aus geheimen Absichten und einem Particulair-Interesse", and could not be taken as a general rule or sign of universal acknowledgement⁵⁹.

Against this background it is clear that we should not attribute too much significance to the fact that the tsar was called 'imperator' in the Baltic capitulations. If the acquisition of Tartar 'kingdoms' or 'tsardoms' of Kazan and Astrakhan by Ivan IV in the 1550s was not sufficient to turn him into an 'emperor'⁶⁰, it is quite clear that the acquisition of mere provinces from the Swedish kingdom could not accomplish this either. Also, the acceptance of the imperial title by Livonian and Estonian estates was not significant as a legal precedent because the European kings were not fully convinced even by the precedent set by the Emperor, not to speak of other kings or lesser rulers. Russian governments had to negotiate with each of them separately, using opportune diplomatic moments, yet it took several decades to achieve a universal acceptance of the title⁶¹. If the usage of the imperial title in the documents related to capitulations had been an important step in the long term policy of securing the title, the tsar's officials would have surely used 'Kaiser' and 'imperator' in *all* documents signed in 1710⁶².

⁵⁸ *Politisches Bedencken* (as in note 56), pp. 25–42.

⁵⁹ [von SCHÜTZ,] *Europäische Fama* (as in note 54), pp. 885–886.

⁶⁰ For von Berger, the possessions of Kazan and Astrakhan were sufficient to prove that the tsars were more than dukes or grand dukes: [von BERGER,] *Politisches Bedencken* (as in note 56), p. 17. Cf. MADARIAGA, *Tsar into Emperor* (as in note 50), p. 362.

⁶¹ Prussia, the Netherlands and Sweden acknowledged the title in 1721/22 but the other major powers did this only after the death of Peter the Great: the Emperor in 1726, Britain in 1742, France in 1745, Spain in 1759 and Poland as late as in 1764. RUFFMANN, *England* (as in note 49), p. 220; WITTRAM, *Peter I* (as in note 7), Vol. II, pp. 468.

⁶² Several documents used the old Slavonic title: in the general confirmation of the privileges of the Estonian *Ritterschaft* the tsar was called "Gottes Gnaden Czaar und Beherrscher aller Reussen". *Die Capitulationen der estländischen Ritterschaft* (as in note 23), pp. 80–

The move to the title 'imperator' should be seen in the context of the great victory achieved by Peter over Charles XII at Poltava in 1709. This was a decisive moment in Peter's shift from a Byzantine to a Roman imperial model⁶³. Peter's claim of the imperial title was not so much a resurrection of "the empire of the East", as suggested by Isabel de Madariaga⁶⁴, but a return to the original Roman military meaning of the word 'imperator', in which Peter's own personality as a military leader played a central role. Richard Wortman concludes that "after Poltava, the visual arts openly characterized Peter as emperor and god"⁶⁵. The triumphs at Riga and Reval in 1710 were included in such picture programmes as further signs of imperial prowess and glory⁶⁶. Their distinctively European style emphasized the European character of Peter's reinvigorated empire.

The estates of the Baltic provinces were, of course, not in a position to resist the self-glorification of Peter as a resurrected Roman emperor, nor had they any motive to do so, as the imperial title of their new ruler heightened also their own status. From the Russian point of view, the adoption of the Latin imperial title vis-à-vis Estland and Livland did not represent a major innovation, because already in the late 15th century the rulers of Livonian lands (the Master of the Livonian branch of the Teutonic Order, the Archbishop of Riga and the bishops of Dorpat and Ösel) had accepted the title 'Kaiser' of the Muscovite grand dukes in the diplomatic documents⁶⁷. This

81. In the capitulation of the Livonian *Ritterschaft*: "Gross-Czaarische Majestät"; in the tsar's resolutions on the *Accord-Punkte* with the Livonian *Ritterschaft* and the city of Riga: "Czaarische Majestät", *Die Capitulationen der livländischen Ritterschaft* (as in note 23), pp. 35–46, 51–56, 76–79.

⁶³ Richard WORTMAN, *Scenarios of Power. Myth and Ceremony in Russian Monarchy*, Vol. I: from Peter the Great to the Death of Nicholas I, Princeton 1995, pp. 43–49.

⁶⁴ MADARIAGA, *Tsar into Emperor* (as in note 50), p. 376.

⁶⁵ WORTMAN, *Scenarios of Power* (as in note 63), p. 49.

⁶⁶ E.g., the series of commemorative medals commissioned by Peter and crafted by Philipp Heinrich Müller in 1712–1713. Ivan G. SPASSKII / Evgeniia S. SHCHUKINA, *Medali i monety Petrovskogo vremeni; iz kollektzii Gosudarstvennogo Ermitazha = Medals and Coins of the Age of Peter the Great: from the Hermitage Collection*, Leningrad 1974; Iurii P. PETRUNIN, *Severnaia voina v medaliakh i monetakh (1700–1721)* [The Northern War in medals and coins (1700–1721)], [Moscow] 2009.

⁶⁷ In fact the armistice treaty signed between the Bishop of Dorpat and Novgorod and Pskov in 1474 was the first instance when Ivan III was officially called "tsar". Document reference in: FILIUSHKIN, *Tituly* (as in note 50), p. 78; cf. FLEISCHHACKER, *Die staats- und völkerrechtlichen Grundlagen* (as in note 50), p. 27. Ruffmann mentions a treaty from 1473 but this seems to be a mistake. RUFFMANN, *England* (as in note 49), p. 217. For the usage of "Kaiser" in Livonian-Russian relations in the 15th century, see Russisch-

was not accidental but the title was imposed by the Russians as a sign of the superior status of Muscovite rulers. This was even more emphatically demonstrated by the practice of enforcing Livonians to sign treaties with the governors of Novgorod and Pskov rather than with the grand dukes themselves⁶⁸. These practices had been well developed even before the grand dukes were crowned tsars (Ivan IV was the first in 1547) and before they started to regard Livonia as their 'patrimonial' land (this idea was developed at the early stages of the Livonian War⁶⁹). The Russians succeeded in imposing the same humiliating practice on the earlier Vasa kings whom they regarded as inferior usurpers of the throne⁷⁰. Their other Western neighbours, the Polish kings, were very well aware of the implication of superiority of the imperial title. Not only did they obstinately refuse to accept it but they also made diplomatic efforts to persuade the Emperor and the pope to follow their example⁷¹. Thus Tsar Peter's chancellery could draw upon several centuries of diplomatic wrangling about the title. The Baltic lands had played a distinct yet minor role in this story.

Conclusions

The conquest of the Swedish Baltic provinces of Livland and Estland from 1704 to 1710 was undoubtedly a military triumph for Peter the Great. Yet the transformation of a *de facto* possession into a *de jure* acquisition was far from straightforward, considering the original justification for the war, treaties concluded with Poland-Saxony, the attitudes of the local elites and the international diplomatic situation. In this context, the Russian government

livländische Urkunden, hg. v. Karl Eduard NAPIERSKY, St. Petersburg 1868, nos. 306, 316, 349, 369, 378, 380; *Quellen zur Geschichte des Untergangs der livländischen Selbständigkeit*, hg. v. Carl SCHIRREN, 8 Bde., Reval 1861–1881, passim; *Neue Quellen zur Geschichte des Untergangs der livländischen Selbständigkeit*, hg. v. Carl SCHIRREN, 3 Bde., Reval 1883–1885, passim.

⁶⁸ Norbert ANGERMANN, *Studien zur Livlandpolitik Ivan Groznyjs*, Marburg/Lahn 1972 (*Marburger Ostforschungen* 32), pp. 22–23; FLEISCHHACKER, *Die staats- und völkerrechtlichen Grundlagen* (as in note 50), pp. 86–93.

⁶⁹ SELART, *Livland – ein russisches Erbland?* (as in note 41), pp. 38–41.

⁷⁰ FLEISCHHACKER, *Die staats- und völkerrechtlichen Grundlagen* (as in note 50), pp. 97–118; Sergei BOGATYREV, *Ivan the Terrible Discovers the West. The Cultural Transformation of Autocracy during the Early Northern Wars*, in: *Russian History / Histoire Russe* 34 (2007), No. 1–4, pp. 161–188.

⁷¹ MADARIAGA, *Tsar into Emperor* (as in note 50), pp. 360–362.

was constantly paying attention to the propagandistic aspects of its actions in the Baltic provinces. The capitulations of 1710 did not emerge on the spur of the moment but the ground was prepared by earlier treaties and promises made since 1704. Their general aim was to portray the process of conquest as a voluntary and legitimate submission by the representatives of the provincial elites in the situation where their former rulers were unable to protect them.

It is difficult to assess to what extent the chosen language of voluntary submission affected the tsar's campaign in the provinces. It did not prevent Peter from destroying the city of Dorpat in 1708, but after Poltava, when he became more confident about his prospects to acquire both Estland and Livland, a combination of practical and propagandistic considerations prompted him to adopt milder methods of campaigning and to show greater leniency towards his future subjects. The Baltic estates were able to capitalize on this situation and negotiate extraordinarily generous conditions in the 1710 treaties. Yet very soon after signing these documents the Russians started re-inventing the legal basis for their possession of the provinces, which effectively undermined the capitulation framework established in 1704–1710. The re-emergence of the discourse of the historical rights of Russian tsars that had originally been conceived during the Livonian War stood in contrast with the contractualist nature of the 1710 treaties and sowed seeds for future debates and conflicts about their legal status.

The capitulations also offered the opportunities to insert into juridical documents the title 'imperator', which Peter had started to adopt since the successful battle of Poltava. In the case of the Baltic provinces, this represented a return to the 16th-century practice when the Livonian rulers had been the first foreign powers to accept the Latin imperial title of the Muscovite grand dukes. It would be a mistake to see the acceptance of the imperial title by the Baltic corporations as an important legal precedent. It took decades before the other European rulers could be persuaded to accept the imperial title and the case of the Baltic provinces never figured in these debates. Yet the usage of the new title in the capitulation documents was another clear sign of the aspirations of Peter the Great. We may conclude that the capitulations of 1710 were not only legal documents that established the framework for the future government of the Baltic provinces within the Russian empire but they were also rhetorical exercises which affirmed Tsar Peter's status as a military hero, a resurrected Roman emperor, a Christian Caesar and a thoroughly laudable and admirable European ruler.

ANDRES ANDRESEN

Der Systemwechsel in der Kirchenleitung Estlands nach 1710 und seine Bedeutung für ein Paradigma der deutschbaltischen Geschichtsschreibung*

Ein Fundament der deutschbaltischen Lebenswelt in den Provinzen Estland und Livland war die ständische Selbstverwaltung. Als im Zuge des Nordischen Krieges in dieser Region die schwedische Herrschaft von der russischen abgelöst wurde, bestätigte die russische Seite die Selbstverwaltungsrechte der lokalen Stände zusammen mit ihren anderen weit reichenden Privilegien in den Kapitulationen von 1710 sowie im Jahre 1721 im Friedensvertrag von Nystad. In der folgenden Zeit waren die Deutschbalten sich dessen wohl bewusst, dass ihre gesellschaftliche Position in den baltischen Gouvernements des Russländischen Reichs direkt vom Willen des Zentrums abhing, die in den oben genannten Rechtsakten bestätigten Privilegien weiterhin anzuerkennen. Gerade wegen der erwähnten Umstände wurde in der deutschbaltischen historisch-politischen Ideenwelt für lange Zeit der Grundgedanke der Rechtskontinuität sowie das aus dieser Kontinuität abgeleitete Prinzip der Rechtmäßigkeit in einem ausgeprägten Maße unterstützt¹. Am deutlichsten und einflussreichsten verkündete der Historiker und Publizist Carl Schirren die Treue der Deutschbalten zu dem in den Kapitulationen und in dem Friedensvertrag von Nystad bestätigten Landesrecht². Das stärkste Argument der Ritterschaften gegen die sich im 19. Jahrhundert all-

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¹ Zur Einführung siehe z.B. Gert von PISTOHLKORS, Die Livländischen Privilegien: ihre Deutungen, Umdeutungen und praktischen Umsetzungen in der neueren baltischen Geschichte, in: Reiche und Territorien in Ostmitteleuropa. Historische Beziehungen und politische Herrschaftslegitimation, hg. v. Dietmar WILLOWEIT / Hans LEMBERG, München 2006, S. 285–309.

² Carl SCHIRREN, Livländische Antwort an Herrn Juri Samarin, Leipzig 1869, *passim*. Siehe auch Reinhard WITTRAM, Carl Schirrens Livländische Antwort, in: DERS., Das Nationale als europäisches Problem, Göttingen 1954, S. 161–182.