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# *Does Liberalism need a bit of Despotism?*

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## *Abstract*

The aim of this paper is to provide an analysis of the relationship between the political and the economic domains, affirming the primacy of the former over the latter as viable solution to the present situation in EU.

In seeking the notion of political Modernity, from a juridical and historical point of view, the concept of sovereignty might be taken as a crucial criterion. From a political viewpoint, indeed, the passage from a personal to a territorial idea of sovereignty is considered a watershed between Middle Ages and Modernity. The thesis of Carl Schmitt's *The Nomos of the Earth* is that Europe achieves a peaceful balance only after the Peace of Westphalia (1648), when European states recognize each other as sovereigns and equals.

Nowadays, the traditional notion of sovereignty seems to be overpassed and partially replaced by over-national economic powers, which are far more extended and influencing than the sovereign states. This type of economic, personalistic power has an ill-fated influence on the inhabitants of the global *polis*. This latter is a kind of power with equal strength as the political one, but without the distinguishing degree of rationality. The order of the political sphere appears to be replaced by the disorder of an uncontrolled economic concurrence, generating in many citizens impotence and other disturbing feelings (nationalism). These powers, over-national and personalistic, appear completely counterposed to the modern idea of politics itself, conceived as a teleological *nomos*. In this sense, it is possible to speak of a neo-Medieval Europe.

Taken as a whole, this condition of nation states and global capitals could be assumed as despotic, but certainly not as enlightened. A genuine enlightened despotism – however thought as a political sovereignty able to discipline the economic power and to guarantee actual freedom to the people on its territory (Europe?) – could be a fascinating political perspective to probe for.

This paper has been conceived for the panel *The Neo-Medieval Europe: resembling an Enlightened Despotism*. The title contains two locutions that could be useful to analyse the present political situation: a) Neo-Medieval Europe and b) Enlightened Despotism. In order for them to be valuable hermeneutical instruments, those notions need to be analysed from an historical perspective.

My aim is to provide an historical-conceptual analysis of the relationship between political and economic domains, affirming the primacy of the former over the latter as a viable solution to the present situation in EU. The paper is divided in two parts: a) In the first part, I inquire into the political status of Europe, using the notions of Middle Ages and Modernity. B) in the second, I try to understand how an Enlightened Despotism could represent a possible political solution to the problems outlined in the first part.

1.

Since the first publication of Hedley Bull's *The Anarchical Society: A Study of Order in World Politics* (1977) the category of neo-medievalism has been adopted in different and opposite ways. I firstly provide a definition of Middle Age by means of a juxtaposition with the notion of Modernity from a legal-political point of view. Once the definition of Middle Ages, based on the notion of sovereignty, has been supplied, I use it to outline the crucial problems of the current political situation.

Now, Middle Ages can be defined in many ways depending upon the chosen perspective. However, by limiting our investigation to the legal-political field, it is advantageous to think political Middle Ages as opposed to the era that follows, namely political modernity. Of course, in this operation we must not give in to the simplistic temptation to imagine this transition as a clear-cut line, nor to make some authors or legal devices the pioneers of political modernity.

The end of political Middle Ages does not overlap with the canonical dates of the transition to historical modernity (1453, 1492, 1517, ...). In this paper, I assume that the passage took place over a century later. If a moment were to be indicated, it should coincide with the middle of the seventeenth century, i.e. with the peace of Westphalia on the one hand (1648) and with the Glorious Revolution, accompanied by the Leviathan, on the other (1651). The birth of what we usually call political modernity, in fact, is inextricably linked to the question of religious wars.

The process of secularization in the 17<sup>th</sup> Century was not just a slow change that led to a political *status* that we can call 'modern'. Secularization was a matter of urgency. At the beginning of the 17<sup>th</sup> Century, both in England and in Germany the political effects of the Protestant Reform reached their climax. If religion cannot justify univocally the political power (that is, it cannot guarantee the civil internal order), it becomes a necessity to expel religion from the political sphere and to build political power on its own foundations (M. Scattola, 2003, 357). That is the essential point of Hobbes' *Leviathan* (1651).

The 16<sup>th</sup> Century, however, was not just the moment of the Protestant Reform. In 1576 Jean Bodin published *Les six livres de la Republique*. In this treatise, the author introduced a concept that became fundamental for the whole political modernity: sovereignty. Turning the debate around on the essence of the *majestas*, Bodin (1576, § 8) defined it as "that absolute and perpetual power that is proper to the State". Bodin's reinterpretation of the juridical history of the century did not stem from an exclusively theoretical need: even at the time of its origin, the concept of sovereignty was fundamental to overcome the civil war between religious factions that upsets France. The massacre of Saint Bartholomew took place in 1572, and the edict of Nantes, which put an end to the civil wars between Catholics and Huguenots, was issued in 1598. That is the reason why Carl Schmitt (1950, 143) wrote that *Les six livres de la Republique* "together with the concept of State it defined, it was a product of creedal civil wars".

With the reception of Bodin in Europe, a new philosophical tradition was born: the *majestas* became *summa potestas*, and was not conceived as *summus honor* anymore<sup>i</sup>. Sovereignty was now attributed to the office of the sovereign, not to its person. Thomas Hobbes summarized this concept in the well-known maxim, according to which *non veritas, sed potestas facit legem*. By introducing the concept of political representation, as counterposed to the idea of class-representation, the sovereign state became not only the source of sovereignty, but also the holder of the subjects' general will<sup>ii</sup>. At this point, the transformation of the typically medieval personal dominion to a new essentially territorial sovereignty can be considered complete<sup>iii</sup>.

The new concept of state, born from the transformation of the concept of *majestas* (sovereignty), has two main characterising elements: political unity and defined territoriality. Political unity means that the State firstly «created clear internal jurisdictions by placing feudal, territorial, estate, and church rights under the centralized legislation, administration, and judiciary of a territorial ruler. Second, it ended the European civil war of churches and religious parties, and thereby neutralized creedal conflicts within the state through a centralized political unity. (In a somewhat crude and primitive, yet clear and appropriate way, the German formula *cujus regio, ejus religio* [whose is the territory, his is the religion] expressed this new relation between religious belief and a spatially closed territorial order. » Defined territoriality means that «on the basis of the internal political unity the state achieved *vis-a-vis* other political unities, it constituted within and of itself a closed area with fixed borders, allowing a specific type of foreign relations with other similarly organized territorial orders» (Schmitt 1950, 144-145).<sup>iv</sup>

From the middle of the 17<sup>th</sup> until the end of 19<sup>th</sup> Century<sup>v</sup>, the notions of State and sovereignty, based on political and territorial unity, guarantee the order that Europe had lost between 16<sup>th</sup> and 17<sup>th</sup> Century. This balance, according to Carl Schmitt, goes under the name of *ius publicum europaeum*. The notions of political and territorial unity are essential to sovereignty, not only from a theoretical point of view, but also, and, perhaps, more importantly, from an historical-philosophical perspective. The new kind of political organisation that we call sovereign State managed to establish a civil order only through this notion of sovereignty, both in internal and foreign affairs. The end of the medieval order, which was based on Empire, Church, Feudal system and personal dominion had been destroyed and a new order had to be founded: «On the European continent, this new order was created by the State. Its historical specificity, its characteristic historical legitimation was secularization of European life as a whole» (Schmitt, 1950, 144).

Sovereignty is not an organizational principle among others, it is not an administrative arrangement at all. It is the essence of Modernity and it represents, for at least two Centuries, and partially also today, the only way to replace the theological order with a new kind of order, i.e. the political one.

Having provided a political definition of Modernity, it is now possible to outline a definition, albeit summary, of Middle Ages, based on three characterizing elements.

- 1) In the Middle Ages the concept of territorial sovereignty is unknown. The notion of *majestas* is personally conceived and based on the individual virtues of the sovereign. The earth has no *nomos*, the only law is arbitrariness of lords, Emperors, Popes.
- 2) Middle Ages is, then, the historical place where the idea of representation is useless (representation is sovereignty thought in its deepest and democratic sense). The *imperium* is the legitimate capability to administrate the civil life, according to a theological order, founded on indisputable/ undisputed/undeniable/ unquestionable natural laws, governing both the scientific and the social domain. This last has a natural/theological fixed order, so that the act of commanding is more a matter of transmission of order from an upper sphere of the universe to a lower one, than a matter of decision (or founding decision).
- 3) From a canonical viewpoint, according to the historical stereotype of Renaissance, Middle Ages is where man is not *faber fortunae suae*, he is in a precarious existential condition (Dark Centuries) comparable to a kind of ill-fated destiny, exposed to incommensurable forces (invasions, plagues, political power completely distant from him), oscillating between resignation and anger, that periodically leads to multiple forms of *jacquerie*.

Having set this definition of Middle Ages, I would argue that we are in front – at list of the risk – of a Neo-Medieval Europe. Having in mind the three abovementioned characterising elements, I argue for an analogy between Middle Ages and the current political situation in Europe.

- 1) Personality instead territoriality - The medieval *majestas* seems to assume personalistic connotations, and this in two ways: a) political leaders seems to be far more important than the political organisation they represent; b) as Thomas Piketty (2013), *inter alia*, showed in his important books *The Capital in 21<sup>st</sup> Century*, after the global financial crisis of 2008, the number of billionaires, as well the number of billions possessed by billionaires, in tremendously increased<sup>vi</sup>. The power of this class of people is often at the same level of the nation states power. It is an uncontrolled, arbitrary and personalistic power that does not know any geographical limit or any legal border.
- 2) The dominant political ideology in Europe is neo-liberalism. C. Galli (2013) described neo-liberalism as the fourth revolution of the long 20<sup>th</sup> century, besides communism, fascism, and the revolution of the social State. Since the 80s, neo-liberalism has become the dominant doctrine both in universities and in the places of the decision making about economic policies<sup>vii</sup>. This paradigm has as its motto the well-known formula of *laissez-faire*. This sentence is traditionally attributed to the merchant Legendre, who, answering to the Minister Colbert's question "Que faut-il faire pour vous aider?" (What can we do to help you?), said "nous laissez faire" (let us do). This little anecdote sheds light on the nature of the relationship between politics and economy implied by the neo-liberal paradigm. The economical domain requires the State (of which economics has an essential need) to de-politicize economy. A founding political choice is required to the states: the economic agenda of the State must be empty.<sup>viii</sup>

What is asked to the political *nomos* is to produce a space which is *a-nomos* structured by a kind of natural order. Indeed, in this picture, an historical-conceptual contradiction seems to be generated: political Modernity, having refused a natural-religious theology, founded its order on political decision. As previously shown, secularization is not a matter of believe, but a matter of social urgency. In the Modern-secularized world there is no order, but the one sovereignty builds in a precise territory. In light of this, the contemporary theology – which can be described as "Economic theology" – arises as a kind of anachronism.

The neo-liberal ideology, according to which an *homo oeconomicus* should act rationally and individually, with the only purpose to generate utility for himself, is a simplistic and fallacious Hobbesian depict of human nature, useful to legitimize a state of natural concurrence, to expel politics – i.e. normativity – from the economical world. Marx (1857, I,I) proposed a clear description of *homo oeconomicus* as adopted by classical economists.

In this society of free competition, the individual appears detached from the natural bonds etc. which in earlier historical periods make him the accessory of a definite and limited human conglomerate. Smith and Ricardo still stand with both feet on the shoulders of the eighteenth-century prophets, in whose imaginations this eighteenth-century individual – the product on one side of the dissolution of the feudal forms of society, on the other side of the new forces of production developed since the sixteenth century – appears as an ideal, whose existence they project into the past. Not as a historic result but as history's point of departure. As the Natural Individual appropriate to their notion of human nature, not arising historically, but posited by nature. This illusion has been common to each new epoch to this day.

Economics asks politics to create a world where it is possible to freely pursue interests according to its own power and calling them rights. If politics is prevented from regulating economy, this latter becomes hegemon, imposing a re-organization of the social state in order to respect market expectations (ordo-liberalism; Lisbon Treaty of 2007)<sup>x</sup>. In such a world, where economy seems to be ruled by natural laws, the State's intervention is reduced to mere administration and representation becomes hardly more than a *flatus vocis*.

- 3) After the structural economic crisis of 2008 (I assume crisis are endemic in Capitalism), the level of unemployment in many countries of Europe is arisen. In the South of Italy, for example, the 50% of young people (under 35 years old) are unemployed. In the whole Italy, one student on five leaves the school before finishing it. This precarious condition is what produces what we can call "neo-medieval feelings", an oscillation between resignation and anger. Medieval resignation stands to the current unemployment and depression, as the past anger stands to the nationalism or populism of the present days, as the *jacquerie* stands to the reactionary massive movement<sup>x</sup>.

The way Europe has been described is a picture of the reality and of dominant ideology in Europe. If the analysis provided is sound, neo-liberal Europe could be called and could really become a neo-medieval Europe. The neo-liberal paradigm is the cause of the regression of Europe from Modernity to a new Middle Age.

2.

Enlightened despotisms are called those kingdoms that promulgate progressive reforms in the middle of the 18<sup>th</sup> Century (Austria, Russia, Prussia, Tuscany, ...) thanks to the foresights of their Sovereigns. What is interesting of the enlightened despotism is, again, its description in a negative way. Those despotisms were enlightened *a posteriori*, because history showed that they were able to avoid the revolution that the French Regime wasn't<sup>x1</sup>. These kingdoms played the role of what Schmitt (1950, 43) called *Katechon*, that is «the historical power to restrain the appearance of the Antichrist and the end of the present eon».

Nowadays what could represent a *katechon*, a restraint in front of the possibility of the Antichrist (that is for Europe a massive reactionary movement, i.e. Fascism)? How should we think, nowadays, such as an enlightened despotism as an attainable political solution? The despotic feature of this kind of institution would be in pursuing to the common good (enlightened), to the detriment of anybody's particular interests (despotism). The question of "which kind of despotism" is, then, which kind of interests we want the detriment of and which other kind of interests we want to endorse. This question defers to another two questions: Which idea of freedom do we have? Which society do we think to?

#### *About freedom*

In this regard, Hegel (1821, §15) introduced a distinction between two kinds of freedom, a private and individual one and a public and social one, calling the first arbitrariness, the second freedom. Arbitrariness is associated to an individualistic idea of social life, based on the contract of private law that a number of abstract individuals stipulate with the others and with a sovereign. Freedom, on the other side, is conceivable only in a proper political community, originally made up of the state itself, where the members – who are not thought abstractly as individuals – are all part of the same ethical domain and cooperate consciously in order to reach the common good.

The commonest idea we have of freedom is that of *arbitrariness* - the mean position of reflection between the will as determined solely by natural drives and the will which is free in and for itself. When we hear it said that freedom in general consists in *being able to do as one pleases*, such an idea can only be taken to indicate a complete lack of intellectual culture. [...] It is inherent in arbitrariness that the content is not determined as mine by the nature of my will, but by contingency; thus I am also dependent on this content, and this is the contradiction which underlies Arbitrariness. The common man thinks that he is free when he is allowed to act arbitrarily, but this very arbitrariness implies that he is not free. When I will what is rational, I act not as a particular individual, but in accordance with the concepts of ethics in general: in an ethical act, I vindicate not myself but the thing.

What Hegel, here, implies is that when we act in order to supply to some need, we are not acting freely, exactly because we are acting in function of an object. If our happiness depends on this object, we cannot be free, because we are bound to this object. We use our free will to realize our particular scope. Arbitrariness, according to Hegel, is what we exercise in the domain of economy, what Hegel precisely calls the *system of needs*. In the economic sphere we are only partially free: our individual will cannot coincide with the will of the other actors, not being a common aim. The individualistic-naturalistic modern Freedom that Hegel calls arbitrariness has nothing to do with the idea of freedom that came out of Enlightenment. The real freedom is to act rationally, that is not to be understood as individually, but far more in accordance to the ethical idea, i.e. politically. Working for the common good, my will can coincide with the general will, is made up of the same substance as the universal-rational will. A particular will that act in the same direction of a universal one, becomes a singular will, member of an absolute, a whole without any external bonds, free.

### *About society*

Moreover, Hegel is the first philosopher to put a distinction between civil society and State, conceiving the first as domain of economy and private right, the second as a proper political domain. Concrete individual freedom could be reach only in the political-universal domain and it is dangerous to confuse the system of the needs with the whole aim of the State. On that matter, he wrote (1821, §258):

If the state [political domain] is confused with civil society [economic domain] and its determination is equated with the security and protection of property and personal freedom, the interest of individuals as such becomes the ultimate end for which they are united; it also follows from this that membership of the state is an optional matter. - But the relationship of the state to the individual is of quite a different kind. Since the state is objective spirit, it is only through being a member of the state that the individual himself has objectivity, truth, and ethical life. Union as such is itself the true content and end, and the destiny of individuals is to lead a universal life; their further particular satisfaction, activity, and mode of conduct have this substantial and universally valid basis as their point of departure and result. - Considered in the abstract, rationality consists in general in the unity and interpenetration of universality and individuality. Here, in a concrete sense and in terms of its content, it consists in the unity of objective freedom (i.e. of the universal substantial will) and subjective freedom (as the freedom of individual knowledge and of the will in its pursuit of particular ends). And in terms of its form, it therefore consists in self-determining action in accordance with laws and principles based on thought and hence universal.

The Hegelian answer is that an economic despotism cannot exist. Every form of association, being a form of civil life, requires the presence of an originally political community. This latter, as a kind of ethical order, represents the possibilities for the members of the state to live in a non-natural and in a non-mechanistic world, therefore conquering a space in the physics domain, that is the space of freedom (also the economic freedom). Letting economy rule our social lives means to take the risk of disorder; it means to prefer the profit of a few to the idea of a happy social life for almost everybody.

### *Nowadays Europe*

In Europe, objective conditions of unemployment, social disease and discrimination produce hate, fear and nationalism. We cannot condemn nationalist and populist movements in a simplistic way, as if they were just made up of stupid or particularly aggressive people. The feeling of anger is widespread for the deepest structural reasons and we have the duty to take those claims seriously. These people have the feeling to be in front of an uncertain future, of a destiny without any teleology, a destiny of impotence. Basically, they require the first task of sovereignty: protection (that is not security). The effects that neo-liberalism produces are the pre-condition of the European Antichrist, Fascism. Neoliberalism and fascism have, in fact, the same idea of disorder. Both consider disorder as something ineradicable by the human world. Where they are on the opposite side, it is in the way of relating to disorder: neoliberalism accepts it, telling, like in an Orwellian novel, that disorder is a kind of order, abdicating by the idea of limiting it; fascism still believes that disorder cannot be deleted from human history and reply with the strongest repression, with "security", with military control of the borders and of the social life.

Modern political rationalism produced also a different approach to the question of disorder, a paradigm that refuses the relationship of intellectual subordination that the right (liberal or repressive) has with disorder. This other relationship to the disorder is probably the true products of Enlightenment. Hegel (1821, 22) expresses in a few words the relationship between modern man and earthly disorder.

It is a great obstinacy, the kind of obstinacy which does honour to human beings, that they are unwilling to acknowledge in their attitudes anything which has not been justified by thought - and this obstinacy is the characteristic property of the modern age.

Thinking the world in a truly enlightened way means to think the world in a rational way, refusing the idea that our mind and the world are two non-communicating fields. From a political point of view, acting in an enlightened way means to act according to the claim of making the world rational, i.e. building up an orderly world, where individual concrete self-determination is not just possible, but also encouraged.

All the theoretical and political instruments to make the world rational are at our disposal. Nevertheless, we are lacking the political energy necessary to establish an order, i.e. a collective one, capable of promoting proper individual freedom. This lack of strength follows from the neo-liberal paradigm according to which Europe has de-politicized economy, letting the states be ruled by capitals, letting the principle of order and freedom being ruled by the law of strength, having subjugated the *nomos* under the *a-nomos*.

The only way to achieve the purpose of such a strength is a despotism, but a modern and enlightened one. The despotism we need is the one of the political over the economy. The process to make this despotism strong enough to represent a proper *Katechon* is to re-think the ideas we have of freedom as well as of society and political community, in the direction I have tried to show.

Only with these assumptions it would be possible to make political sovereignty a valuable instrument to give an order to the land we care about. Political sovereignty must involve the will and the needs of every single person present on its soil, resembling the front-cover of Hobbes' *Leviathan*. Only through a proper representation, sovereignty can be elevated to political unity and be a truly democratic principle.

In conclusion, I would like to remember the description of political Enlightenment from a personal letter of Hegel to his friend Schelling. The letter is of April 16<sup>th</sup>, 1795, six years after the French Revolution, and contains a beautiful depiction of what politics in the Contemporary Era should be.

I believe there is no better sign of the times than this, that mankind is being presented as so worthy of respect in itself. It is proof that the aura of prestige surrounding the heads of the oppressors and gods of this earth is disappearing. The philosophers are proving the dignity of man. The peoples will learn to feel it. Not only will they demand their rights, which have been trampled in the dust, they will take them back themselves, they will appropriate them.

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<sup>i</sup> On the question of the passage from a personal kind of majestas, to the definition of this latter as *summa potestas* and then as a kind of sovereignty, the German debate is exemplar. In the frame of German political Aristotelianism, the most evident fracture is the one between Evangelical and Reformed thinkers. The latter, influenced by the Calvinist doctrine, try to describe the *Respublica* as a form of *societas* (for instance, in Althusius, *consociatio*) and they polemicize against the notion of *summa potestas*. The former, on the other side, more influenced by Melancthon than by Luther, consider the *Respublica* a form of *ordo*, descending directly from a sort of absolute power, the *imperium*, thought on the model of a divine *patria potestas*. Reformed thinkers, like Otto Casmann, Bartholomaeus Keckermann, Klemens Timpler, independently from the variation of their theological positions, interpret the *majestas* in a traditional way, as *summus honor*: in this interpretation *majestas* is a special quality of the sovereign, directly granted by God, that makes the *magister* able to inspire respect, honor, admiration and therefore to be recognized by the subjects. In other words, *majestas*, i.e. the main characteristic of a Sovereign, is strictly related to his virtues. Since the virtue is the order that God has established for the earthly life, being an example of virtue and to influence the life of his subjects in a devout way must be the purpose of a good *magister*. Indeed, even the *summus magister* cannot elude the principle: «Ad Deum omnia referuntur per virtutem»<sup>i</sup>. Even the sovereign has specific duties and a strict code of conduct. His *majestas*, his possibility to be recognized as worthy of *honor*, is tied up with his behavior and his capability to prove his virtues. This has the further important consequence, to legitimize the right to resist (resist, not rebel!) to a sovereign that is not respecting the divine order. That is why these authors, after Gierke's book on Althusius, were considered among the so-called monarchomachs.

On the other side, Evangelical thinkers give a complete opposite interpretation to the traditional idea of *majestas*. If for the monarchomachs the *honor* has among its effects the capability of the *imperium*, according to the Protestant thinkers the relationship is vice versa: honor is an effect of the *summa potestas*, that is the real essence of the *majestas*. This interpretation of the *majestas* as *summa potestas* highlights the juridical, instead of the ethical, side of the notion. The *potestas* is *absoluta*, it is defined as the capability to give an order through the *imperium*.

Furthermore, Melancthon's theological-political doctrine was the perfect background where to build a doctrine of the state as *Herrschaftsordnung*. The theologian utilized the analogy between God's Kingdom and earthly life, not to underline the necessity of virtues to gain *majestas* and therefore *honor*, rather to show the necessity of an order in worldly life. According to this interpretation the *potestas* is legitimated not by the virtues the sovereign displays, but because it is the only possible source of order on Earth. The *potestas* is legitimated because the universe requires it and cannot exist without it.

<sup>ii</sup> Galli 2019, pp.77-80; Duso 2003, pp. 80 ff.

<sup>iii</sup> Complete, even if not refined. Particularly the concept of representation has been discussed in the years of the American War of Independence, during the French Revolution; furthermore, theories such as the Rousseauvian or the Hegelian are fundamental to this concept. M. Stolleis 2012, p. 82.; Willoweit 1992.

<sup>iv</sup> According to Hegel, for instance, that wrote a *Constitution of Germany* in 1801, «Germany is not a State anymore» exactly because it has lost a political and a territorial unity: The State requires a universal centre, a king and representative estates, where different powers, foreign politics, army and the financial means for all of them could find a unique principle. [...] Everything, however, contribute to the idea that Germany is not a united state body, but a myriad of independent States... Hegel 1801, pp. 19-21.

<sup>v</sup> Schmitt 1950, pp. 287 and ff.

<sup>vi</sup> Thomas Picketty, 2013.

<sup>vii</sup> G. Lunghini, 2012.

<sup>viii</sup> C. Galli 2019.

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<sup>ix</sup> C. Galli, 2019, 133.

<sup>x</sup> Palmiro Togliatti definition of Fascism.

<sup>xi</sup> Reinhart Koselleck's book, *Preußen zwischen Reform und Revolution. Allgemeines Landrecht, Verwaltung und soziale Bewegung von 1791 bis 1848*, that analyses the Prussian case, shows that insufficient reforms were unable to avoid the revolution (1848).<sup>xi</sup> What we are in front of seems not to be a popular democratic revolution, but a massive reactionary movement. Prussia didn't manage to implement decent reforms, because a precedent law, the *Allgemeine Landsrecht* of 1794 was blocking them. In the *Allgemeine Landsrecht*, indeed, feudal privileges were protected as they were private properties. So, when after the *Oktobereidikt* of 1807 the Program of Reforms tried to build a modern economy, like in England and in France, by giving small private properties to the farmer, the Program had to stop. To refund feudal privileges of the lords as private property was too expensive. It was impossible to really realize the Reform. Forty-one years later, Prussia couldn't avoid a revolution that imposed violently what the State hadn't have the courage to do earlier.

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## Bio

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