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THE FRENCH-AMERICAN TREATIES OF 1778:
THE DIPLOMACY OF THE AMERICAN REVOLUTION
AND THE FRENCH AND SPANISH RESPONSES

By TADASHI ARUGA*

Preface

With the adoption of the model treaty and the appointment of the Commissioners to France, the Continental Congress was ready to start its diplomacy in Europe. The basic assumption of its diplomacy was that, because of America’s importance in the international balance of power, Britain’s rivals such as France and Spain would support the American cause. Seeking their aid, however, Congress did not want to tie America down with the system of European power politics. In short, it attempted to invoke the balance of power in the Old World to liberate the New World from it. The model treaty was the purest embodiment of such an aim.

But it was a difficult task to be completely outside the system of European power politics while making use of it. Thus Congress and its Commissioners became willing to tie the United States with the Bourbon powers more closely than the model treaty had envisaged. There were, in fact, some inclinations among American leaders to favor a long-term alliance with them if such an alliance could secure Canada, Nova Scotia and extensive rights in Newfoundland fisheries for the United States.

It took more than one and a half years after the Declaration of Independence for the United States to obtain the treaties of commerce and alliance from France. But these treaties, highly beneficial to the United States, can be regarded as the first success of American diplomacy. On the other hand, American approach to Spain did not yield any successful result.

This essay is a sequence to my essay, “The Diplomatic Thought of the American Revolution,” published in Volume Nine of this journal. This essay discusses American diplomacy for foreign alliances and the French and Spanish responses to it.

1. Initial French Policy towards the American Revolution

Duc de Choiseul, the French foreign minister who had to conclude the humiliating peace of 1763, looked with great interest upon British troubles in her colonies in America. The golden opportunity for which the Duke longed did not arrive during his tenure of the office.¹ It was the Comte de Vergennes who directed French foreign policy during the

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The French-American treaties of 1778

American Revolution. This experienced diplomat made it his task as the foreign minister to restore France to the position of the premier state in Europe. It did not take much time for Vergennes to recognize potential opportunities for French policy in the armed rebellion. In 1775, he directed the Ambassador to Britain to send a secret agent named Bonvouloir to British America. His first report, which emphasized the American desire for French aid and optimistically estimated American military strength, reached Vergennes by early March 1776.

Encouraged by this report, Vergennes decided to recommend that the king give secret aid to the Americans. He was aware of the king’s reluctance for such a policy and Turgot’s opposition to it. Louis XVI did not think it right for a respectable monarch to help a rebellion against a legitimate ruler. Anticipating the king’s reluctance and Turgot’s opposition, Vergennes argued in his memorandum for secret aid to the Americans as a policy of self-defense. His memorandum, “Considerations,” maintained that Britain would attack French possessions in America regardless of the result of the American rebellion. Since an inactive policy would not guarantee peace, it was the best policy for France and Spain to prolong the war in British colonies by giving secret aid to the rebels and gain time to prepare for a war with Britain.

Another memorandum, “Réflexions,” discussed the same problem more analytically. Drafted by Joseph-Matthias Gérard de Rayneval, one of Vergennes’ secretaries, in April 1776, the document was probably a policy paper to be used within the foreign office. The colonies, the memorandum observed, appear to be resolved to throw off the yoke of the mother country altogether. If the colonies achieved their independence with French assistance, advantage for France would be enormous. The power of Britain would shrink and this itself would improve the French power position vis-à-vis Britain correspondingly. British trade would suffer greatly and French trade would increase considerably. Besides, France might be able to recover some of the lost possessions such as Newfoundland fisheries.

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5 Conrad Alexandre Gérard and Joseph Mathias Gérard de Rayneval were brothers and both worked under Vergennes. This often caused confusion among historians. Conrad Alexandre, elder brother, having served as premier commiss in the Foreign Office for Vergennes, became the first French minister plenipotentiary to the U.S. in 1778. Joseph Mathias took his brother’s place as premier commiss after the latter’s appointment to the American post. For their identification, I rely on John J. Meng, “Historical Introduction,” Meng, ed., Despatches and Instructions of Conrad Alexandre Gérard: 1778–1780 (Paris, Librairie E. Droz, 1939). In this paper, I shall refer to Conrad Alexandre as Gérard [CAG in footnotes] and Joseph Mathias as Rayneval.
6 For the text of “Réflexions,” see Stevens: Facsimiles, XIII, no. 1310. The date of this document had been uncertain until Meng discovered the original document endorsed with the date of “avril 1776.” Doniol and B. F. Stevens, the editor of Facsimiles of Manuscripts in European Archives Relating to America, dated the document at the end of 1775. The appropriateness of Meng’s dating can be inferred from the content of the document. For example, it mentions the determination of the colonists to be independent. A responsible policy paper could not have made such a judgment without any first hand report. Bonvouloir’s report did not reach until the end of February. If the memorandum had been written in 1775, such a judgment had been highly speculative. Meng, ed., Despatches and Instructions, 57–58.
and former French islands in the Carribean. Canada was expressly excluded from the former possessions to be recovered.7

What kind of assistance, then, should be granted? The colonies did not possess war stores, ready money and a navy. France could permit the Americans to send their goods to French ports and to receive in exchange arms and munitions. With this barter trade, the need for money would be reduced. The limited amount of species still needed could secretly be supplied by the French government. Also, some large ships might be sent to the French West Indies where they might ostensibly be purchased by the Americans. France should give such assistance to the rebelling colonies, as soon as the colonies seemed strong enough to succeed in the rebellion. But the intimation should be given immediately that French aid would be forthcoming. The consequences of secret aid would eventually be a war with Britain. However, failure to help the Americans would not guarantee peace.

Like the “Considerations,” this document noted that Britain would likely attack France no matter what the result of her war with the colonies. But the policy of secret aid was presented here as a means of promoting French power rather than that of self-defense. Thus by April, 1776, the French program of secret aid to the Americans had well taken shape in the French foreign ministry.

Turgot submitted his own memorandum in opposition to Vergennes' program. Stressing the precarious financial condition and the need of internal reform, Turgot maintained that it was no time for a war provoking policy. He doubted if Britain would really attack French possessions at the end of her troubles in the colonies. Being a Physiocrat, moreover, Turgot did not subscribe to Vergennes' logic of mercantilist power politics. It was his opinion that the mercantilist practice of monopolizing colonial trade was already outmoded.8 However, he was in a minority in the king's council. With a majority support of king's ministers, Vergennes could persuade Louis to adopt his recommendation.9

Vergennes and other statesmen of the ancien régime did not regard American republicanism as a potential ideological threat. There were several republics in Europe and they were never considered as an ideological threat. If French leaders were aware of American inclination towards republicanism, it did not disturb them. As Albert Sorel pointed out, Vergennes intervened in Geneva against democracy while defending it in America. “The insurgents I am expelling from Geneva are British agents,” wrote Vergennes later, “whilst the American rebels will be our lasting friends. I have treated both, not in the light of their political system, but in the light of their attitudes towards France. That is my raison d'état.”10

However, Vergennes was not entirely unaware of ideological implications inherent in a colonial rebellion. In a letter to the Ambassador to Britain, written in June 1775, when he was not as yet inclined to favor an interventionist policy, Vergennes made this comment:

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7 To regain Canada was never a part of Vergennes' program. He had directed Bonvouloir to inform the Americans that France had no designs on Canada. (Francis Wharton, ed., Revolutionary Diplomatic Correspondence [RDC] (6 vols., Washington, 1889), I, 333). He once appeared to think of possibility of making Canada and Nova Scotia French client states separated from the United States, but abandoned such an idea as impracticable and unwise. (Corwin, French Policy, 201–202). He considered it the best to leave Canada and Nova Scotia to English hands. His reasoning will be explained later.

8 For a summary of Turgot's memorandum, Doniol, Histoire, I, 280–283.

9 Corwin, French Policy, 78.

10 Cited by Sorel, Europe and the French Revolution, 92.
"The spirit of revolt, wherever it appears, is always a dangerous example. With moral as with physical maladies, either can prove contagious. It is rather our interest to engage in preventing the spirit of independence from spreading over that hemisphere."11

Neither was he entirely unaware of the possibility that independent America might become a powerful nation and threaten European possessions in the Americas. When he assured Lord Stormont, British Ambassador to France, of French non-intervention in late October 1775, Vergennes mentioned that possibility. If the Americans became independent, he reportedly told Stormont, "they would immediately set about forming a great marine, and as they have every possible advantage for shipbuilding, . . . in the end they would not leave a foot of that hemisphere in the possession of any European power."12 But he actually did not take such possibility seriously. The "Réflexions" noted it, but maintained such a possibility would be small. Their republicanism and their loose union as a confederacy, it argued, would prevent them from growing into an aggressive, formidable power.13 It was common in Europe of the 18th century to regard the republican form of government suitable only to a small state and a republican confederacy as a weak military power.14

When the news of the American declaration of independence reached France in August, Vergennes was ready to risk a war against Britain. "Between the advantages and disadvantages of a war against Britain in the present juncture," Vergennes advised the king and his other ministers, "the former outweighs the latter so unmistakably that no comparison can be made."15 However, the news of the American defeat on Long Island cooled Vergennes' enthusiasm for immediate military intervention. When the American commissioners arrived in Paris, Vergennes was not inclined to go beyond the policy of secret aid.16

2. The Beginning of American Diplomacy

In the 18th century the pace of diplomacy was limited by the under-developed state of communication and transportation. This was especially true of trans-Atlantic diplomacy. It took more than a month to cross the Atlantic. Appropriate ships were often not available. American and French ships had to dodge British men of war as well as bad weather. Having reached a port, men had to rely on horse power for land transportation. It took an enormous time for diplomatic agents to travel to the other side of the ocean and to correspond with their home governments. Silas Deane, who traveled in the spring of 1776 a circuitous route to disguise his identity, reached Paris three months after his departure.17 Franklin sailed from Philadelphia on October 26 and arrived in Paris on December 21.18 The exchange of letters between Congress and the Commissioners was slow and irregular.

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11 V to Comte de Guines, 23/Je/75, Doniol, Histoire, I, 82.
13 Doniol, Histoire, I, 245.
14 Sorel, Europe and the French Revolution, 41.
16 Ibid., 613.
17 James Breck Perkins, France in the American Revolution (Boston, Houghton, 1911), 63–64.
18 Phillips Russell, Benjamin Franklin: the First Civilized American (NY, Brentano’s, 1926), 252; Edward Everett Hale and E. E. Hale, Jr., Franklin in France (2 vols., Boston, Robert Bros., 1888), 66, 84.
patches were often snatched away by British secret agents and captured by British warships. The Commissioners did not receive any communication from Congress until the middle of March 1777; and at the end of April 1778 Congress did not possess any communication from the Commissioners dated later than May 26, 1777. The both sides often complained of their ignorance of what was going on on the other side of the Atlantic. This situation tended to give the Commissioners an extensive realm of their own discretion in diplomatic negotiations. The American diplomats signed both the French-American treaties of 1778 and the Anglo-American preliminary peace treaty of 1782 without communicating the content of the treaties to Congress. In the case of the treaty of 1782, they largely ignored the instructions of Congress.

The three American Commissioners, Benjamin Franklin, Silas Deane, and Arthur Lee, having joined together in late December 1776, had an audience with Vergennes on December 28 and submitted the model treaty for his consideration. At his suggestion they submitted the same treaty plan to the Spanish Ambassador, Conde de Aranda. The Commissioners, sensing the French court's reluctance to risk a war, thought that they had better offer something more than a treaty of commerce as an inducement. On February 2, they mutually agreed to take responsibility to go beyond their instructions and offer France and Spain a pledge of no separate peace in case of their participation in the war with Britain in return for a similar pledge on their part.

Their feeling was not out of touch with the then dominant mood in Congress. By the end of 1776, most of the patriot leaders at home, confronted with an adverse military situation which forced Congress to evacuate Philadelphia, became exceedingly anxious to secure speedy military intervention by France and Spain. On December 30, Congress resolved to send its commissioners to the courts of Vienna, Spain, Prussia and Tuscany for the purpose of concluding a treaty of amity and commerce and procuring assistance from these courts to prevent Britain from obtaining mercenaries in Europe. The Commissioners in Paris were directed to try to induce the French King to attack the electrate of Hanover, or any part of the dominions of Great Britain in Europe, the East or West Indies.

In order to induce the French to enter the war, the Commissioners were instructed to propose to make trade between the United States and the West Indies a monopoly of French and American vessels. They were likewise instructed to assure the French king that, if French forces in conjunction with American forces should reduce Newfoundland and Cape Breton, and if the French fleet should help the United States reduce Nova Scotia, the United States would be willing to make fisheries in those regions a French and American monopoly, and half of Newfoundland a French territory, provided that Nova Scotia, Cape Breton and the remaining half of Newfoundland be annexed to the United States. Congress authorized

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19 See for example, Committee of Foreign Affairs [CFA] to Commissioners [Cs] at Paris, 30/Apl78, RDC, II, 567.
21 BF, SD, AL to V, 23/D/76, BF to CSC, 4/Ja/77, BF, SD, AL to V, 5/Ja/77, BF, SD, AL to CSC, 17/Ja/77, RDC, II, 239, 244-245, 248.
22 RDC, II, 260.
23 Committee of Secret Correspondence [CSC, later Committee of Foreign Affairs] to Cs at Paris, 21/D/76, ibid., II, 226-231.
24 JCC, VI, 1039, 1050, 1055, 1057-58.
them to make if necessary another proposal that the United States would assist French force
to reduce the British West Indies and agree to make these conquered islands French posses-
sions.25

Congress decided to authorize the Commissioners to offer the Spanish king to assist
the conquest of Pensacola, provided, however, that he should be willing to grant the Amer-
icans free navigation of the Mississippi and use of the harbor of Pensacola. They were also
authorized to promise that the United States would declare war against Portugal if desired
by France and Spain.26

"Upon mature deliberation of all circumstances," the Committee of Secret Correspon-
dence advised the Commissioners, "Congress ... has authorized you to make such tenders
to France and Spain as they hope will prevent any longer delay of their assistance that is
judged so essential to the well-being of North America." However, the Committee cau-
tioned them that the object was to get the assistance "on terms as much short of the con-
cessions now offered as possible," although not "at the risk of a delay that may prove dan-
gerous to the end in view."27

Had John Adams been in Congress, he would possibly have opposed deviation from
the approach Congress had adopted under his leadership. His absence and the unfavorable
military situation helped Congress move away from the principles of the model treaty. It
may be said that, in spite of the adoption of the model treaty, there had been among the
delegates some inclinations to favor a firmer alliance with the Bourbon powers. As the
military situation became critical, the advocates of such an alliance gained a majority support
in Congress,

It is remarkable, however, how little American patriots were willing to concede even
when they felt it urgent to get foreign armed intervention. Those so-called concessions re-
vealed their desire to obtain an extensive empire for their new nation with military assistance
from the Bourbon powers. They were now willing to enter a permanent alliance with the
Bourbon powers to achieve their imperialist ambitions. Thus it may be said that their
diplomatic orientation was somewhat ambiguous. While they had adopted the principle
of no formal and permanent alliance in the model treaty, they did not exclude the possibility
of forming a close and long-term alliance to secure extensive territories and mercantilist
privileges. Since the idea of such an alliance continued to exist in Congress, the treaty of
alliance with France was readily accepted by Congress in 1778.

Encouraged by the deviation from the line of the original instructions on the part of
Congress, the Commissioners proposed to Vergennes and Aranda a plan of a triple alliance
between France, Spain and the United States against Britain and Portugal. According to
this plan, hostilities were to continue until Spain had conquered Portugal, until the United
States had established their independence, and until France and the United States had ex-
elled Britain from North America and the West Indies. Peace was to be concluded only
by the joint consent of the allies.28

Meanwhile, the atmosphere of crisis had faded in America after the success of Wash-
ton's surprise attacks in New Jersey in January 1777. American leaders, especially those

25 Ibid., 1055-56.
26 Ibid., 1057.
27 CSC to Cs at Paris, 30/D/76, RDC, II, 240.
known as militant patriots, regained self-confidence and became less desperate for foreign alliance.\textsuperscript{29} John Adams, who had returned to Congress, reiterated his preference for simple commercial relations with no political and military obligations to European nations.\textsuperscript{30}

Although Congress continued to desire eagerly formal recognition and overt extensive assistance by France and Spain, it did not fall into such a state of alarm as they had been towards the end of 1776.\textsuperscript{31} Most of the American patriots continued to expect that France, because of her own interest, would soon or later come to take sides with the United States. Those who thought that monarchical France would not welcome the emergence of Republican America were a small minority.\textsuperscript{32}

Throughout the summer and fall of 1777, French policy remained that of giving secret aid to America while avoiding a war with Britain. Spain too gave some secret aid. But her attitude was far more passive than France. She did not allow the presence of an American commissioner in her capital.

The American Commissioners continued to press the two courts for formal recognition and assistance. They reported to the Committee of Secret Correspondence in early October 1777 that they had presented an earnest memorial to those courts, "stating the difficulties of our situation, and requesting that if they cannot immediately make a diversion in our favor they should give a subsidy sufficient to enable us to continue the war without them, or offer the states their advice and influence in making a good peace."\textsuperscript{33} Silas Deane, impatient of French reluctance, proposed to his colleagues in November to confront the French court with an ultimatum demanding "a categorical answer to the proposition of an alliance, or satisfy them that without an immediate interposition, we must accommodate with Great Britain." Supported by Arthur Lee, Franklin dissuaded him from taking such a crude tactic.\textsuperscript{34}

As a matter of fact, the French government, unknown to the American Commissioners, had been willing to risk a war with Britain since the summer of 1777. By July Vergennes was again ready to advocate a warlike policy. The Americans had endured two years of fighting; the French navy had been substantially strengthened. It was now the time for decision, he thought. In a memoir submitted to the king on July 23, Vergennes argued for immediate alliance with the Americans. Louis approved Vergennes' recommendation with the condition that full understanding must be reached with the Spanish court first.\textsuperscript{35}

Vergennes was well aware of the necessity of cooperation with Spain. The "pacte de famille," renewed in August 1761, tied the two Bourbon monarchs together. Diplomatic cooperation of the Bourbon powers—under French hegemony, of course,—had been regarded by Vergennes as well as Choiseul as an important cornerstone for French diplomacy to re-establish French power and influence in international affairs.\textsuperscript{36}

At the beginning of the American Revolutionary War, Madrid had been eager to form

\textsuperscript{30} JA to GW, 3/My/77, \textit{LMCC}, II, 354; also see \textit{ibid.}, 330.
\textsuperscript{33} BF, SD, AL to CFA, 7/O/77, \textit{RDC}, II, 404.
\textsuperscript{34} AL's Diary, 27/N/77, Richard Henry Lee, \textit{Life of Arthur Lee} (2 vols., Boston, 1829), II, 354.
\textsuperscript{35} Doniol, \textit{Histoire}, II, 460–469.
\textsuperscript{36} Corwin, \textit{French Policy}, 36, 40, 59.
a common front with Paris. Having troubles with Portugal, a client state of Britain, and entertaining some aggressive design on that state, Spain had then been desirous of French support. It had given its consent to cooperation with France in a war-like policy against Britain. One year later, however, Madrid was no longer willing to cooperate with Paris in such a policy. The peaceful settlement of Spanish-Portuguese dispute had eliminated a major cause for Spanish desire for a joint anti-British policy. Also important was a change in Spanish diplomatic leadership. February 1777, Conde de Floridablanca, who became the First Minister in February 1777, was inclined to maintain Spanish diplomatic independence from her partner in the Family Compact far more than his pro-French predecessor.

Admittedly, Britain was Spain's traditional enemy. But Spain took an attitude towards the American Revolution quite different from that of France. Unlike France, weaker Spain was not seeking hegemony in Europe as its premier power. Therefore, she did not have much interest in changing the scale of balance of power by separating the united colonies from Britain. With a less developed economy and merchant marine, Spain could not hope to gain much herself by breaking British monopoly of American trade. Unlike France, moreover, Spain possessed a vast colonial empire in the New World. The rebellion of the British colonies might supply the colonial Spaniards with a bad example. Besides, independent Anglo-Americans might be more aggressive expansionists than they had been under the British control. They might encroach upon Spanish possessions in North America. Floridablanca saw the implications of the American Revolution in such a light. He did not subscribe to Vergennes' idea that American independence itself would be a blessing both to France and Spain. Floridablanca was glad to see Britain in trouble. Since it would give Spain an opportunity to strike a good bargain, he was not averse to giving a limited amount of aid to the American rebels in order to prolong British troubles. Meanwhile he wanted to have a time to explore various diplomatic options. Negative response by Spain delayed French decision.

Theoretically speaking, the Americans had two diplomatic alternatives. One was to negotiate with France to secure her open support for the American cause and the other was to negotiate with Britain a peace based on the grant of independence. If only Britain would be willing to recognize their independence, many Americans still thought, the two countries could restore intimate relations on a new basis. For example, General Horatio Gates expressed this sentiment in a letter to Rockingham: "the United States of America are willing to be the friends, but will never submit to be the slaves of the parent country. They are... more attached to England than any country under the sun; therefore, spurn not the blessing which yet remains; instantly withdraw your fleets and armies; cultivate the friendship and commerce of America." Gates wrote this letter soon after his victory at Saratoga. A similar sentiment was later expressed by John Jay whose Huguenot ancestors had fled to

37 Ibid., 79, 82-86.
39 Corwin, French Policy, 109-112; Phillips, West in Diplomacy, 47-51.
England. If she granted independence, he wrote, he would rather have an alliance with Britain than with any other power on earth.41

In Britain, a segment of the vocal public called for ending the war by granting independence to the Americans.42 The North ministry wanted peace. But the ministry was in no mood to grant outright independence. Yet the British might soften their stand considerably and might offer the Americans political independence in order to retain economic privileges in America. The Americans, if became exceedingly war wary, might also be inclined to settle for something less than independence. An economic union with complete home rule, if offered, might satisfy them. Such possibilities of Anglo-American rapprochement haunted Vergennes' mind. It would be all right if the United States secured total independence from Britain, in commercial as well as political relations. If Britain formed an economic union with the United States while renouncing political control, it would not weaken the British power and American independence would prove to be a nominal one from the French viewpoint. His apprehension was deepened by the news of Saratoga. Expecting Britain's change of heart, he felt that France must go ahead of her in offering independence to America. Otherwise, he feared, French opportunity to harvest fruits from the Anglo-American war would be lost. Franklin worked on this weak spot of Vergennes with skill.43 While stepping up pressure on the Spanish court to accede to French propositions, therefore, Vergennes decided to communicate the French intention to recognize American independence to the American Commissioners. On December 6, 1777, Vergennes dispatched Conrad Alexandre Gérard, his first secretary, to Passy, where the American Commissioners had been staying. Gérard informed the American Commissioners of the king's intention to acknowledge the independence of the United States and told them that the French government was now willing to discuss an alliance with America on the basis of their former proposals or any new ones.44 After one year of waiting, negotiations for a French-American treaty were about to begin.

3. The First Achievement of American Diplomacy

In order to forestall British peace overtures which might offer quasi-independence to the Americans, the French court decided to inform the American Commissioners of its intention to acknowledge American independence and take sides with the United States. A week after Gérard's visit to Passy, Vergennes invited the American commissioners to discuss with him the main features of their latest treaty proposal. Several days later, Gérard again visited Passy to inform them of the decision of the French court to conclude a treaty of amity and commerce with the United States on a reciprocal basis and to help the Americans to achieve genuine independence from Britain.45

The French, however, were restrained by the lack of Spanish concurrence. While assuring the Americans of the French decision to acknowledge American independence,

42 Van Alstyne, Empire and Independence, 141-142.
43 Corwin, French Policy, 121-122; Van Alstyne, Empire and Independence, 132-133.
44 AL's Diary, 6/D/77, AL, II, 357.
the French spokesman had to add that France had to wait for Spanish concurrence for this policy. A Spanish answer arrived towards the end of the year, but it was a negative one. This put the French in dilemma. To maintain the facade of the united front of the Bourbon powers in risking a war with Britain was very important to France. But an opportunity to weaken Britain by detaching America from her might be lost if France waited too long. Vergennes felt that he could not wait because he knew British agents were active in Paris with peace overtures to the Americans. He was now inclined to go ahead to conclude two treaties with the United States without Spanish concurrence: a treaty of amity and commerce to be effective upon ratification and a treaty of eventual alliance to be effective with the outbreak of a French-British war. By making the latter treaty eventual, Vergennes hoped to have more time to persuade Spain to join this alliance before it became effective.

On January 7, 1778, a meeting of the king’s council agreed to Vergennes’ plan. The council decided to conclude the two treaties with the United States without Spanish concurrence. The outline of the treaty of amity and commerce having been decided previously, the basic nature of the treaty of alliance was now agreed on by the council. The treaty should embody the following features. First, it should become operative only upon the outbreak of war between France and Britain; secondly, it should make its end to secure the absolute and unlimited independence of the United States; thirdly, it should stipulate a reciprocal postwar guarantee of the possessions of the two powers in North America and the West Indies; fourthly, it should allow either party a truce with the common enemy only upon the consent of the other; lastly, it should provide in a separate and secret article, for the right of Spain to join the alliance.

The next day, Gérard visited the American Commissioners and disclosed the French court decision. Gérard explained that France did not intend to go to war at once but would wait for British reaction to the French announcement of the treaty of amity and commerce. But he predicted an eventual war and cautioned them against accepting any peace offer from Britain which did not promise complete American independence. The American Commissioners wanted the immediate entry of France in the war, but had to abide by French policy.

The French draft of the treaties was handed to the Americans ten days later. As Gérard had intimated before, France did not request any special commercial privilege in the treaty of amity and commerce, willing to make American commerce open to all. She requested simply the most favored nation status for the French in return for the same to the Americans.

46 Montmorin to Vergennes, 23/D/77, Stevens, Facsimiles, XX, no. 1792.
47 Vergennes’ thinking is well summarized in a memorandum, “Considerations upon the Necessity of France declaring at once for the American Colonies, even without the Concurrence of Spain,” translated into English as Appendix III, Corwin, French Policy, 398–403. The original document is copied in Stevens, Facsimiles, XXI, no. 1835.
49 Gérard’s narrative 9/Ja/78, B. F. Stevens, Facsimiles, XXI, No. 1831, a summary translation in Corwin, French Policy, 152–153; AL’s Diary, 8/Ja/78, AL, II, 374–378.
50 BF, SD, AL to CFA, 18/D/77. RDC, II, 452–453.
51 The French draft of the treaties is not included in Doniol or RDC. But it is apparent from the process of negotiation that it was the same as the agreed texts with minor changes. The agreed texts, French and English, are printed in David Hunter Miller, ed., Treaties and Other International Acts of the United States of America (6 vols., Washington, Gov. Printing Office, 1921–1948), 13–46. The texts of the two treaties in both languages are also printed in JCC, XII, 419–455.
But France was contented in this case with breaking down British monopoly of American trade, expecting that this breakdown itself would turn the scale of the power balance between Britain and France in the latter's favor. It seemed to be wiser for France to refrain from seeking any special commercial concessions for the sake of long-term French-American friendship. Moreover, she could assert that she was acting for the common benefit of European nations in breaking down British monopoly of American trade. This way France would be in a better position in the diplomatic battle with Britain.

As for the articles regarding the commercial and navigation rights of a contracting party as a belligerent or a neutral, the French draft was almost exactly the same as the American treaty plan. Being a maritime nation with a navy usually weaker than that of Britain, France had her own interest in defining the rights of a neutral party including the adoption of the principle of "free ships make free goods." True, France could hope that she might weaken British naval power in this war and become herself the most powerful naval power. However, championing the interest of weaker maritime nations was again expected to obtain diplomatic support of European nations.

The only provisions in the treaty which became the subject of considerable discussion in the negotiations were Article XI and XII. France was willing to make, as desired by the American, the export of molasses from the French West Indies to the United States free from export duties. But France wanted the United States reciprocate with duty free export of American tobaccos to France and her colonies. Although Franklin and Deane felt it quite agreeable, Arthur Lee, a Virginian, was opposed to depriving Virginia of the right to impose export duties on its major cash crop for the interest of the Northern commercial states. Regarding this concession as "an enormous price," he requested his colleagues to reconsider it. They agreed to ask France to delete the two articles for the sake of unanimity. The French government, intimating that it would delay the signing of the treaty to revise its text at that stage, proposed to leave the two articles as they were. But the French indicated verbally that they would not object to renouncing them if requested by Congress after ratification.

Since the Commissioners understood French unwillingness to enter the war immediately, they did not try to change the basic character of the treaty of eventual alliance.

Article II defined the purpose of the treaty as "to maintain effectually the liberty, sovereignty, and independence absolute and unlimited of the said United States, as well in matters of government as of commerce." In Article XI, France guaranteed "forever" the liberty, sovereignty, and independence absolute and unlimited of the United States. This unequivocal commitment on the part of France to the independence of the United States was certainly a great advantage to the Americans who were struggling for independence. However, it was the French who wanted to write these stipulations into the treaty. It was the
French who used in their draft treaty such strong phrases as “independence absolute and unlimited” and “as well in matters of government as of commerce,” although the word “sovereignty” was inserted at Lee’s request. These phrases reflected French desire to make America completely independent from Britain, to keep her detached from Britain forever, and to retain her as a political partner of France.

As for the mutual pledge of ‘no separate peace,’ the Commissioners had long ago agreed to make such a commitment. They accepted the perpetual guarantee clause in the treaty willingly. Article XI read:

The two parties guarantee mutually from the present time and forever against all other powers, to wit: The United States to His Most Christian Majesty, the present possessions of the Crown of France in America, as well as those which it may acquire by the future treaty of peace: And His Most Christian Majesty guarantees on his part to the United States their liberty, sovereignty and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now, or heretofore possessed by Great Britain in North America, conformable to the 5th and 6th articles above written, the whole as their possessions shall be fixed and assured to the said States, at the moment of the cessation of their present war with England.

Knowing the great benefit of the alliance to the United States, the Commissioners did not try to avoid incurring such an obligation. It was certainly a great advantage for the United States to have a French promise of perpetual guarantee of her independence and territories. Besides the American obligation to guarantee French possessions in America did not seem to be a heavy, inflexible one. It could be construed variously and the United States would choose an interpretation most suitable to her interest. In accepting this obligation, as well as the “no separate peace” clause, they did not need to think that they went beyond the instructions of Congress, since the additional instructions of December 30, 1776, had implicitly allowed them to accept such stipulations by authorizing them to offer a long-term joint monopoly of the fisheries and the American-West Indian trade.

The treaty provided for territorial matters in Article V and VI. Article V read: “If the United States should think fit to attempt the reduction of the British power remaining in the Northern parts of America, or the Islands of Bermudas, those countries or islands in case of success, shall be confederated with or dependent upon the said United States.” In the next article the King of France renounced “forever the possessions of the Islands of Bermuda, as well as of any part of the Continent of North America which before the treaty

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55 AL’s Diary, 21/Ja/78, 27/Ja/78, AL, II, 378, 388.
56 AL wanted to limit the term of the treaty of commerce to twenty years, but his proposal was not accepted by his colleagues. As to the perpetuality of the treaty of alliance, he did not voice any criticism. AL’s Diary, 26/Ja/78, AL, II, 386.
of Paris in 1763 or in virtue of that treaty, were acknowledged to belong to the Crown of Great Britain, or to the United States heretofore called British Colonies..."75

It was a great advantage for America to have obtained French approval of the right to conquer and acquire British possessions in the North American Continent as well as French renouncement of her own territorial ambition in British possessions in the North American continent. These two articles drafted by France were similar to the territorial provisions stipulated in the original plan of Congress. However, there was one difference. These articles, unlike the corresponding ones in the original American plan, did not mention by name such islands as Newfoundland and Cape Breton. It is obvious that the French deliberately left it ambiguous. Having great interest in enlarging their own fishing rights, they certainly did not want to preclude entirely possibility of her obtaining territories in Newfoundland.58

Arthur Lee, the most suspicious and demanding of the three Americans, felt the French draft unsatisfactory and wanted to make clearer the French disavowal of territorial ambition by listing such maritime territories as Cape Breton and Newfoundland by name. Franklin suggested that Lee draft an amended article, although Franklin himself did not seem to be eager to press the French on this matter. Although an ardent expansionist, Franklin was aware of the limits of American bargaining power. The French did not accept Lee's revision. Lee had to acquiesce. But he continued to grumble, blaming this failure on the passive attitude of his colleagues.59

On February 6, 1778, Gérard and the American Commissioners signed the two treaties. This was the first success of American diplomacy. The United States gained the acknowledgement of her independence from a primary power in Europe. The terms were generous for those granted by a primary power to a new nation still struggling for its liberty.

The report of the progress of treaty negotiation in Paris prompted the British government to announce its desire for reconciliation with the rebellious colonies. On February 17, Lord North made a conciliatory speech in Parliament and submitted two bills to promote the reconciliation. One was a proposal to exempt the colonies from Parliamentary taxation. The other was a proposal to send special Commissioners to America to negotiate peace with the rebellious colonies.60 The news of North's proposals quickened the pace of Vergennes' policy. To forestall the British, the French government quickly took a series of actions in March. On March 13, the government announced the French acknowledgement of American independence and the French ambassador formally notified the British foreign minister of the conclusion of the treaty of amity and commerce. In order to force the British hands further, he was also instructed to hint at the existence of an alliance to the British.61

Britain had not lacked pretexts if she wanted to declare a war against France long before: French de facto acceptance of the American Commissioners, substantial secret aid to the

57 It seems that the Islands of Bermuda were added later. CAG to Cs at Paris, 2/F/78, RDC, II, 485.
58 The "Réflexions," a memorandum prepared by Rayneval in April 1776, it may be recalled, speaking of possibility of recovering some lost possessions in the war, mentioned specifically Newfoundland fisheries and islands in the Caribbean. (Cf. p. 7 of this chapter). Later in the Convention of Aranjuez, the acquisition of Newfoundland was listed among the French war aims. (cf. p. 65 of this chapter).
59 AL's Diary, 21, 24, 27/Ja/78, 6/F/78, AL, II, 379, 383, 388, 393; AL to Ralph Izard, RDC, II, 594–595.
60 Parliamentary History, XIX, 762–767; 775; Weldon A. Brown, Empire or Independence: A Study in the Failure of Reconciliation, 1774–1783 (La. St. UP, 1941), 214–215.
61 Doniol, Histoire, II, 820–826.
rebels, and lenient treatment of American privateers operating from French ports. The British had protested repeatedly, but preferred to avoid a definite rupture with France. The British had known the existence of the treaties before they were notified by the French ambassador. Now the government had no choice but to sever diplomatic relations with France immediately. The first Anglo-French naval encounter took place on June 17.  

4. The French Alliance and an American Dream of Expansion

The treaties were carried to America by Simeon Deane, a brother of Silas Deane. On April 19, he landed at Boston and hurried to York, Pennsylvania, where Congress had been meeting. He arrived there late on Saturday May 2. The members of Congress, hurriedly reconvened, were told of the conclusion of the two treaties and their terms. On the next Monday, Congress quickly ratified the two treaties with unanimity.

The arrival of the treaties in Congress was very timely. Because of the activities of the British secret service and the British navy, no report on the progress of treaty negotiation had reached Congress. As a matter of fact, Congress had not received any letter from the Commissioners written after the end of the previous May. Intelligence which Congress had obtained regarding the treaty negotiations in Paris was meager.

On the other hand, Congress had better information about North's conciliatory speech and the two proposed bills. The North ministry, apprehensive of the progress of treaty negotiations in Paris, lost no time in transmitting North's propositions to America. Lord Howe, the Commander of British Army in America, distributed from Philadelphia copies of North's speech and the proposed bills. On April 17, Washington obtained these papers and forwarded them to Congress.

In Congress, a committee studied the papers and reported that this new British move indicated that the British ministry, having realized its inability to conquer the Americans, had turned to an insidious tactic of dividing American unity by a conciliatory gesture. The report recommended that Congress should not negotiate with the British Commissioners unless Britain withdrew troops and fleets or granted independence beforehand. Although Congress approved the report, there were a number of delegates who wanted to soften the tone of the report. Henry Laurens, the then President of Congress, feared that if the British Commissioners might succeed in dividing the unity of the patriots by offering terms attractive enough to the moderates, if the Americans remained uncertain about the result of

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62 Bemis, Diplomacy of Revolution, 66-67; Corwin, French Policy, 169.
64 JCC, XI, 417-418; 457-8.
65 CFA to the Commissioners at Paris, 30/Ap/78, LMCC, III, 208.
67 Weldon A. Brown, Empire or Independence: A Study in the Failure of Reconciliation, 1774-1783 (Louisiana, La. St. UP., 1941), 233.
68 JCC, XI, 379.
69 Proposal for Treaty with Great Britain, [30(?)/Ap/78], LMCC, III, 207-208. For an explanation of this proposed resolution, see editor's footnote, 208n.
the treaty negotiations in Paris. Naturally, the American leaders longed for the arrival of new intelligence from their commissioners. The Committee of Foreign Affairs wrote to them: "the Enemy are entering upon a plan which must shortly perplex us much, unless we receive dispatches from you to enlighten us as to your situation and transactions of which we have had no information since the latter end of May..." 

If the British Commissioners could have arrived in America well ahead of the news of the treaties, they would certainly have received a better treatment from Congress and Americans. But the British action was too late. The North ministry did a belated try for reconciliation with the colonies within the framework of the British empire. The British Commissioners, arrived in British-occupied Philadelphia on June 6. Their arrival was ill-timed. Congress, emboldened by the French treaties, was in no mood to listen to a proposal which did not contain an outright recognition of independence. To their great chagrin the bargaining position of the British Commissioners was weakened further by the British evacuation of Philadelphia. This was a great psychological blow to them. The Commissioners remained in America until November, hoping vainly for favorable turn of events. But their mission ended in a total failure.

The terms of the two treaties seemed quite favorable to America. The "no separate peace" clause and the perpetual American guarantee of French possessions in the Americas in the treaty of alliance did not seem to bother the joyful Americans, although a few expressed some apprehension. No complaint about the terms of the treaties were apparently raised in Congress except for the Article 12 of the treaty of amity and commerce, which had been a subject of considerable discussion among the Commissioners. Many members of Congress shared the same apprehension with Arthur Lee. If states decided to levy export duties, everything might be shipped to the French West Indies to avoid such export duties. Because of such a fear, Congress decided to ask France to delete both Articles 11 and 12.

Because of satisfaction with the treaty terms, American patriots in general lavished their gratitude for French generosity and their admiration of French wisdom. Benjamin Franklin and Silas Deane, transmitting the text of the two treaties to Congress, emphasized French generosity and good will. "We only observe to you," they wrote, "that we have found throughout this business the greatest cordiality in this court; and that no advantage has been taken or attempted to be taken of our present difficulties to obtain hard terms from us; but such has been the king's magnanimity and goodness, that he has proposed none which we might not readily have agreed to in a state of full prosperity and established power."

Congress responded to the treaties with a similar feeling. Having ratified quickly, Congress adopted a resolution: "this Congress entertain the highest sense of the magna-
nimity and wisdom of his most Christian majesty, so strongly exemplified in the treaty of amity and commerce, and the treaty of alliance. . . ."76 Speaking for the Virginia delegation to Congress in a letter to Governor Patrick Henry, Richard Henry Lee echoed this same feeling. "In general," he wrote, "we find that his most Christian Majesty has been governed by principles of magnanimity and true generosity, taking no advantage of our circumstances. . . ."77 Possibly, the patriot leaders, remembering traditional American hostility toward France, deliberately emphasized French generosity and friendship in order to impress the Americans. But these expressions certainly reflected the genuine feeling of the men just relieved from tension and uncertainty. Many private letters of patriot leaders stressed the magnanimity and generosity of the French king and nation. For instance, Thomas McKean wrote to his wife: "The treaty between the United States of America and the Most Christian king proves that his Majesty of France is not only so, but also the most wise, most just, and magnanimous prince not only in the world at present but to be found in history."78 The patriot press echoed the same sentiment.79

To Americans, the French king, once regarded by them as a vicious despot, now became a hero, defender of American liberty, and protector of the rights of man. The role of despot was now played by the British king. "What a miraculous change in the political world!" exclaimed Elbridge Gerry, impressed by this ironical change of political roles.80 There were, however, some patriots who were not pleased with the expression of gratitude lavished upon the French king. Henry Laurens had not entertained any trust in the faith or benevolence of monarchs. He thought America could make use of France, but should not be unnecessarily dependent upon her. Retaining his distrust of French policy, Laurens was not optimistic about the blessings of the French alliance. Laurens was afraid that the alliance might restrict rather than increase American freedom of expansion, especially southward expansion toward East Florida and Bahama.81

However, most patriots tended to overestimate the blessing of the French alliance. Many expected that the alliance not only made American independence a sure thing but also would realize an American dream of expansion toward Canada, Nova Scotia and even the Floridas. In a letter to William Lee, the Committee of Foreign Affairs wrote optimistically of the prospect of Nova Scotia and Canada being soon united with the United States.82 Expecting that Spain as well as France would soon join the war against Britain, Richard Henry Lee wrote to Washington joyfully, "Should Great Britain be engaged in war with the Bourbon family, it will furnish us an opportunity of pushing the former quite off this Northern Continent, which will secure to us peace for a century. . . ."83 "I hope," Samuel Adams wrote, "we shall secure to the U.S. Canada, Nova Scotia and the Fishery by our arms or by Treaty."84 Invigorated by the French alliance, Congress reaffirmed the

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78 TM to Sally McKean, 11/My/78. Cited by Stinchcombe, French Alliance, 15. See also Oliver Wolcott to Mrs. Wolcott, 9/My/78, LMCC, III, 224-225; William Ellery to William Vernon, 6/My/78, ibid., III, 222.
79 Stinchcombe, French Alliance, 16.
80 EG to -, 26/My/78, James T. Austin, Life of Elbridge Gerry (Boston, 1828), I, 276.
81 HL to WL, 27/Ja/78, cited by Stinchcombe, French Alliance, 12, to John Garvais, 5/Sp/77, LMCC, II, 481; to GW, 31/Jy/78, LMCC, III, 356. Also see ibid., 273, 380, 385.
82 CFA (RHL, JL, RM) to WL, 14/My/78, RDC, II, 579.
83 RHL to GW, 24/Jc/78, LRHL, I, 420.
84 S. Adams to James Warren, 5/N/78, Writings of Samuel Adams [WSA], IV, 90.
acquisition of Canada and Nova Scotia as a war purpose. As for the Floridas, many members of Congress were willing to renounce America's claim to Spain in return for a Spanish alliance.

Although Americans were disappointed by the performance of d'Estaing's fleet in the summer of 1778, they continued to hope to drive out the British power from Canada and Nova Scotia with French assistance. Gérard, knowing Vergennes' intentions in territorial matters, was lukewarm in supporting American ambitions. Vergennes had stated in his instruction to Gérard who became the first French Minister to the United States: "The envoys of Congress have proposed to the king to enter into an engagement to favor the conquest by the Americans of Canada, Nova Scotia, and the Floridas. . . . But the king has considered that the possessions of those three countries, or at least of Canada, by England, will be an element of disquiet and anxiety to the Americans, which will make them feel the more the need they have of the alliance and the friendship of the king. . . ."85

However, the young Marquis de Lafayette was enthusiastic about a joint French-American expedition to reduce Canada and Nova Scotia.87 With his cooperation, a committee of Congress drafted a joint expedition plan and attached it to the draft instructions to Franklin, who was now appointed to the sole minister plenipotentiary at the court of France. The committee submitted to Congress these drafts and Congress approved them with slight modifications on October 22.88

Franklin was instructed, among the other things, that he should inculcate the certainty of ruining the British fisheries on the banks of Newfoundland, and consequently the British marine, by reducing Halifax and Quebec. For a concrete proposal, he was directed to refer to the attached plan of a joint expedition.89 The plan envisaged large scale assaults on Canada and Nova Scotia to be carried out in the next summer. The plan of a joint expedition listed the political advantages to be derived from it for both the United States and France. France would be able to consolidate French rights in Newfoundland fisheries, and therefore would be able to strengthen her marine power; France would increase the security of her interests in the Americas; France could strengthen her American ally; and France could regain her share in Canadian fur trade. American benefits would be the peace of their frontiers; the improvement of their finances; the accession of two states to the union; stimulation for the development of an American marine; and joint monopolization of the fisheries with France.90

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85 CAG to V, 20–21/O/78, Meng, Despatches and Instructions, 339-347.
86 "Memoire pour sevir d'Instruction au Sr. Gérard . . .," 29/Mh/78, Ibid., 129. (English translation) RDC, II, 526. It was probably CAG himself who, having negotiated the treaties with the American Commissioners, informed Vergennes of the American hope to conquer Canada, etc., with French assistance. CAG told the Commissioners that the king could not be expected to aid the U.S. to conquer Canada. (AL's Diary, 8/Ja/78, AL, II, 372, 377). He was also intimated by Deane that Franklin regarded the expulsion of the British from the whole continent the most definite reason for forming ties with France. CAG's Narrative, 9/Ja/78, Stevens, Facsimiles, No. 1831.
87 The members of the committee were Gouverneur Morris, Samuel Chase, William Henry Drayton, Samuel Adams, Richard Henry Lee and John Witherspoon. (JCC, XII, 908, 1005). It is worth noting that both S. Adams and RHL, whom CAG would soon regard as the chieftains of the anti-French faction, were in the committee which recommended a joint Canadian expedition.
88 22/O/78, JCC, XII, 1041.
89 "A Plan on An Attack upon Quebec," 22/O/78, ibid., 1042-1048.
Congress was willing to agree the acquisition of Newfoundland by France if the latter helped the United States to drive out the British from Canada and Nova Scotia. Congress would also grant France a share in fur trade in Canada. The two countries should share fisheries in the Newfoundland banks and in the coast of Canada and Nova Scotia, excluding other nations. Thus, the idea of a long-term close alliance with France to monopolize jointly mercantilist spoils prevailed in Congress again. Because of his idea of balancing the United States with British power in North America, Vergennes did not subscribe to the proposal for such a joint expedition. "While devoting our efforts to humbling England," he explained tactfully, "we must carefully avoid giving any impression that we are seeking her destruction. She is necessary to the balance of Europe, wherein she occupies a considerable place."91

Meanwhile, enthusiasm in Congress for a joint campaign was cooled down by Washington's opposition. Informed of the plan, Washington immediately gave Congress his opinion that such an expedition would be highly impracticable because of the lack of enough troops.92 In a private letter to Laurens, he also expressed his apprehension of possible political consequence of such an expedition. A Canadian expedition led by a Frenchman alarmed "all my feelings for the true and permanent interests of my country." French occupation of Canada, particularly Quebec, which was "attached to them by all the ties of blood, habits, manners, religion and former connection of government," would, he feared, "be too great a temptation to be resisted by any power actuated by the common maxims of national policy." He was not anti-French, but believed that "no nation can be trusted farther than it is bound by its interests." Washington's official letter was read in Congress. The committee which had recommended a joint expedition conferred with Washington and then submitted to Congress a report recommending the abandonment of the Canadian expedition. Congress formally abandoned the plan on January 1, 1779.93

As has been mentioned, France had her own reasons for her reluctance to support American territorial ambitions towards Canada and Nova Scotia. France also proved to be reluctant to support American claims for the Floridas and the Mississippi navigation, which were in conflict with Spanish interest. Thus the utility of the French alliance as a tool to realize American dreams of expansion was not as great as many Americans hopefully expected.

5. The Nature of Spanish War Aims

France concluded the treaties with the United States and risked a war with Britain without Spanish concurrence. It was the expectation of her court, however, that Spain would follow soon in spite of her apparent hesitancy.94 The secret separate article attached to the French-American treaty of alliance reserved for the Spanish king the right to join the

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91 Quoted by Van Alstyne, Empire and Independence, 168.
93 Sparks, Life of Gouverneur Morris, I, 194-195. See also 17/18/24/D/78, 18/N/78, 1/Ja/79, JCC, XII, 1140, 1227, 1230, 1250; XIII, 61-65.
94 Corwin, French Policy, 156; Phillips, West in Diplomacy, 74-75.
alliance. But Spain's course of diplomacy proved to be more elusive than the French court expected. Floridablanca and his master Charles III were offended by the unilateral decision of the French court. This hardened Spanish resistance to French leadership.

Floridablanca did not consider it Spanish interest to help the thirteen colonies in achieving independence. For him it was out of question to risk a war with Britain for the sake of American independence. How to take the best advantage of the situation to regain some of Spain's lost possessions from Britain was his primary interest in the War of American Independence. There were several territories Floridablanca wanted to recover from Britain: Gibraltar, Minorca, the Floridas and concessions in the Gulf of Honduras and the bay of Campeche. But the one he coveted most was Gibraltar, the strategic point taken by Britain in 1713. It would be best if Spain could have it without fighting. If not, however, Spain should try to take it by arms. In August 1778, Floridablanca directed the Spanish ambassador to Britain to sound British reaction by hinting that Britain might make some acceptable offer to keep Spain neutral. Later he suggested to the British foreign office that the cession of Gibraltar and Minorca would be welcome. Although the British government wanted Spanish neutrality, it was not willing to pay such a price for it.

Meanwhile the Spanish court offered to France and Britain mediation to end the war. The two belligerent powers both accepted the proposal. Chagrined as he was by Spanish obstinacy, Vergennes could not but accept the proposal. The British accepted it since it was her interest to buy time to keep Spain out of war. For the Spaniards, too, this was mainly a device to gain time to learn the price Britain was willing to pay for Spanish neutrality and the price France was willing to pay for Spanish belligerency. Moreover, British rejection of Spanish mediation terms could be used as a pretext to declare war against Britain.

Mediator's terms must seemingly be fair to the both sides, and of course they should conform with Spain's own interest. Thus Charles III suggested to Louis XVI, on November 20, his intention of offering a long term truce in America and de facto independence of the colonies without a formal acknowledgement of their independence by Britain in a peace treaty. At the same time, Floridablanca inquired of Vergennes what advantages Spain might expect if Spain joined France in the war. Thus he hinted that if Britain should reject Spanish mediation terms, Spain would join France in the war, depending upon the concessions France was willing to make to Spain.

By the treaty with the United States, France had committed herself to continuing to fight until the absolute and unlimited independence of the United States was secured. However, Vergennes felt that France now had to compromise her commitment to the United States in order to coordinate her policy with Spain. In December 1778 Vergennes sounded the opinion of Franklin, and he was pleased to find the latter not hostile to the idea of a long-term truce. The French minister urged Gérard to prepare Congress for a truce and the indirect recognition of independence. The matter, he stated, was to be handled with utmost delicacy and the unalterable disposition of the king to sustain all his engage-

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95 For the text of the secret article, JCC, XII, 455.
96 Corwin, French Policy, 159.
97 Bemis, The Diplomacy of Revolution, 77.
98 Corwin, French Policy, 182.
100 Ibid., 619-621.
ments was to be unremittingly insisted upon. He chose to interpret a truce to run for a term of years and to be accompanied by the actual withdrawal of British forces from the territory of the United States, as a fulfillment of the purpose of the alliance, if France continued to guarantee American independence. Since this was a very sensitive issue, Gérard apparently did not fully disclose to Congress what Vergennes had instructed him.

Meanwhile, the French ambassador to Spain, Comte de Montmorin, was sounding out Floridablanca’s ideas about the Spanish price for war. In February, Vergennes prepared a draft of a French-Spanish agreement and sent it to Madrid. It was a plan of an eventual alliance. Vergennes included an article which pledged the both parties not to make peace until Britain should recognize American independence. At Floridablanca’s insistence, this article was eliminated. After a considerable amount of negotiation, a secret convention (the Convention of Aranjuez) was signed on April 12, 1779, by Floridablanca and Montmorin. The first article declared the intention of the Spanish king, in the event that Britain rejected the ultimatum offering Spain’s friendly offices for the last time, of making common cause with the French king against Britain. In Article IX, the two parties pledged not to make any treaty of peace, truce, or suspension of hostilities without having at least obtained the restitution of Gibraltar and the abolition of the treaties relative to the fortification of Dunkirk. The French king promised that, if he succeeded in his aim of acquiring the possession of the island of Newfoundland, the subjects of the Spanish king would have a share in the fisheries (Article V, VI). He understood the intention of the Spanish king to secure the restoration of the Floridas, the expulsion of Britain from Honduras and Campeche, and the restitution of Minorca (Article VII).

Regarding the United States, the Convention stated in Article IV: “The king of France proposed and requested that the Catholic king should from the day when war should be declared against England recognize the independence and sovereignty of the United States and offer not to lay down his arms until that independence should be obtained; however, the right was reserved to the Catholic king to conclude for himself a treaty with the Americans to govern their reciprocal interests....” Floridablanca, rejecting the original French draft of this article, insisted that Spain could not acknowledge the United States until Britain herself would do so. The phraseology of this article was a face saving device for France, the ally of the United States.

Britain turned down Spain’s last offer of mediation dated April 3. The terms of Spain’s final offer were in a sense favorable to Britain. Vergennes wanted to secure at least a total evacuation of British forces from the proper territories of the thirteen states as the condition of a long-term truce. But the Spanish peace ultimatum proposed that the boundaries be-

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102 V to CAG, 25/D/78, Meng, Despatches and Instructions, 449-454.
103 CAG to V, 14/Jly/79, ibid., 770-783; JCC, XIV, 821-897.
106 Ibid., 806-807.
107 Phillips, West in Diplomacy, 105.
tween the British possessions and the united colonies to be drawn on the basis of uti pos-
sidetis.\(^\text{108}\)

If Britain accepted the Spanish terms, France would be placed in a very awkward posi-
tion. Fortunately for France and her American ally, the British government did not possess
enough flexibility to allow it to submit to a Spanish peace ultimatum. Spain entered the
war in June 1779.\(^\text{109}\) Thus Spain finally became a French ally. If Britain had offered Gib-
raltar and something more, however, Floridablanca would have been willing to pull Spain
out of the war even in 1780.\(^\text{110}\)

Anyway, France now had two allies, but the war purposes of her allies were not only
different but also in conflict.\(^\text{111}\) The basic war aim of the United States was of course in-
dependence. Spain lacked sympathy for this basic aspiration of the United States. Amer-
ican territorial aims were in conflict with those of Spain. This was more so because Spain
wanted to contain the United States within the region east of the Appalachians if independ-
ence should be granted. The Americans regarded as their legitimate territory trans-Appa-
lachian lands east of the Mississippi, at least above the Floridas, and also wanted to inherit
from Britain the right of free navigation on the Mississippi. The Spaniards were desirous
of securing the exclusive right of navigation on the river to monopolize the commerce of
the Gulf region. They also wanted not only to regain the Floridas but also to extend their
domain eastward across the Mississippi. The conflict in the war purposes of France's two
allies remained a problem for French diplomacy. France did not support American claims
against Spain. Her ministers advised Congress to adjust American war aims to Spanish
aspirations. Congress wanted Spanish recognition of independence and financial assistance.
How much concession should be given to Spain in return? This was a question Congress
continued to discuss from 1779 to 1781.

**Conclusion**

When American patriots decided to declare independence, they expected favorable
responses from European nations. Their calculation of foreign responses was too optimistic
because of their overconfidence in the effectiveness of an offer of a share in American trade
as a diplomatic bait.

Even France did not promptly acknowledge American independence and come to

is in *RDC*, I, 266–267. Main features of the proposal are as follows: 1. an unlimited truce between the British
and French kings; 2. the grant of an unlimited truce by the British king to his colonies through "the inter-
cession and mediation of the Spanish king;" 3. "the boundaries be fixed by referring to the positions and
territories in which the two parties are found at the time of ratification;" 4. "the colonies may send one or
more commissioners to Madrid and his Britannic majesty may also send others on his part under the media-
tion of the Spanish king, if necessary, in order to adjust all the points in the relations between them, and during
this interval the colonies shall be treated as independent in fact."


\(^{110}\) During the year of 1780, Floridablanca negotiated with London through the so-called Hussey-Cumber-
land Mission. Gibraltar and several other items were his price for a separate peace. Bemis, *The Hussey-

\(^{111}\) The French kept this Convention of Aranjuez secret to the United States. Corwin, *French Policy*,
205.
their rescue. Spain did not permit the presence of an American Commissioner and did not do anything to help the Americans except for a small amount of secret aid. The courts of Berlin, Vienna and Tuscany had little interest in American affairs to do anything for the Americans.

However, it may be said that American calculations of French response to the American Revolution proved to be basically correct. From the beginning France showed sympathy for the American cause. It allowed the presence of the American Commissioners in Paris and gave a considerable amount of secret aid to the Americans. Although she hesitated one and a half years, she finally recognized American independence and became an ally of the United States.

The Americans predicted favorable French response by assessing French national interest in terms of mercantilist power politics. Vergennes, the French policy maker, assessed French interest almost in the same way. The Americans, unfamiliar with the affairs of European continent, considered French interest almost exclusively in the framework of Atlantic affairs. Although Vergennes valued French hegemony in European affairs as the most important French purpose, he considered that to humble Britain in American affairs was the most effective way to establish French hegemony in Europe. As the Americans expected, therefore, Vergennes gave top priority to the policy of weakening Britain by detaching the thirteen colonies from her. A memorandum written by Vergennes or under his supervision stated: "The independence of the Colonies is so important a matter for France...that France must undertake the war for the maintenance of American independence, even if that war should be in other respects disadvantageous." This statement resembles strikingly the following observation by John Adams: "That it is the unquestionable interest of France that the British continental colonies should be independent...worth more than all the exertions we should require of her even if it should draw her into another eight or ten years war."

It is ironical that the American republicans and the seasoned statesman of the old regime interpreted French interest in American independence in a similar way. But the fact is that the American patriots considered the international implications of American independence in terms of mercantilist power politics. If liberal Turgot could have shaped French policy, the American patriots would have received from France nothing but some moral support. Since he believed that colonial trade monopoly was obsolete and destined to vanish sooner or later, the American patriots would not have had any bargaining power with him. But Vergennes, the practitioner of mercantilist power politics, was willing to risk a war to weaken Britain by breaking down her trade monopoly of her American colonies. Ideological hostility to colonial rebellion or republicanism never played a major role in his diplomacy.

Thinking in terms of mercantilist power politics, the American patriots expected that Spain, too, would probably help their independence. Spanish attitude toward the American Revolution, however, was far more ambivalent than they expected. Pleased as they were to see Britain in trouble, the Spanish disliked to see the success of a colonial rebellion in

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112 "England is our first enemy, and the others never had any force or energy except from her." V to Noalles, 17/Ja/78, Doniol, Histoire, II, 745-746.
113 A memorandum translated in Corwin, French Policy, Appendix III, 402.
America. Spain entered the war belatedly. But she never showed sympathy for American independence.

The American patriots did not expect any chivalry or generosity from the rulers of the Bourbon powers. But they thought that the self-interest of those powers would cause them to help the American cause. As they knew that their own interests and those of the Bourbon powers coincided only partly, they wanted their nation to be free from long term political and military obligations to European powers. The model treaty envisaged only an informal political alliance. Although they became willing to have a formal alliance with the Bourbon powers, their desire to remain uninvolved in European quarrels never changed. Nevertheless, generally speaking, American patriots tended to overestimate the coincidence of interest between the United States and the Bourbon powers. Encouraged by the conclusion of the treaties whose terms were quite favorable to the United States, they assumed that France would generously support the United States to conquer Canada and Nova Scotia. They also underestimated the conflict of interest between the United States and Spain. The limit of the military benefit of the French alliance became clear by 1779 when the French arms did not bring quick victories. The limit of the political benefit of the alliance, too, became clear in the year when the Americans began to discuss acceptable peace terms.