The Banner of Conservatism:

Friedrich Julius Stahl, King Friedrich Wilhelm IV, and the Reinvention of Divine-Right Kingship in Prussia, 1833-1863

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Introduction

“It is useless to demonstrate, what nobody doubts, that the theory of the Divine Right of Kings has no affinity with the creed of any modern political party.”¹ So wrote John Neville Figgis (1866-1919) in his seminal historical study, The Divine Right of Kings, first published in 1896. What Neville apparently overlooked, however, was that just thirty years prior, in 1861, the Prussian conservative politician Friedrich Julius Stahl (1801-1861) had stood before an assembly in Berlin, passionately eulogizing the recently deceased Prussian King Friedrich Wilhelm IV (1795-1861) for his commitment to the “the crown, which he alone wears ‘from God’.”² Indeed, such was a reflection of Stahl’s own career-long effort to establish the principle of divine right as the ideological stronghold of the Prussian Conservative Party—that is to say, “the banner of the conservatives.”³ Two years after Stahl’s death, his dear friend and colleague in the conservative party, Ernst Ludwig Gerlach (1795-1877), held his own spirited address in Stahl’s honor, in which he declared divine right to be “a true party flag.”⁴

This was, by all accounts, strikingly anachronistic. As Figgis too wrote, “That the doctrine [of divine right kingship] is absurd, when judged from the stand point of modern political thought, is a statement that requires neither proof nor exposition.”⁵ And yet, for a group of German thinkers and politicians, it was neither absurd nor outdated. Rather, they considered it

⁵ Figgis, Divine Right, 1.
imminently possible to reconcile the doctrine of divine right with modernity. Stahl, above all, led the charge in this regard, devoting his career as an academic and politician to the reimagining, defense, and re-entrenchment of the doctrine of divine right. In turn, King Friedrich Wilhelm IV, whose reign coincided with the height of Stahl’s career, accepted it as his personal vocation to espouse belief in and exude the image of a king “by the grace of God.” It is these two characters, and their seemingly anachronistic intellectual endeavors, which will constitute the core of this study. How did what is regarded as a thoroughly “premodern” political idea find a new life in the nineteenth century? This is the story I attempt to tell.

History of Divine-Right Kingship

The idea of “divine right kingship” has its roots in the medieval period. As Anne McLaren has argued, “Christian kings could, and from the time of Charlemagne (742–814) did, claim to rule dei gratia: by the grace of God, by his gift and permission.” This theory, which has such medieval roots, developed into a more concrete doctrine in the early modern period. The Reformation, and Martin Luther (1483-1546) in particular, had a profound influence on it. Luther laid out his early views on authority in his pivotal work Temporal Authority: To What Extent It Should Be Obeyed (1523). The well-known contention of this work, Jarrett Carty has argued, remains that “Christians were governed by God through zwei Reiche, or two kingdoms: the

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geistliche Reich, or spiritual kingdom, and the weltliche Reich, or worldly kingdom.” This distinction between the two kingdoms has been the subject of much scholarly attention.

The book itself was organized into three parts, the first of which addressed the basis of temporal authority. Luther turned to scripture to answer this question, citing Romans 13:1-2 and Peter 2: 13-14. Romans 13:1-2 states: “Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God.” In these New Testament passages, Luther understood a greater meaning. Not only did they serve as Paul and Peter’s warning to Christians to be obedient. Rather as Carty has claimed, Luther “also saw an emphasis on the divine institution of government as a universal, transhistorical foundation for all political legitimacy.” In other words, “the foundations for temporal authority were laid in the antediluvian age.” In the second section of Temporal Authority, Luther sought to justify the need for temporal authority at all. True Christians, after all, were part of the spiritual kingdom and thus “had no need of temporal government.” However, the Christian was simultaneously “inescapably in this life a subject of the temporal kingdom, and thus cannot do without the divinely ordained government to provide order and at times even coerce his body.” After defending the necessity of temporal authority at all, Luther used the third section of his work to explain how to be a good Christian prince—that is, to “‘instruct [the ruler’s] heart’ on how to see his duties and princely affairs as godly duties to the temporal kingdom.”

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8 Carty, *God and Government*, 41.
9 Carty, *God and Government*, 42.
10 Carty, *God and Government*, 42.
Despite the significance of *Temporal Authority*, however, Luther presented another key facet of his views on authority in a slightly earlier and lesser-known work, his *Sincere Admonition to All Christians to Guard Against Insurrection and Rebellion* (1522). It was here, Carty argues, that two of the most significant, albeit underdeveloped, features of Luther’s political thought appeared: “First, coercion was legitimate – in the eyes of God – only in the hands of what Luther called the *ordenlicher*, or “duly constituted” temporal authorities (which he did not define); second, the subjects of such authority had thus no legitimate grounds for rebellion against them.”\(^{12}\) It was this castigation of “rebellion” which would remain a central feature of the doctrine of divine right kingship. Indeed, as Francis Oakley has argued, such conceptions of authority, particularly Luther’s denunciation of rebellion, had a profound impact on the areas of north and northwest Europe “that fell under the influence of Lutheran ideas, not least among them England.”\(^{13}\)

Indeed, it was in early modern England and France that a true doctrine of divine right kingship emerged. Oakley has identified two main thinkers, one French and one Scottish, as codifying the notion of divine kingship into a concrete doctrine. The first is William Barclay, in his *De Regno et Regali Potestate* (Concerning the Kingship and the Royal Power). The second is James VI of Scotland/James I of England (1603–1625), in his *Trew Law of Free Monarchies* (1598) and his *Basilikon Doron*.\(^{14}\) Barclay’s work was significant for its bold claim that “The royal authority can stem from God alone” which “is true even of hereditary and elective

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monarchy.”

It was King James, however, who detailed a more robust theory of divine-right kingship. In the Trew Law, he offered an extremely illustrious portrait of kingship and the kingly office. James denoted the king “Gods Lieutenant in earth” ruling over the monarchy, which was the “forme of gouernment resembling the Diuinitie, approacheth nearest to perfection.”

James’ Trew Law was also essential in that it formalized another key scriptural foundation for divine right kingship. James notes: “Kings are called Gods by the propheticall King Dauid, because they sit vpon GOD his Throne in the earth, and haue the count of their administration to giue vnto him.” This is a reference to the Book of Samuel. As the Old Testament story goes, the Israelites fell under the oppressive and expanding power of the Philistines. Consequently, they begged Samuel, a priest and a prophet, to install a king so that they might have a standing army and be able to contend with the growing strength of the Philistines. Samuel initially opposed this, reiterating that only God should be the ruler, not a mortal king. Yet he ultimately acquiesced and appointed Saul as king. While Saul defended the Israelites against the Philistines, God rejected him as the king of Israel and told Samuel: “Fill your horn with oil and be on your way; I am sending you to Jesse of Bethlehem. I have chosen one of his sons to be king.” God then chose David as King, commanding Samuel to “Rise and anoint him,” after which “Spirit of the Lord came powerfully upon David.”

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15 Oakley, Modern Politics, 161.


17 James “Trew Law,” 64.


19 1 Samuel 16:1

20 1 Samuel 16:12
was then consecrated as the founder of the dynasty which would rule in Jerusalem for half a millennium. God then informed David that his successor was to carry on the dynasty:

   Behold, a son shall be born to you who shall be man of rest. I will give him rest from all his surrounding enemies. For his name shall be Solomon, and I will give peace and quiet to his Israel days. He shall build a house for my name. He shall be my son, I and I will be his father, and I will establish his royal throne in Israel forever.21

It is this passage that was frequently cited as the justification for hereditary divine-right kingship. Particularly, this divine endorsement of the passing of the kingship from David to Solomon was understood as a consecration of the notion that God’s holy anointment was to be maintained dynastically.

   It is through an analysis of the early modern works which so codified divine-right kingship that John Neville Figgis came to identify four constituent components of the doctrine. These are: (1) “Monarchy is a divinely ordained institution”; (2) “Hereditary right is indefeasible”; (3) “Kings are accountable to God alone”; (4) “Non-resistance and passive obedience are enjoined by God”.22 Kernels of these four elements we can begin to see in this cursory glance at James’ *Trew Law*. Beyond his attempt to systematize the early modern musings about divine right, Figgis’ most significant historiographical contribution—one which has been qualified in various ways, yet scarcely refuted—is the claim that “The Divine Right of Kings on its political side was little more than the popular form of expression for the theory of sovereignty.”23 This is essential, for it is in this way that Figgis contends that the divine right theorists had far greater affinity with modern political thinkers than one might believe, should

21 1 Chronicles 22:9


one cast the doctrine off as antiquated blather. That is to say, the theory itself was “the expression of a dawning idea of sovereignty,” and in therefore an important bridge between premodern political thought and assertions of popular sovereignty that became so widespread after the French Revolution.24

The Death of Divine-Right Kingship?

How and when did this “theory of divine right” meet its death? Most historians identify two key moments where the doctrine was permanently destabilized: the English Revolution and the French Revolution. In both of these cases, the monarch at the time, who claimed to be inviolable on the grounds of his own divine right, was put to trial and ultimately executed. The deaths of Charles I and Louis XVI, were, of course, not the first examples of regicide within the historical record. But, as Michael Walzer has argued, “until the English revolution, kings were killed by would-be kings or by lonely assassins in the pay of would-be kings.”25 These two, then, were a special kind of regicide, “which change[d] monarchy forever.”26 Oakley has observed, to this point, that “the formal trial, condemnation, and judicial execution of Charles I and the subsequent protracted attempt to abolish the English monarchy altogether” subverted the notion of a divinely anointed king.27 Indeed, the trial was a public mediation of a notorious statement Oliver Cromwell supposedly made on the eve of the condemnation of Charles I: “I tell you, we

24 Figgis, Divine Right, 14.
26 Walzer, Regicide and Revolution, 2.
27 Oakley, Modern Politics, 171.
will cut off his head with the crown on it.”

The execution of Charles I thus constituted a major blow to the doctrine of divine right kingship.

The French case was still more pivotal. In France, as in England, Walzer has argued, the revolutionaries thought the trial necessary so that the killing of the king would appear not merely to be justifiable but to be...an act of justice and an explicit detail of the king’s claim to rule. Only the trial could make it clear that Louis was being killed according with new political principles, and only then would his execution mark the triumph of...a new kind of government.

For its public attempt to refute the mystical appeal of the king and his claims to inviolability, the trial served as “an act of destruction as well as the vindication of a new political doctrine.” Indeed, as Sophie Wahnich has claimed too, “the revolutionary Terror, which is attacked for its revolutionary tribunal, its law of suspects and its guillotine, was a process welded to a regime of popular sovereignty.” In other words, it was precisely during these moments that revolutionaries came to violently and assertively avow statements of “popular sovereignty.” Such theories were based on the work of Hobbes, Locke, and Rousseau, who in their philosophy, “inaugurated the modern social contract tradition.” Rousseau, in particular, a recent translation of his Social Contract has observed, “is still revered or hated as the author who, above all things, inspired the French Revolution.” Thus, it was the public trials of the Charles I and Louis

28 Walzer, Regicide and Revolution, 4.

29 Walzer, Regicide and Revolution, 6.

30 Walzer, Regicide and Revolution, 88.


XVI—trials that brought them to justice for crimes, legitimated the doctrine of popular sovereignty, and ended with the executions of the monarchs—which rattled the foundations of divine-right kingship irretrievably. Thus, the early modern period, claims Oakley, yielded “the last great body of Christian legal theory,” before the modern period was initiated by the turn towards the widespread acceptance of “popular sovereignty” as the basis for government.34

According to Foucault’s *Archaeology of Knowledge*, such events as the English and French Revolutions might well be characterized as “ruptures.” Indeed, in explaining the concept of “historical a priori,” Foucault argues that the history of ideas is analogous to an archeological configuration, wherein “discursive formations” are successively layered on top of one another. In such an archeology, each stratum is divided from the next by a “rupture,” or fundamental disruption to the foundations which underlay discourse.35 Historian Matthew Levinger develops this idea further, noting that, “historical a priori may be defined as a set of common premises shared by all participants in legitimate political discourse.”36 He asserts that the principle of divine-right kingship comprised an a priori assumption of seventeenth- and eighteenth-century political discourse, while the idea that sovereignty is vested in the people constituted an a priori assumption of political discourse of the nineteenth and twentieth centuries. The shift in the a priori, then, can be attributed to the ruptures of these revolutions and the executions of two kings previously held as inviolable.


Accordingly, the political philosophy of Friedrich Julius Stahl (1802-1861) may appear strikingly anachronistic. Stahl was a conservative, Protestant (although Jewish-born), Prussian professor, jurist, and politician who, in the mid-nineteenth century, developed a political theory in which he not only touted monarchy as the most preeminent form of government, but also ennobled the king, as his medieval and early modern predecessors had, to a level of divine and, indeed, godly prestige. While several scholars and historians have given Stahl due attention, few seem to have probed this seemingly anachronistic aspect of his philosophy. This is curious, considering Stahl’s political prominence. Far from a hermitic or aberrational political eccentric, Stahl and his ideas were of significant consequence at a tumultuous time in Prussian history.

After publishing his most well-known work, the three-volume Die Philosophie des Rechts, in the 1830s, he rose to increased fame beginning in 1840, when he accepted the chair at the University of Berlin. In 1845, with his publication of Das monarchische Princip, in which he articulated a compelling defense of monarchy, Stahl was beginning to look attractive to Prussian politicians. Beginning in the 1840s, then, Stahl became increasingly entangled in Prussian politics, and between 1848 and 1858, was one of the foremost leaders of the Prussian Conservative Party.

As Levinger has aptly noted, Stahl emerged as “the most influential Prussian conservative

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38 Among these are Berdahl (see above); Warren Breckman, Marx, the Young Hegelians, and the Origins of Radical Social Theory: Dethroning the Self (Cambridge: Cambridge University Press, 1999); Wilhelm Füßl, Professor in der Politik: Friedrich Julius Stahl 1802-1806 (Göttingen: Vandenhoeck & Ruprecht, 1988); John Edward Toews, Becoming Historical: Cultural Reformation and Public Memory in Early Nineteenth-Century Berlin (Cambridge: Cambridge University Press, 2004).

39 Berdahl, Conservative Ideology, 348-354.
theorist of the mid-nineteenth century.” It is quite significant, then, that while in this powerful political position, Stahl sought to re-legitimate a religious basis for monarchy.

One notable exception to the neglect of Stahl’s theory has been Warren Breckman. But even Breckman understands Stahl mostly synchronically, who acted largely as a critic of Hegel. He argues that Stahl lamented the subordinated role of personal authority in Hegelian conceptions of the state and sought to re-personalize what he saw as Hegel’s abstraction of the “personality” of authority and the state. Hinting at his potential medieval and early modern influences, Breckman’s asserts offhandedly that, “although [Stahl] claims that the king rules by divine grace, his was not actually a theory of divine right.” Yet, his analysis stops short here. Indeed, this brief statement is best understood as one of dismissive disbelief. Indeed, if one imagines that the doctrine of the divine right of kings died a permanent death along with Louis XVI, it is difficult to imagine that a prominent academic and jurist might attempt to reassert the doctrine with such gusto in the mid-nineteenth century. And yet, this is exactly what Stahl did.

Beginning with his early political philosophy, Stahl insisted on re-enthroning divine right, going so far as to make it one of the guiding principles of his political theory. Although divine right had its roots in the Middle Ages, Stahl was determined to adapt it to the modern age, emphasizing belief in a God-ordained king as the core of his conservative program. Stahl, despite his premodern affinities, was no misfit for the modern age, and it would be unfair to dismiss him as the idiosyncratic uncle animating the fringes of nineteenth century Prussian politics. His ideas had real weight, and while he and Prussian King Friedrich Wilhelm IV did not agree on every

40 Levinger, 176.

41 Breckman, The Young Hegelians, 87.

42 Breckman, The Young Hegelians, 80-90.
issue, the monarch also made his God-ordained authority a central part of his political performance. Moreover, the upheavals of the mid-nineteenth century, including a flood of constitutional demands in Prussia, forced Stahl and the king to mediate on their beliefs and produce a theory of government which was not just a medieval caricature, but took into account modern political realities. As such, Stahl not only espoused and reinvented a theory of divine right. Rather, over the course of thirty years in the mid-nineteenth century, Stahl, Friedrich Wilhelm, and their conservative colleagues adapted the notion of divine right and entrenched it as the founding principle of the modern conservative party.

Overview and Sources

In the following three chapters, I will analyze the evolution of Stahl’s conception of Gottesgnadentum from his early political philosophy which he penned in the 1830s through his death in 1861. Chapter 1 will begin with a more in-depth examination of James IV/I’s Trew Law, as a point of comparison to Stahl’s own theory. The bulk of the chapter will focus on Stahl’s third volume of Die Philosophie des Rechts, wherein he most cogently articulated his belief and reimagination of the theory of the divine right of kings. I will thus attempt to refute Breckman’s claim that Stahl’s “was not theory of divine right.” Heavily influenced by the German Historical School of Law, Stahl put forth a theory of divine right which was mediated through his historicist orientation. Rather than immediately exalting the king as God’s lieutenant, Stahl assigned the state, not the king, the greatest level of divine prestige. In this formulation, God does not anoint the king and thus, the theory does not presuppose God’s direct intervention. Rather, Stahl argues that the divine state has its basis in the nation, which emerges as a result of
historical processes which are an expression of divine Providence and God’s moral commandment. Through these transcendent historical processes, each nation arises as ethical union with a common consciousness and forms a state when it becomes united under an authority that embodies that consciousness. Stahl, then, understood the state as “the bearer of history.” It arises through Providence and is therefore divinely-endowed. Ultimately, then, Stahl concluded that the state authority rules by “divine right.”

While Stahl at first attaches great importance to the divine right of the state rather than that of the king, he also makes clear that he views hereditary monarchy as the most preeminent form of the state. Indeed, another central tenet of his political philosophy is his belief that the state is an essentially personal entity. It arises, he argues, as a “kingdom of personality,” flowing from the supreme “personality of God.” Thus, he argues that only a hereditary line of kings committed to personal rule can sustain the personality of the state. In other words, it is only in a king that the majesty of the state can fully be embodied. I will argue, then, that while Stahl did not consider a direct anointment by God to be an essential feature of legitimate kingship, his was nevertheless a theory of divine right. This theory, moreover, maintained the most important features of divine-right kingship which Figgis lays out—above all, the principle that the people cannot rebel against the divinely-ordained state authority.

I will conclude Chapter 1 with an examination of Stahl’s 1845 treatise, in which he formulates his “monarchical principle.” This document, which followed the third volume of his Philosophie by seven years, reveals his initial attempts to explain how the principle of divine right could be maintained even if Prussia were to adopt a constitution. This document, then, is best understood in anticipation of the constitutional demands which would overtake Prussia and Germany just a few years later.
Chapter 2 will focus less on Stahl himself, and far more on the Prussian King Friedrich Wilhelm IV. More than any of his predecessors, Friedrich Wilhelm believed intensely in his own divinely-endowed authority. The first half of this chapter will focus on the king’s attempts to project an image of majesty both through his style of rule and in his personal conduct. Most of all, Friedrich Wilhelm harnessed his exceptional powers of eloquence to evince himself as a king “by the grace of God.” Indeed, he touted his own aesthetic eloquence as sign of “God’s grace.” Here, I will largely rely on compilations of the king’s early Reden und Trinksprüche, wherein he demonstrated his lyrical oratory. This chapter will also explore how Friedrich Wilhelm, who was committed to a style of “personal rule” and a highly aesthetic monarchy, was at first quite resistant to the constitutional and parliamentary demands in Prussia that precipitated the revolutions of 1848.

The climax of Chapter 2 will be these very revolutions, during which Friedrich Wilhelm was presented with demands for a constitution grounded in the principle of popular sovereignty. Here, I will examine records of his addresses to the Prussian United Diet and Constitutional Assembly. While the king initially opposed such a constitution, he quickly situated himself at the forefront of the movement to transform Prussia into a constitutional state. Thus, I will argue that under the influence of Stahl’s “monarchical principle,” Friedrich Wilhelm became aware of the ways a constitution might be reconcilable with his own belief in divine right and attempted to draft the constitution in such a way that it would maintain the centrality of kingly authority in Prussia. This view he expressed in a speech he gave before he finally took the constitutional oath in Berlin in February 1850.

Chapter 3 will investigate Stahl’s career in the first house of the Prussian parliament between 1848 and 1858, as well as his subsequent speeches. I will focus the first part of the
chapter on his essay 1849 essay, *Revolution und die constitutionelle Monarchie*, and particularly the section therein entitled *Das Banner der Conservativen*. My central claim will be that it was here that Stahl attempted to ground the principle of *Gottesgnadentum* as the basis of the nascent Prussian Conservative Party. Indeed, it was Stahl who formulated the first example of what might be called a “party program,” and at the center of this program was a heavy emphasis on the conservative duty to maintain “divine right.” However, as the title of Stahl’s essay suggests, the main thrust of his argument was, again, his reconciliation of constitutionalism with his belief in divine right. It was precisely here that Stahl most fervently eschewed the doctrine of popular sovereignty which had been married to the idea of a constitution when the revolutions of 1848 broke out. Stahl, then, created a template for conservative constitutionalism.

The middle part of the chapter will primarily rely on Stahl’s parliamentary addresses, which have been compiled in various volumes. During his career as a politician, Stahl actually became a vocal defender of the Prussian constitution, even as it came under intense fire from his more conservative colleagues in the mid-1850s. It was in his parliamentary addresses that Stahl vindicated his belief that constitutionalism and *Gottesgnadentum* might be reconciled before a critical audience and thereby developed in full what he had begun to consider theoretically in his 1845 treatise on the “monarchical principle.” It was during his career in parliament that Stahl transformed “divine right” from an idea into an ideology, which he tried to fortify as the foundation of the conservative party platform. I will continue with an examination of Stahl’s 1861 eulogy to King Friedrich Wilhelm IV, in which he expressed his belief that he and the Prussian king had been bound together in a common struggle to re-instill and defend the doctrine of divine right. The final text I investigate will be an 1863 lecture by Stahl’s friend and
conservative colleague Ernst Ludwig Gerlach. In Stahl’s honor, Gerlach decidedly declared
divine right to be “a true party flag” of the Prussian conservatives.⁴³

Thus, Stahl not only formulated a theory of divine right. Rather, between the 1830s and
the 1860s, Stahl, Friedrich Wilhelm, and a cadre of likeminded conservatives determined to
establish their reimagined doctrine of divine right as the founding principle of the modern
conservative party.

Chapter One

“The powers that be are ordained of God”: Friedrich Julius Stahl and the Transformation of Divine Right Theory in Vormärz Prussia

“The king’s power is ‘by the grace of God’; it is a ‘divine law.’” So wrote Friedrich Julius Stahl in the third volume of his *Philosophie des Rechts*, first published in 1837. This remark, far from a one-off display of fondness for the Prussian monarchy’s old precedent of *Gottesgnadentum*, was in fact the climax to the vast reformulation of “divine right” encompassed within Stahl’s monumental three volume work. Stahl, certainly, operated within the Restoration period, the time after the 1815 Wars of Liberation, which freed the German states from Napoleonic rule. As a time after the French occupation, restoring the German lands to their historical monarchical political order became very much in vogue. Yet, to espouse divine right was not simply a longing for a time before Napoleon or the upheaval of the French Revolution. Indeed, in Prussia, the idea of divine right was long since passé. Frederick the Great, who had ruled between 1740 and 1786, had spent his reign denouncing the principle of divine right, installing a notorious bureaucracy, and justifying his own leadership by claiming to be a supreme “servant of the state.” Prussia, in fact, which was inaugurated as a state much later than England and France, was, historian David Barclay has argued, “the incarnation of the modern, rational, ‘machine’ state of the eighteenth century.” This adds to the curiousness of Stahl’s fixation on the principle of *Gottesgnadentum* in the Prussian context.

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Both Warren Breckman and Robert Berdahl have addressed Stahl’s preoccupation with divine right in passing. Breckman understands Stahl mostly synchronically, and, above all, casts him as an anti-Hegelian. He argues, to that end, that Stahl lamented the supposed “atheism” and “pantheism” that he believed Hegel’s philosophy had fomented in early nineteenth century Germany. Moreover, Stahl disapproved of the bureaucratic, impersonal conceptions of the state which he believed to be the kernel of Hegelian philosophy, and he bemoaned his disregard for personal authority. Stahl’s philosophy, then, was an attempt to re-personalize what he saw as Hegel’s abstraction of the “personality” of authority and the state. Breckman thus deems Stahl’s language of divine right a medieval flourish meant to lend mystical allure to his otherwise crude defense of the personal monarch, like the rest of Stahl’s anti-Hegelian milieu. He notes, once again, that “although [Stahl] claims that the king rules by divine grace, his was not actually a theory of divine right.” His analysis stops short here. Thus, Breckman relegates Stahl’s use of the term “divine right” to a trivial honorific.

Robert Berdahl takes Stahl somewhat more seriously. He dubs him the pre-1848 grand finale in a long line of Prussian conservative thinkers. He remarks somewhat admiringly that, “In this complex formulation, Stahl managed to assert the divine origin of earthly authority without returning to the older tradition of divine-right monarchy.” In one sense, then, Berdahl stands more or less in agreement with Breckman, for he is similarly prudent to distinguish Stahl’s expression of divine right from that of his medieval predecessors. Yet, he also goes beyond this; instead of dismissing Stahl’s use of “divine right” as trifling medieval lust, he hints at the way in

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48 Breckman, The Young Hegelians, 87.
49 Breckman, The Young Hegelians, 80-90.
which Stahl *reimagined* medieval divine kingship. Unfortunately, Berdahl does not attempt to unpack the “complex formulation” to which he refers.

This chapter will seek to analyze the precise nature of Stahl’s formulation in all its complexity. To do this, I will, as a point of comparison, first briefly examine James VI/I’s *Trew Law of Free Monarchies*, which, as I noted previously, has been anthologized as the *vade mecum* of divine-right kingship. In doing this, I will explicate how “divine right” was regarded in the early modern period. I will then closely consider the third volume of Stahl’s *Die Philosophie des Rechts*. Contrary to Breckman’s assertion that Stahl’s theory was not one of divine right, Stahl arrives at the conclusion that “the king rules by divine right.” Yet, he puts forth a much different formulation than his early modern predecessors did in order to justify this theory. Rather than immediately exalting the king as God’s lieutenant, Stahl assigns the *state*, not the king, the greatest level of divine prestige. The state, Stahl argues, is the closest thing to an earthly realization of God’s “ethical kingdom.” Rather than being a product of God’s direct intervention, it has its basis in the nation, which arises through historical processes in accordance with God’s divine Providence and moral commandment. Each nation thus emerges as ethical union with a common consciousness and forms a state when it becomes united under an authority that embodies that consciousness. Stahl argues that because the state emerges through such historical Providence, it is, accordingly, a divine institution. Moreover, he follows this same line of historicist reasoning to conclude that state authority rules by divine right.

While Stahl at first emphasizes the divine character of the *state* over that of the *king*, he finally asserts that hereditary kingship is the best way to maintain the essentially personal nature of state authority. Thus, he understands the king as the most eminent personification of the divine state and therefore not only divine in nature, but also in possession of divine right. Yet,
this declaration of the king’s divine right veers far from the early modern doctrine which presumed the king to be directly appointed by God. For Stahl, the king possessed divine right only insofar as he embodied the divine state. Thus, despite his deep affection for hereditary monarchy, Stahl did not offer a medieval theory of divine-right kingship. Rather he subjected the idea of Gottesgnadentum to an important change in meaning by declaring that any state rules by divine right, and monarchy is just a preferable form of such a state. Moreover, I will explore the way in which Stahl, in his formulation of divine-right statehood, maintains the core tenets of early modern doctrine of divine right kingship, above all, a trenchant condemnation of rebellion and revolution.

I will conclude with an examination of Stahl’s 1845 treatise, Das monarchische Princip. More than anything, this document reveals that Stahl’s apotheosis of the state, rather than the king, ought to be understood as a defensive maneuver during a time of revolution and political change. That is, Stahl was keenly aware of the liberal currents bubbling up in Prussia and the increasing demands for constitutionalism, and he sought to develop a political theory that could withstand the storm of liberal demands. Had Stahl simply proclaimed the divine right of the hereditary monarch, then the adoption of any measure of constitutionalism in Prussia, even for the sake of keeping the peace, would have discredited his entire theory. Yet, by declaring the divine right of the state, rather than the king, Stahl was able to begin the process of reconciling constitutionalism with his mandate for strong state authority and obedient subjects.

**Early Modern Divine Right: James VI/I and the Trew Law of Free Monarchies**
In the *Trew Law of Free Monarchies*, James VI/I articulates the basic principles of divine-right kingship. In it, he explicated the religious basis for the monarchy, emphasizing the king as God’s lieutenant on earth, and explaining the reciprocal duties between a king and his subjects. The main duty of the king, according to James, was to carry out his obligation as God’s deputy. As noted previously, he was at great pains to establish a scriptural basis for the king’s role as “God’s anointed.” For this, he turned to the Book of Samuel, claiming that “Kings are called Gods by the propheticall King *Dauïd*, because they sit vpon GOD his Throne in the earth, and haue the count of their administration to giue vnto him.”

This was a clear reference to the aforementioned tale of the Israelites related in the Old Testament, wherein God selects and anoints David as King. Monarchy, James also argues, as the “forme of gouernment resembling the Diuinitie, approacheth nearest to perfection.” As God’s direct “lieutenant” or “deputy” and therefore duty-bound to act as a God on earth, James promotes the king to a level of divine majesty. Moreover, he enumerates several other of the king’s duties, among them, “to maintaine the Religion presently professed within their countrie,” as well as to serve as a “naturall Father to all his Lieges at his Coronation.”

We see here, too, how Figgis arrived at his assertion about the key features of divine-right kingship. In these excerpts from James, monarchy is indeed cast as a “divinely ordained institution.” Moreover, the reference to David not only implies a regard for David as God’s anointed, but also his son, Solomon, was also ordained by God and thereafter,

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54 James IV/I, “Trew Law,” 64.
the dynasty of Israeli Kings. From these passages, too, it becomes clear that in the doctrine of divine-right kingship, “hereditary right is indefeasible.”

As the king is the earthly appointee of God, James further explains that all subjects have a duty to obey him:

Shortly then to take vp in two or three sentences, grounded vpon all these arguments, out of the lawe of God, the duetie, and alleageance of the people to their lawfull king, their obedience, I say, ought to be to him, as to Gods Lieutenant in earth, obeying his commands in all thing, except directly against God, as the commands of Gods Minister, acknowledging him a Iudge set by GOD ouer them, hauing power to iudge them, but to be iudged onely by GOD whom to onely hee must giue count of his judgement.55

In such a way, James explicitly asserts the “divine right” of kings. The king, as “Gods Lieutenant in earth,” is subject to no earthly authority. As such, the subjects are compelled to obey him, for God alone is capable of judging the king. Moreover, James articulates a historical argument to highlight how the law and the state came into being. Contrary to “seditious” musings which might suggest that, “the Lawes and state of our countrey were established before the admitting of a king,” James asserts that, “ye see it plainely prooued, that a wise king comming in among barbares, first established the estate and forme of gouernement, and thereafter made lawes by himselfe, and his successours according thereto.”56 The king and his predecessors, then, are, according to James, the very authors of the law. Accordingly, Parliament has no real authority to make laws. Once again, then, James argues in favor of the king’s divine authority and his right to absolute obedience from his subjects. It is here, then, that Figgis’ other two claims about the characteristics of divine-right kingship are illuminated. In the implication that the king is not subject to any earthly limitations of his power, Figgis’ assertion that “kings are accountable to

“God alone” is illuminated. In James’ castigation of rebellion, too, one sees support for the claim that, “Non-resistance and passive obedience are enjoined by God” constitutes a main tenet of the doctrine of divine right.

### The Ethical Kingdom and the Personality of God

Stahl first formulated his theory in his three volumes of *Die Philosophie des Rechts*, which were first published in 1830, 1833, and 1837, respectively. My focus of this chapter will be the third volume, the second part of his *Rechts- und Staatslehre auf der Grundlage christlicher Anschauung* (Legal and Political Doctrine based on a Christian Worldview). The book itself is organized into four parts: *The Social Elements of the State, The General Doctrine of the State, The Constitution of the State, and the Power of the State*. Each of these sections has between five and twenty subsections. My analysis will primarily focus on parts of the second and third section, *The General Doctrine of the State* and *The Constitution of the State*, respectively, giving attention to his writing about the historical origins of the state, the nation, and kingship.

One of the most interesting aspects of Stahl’s theory is his assertion that the king’s divine nature and authority stem from his embodiment of the divine state, not from his direct role as God’s deputy. To understand how Stahl surmises this, it is necessary to understand first how he conceives of the state. The fundamental cornerstone of Stahl’s state is that of the ethical kingdom. Indeed, Stahl begins his political treatise with the assertion that, “based on the ideas of the ethical kingdom, the state is a self-conscious rule [*Herrschaft*] according to moral-intellectual motives over conscious, freely-obedient beings, thus also unifying them spiritually—it is therefore rule of personal character in every respect, a kingdom of personality.”

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57 Stahl, *Die Philosophie*, 1. „Die Lehre vom Staate, wie sie in diesem Buche dargestellt wird, ist gegründet auf den Gedanken des sittlichen Reiches. Dieser ist bewuβte in sich einige Herrschaft nach sittlich-intellektuellen Motiven"
course, for Stahl, the supreme creative personality, and the kingdom of God “the completed realization” of the ethical kingdom.\textsuperscript{58}

It is important to note here that Stahl’s concept of “personality” here ties in with a much larger theological discourse that emerged in Restoration Prussia, in which conservatives attacked Hegel’s supposed “abstraction” of God. As Warren Breckman has noted, “Hostility toward Hegel focused on his alleged pantheism and its conception of the divine being as an impersonal, immanent world-force.”\textsuperscript{59} This “controversy over personality,” Breckman claims further, “marked the most important point of intersection for the discussion of theological, social, and political issues in the 1830s.”\textsuperscript{60} As the “moderate Hegelian” Carl Ludwig Michelet observed in 1841, the discourse on “the personality of God has dominated the history of philosophy for the last ten years.”\textsuperscript{61} Thus, Stahl’s treatment of the concept of “the personality of God,” must be located within this larger backlash against so-called “Hegelian pantheism,” which sought to reestablish orthodox convictions of God as a transcendent personal deity. Again in the words of Breckman, anti-Hegelians like Stahl believed that, “the proper object of human devotion was God understood as a person, that is, as a being distinct from the world and endowed with

\textsuperscript{58} Stahl, \textit{Die Philosophie}, 1. „ist seine vollendete Verwirklichung.“


\textsuperscript{60} Breckman, \textit{The Young Hegelians}, 9.

consciousness, will, and love for human individuals.”62 It is such a personal conception of God that informed Stahl’s idea of the “ethical kingdom” and the state.

According to Stahl, the earthly “moral world,” too, is an ethical kingdom, and God’s personality, as expressed through His commandments, forms the basis of the formation of such an ethical kingdom on earth.63 Indeed, God’s commandments produce the ethical “common consciousness,” which Stahl considers to be the foundation for the earthly ethical kingdom. That is, the common consciousness emerges through historical processes guided by God’s moral authority and personality. In that sense, the concept of a common consciousness in a people is, for Stahl, divine in nature. According to Stahl, “the real power of God effects in us the prestige of the moral commandment and, to the extent that it is followed, its fulfillment. It effects the particular ethical mindset of peoples and times…”64 Moreover, he continues that, “Ethic exists nowhere merely as a law and individual in fulfillment thereof, but exists everywhere as a conscious common demand and act of Providence, according to a common telos; it exists everywhere as a kingdom.”65 In this respect, the ethical kingdom does not emerge from mechanized obedience to God’s commandments, but rather, from the historical circumstances which produce culturally-specific, ethical harmony among certain people at a certain time.

Historical circumstance, is then, of course, not serendipitous, for it unfolds according to “divine

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62 Breckman, The Young Hegelians, 98.

63 Stahl, Philosophie, 1-2.

64 Stahl, Philosophie, 2. „Denn die reale Macht Gottes wirkt in uns das Ansehen des moralischen Gebots und, soweit sie irgend erfolgt, dessen Erfüllung. Sie wirkt die bestimmte sittliche Vorstellungsweise der Völker und Zeiten.“

65 Stahl, Philosophie, 2. „Die Sitte besteht nirgend blos als Gesetz und erfüllender Einzelner, sie besteht überall als bewußte gemeinsame Aufforderung und Fügung nach einem gemeinsamen Ziel, fie besteht überall als ein Reich.“

This can also be interpreted as a criticism of the historical dialectical, which Stahl considered an impersonal distortion of divine history.
It is worth noting too, that Stahl’s assertion stood in stark contrast to key Enlightenment thinkers, including Hobbes and Pufendorf, who believed that moral and political obligation flowed not just from the will of a superior, but was also a principle of the human mind. Indeed, Stahl had relatively little faith in the human will, and instead believed that people required a coercive ethical power to direct them.

Invoking the Nation

The “common consciousness” or particular “personality” which Stahl understands as the building block of the ethical kingdom and the state is the nation. He touts the ethical unity embodied in a nation with certain common values as the eminent example of divine historical processes at play. The nation, Stahl acknowledges, begins with a common bloodline: “The nation arises from the fact that a strong individuality (personality), a forefather, has a large number of descendants, who carry this individuality in themselves and at the same time by their number are able to self-segregate and unite among themselves as a whole.” He goes on to argue that “the unity of descent and thus the imprint of a personality is the primeval concept of the nation.”

Yet, the common consciousness necessary for the formation of an ethical union is not necessarily

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66 Stahl, Philosophie, 2. „göttliche Fügung.“


68 Stahl, Philosophie, 163. „Das Volk entsteht dadurch, daß eine starke Individualität (Persönlichkeit), ein Stammvater, eine große Zahl von Nachkommen hat, die diese Individualität an sich tragen und zugleich durch ihre Zahl im Stande find, sich abzuschließen und zu einem Ganzen untereinander zu einigen*). Dieß bestätigt auch die Erzählung der ältesten Urkunde.“

69 Stahl, Philosophie, 164. „Die Einheit der Abstammung und dadurch das Gepräge Einer Persönlichkeit ist der Urbegriff des Volkes.“
based on a pure bloodline. Indeed, Stahl reasons that “the family from which the people come is not only a natural community of blood, but also a moral and legal community of prestige.”

Thus, as well, historical processes, which produce the mixing of bloodlines or “political association” of certain peoples can yield “a unity of consciousness, language, culture, ethical standards” as much as any natural bloodline might. “Given by history,” which, again, according to Stahl, is itself the successive realization of divine Providence, such historically ascending nations are inherently sacrosanct.

For Stahl, it is the nation alone which possesses the ethical indivisibility and totality of personality to form the basis of the ethical kingdom. As he argues, “only the nation contains the tendencies and means of human existence completely and connected through a common consciousness. Accordingly, only in it lie the power, the distribution of activities, the common ethical benchmark, as required by the state.” In other words, it is only the nation which affords “the unity of consciousness, over order and aim” for “humanity as a whole also has neither the coherence and solidarity of natural needs nor the unity and individuality of ethical consciousness.” From the nation, then, emerges the common consciousness required to realize the ethical kingdom and the state, which is itself a sort of personality. The Herrschaft (rule) over this nation must, then, incarnate the ethical consensus of the nation, and serve as an equally self-

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70 Stahl, Philosophie, 164. „Schon die Familie, aus der das Volk erwächst, ist nicht bloß eine natürliche Gemeinschaft des Blutes, sondern auch eine sittlich rechtliche Gemeinschaft des Ansehens.“

71 Stahl, Philosophie, 164. „eine Einheit des Bewußtseyns, der Sprache, Bildung, sittlichen Würdigung.“

72 Stahl, Philosophie, 161. „Denn nur das Volk enthält die Richtungen und Mittel des menschlichen Daseins vollständig und durch ein gemeinsames Bewusstsein verbunden. Nur in ihm liegen daher die Macht, die Vertheilung der Thätigkeiten, der gemeinsame sittliche Maaßstab, wie sie der Staat bedarf.“

73 Stahl, Philosophie, 161-162. „die Einheit des Bewußtseyns, über Ordnung und Ziel.“ „Auch die Menschheit im Ganzen hat weder die Gemeinschaft und Geschlossenheit der natürlichen Bedürfnisse noch die Einheit und Individualität des sittlichen Bewußtseyns.“
conscious, individualized manifestation of the personality of the people—not their conscious will, that is, but the embodiment of their ethical union.

**Stahl’s Divine State**

The ethical kingdom, for Stahl, comes close to realization when the nation brings to fruition its “vocation” to form the state.\(^7\) The state, as Stahl understands it, is “first of all the closed association of a larger number of people under a supreme independent (sovereign) power.”\(^5\) Yet, this supreme sovereign power is a form of *Herrschaft* wherein “the human community is joined to an institution which can exercise power over the individuals as one will and acting subject, as a consciousness identical with itself.”\(^6\) Stahl goes on to claim that “for this reason, the state is, in its innermost nature, a personification of the human community.”\(^7\) In other words, the state serves as the institutionalized realization of the common consciousness, such that the ethical union of the people is subordinate only to itself as a personality with institutional form. It is in this way that the ethical kingdom might be fully realized, as human community with a common consciousness, governed by a sovereign which is the personification of that consciousness. The nation and the state authority ought therefore to be conjoined as one indivisible personality. In

\(^7\) Stahl, *Philosophie*, 161. „Beruf“ as vocation.


\(^6\) Stahl, *Philosophie*, 12. „Für diese Herrschaft ist die menschliche Gemeinschaft zu einer Anstalt gefügt, vermöge welcher sie als Ein Wille und handelndes Subjekt, als ein mit sich identisches Bewußtseyn die Macht über die Einzelnen übt.“

\(^7\) Stahl, *Philosophie*, 12. „Der Staat ist darum seinem innersten Wesen eine Personifikation der menschliche Gemeinschaft.“
accepting such a *Herrschaft*, the people ought also to understand their own “subjective personality” as a historical permutation of God’s divine personality; in that sense, by submitting to an authority identical to its own personality, each nation is in obedience to the original creative personality, God, from which it stems.\(^78\)

Importantly, however, Stahl does not recognize the formation of the state as the deliberate installation of a sovereign authority by the nation according to “the deduction of their will.”\(^79\) Rather, “In the particular nation in the particular area, the state is created by the historical occurrence…. It not created by some mandate from the outside, but rather, through evolution within; it is not created by human intention, but by higher Providence.”\(^80\) In that sense, he maintains that the state is not the one-time ordainment of an institutional body, but rather, that “states have emerged in a variety of ways and with gradual formation.”\(^81\) Their particular forms, are, like the nations they arise from, are a product of divine Providence. Thus, he comes to the following conclusion:

Never is the state the work of choice and intention, never is it created by the consensus of men such that they, until now outside of the state, now come together to establish it; never does its basic form start from their reflection. They find themselves in it before they reflect on it.... The state is created by neither the will of individuals nor by the will of the people as a whole, because it is not created by any intentional deed, as little as the original law is, nor is it created by the spirit of the nation. For [there exists] a higher factor than human will, [that of] historical Providence.\(^82\)

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\(^79\) Stahl, *Philosophie*, 4. „Die Deduktion aus dem Willen des Menschen.“

\(^80\) Stahl, *Philosophie*, 169. „In dem bestimmten Volk auf dem bestimmten Gebiete entsteht nun der Staat durch die geschichtliche Begebenheit...Er entsteht nicht durch Zusammentritt von Außen, sondern durch Entfaltung von Innen, er entsteht nicht durch menschliche Absicht, sondern durch höhere Fügung.“

\(^81\) Stahl, *Philosophie*, 170. „überall [sind] auf mannigfache Weise in allmählicher Ausbildung die Staaten entstanden.“

In this way, Stahl considers the nation and its perpetually developing institutional realization, the state, to be as entangled and complementary products of historical Providence. The state, then, for Stahl, as a product of divinely governed historical processes, the earthly manifestation of the ethical kingdom, and the entity in service of God, is supremely divine in nature.

It is in his claims about the historicity of the state, too, that Stahl diverged significantly from Enlightenment thinkers. It is perhaps useful to think of the contrasting metaphors of the state organism versus the state machine. Stahl was vehemently opposed to any type of “machine” state, and rather, considered it to be an animate, evolving entity which was always inherited from the past. His claim that the state “is not created by any intentional deed” was a condemnation of the basic assumptions at natural law theory and the idea of the “social contract.” Indeed, Stahl did not believe that the state could be created and dissolved at will by a mere act of contract; rather, the state was the preeminent and also inscrutable, and could not be operated as a machine.

For Stahl’s emphasis on the divine processes of history, he was deeply indebted and enmeshed with his historicist predecessors and mentors. Particularly, Stahl ought to be understood as a disciple of Friedrich Savigny, an earlier jurist who was foundational to his education in the historicist tradition. Savigny was the father of the German Historical School of

83 Stahl’s metaphor of the state as an organism is interesting in light of David Barclay’s claim that Prussia is “the incarnation of the modern, rational, ‘machine’ state of the eighteenth century.” See Barclay, Frederick William IV, 17.

84 Stahl, Philosophie, 171.

85 Toewes, Becoming Historical, 310.
Jurisprudence, which developed a historical understanding of the law first codified in his *Vom Beruf unserer Zeit für Gesetzgebung und Rechtswissenschaft* (Of the Vocation of Our Age for Legislation and Jurisprudence) and later developed more extensively. Savigny furthered the idea that “the proper seat of the law […] lies in the common consciousness of a nation,” which he later expressed more succinctly as the *Volksgeist*.\(^{86}\) This “common consciousness,” he believed, was best revealed through history, not Kantian concepts of universal natural law or Hegelian abstraction. While Stahl certainly developed the historicist outlook and lexicon of a historically emerging “common consciousness” from Savigny, he reconceived of a historicist understanding of law and the state, imbuing it with a much more Christian flavor. That is, while Savigny foregrounded his theory in the historical processes which developed within and among a certain people, Stahl placed the divine source of historical processes at the center of his philosophy, such that, “The ultimate goal of human relations in history was not derived from the inherent logic of immanent, horizontal relations among human beings, but from the vertical relation of each to their common transcendent source.”\(^{87}\) Importantly, then, Stahl explicitly sacralizes historical processes through which law and the state develop, modifying Savigny’s by theory by emphasizing the divine nature of history and God’s commandments as the ethical guidelines of all historical developments.

This same historicist reasoning leads Stahl not just to conclude in his *Philosophy* that the state is godly in nature, but also, that state authority is in possession of *divine right*, much like the king in earlier theories of monarchy. Indeed, Stahl devotes an entire section of his book to the


\(^{87}\) Toews, *Becoming Historical*, 310.
explication of the divine right of state authority. He begins, “if the state initially presents itself as an ethical kingdom of the human community, it is, more deeply considered, at the same time a divine institution.”88 As he continues, he explains his formulation of divine right much more unambiguously:

Above all, the prestige of the state rests on the decree (authorization, appointment) of God…. Its whole legitimate order—law, constitution, authority [Obrigkeit]—has its binding power therefrom. In particular, the state authority has its prestige and power from God. It is by the grace of God. “The powers that be are ordained of God” (Rom 13). By himself can no man wield authoritative power over other men, not even the many people over the individual man. Nor can the people establish authoritative power by means of covenant, for they do not preside over their own lives and freedom, and therefore cannot grant such power. That is the divine law of authority. It applies to all forms of state, in the committees and magistrates within the republic no less than in the king within the monarchy, both elective as well as hereditary.89

Stahl, then, does not just argue that the state is a divine entity. Rather, he asserts very clearly the “divine law of [state] authority.” This is the case purely from the fact that, “The powers that be are ordained of God”—quoting the Lutheran defense of divine right kingship. This argument is made obviously historicist as he continues, “the divine institution of the state and its authority means only that the prestige of the state is based on God’s commandment and order, not that it is based on God’s direct (intervening in nature) deed.”90 Additionally, God’s commandment is

88 Stahl, Die Philosophie, 176. „Wenn der Staat zunächst als ein sittliches Reich der menschlichen Gemeinschaft sich darstellt, so ist er doch, tiefer betrachtet, zugleich eine göttliche Institution.”


90 Stahl, Philosophie, 176. „Die göttliche Institution des Staates und seiner Obrigkeit bedeutet nun zwar bloß, daß das Ansehen derselben sich auf Gottes Gebot und Ordnung, nicht daß es sich auf Gottes unmittelbare (die Natur durchbrechende) That gründet;“
revealed through historical circumstance. By mere fact of existing as an authority in a particular historical moment, then, Stahl argues that this in itself is evidence of historical Providence. Every authority of the state is thus the divinely ordained one. In the same vein, he acknowledges that, “as long as nothing exists, the people can quite rightly, however, establish this or that constitution, or make Jacob or William the king.” Yet, such a state is impossible for anyone to know. To this end, he finishes off his historicist argument in support of the divine right of authority, asserting that as soon as any particular constitution is established or any king appointed, because such events ought to be understood as divinely governed historical occurrence, “all this has now become the God-decreed authority over [the people], so that they may not change the constitution, except according to their own laws, and may not remove the king, except according to his own will.”

Every state authority, then, is appointed in accordance with God’s moral authority, as effectuated through history.

Indeed, Stahl cites a notable scriptural passage to support his claim. “The powers that be are ordained of God” is a reference, as Stahl notes himself, to Chapter 13 of the Romans. This was, recall, too, the precise excerpt from scripture that Martin Luther cited in his pivotal work Temporal Authority, which was foundation in the early modern period to the development of the doctrine of the divine right of kings. It is on this basis that Stahl argues that the state authority is entitled to divine right, as the king was in the early modern era. As the revelation of God’s commandments and authority, there is no possibility of resistance to the state. Stahl asserts: “The State judges men and their institutions without being judged by them or legitimating itself before

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91 Stahl, Philosophie, 177. „Die Menschen haben daher allerdings unbedingt Macht und Fug, so lange noch Nichts besteht, die oder jene Verfassung festzuheften, den Jakob oder Wilhelm zum Könige zu machen.“

92 Stahl, Philosophie, 178. „Allein, sowie dieß geschehen, ist eben diese Verfassung Staat, ist der Jakob König und ist Alles dieses nun zur gottverordneten Autorität über ihnen geworden, so daß sie die Verfassung nicht ändern dürfen, außer nach ihren eigenen Gesetzen, den König nicht entfernen, außer nach seinem eigenen Willen.“
them, for there is no authority and no judge over it.”

Moreover, he argues that “time and again, the moral and natural, or, more deeply understood, the divine order of things, stands above the human kingdom of the state as a higher power.” He qualifies this in one important way. While he recognizes that state authority is divine and cannot be violated, he recognizes too that capricious human will is often entangled in the quotidian administration of the state. For this reason, he concedes that “the state is, although the sovereign power, not the absolute power on earth. Its power is formally unlimited, but not materially.” In cases in which instances of “the human will” run contrary to what is just, “the parties involved are entitled to protest and passive resistance.” In fact, Stahl considers this sort of material mishap in the administration of the state endemic and does not oppose protest in such cases. To propose otherwise would be to elevate the earthly will of man to the majestic omnipotence of the state, which would for Stahl, be no less than a turn to absolutism. As he argues: “The absolutism of the state has its origin precisely in the fact that one removes oneself from that higher (divine) order above the state, in which all laws of men and institutes have their roots, and makes human will, be it the individual will, be it the common will, the master of the earth.” Yet, while he qualifies the unmitigated

93 Stahl, Philosophie, 154. „[Der Staat] richtet über sie, ohne von ihnen gerichtet zu werden oder ihnen zu Recht zu stehen; denn es gibt keine Autorität und keinen Richter über ihm.“

94 Stahl, Philosophie, 155. „Allein über dem menschlichen Reiche des Staates steht immer wieder als eine höhere Macht die sittliche und natürliche, tiefer aufgefaßt die göttliche Ordnung der Dinge, der er selbst ja nur dienen soll.“

95 Stahl, Philosophie, 155. „Der Staat ist darum, wenn auch die souveräne, so doch nicht die absolute Macht auf Erden. Es ist seine Gewalt formell unumschränkt, aber nicht materiell.“

96 Stahl, Philosophie, 156. „steht den Beteiligten die Protestation und der passive Widerstand zu.“

97 Stahl, Philosophie, 158. „Der Absolutismus des Staates hat denn seinen Ursprung eben hauptsächlich darin, daß man sich von jener höheren (göttlichen) Ordnung über dem Staate löst, in der alle Rechte der Menschen und der Institute ihre Wurzel haben, und den menschlichen Willen, sey es den Einzelwillen, sey es den Gemeinwillen, zum Herrn der Erde macht.“
authority of the state, accounting for the intermingling of human will with the state as a divine institution, Stahl ultimately recognizes that the state authority rules according to divine right.

In addition to recognizing the state’s divine right, he also refers to it as a “servant of God,” in this way mirroring the language of divine right so characteristic of the early modern period:

But the vocation of the state also rests on the service of God. It is God’s commandment for the common life - justice, decorum, morality - that it administers; it is God’s rule that it is to establish. According to h. Scripture (Rom. 13), the authority is not merely “decreed by God,” but it is also “God’s servant” (dei minister). Again, this does not mean that the orders of the [state] authority itself are to be regarded as commandments of God, but that it is their duty to uphold His commandments.  

In its specification of the state as the “servant of God,” Stahl apparently reimagines early modern framework of the king as a deputy and servant of God (and thereby entitled to divine right), locating first the state rather than the king as the most divine earthly incarnation of God’s authority. Indeed, Stahl treats the state as a thing of resplendent glory, much like divine-right kingship treated the king in the early modern era, remarking that “the [state] authority is clothed with majesty; for majesty is the specific attribute of God as the absolute real and ethical power and the avenger of the law.” Stahl’s proclamation of the state as the servant of God might also be understood as a response to Frederick the Great. Rather famously, Frederick the Great refuted divine right kingship by declaring himself the “servant of the state,” rather than an appointee of God. Stahl outright rejects the presumption that these are mutually exclusive. For Stahl, to act as


99 Stahl, Philosophie, 180. Darum ist auch die Obrigkeit mit der Majestät umkleidet; denn die Majestät ist die spezifische Attribution Gottes als der absoluten realen und sittlichen Macht und des Rächers des Gesetzes.
the servant to the state is not a rejection of divine right, but on the contrary, the full realization of a fundamentally divine state; to serve the state is to serve God. In this way, Stahl not only reinvents divine right, but inverts the historical principle (i.e. the reign of Frederick the Great) largely regarded as having discredited the principle in the first place.

**Divine-Right Kingship**

Despite his initial elevation of the state, in any form, Stahl goes to great pains to stress that monarchy is the ideal form of government. To understand this position, we must once again recall Stahl’s explication of the concept of “personality” (Persönlichkeit). Personality must be interpreted as the central element of Stahl’s philosophy, for he considers the state, most basically, a “kingdom of personality.” 100 Indeed, Stahl asserts that, above all, the state is personal. First of all, it originates in God, and in the kingdom of God “it is the supreme personality, God, who rules men according to His perfect holiness and wisdom.” 101 The true personality of God is expressed in His moral authority, or commandments. Moreover, each nation, as discussed above, evolves into a historically particularized ethical manifestation of God’s commandments—that is, a personality specific to its time and place, but ultimately stemming from God’s supreme personality. To reiterate further, Stahl argues that state is equally personal, for it is the institutional realization of the personality of the nation, that when achieved, consummates the ethical kingdom, transforming it into an entity totally conjoined in its

100 Stahl, *Philosophie*, 1. „Reich der Persönlichkeit.“

101 Stahl, *Philosophie*, 1. „Hier ist es die oberste Persönlichkeit, Gott, der die Menschen nach seiner vollkommenen Heiligkeit und Weisheit beherrscht.“
indivisible personality. According to Stahl, then, the state rests on the notion of personality. Consequently, Stahl argues that “the powers that be” ought to maintain this basic personal element of the state.

It is for this reason that Stahl advances monarchy as the most supreme form of the state. He asserts:

It lies is in the essence of the state, as an ethical kingdom, that an ethical power be established in it above the people, with inherent prestige, and that this power is one that is conscious of itself, powerful in itself, and is personal. This is the purpose of hereditary kingship. It is instated such that there may be rule over men, personal, united in itself, grounded in itself, which was not given by them, and is thereby exalted and majestic above them, powerful to keep them in order and lead them, holy to fill them with awe. The rule of the state, that is, the state itself, becomes personal in the king. 102

Here, then, Stahl makes clear that he considers kingship the best form of state authority. Only in a king can state authority be personal, and it is only through personal state authority that the ethical kingdom can be fully realized. Stahl clarifies further that, “it is not meant by this that in the prince a human personality should rule over the state, but rather, that the state should become personal in the prince.” 103

As Stahl additionally writes, it is not just monarchy in general for which he advocates, but, specifically, hereditary monarchy. Indeed, he claims it is through a hereditary line of kings that the full personality of the state can best be achieved:

Only by the fact that the king is of himself through his birth, and that the line of the princes persists from within itself, is the princely power absolutely elevated

102 Stahl, Philosophie, 236. „Es liegt im Wesen des Staates, als sittlichen Reiches, daß eine sittliche Macht in ihm aufgerichtet sey über dem Volke mit innewohnendem Ansehen, und daß diese Macht eine ihrer selbst bewußte und ihrer selbst mächtige, daß sie eine persönliche sey. – Dies ist die Bestimmung des erblichen Königthums. Es ist eingesetzt, damit eine Herrschaft über den Menschen bestehe, persönlich, in sich einig, in sich gegründet, die sie sich nicht gegeben, dadurch erhoben und majestätisch über ihnen, mächtig, sie in Ordnung zu halten und zu lenken, heilig, sie mit Ehrfurcht zu erfüllen. Die Herrschaft des Staates, sohin der Staat selbst, wird persönlich im König.“

103 Stahl, Philosophie, 239. „Es ist nicht darauf abgesehen, daß am Fürsten eine menschliche Persönlichkeit über den Staat herrsche, sondern daß der Staat im Fürsten persönlich werde.“
above the subjects, and only in this way does the state also attain personality in the prince, for it is an inherent part of the concept of personality to exist originally and without ceasing in itself.\textsuperscript{104}

Here, once again, although not so explicitly, Stahl reveals his esteem for the divine power of history. The king, he argues, cannot simply be chosen arbitrarily, or even by election. The personality of state authority ought to be historically continuous and indivisible, as to mirror most closely the parallel historical developments in the nation over which the personal authority rules and, moreover, to embody the eternal personality of God. Stahl argues that such an everlasting, fully transcendent personality be maintained through successive line of kings. In such a way, he does not simply consider kingship the most eminent form of state authority, but particularly calls for hereditary kingship. In expressing such a preference for hereditary kingship, Stahl also stands in affinity with what Figgis later identified as a key element of the early modern doctrine of divine right kingship: that “Hereditary right is indefeasible.”\textsuperscript{105}

In such a way, Stahl ultimately recognizes the majestic authority of the king: “[The King] is the personal representative of the care of the state, the vessel which is to possess and reveal in its own disposition the divine care that constitutes the state [...] A king who fears God and is enlightened by God is the most glorious thing that can exist on earth.”\textsuperscript{106} The king, then, for Stahl, is the full embodiment of the divine state. Indeed, it is not just the case that the king has “a mere office, position, or duty within the state,” but rather, that he has “the innermost self-

\textsuperscript{104} Stahl, \textit{Philosophie}, 238. „Nur dadurch, daß der König es von selbst ist durch seine Geburt, und daß die Reihe der Fürsten sich aus sich heraus fortsetzt, ist die fürstliche Gewalt schlechthin erhaben über den Unterthanen, und nur dadurch erlangt auch der Staat im Fürsten Persönlichkeit, denn zum Begriff der Persönlichkeit gehört es, ursprünglich und ohne Aufhören in sich selbst zu bestehen.“

\textsuperscript{105} John Neville Figgis, \textit{The Divine Right of Kings} (Cambridge: Cambridge University Press, 1896), 5.

\textsuperscript{106} Stahl, \textit{Philosophie}, 260. „Er ist der persönliche Repräsentant der Fürsorge des Staates, das Gefäß, welches die göttliche Fürsorge, die den Staat gegründet, in sich aufnehmen und mit eigener Gesinnung offenbaren soll[...]Ein gottesfurchtiger und von Gott erleuchteter König ist das Herrlichste, was es auf Erden geben kann.“
possession of power and majesty like the state itself.”

It is on these grounds that Stahl criticizes the “liberal rationalist” state, which “possesses at most ‘an individual who holds executive power’, a hereditary supreme civil servant.” Only a hereditary king can fully *embody* the state, and accordingly, attain the “originality and totality of power, the inherent majesty,” that the state holds, but is easily squandered by institutional reality. In such a way, Stahl ultimately exalts the king, ennobling him to a level of divine prestige comparable his medieval and early modern influencers. In the king, the divine-historical personality of the nation is singularly personified as the state authority. In this conceptualization of kingship, Stahl bestows upon the king a level of deific status characteristic of early modern kingship.

Stahl argues, moreover, that like the state he embodies, the king is not simply divine in nature, but in possession of divine right:

The king’s power is “by the grace of God”; it is a “divine law.” This is true of all state authority, even the republic. But the divine prestige and majesty of the authority of the state becomes more visible and alive in a personal bearer, who is in no way subordinate to it; moreover, in the hereditary monarchy, [the king] assumes possession of state power not as a result of human intervention, but through divine Providence, to which men must submit in awe.

Here we ought to pay especially close attention to the statement, “The king’s power is “by the grace of God”; it is a “divine law,” for the question of translation is of the utmost importance.

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108 Stahl, *Philosophie*, 260. „Sie besitzt allenfalls ,ein Individuum, das die exekutive Gewalt bekleidet‘, einen erblichen höchsten Staatsbeamten.“

109 Stahl, *Philosophie*, 260. „die Ursprünglichkeit und Fülle der Macht, die innewohnende Majestät.“

“By the grace of God,” or “von Gottes Gnaden,” — this is the basic principle underlying Gottesgnadentum, translated as “the divine right of kings.” Thus, Stahl’s mention of “göttliches Recht” might be interpreted here as a mere synonym which he deploys for rhetorical emphasis. In fact, there is a subtle, but significant difference between “von Gottes Gnaden” and “göttliches Recht.” Divine law refers to those laws which have a transcendent source; for Stahl, divine law is manifested in the institutions of the state. To say that the power of the king, or state, is a divine law, then, is a recognition both of those transcendent origins of law and the “objective institutional form” which law has taken. “von Gottes Gnaden,” on the other hand, references the specific concept of God’s grace. Thus, while divine law refers to institutional reality, grace is the ultimate expression of God’s living personality. “von Gottes Gnaden” thus represents that the king, and any state, is installed through the free will of a personal, sovereign God. It is in this way, too, that we see that Stahl is equally in affinity with Figgis’ principle that “monarchy is a divinely-ordained institution.”

Therefore, one can scarcely conclude, as Warren Breckman does, that Stahl did not put forth a theory of divine right. Certainly, in Die Philosophie des Rechts he arrives at his conclusions in a different way than James VI/I and early modern theorists did. This is evident in the way he considers the state first, and not the king, as truly divine entity. Moreover, he mediates his understanding of a divine decree through a historicist lens and considers history itself evidence of God’s authority. In that sense, the state and king acquire their divine prestige and entitlement to divine right through historical Providence, rather than direct intervention or appointment by God. Ultimately, however, Stahl explicitly maintains that his theory is one of divine right when he unambiguously states that “the king’s power is by the grace of God.”

111 Figgis, Divine Right, 5.
We should, at this point, also consider Breckman’s follow-up claim. In defense of his assertion that Stahl’s was not a theory of divine right, Breckman emphasizes that he “was at pains to emphasize that the relationship between God and the state is not immediate.” This was undoubtedly the case. Stahl certainly did not believe that God intervened directly to appoint a king as his earthly deputy. In that sense, his theory differs significantly to that set by other early modern theorists. Yet, it does not change the fact that Stahl quite explicitly fashioned his own theory as “one of divine right.” Indeed, Stahl applied Christianized historicist reasoning to ultimately arrive at similar conclusions about the divine right of the state and of the king. Indeed, Stahl considered the state the “bearer of history,” arising through divine Providence and guided by God’s commandments. Consequently, he regarded the state as a supremely divine institution, entitled to total obedience from the people by fact of its historical emergence according to God’s plan. Stahl likewise considered the king, as the personal embodiment of divine state authority, equally entitled to divine right. In that sense, while it is true that Stahl did not precisely replicate this theory of divine-right kingship, it is also possible to conclude that, contrary to Breckman’s claim, Stahl enthusiastically adopted the idiom of, as well as key concepts from, early modern *Gottesgenadentum.*

Thus, while one could engage in the unproductive exercise of trying to cast Stahl as an inauthentic medievalist, the more instructive thing would be to consider the fact that by reimagining the nature of divine right kingship, but also maintaining the same terminology and many of the same principles, Stahl subjected the concept of *Gottesgenadentum* to significant change in meaning. What makes divine right really divine right? Warren Breckman’s claim

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112 Breckman, *The Young Hegelians,* 89.

113 Stahl, *Die Philosophie,* 163. „Allein dann hätte die Geschichte selbst aufgehört, und es bedürfte ihres Trägers, des Staates, überhaupt nicht mehr.”
implicitly suggests that it is a matter of direct intervention from God. Yet, Stahl resolved something quite different, namely, that although not directly appointed by God, the king ascends to the throne through indirect and nevertheless divine means and is for that reason, this being the significant part, *unable to be deposed and entitled to unwavering obedience*. Moreover, the idea that the state was entitled to such unswerving obedience from its subjects was not restricted to a traditional model of kingship. Stahl apotheosized *the state*, whether this took the form of hereditary monarchy, constitutional monarchy, parliamentary monarchy, or even republic.

In fact, there is much to suggest that in maintaining opposition to rebellion against divine authority as the central tenet of his doctrine, Stahl actually had much alike with the early modern doctrine of divine right kingship. Recall for example, that William Barclay, in his *De Regno et Regali Potestate* notes that royal authority comes from God alone, which “is true even of hereditary and elective monarchy.”

114 Barclay’s work is widely regarded as foundational in establishing the early modern doctrine of divine right, yet even he believed that elective monarchy was also a monarchy “by the grace of God.” We can turn, too, to Bishop John Overall’s (1559-1619) *Convocation Book*, another book which is widely regarded as foundational in concretizing a doctrine of divine right. As Figgis has shown, although the book “was avowedly compiled in the support of monarchy” and its object was “to assert the Divine Right of Kings, resistance and the duty of non-resistance,” “it is of all established governments that this Divine authority is really asserted.”

115 To this end, Overall asserts:

the authority either so unjustly gotten or wrung, by force, from the true and lawful possessor, being always God’s authority (and therefore receiving no impeachment by the wickedness of those that have it), is ever, when any such alterations are


115 Figgis, *Divine Right*, 238.
thoroughly settled, to be reverenced and obeyed, and the people of all sorts, as well of the clergy as of the laity, are to be subject unto it, not only for fear, but likewise for conscience sake. (Rom 13)\textsuperscript{116}

Overall, as Luther and Stahl do, cites Chapter 13 of the Romans to make a point about the inviolability of “the powers that be” remarkably analogous to Stahl’s. So great is the affinity that it is not impossible to imagine that Stahl spent his university years reading the \textit{Convocation Book}. Overall clearly believes that any established government authority is owed total obedience from the people, because, as Stahl too notes, the “the powers that be are ordained of God.” Stahl’s philosophy, then, was not entirely an invention of the modern period. Rather, more than two centuries before Stahl produced his own work, the scholars who codified the doctrine of divine-right kingship were already espousing remarkably similar beliefs.

Stahl’s apotheosis of the state was, in his own time, quite pragmatic, because it clarified a universal imperative to submit to the authority of state power, in any form. By proclaiming this to be true of any state, Stahl ensured that his theory was widely applicable, and also, that it could withstand the introduction of liberal reforms. Similarly, by proclaiming that the divinity of any and all forms of the state, Stahl avoided boxing himself in as a steadfast traditional monarchist. Indeed, he did not treat “constitutionalism” as a pejorative, like some of his conservative milieu did. Rather, just eight years after he published the last volume of his \textit{Philosophy}, he published a hard-hitting forty-page treatise, \textit{Das monarchische Princip}, in which he cashed in on the flexibility he had maintained in his original articulation to reconcile a strong monarch with constitutionalism.

\textbf{The Monarchical Principle vs. The Parliamentary Principle}

\textsuperscript{116} John Overall, \textit{Bishop Overall’s Convocation Book} (London: Walter Kettilby, 1690), 50.
Stahl was not so deluded as to presume an archaic monarchical state would endure perennially in Europe. To presume so would disregard what a keen esteem Stahl held for the divine forces of history, which he believed facilitated the natural evolution of the state. “That the English constitution is an example of the European future, must not be denied,” Stahl remarks in his treatise, reflecting upon the historical change evident in both England and France.117 Rather than rejecting constitutionalism as fundamentally in opposition to his theory of divine right, then, Stahl instead rode pragmatically with the tides of history and modernity by explaining what form constitutionalism might take in a Prussian and German context. In *Das monarchische Princip*, Stahl sets out to do this in two ways. First, he insists upon declaring the German monarchical principle as distinct from the English parliamentary principle and thereby argues against the idea that constitutionalism would inevitably lead to parliamentary supremacy and from there, rogue republicanism. Second, he maintains that the adoption of a constitution would not enfeeble the supreme authority of the monarch, but rather, reinforce his power in a way agreeable to all parties.

In his treatise, Stahl, first and foremost, explains that the German monarchical principle is separate and distinct from the English model of government. He dubs the English precedent the “parliamentary principle.” In such a system, “The king is the sovereign according to the law, for he legally has the power of absolute veto, nothing can be forced of him, he gives sanction to all laws, he is exalted and unaccountable.”118 And yet, Stahl laments that such a constitutional

117 Friedrich Julius Stahl, *Das monarchische Princip* (Heidelberg: J.C.B. Mohr, 1845), 34.

“Daß die englische Verfassung ein Vorbild der europäischen Zukunft ist, darf nicht geleugnet werden.”

118 Stahl, *Das monarchische Princip*, 10. Der König ist dem Rechte nach der Souverän; denn er hat rechtlich die Macht der absoluten Verhinderung kann zu nichts gezwungen werden, er ertheilt allen Gesetzen die Sanktion, ist erhaben und unverantwortlich.”
monarchy relegates the king to a “subordinate level.” Indeed, Stahl acknowledges that while in the English system the king and parliament technically share joint sovereignty, he argues that in effect, the power of the parliament is much greater than that of the king. To this end, Stahl comments: “Regarding legislation, the Parliament has not only the petition, but rather the initiative (Bill), i.e. the drafting of the laws, the detailed execution of the legislative proposals, whereas the King has only the acceptance or rejection of the drafts submitted to him.”

Moreover, he notes that because of its enumerated power over the state budget, the parliament has “the right of unconditional refusal to approve taxes.”

England, then, embodied a constitutional monarchy based upon the “parliamentary principle”. Stahl describes this succinctly: “The nation in its parliamentary representation governs itself, and the king stands above it only in that he (formally) grants the sanction to this government and, as far as the circumstances support him, moderates it. This is what we call the parliamentary principle.” It is from here that he explains that such a “parliamentary principle,” which so demotes the king, is far from the only form of constitutional monarchy.

The parliamentary principle, Stahl argues, emerged according to England’s historical circumstances:

The latter is a consequence not only of special historical events, but also of special ongoing conditions: the two revolutions, the repeated succession to the throne of foreign dynasties that had no roots in the country, the consolidation and power of the two political parties, the shrinking of the crown domains. It therefore

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119 Stahl, *Das monarchische Princip*, 2. Das Parlament hat für die Gesetzgebung nicht blos die Petition, sondern die Initiative (Bill), d. i. die Abfassung der Gesetze, die detaillirte Ausführung der Gesetzvorschläge, der König hat nur die Annahme oder Verwerfung der ihm vorgelegten Entwürfe.


121 Stahl, *Das monarchische Princip*, 11. “Die Nation in ihrer parlamentarischen Vertretung regiert sich selbst, und der König steht nur darüber, in dem er dieser Regierung (formell) die Sanktion ertheilt und bez., so weit die Umstände ihn unterstützen, sie ermäßigt. Dies ist es, was wir das parlamentarische Princip nennen.”
belongs to the innermost individuality of the English constitution, is therefore lawful, magnificent, and beneficial for England itself, but beyond all comparison and all imitation for other states.\textsuperscript{122}

As a specifically English principle, then, Stahl describes it as only one form of constitutional monarchy. Accordingly, while it might seem that the adoption of a constitution would “necessarily and inevitably lead to the adoption of the predominant position of the parliament,” such a view would ignore the specificity of historical circumstance.\textsuperscript{123} Stahl thus distinguishes it from the “monarchical principle,” which is another form of constitutional monarchy, and the one which Germany would maintain. Stahl argues: “we will therefore have to find the monarchical principle in the princely power, such that according to the law, it stands imperviously above the representation of the people, and that the prince actually remains the center of the constitution, the positive power in the state, the leader of its development.”\textsuperscript{124} Thus, Stahl holds that the German constitution would uphold the authority of the monarch. To this end, he lambasts the notion that the German estates might retain budgetary power: “According to the monarchical principle, an unconditional refusal to approve taxes, which calls into question the government itself, which compels the prince to obey the estates at all costs, cannot exist.”\textsuperscript{125} Stahl maintains,

\begin{itemize}
\item \textsuperscript{122}Stahl, \textit{Das monarchische Princip}, 35. „Letztere ist eine Folge nicht blos besonderer geschichtlicher Vorgänge, sondern auch besonderer fortdauernder Zustände: der beiden Revolutionen, der wiederholten Thronfolge auswärtiger Dynastieen, die keine Wurzel im Lande hatten, der Consolidirung und Macht der beiden politischen Parteien, der Verschleuderung der Kronomânen. Sie gehört deshalb der innersten Individualität der englischen Verfassung an, ist darum für England selbst rechtmäßig, großartig, wohltätig, aber außer aller Vergleichung und aller Nachahmung für andere Staaten.”
\item \textsuperscript{123}Stahl, \textit{Das monarchische Princip}, 13. “nothwendig und unaufhaltsam auch die Annahme dieser überwiegenden Stellung des Parlaments mit sich führe.”
\item \textsuperscript{124}Stahl, \textit{Das monarchische Princip}, 12. “Im Unterschiede dazu werden wir daher das monarchische Princip darin finden müssen, daß die fürstliche Gewalt dem Rechte nach undurchdrungen über der Volksvertretung stehe, und daß der Fürst thatsächlich den Schwerpunkt der Verfassung, die positiv gestaltende Macht im Staate, der Führer der Entwicklung bleibe.”
\item \textsuperscript{125}Stahl, \textit{Das monarchische Princip}, 14. “Nach monarchischem Princip kann eine unbedingte Steuer verweigerung, welche die Regierung selbst in Frage stellt, welche den Fürsten nöthigt, den Ständen überall zu willfahren, nicht bestehen.”
\end{itemize}
moreover, that “the state budget itself must also be determined by the prince and not by the estates.”\cite{126} However significant he considers budgetary power, his monarchical principle is based above all on the precept that “the prince has the right and power to govern by himself.”\cite{127}

In maintaining such a monarchical principle, what power could possibly be left for the states? Far from prescribing the states a merely advisory role or hoping to introduce a constitution only nominally, Stahl considered monarchy and political representation fully reconcilable under a constitution. Although the prince was responsible for setting the state budget, Stahl argues that a constitution would maintain the estates’ right to oversee the set budget, in terms of its allocation and specification. The states, moreover, would remain responsible for “protecting the entire public legal condition, as the guardians and guarantors for maintaining and observing the laws...”\cite{128}

Stahl then goes on to address the issue of the “power of counsel” versus the “power of approval,” with regards to the estates. Unlike some of his conservative contemporaries, Stahl maintains that the estates ought to have the full power of approval. He criticizes the Prussian king at the time, Friedrich Wilhelm III, in fact, for proposing a constitution which would maintain such a limited advisory capacity for the parliament. If, Stahl argues, the king is in secure possession of the power of the purse and not dependent on the parliament for taxes, then such a parliament would not be any real threat. Rather, the far graver danger would be the

\begin{itemize}
  \item \cite{126} Stahl, \textit{Das monarchische Princip}, 14. “Nach monarchischem Princip ferner muß auch der Staatshaushalt selbst vom Fürsten und nicht von den Ständen festgesetzt werden.”
  \item \cite{127} Stahl, \textit{Das monarchische Princip}, 18. “Das monarchische Princip erfordert endlich vor allem und besteht vor allem darin, daß der Fürst Recht und Macht habe, selbst zu regieren.”
  \item \cite{128} Stahl, \textit{Das monarchische Princip}, 25. “sondern es bleibt ihnen die große mächtige Bedeutung, den gesammten öffentlichen Rechts-Zustand zu schützen, sie sie die Wächter und Garanten für Erhaltung und Beobachtung der Gesetze für Ordnung und gesetzmäßige Verwendung im Staats haushalte und üben eine moralische Macht der Anregung und Fortbildung.”
\end{itemize}
potential “popular agitation” that would follow, should the rights of parliament be too narrowly circumscribed.\textsuperscript{129} Thus, Stahl argues that a position of counsel is a volatile one, for in their limited capacity, the estates would remain perpetually poised to seize more rights. Such a condition would leave the state and the monarch susceptible to immanent, dangerous revolution. Stahl, then, sought to compromise. He heartily embraced constitutionalism, but only in with the aspiration that by adopting constitutionalism, “it might be possible to neutralize democratic demands for genuine popular sovereignty.”\textsuperscript{130}

In such a way, by the mid 1840s, Stahl had had sufficient time to develop a theory of divine right which might accommodate a constitution. While he maintained the power of the king, he primed his declaration of the divine right of authority to withstand a storm of constitutional demands which he anticipated. Indeed, Das monarchische Princip and its preemptive attempts to reconcile divine-right kingship with constitutionalism would prove essential just three years later, when the Prussian King Friedrich Wilhelm IV sought to defend his own belief in the divine origins of his authority against liberal pressures to create a constitution.

\textsuperscript{129} Stahl, Das monarchische Princip, 29.

\textsuperscript{130} Barclay, Frederick William IV, 9.
Chapter Two

‘von Gottes Gnaden’ or ‘von Volkes Gnaden’?
King Friedrich Wilhelm IV, the Revolutions of 1848, the Birth of Prussian Constitutionalism

“No power on earth should ever succeed in moving me to transform the natural relationship between prince and people...into conventionalized, constitutional one.”\(^{131}\) So declared the Prussian King Friedrich Wilhelm IV in April 1847, before the Provincial Diet he had assembled. However, by December of 1848, the king reversed his opposition to the constitution, and by February 1850, he willingly swore a constitutional oath. At first glance, the years between 1847 and 1850 might be interpreted as the king’s capitulation to liberalism, or, more generously, as a sort of political pragmatism. Either way, it initially appears that Friedrich Wilhelm IV radically changed his views in a very short time period.

Indeed, the most defining feature of the king’s reign was his unwavering belief in his own divinely-endowed authority, a position he jubilantly took up through both his style of rule and personal image. In fact, if Friedrich Julius Stahl performed the intellectual acrobatics to formulate a modernized theory of divine right, it fell to the Prussian King Friedrich Wilhelm IV to imbue this reimagined Gottesgnadentum with aesthetic appeal. Friedrich Wilhelm IV assumed the kingly office in 1840, just several years after Stahl published the final volume of his Philosophie des Rechts, the very text in which he most effusively proclaimed that the king ruled “by the grace of God.” As king, Friedrich Wilhelm devoted himself to developing an aesthetic of

\(^{131}\) Friedrich Wilhelm IV, So sprach der König: Reden, Trinksprüche, Proclamationen, Botschafte, Kabinets-Oders, Erlasse n.l.w (Stuttgart: Verlag von Karl Göpel, 1861), 46.

„daß es keiner Macht der Erde je gelingen soll, Mich zu bewegen, das natürliche, gerade bei Uns durch deine innere Wahrheit so mächtig machende Verhältnis zwischen Fürft und Volk in ein conventionelles, constitutionelles zu wandeln.“
Gottesgnadentum and projecting himself as “the innermost possession of power and majesty, just like the state itself,” that Stahl had so eloquently envisioned.\textsuperscript{132} Thus, while Stahl was responsible for producing the intellectual justification for divine right, Friedrich Wilhelm took it upon himself to create an awe-inspiring aesthetic of kingship to fulfill Stahl’s vision.

In this chapter, I will first explore the king’s efforts to aestheticize the monarchy. He attempted this, first of all, in his endeavors to actualize his fixation with the metaphors of German Romanticism by pursuing ambitious Gothic architectural projects and revamping his own court, endeavors which historian David Barclay has explored in depth. Above all, however, the king projected an image of personal power and hoped to convey his God-given authority through the power of rhetoric, which he considered the highest form of art. Indeed, Friedrich Wilhelm used his talent for oratory to evince his own belief in the divine sources of his power. Thus, adding to Barclay’s explication of the ways in which the Prussian king tried to aestheticize the Prussian state, I will investigate the important role the king’s construction of his personal image played in his attempts to refashion the divine state.

I will then examine how the king’s own inclination toward “personal rule” caused him, initially, to eschew a constitution in Prussia. He was particularly disturbed by the notion of popular sovereignty, which drove liberal demands for a constitution during the revolutions of 1848. More alarming to him, still, I will argue, were liberal attempts to aestheticize the concept of popular sovereignty.\textsuperscript{133} Indeed, liberals harnessed the tropes of German Romanticism too, not


\textsuperscript{133} Since the French revolution, popular sovereignty and constitutionalism had become closely intertwined. The notion of popular sovereignty held that sovereignty stemmed from “the will of the people,” and held that a written constitution could provide a guarantee for that power. Friedrich Wilhelm IV, on the other hand, maintained the belief that sovereignty came from God, and he had the power to rule as God’s servant on earth without being
to illustrate the historical sanction of divine-right kingship, but to mobilize the German people around a common past. This nationalism was closely linked to their own demands for a liberal constitution. Thus, I will contend that Friedrich Wilhelm’s initial opposition to a constitution stemmed from his disdain for popular sovereignty to which constitutional demands were closely linked.

Despite Friedrich Wilhelm’s commitment to “personal rule” and infatuation with the historical, divinely-ordained monarchy, a series of events surrounding the revolutions of 1848 prompted him, curiously, to accept a constitution willingly, which was adopted in 1850. On this basis, I will explore the ways in which the revolutions of 1848 functioned as an important turning point in the Prussian state. I thereby add to recent work by Christopher Clark, who has attempted to correct the earlier historiographical consensus that the 1848 revolutions were largely a “turning point” where Prussia “failed to turn.” 134 1848 was significant because it was the year that proved that Friedrich Wilhelm’s preferred “personal rule” permanently untenable, as the demands of the nation prompted the king to reverse his anti-constitutional stance and lead Prussia to emerge for the first time in its history as a constitutional state. However, I will argue further that through the Prussian constitution’s multi-year revision process, a period of time when, simultaneously, the question of the German nation was also a fraught one, Friedrich Wilhelm worked creatively to develop a constitution which would also uphold his divinely-ordained authority and the divine sources of his power. In other words, this was a modern, written constitution, but one which simultaneously refused to legitimate the principle of popular

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sovereignty and instead reaffirmed that sovereignty came from God alone. In that sense, the revolutions and constitutional revisions between 1848 and 1850 were, in Clark’s words a “watershed between an old world and a new,” as Friedrich Wilhelm married a conservative belief about the foundations of power with an essentially modern constitutional state.\textsuperscript{135} Thus, I will conclude with an examination of Friedrich Wilhelm IV’s speech before taking the constitutional oath in 1850, a moment which illuminates the king’s aspirations for the constitution in Prussia.

To provide some historical context, it is useful to understand the series of events that took place in Prussia and Germany known as the “revolutions of 1848.” King Friedrich Wilhelm IV, as has already been suggested, was committed to an old-world style of rule beginning with his assumption of the throne in 1840. He rejected both Restoration era “bureaucratic despotism” and the mechanistic, French-style constitutionalism in favor of an “organic” state, wherein “the various estates of the realm would unite around throne and altar.”\textsuperscript{136} The king’s style of “personal rule” did not earn him the favor of the stirring liberals in Prussia. In Germany at large, “in the period known as the Vormärz, between 1830 and March 1848, the feeling grew that the government had lost touch with the governed.”\textsuperscript{137} Liberals across the German states grew dissatisfied with both the rule by their princes and the “seemingly defunct” German Confederation.\textsuperscript{138} As such, in Prussia and in other German states, liberals, emboldened by the cultural nationalism of the Romantic period, began to envision the introduction of constitutional

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\textsuperscript{135} Clark, \textit{Iron Kingdom}, 1514.
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\textsuperscript{137} Eda Sagarra, \textit{Germany in the Nineteenth Century: History and Literature} (New York: Peter Lang, 2001), 73.
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\textsuperscript{138} Barclay, “Political trends,” 61.
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reforms within the framework of a unified Germany that was “higher” than the German Confederation.\footnote{Barclay, “Political trends,” 61.}

In 1847, however, Friedrich Wilhelm delivered disappointing news. In April, the king was forced to convene a Prussian United Diet made up of eight provincial assemblies. The impetus for the United Diet was in fact fiscal problems—the king required additional funds to finance the military and an East-West Railway in Prussia.\footnote{Sagarra, \textit{Germany in the Nineteenth Century}, 72.} To his alarm, the United Diet began to act like a real parliament. Perturbed by their audacity, Friedrich Wilhelm used the occasion to make his famous denunciation of constitutionalism, and thereafter, dismissed the assembly.\footnote{Barclay, “Political trends,” 54.}

As Friedrich Wilhelm was gathering disfavor among liberals with his anti-constitutional pronouncement, liberal unrest was also beginning to overtake the rest of Europe. In 1847, Protestant liberals in Switzerland had managed to inaugurate a new Swiss constitutional state. More recently, in January 1848, the King of Naples had acquiesced to the demands of his people and offered a constitution.\footnote{Clark, \textit{Iron Kingdom}, 1469.} On February 12, 1848, the liberal parliamentarian Friedrich Bassermann also used his platform in Baden to demand before the assembly the “creation of a national [German] state on a federal basis.” His announcement illuminated the extent to which the national and constitutional ideas had become entwined on the eve of revolution.\footnote{Barclay, “Political trends,” 56.} Most significant, however, were the February 1848 revolutions in France.\footnote{Clark, \textit{Iron Kingdom}, 1469-70.} Carl Schurz, famous German revolutionary (and later American politician), has expressed in his own autobiography
how fervently the French upheaval in 1848 captured the imaginations of German liberals. As Schurz recalls, this was the uplifting moment when “the French had driven away Louis Phillipe and proclaimed a Republic.”\textsuperscript{145} The uproar in France was the beginning of the liberal revolution in Germany, which had merely been discursive up to that point. According to Schurz, he and his fellow revolutionaries “were dominated by a vague feeling as if a great outbreak of elemental forces had begun, as if an earthquake was impending of which we had felt the first shock, and we instinctively crowded together.”\textsuperscript{146}

The revolutions finally broke out in Germany in March 1848. In Berlin, Prussians poured to the streets and makeshift barricades popped up throughout the city. Demonstrations also erupted in Vienna, Mannheim, Heidelberg, Cologne and other German cities, as citizens took to the streets with their demands for liberal reforms.\textsuperscript{147} It was the demonstrations in Berlin and Vienna—the political nexus of Germany’s biggest powers—which proved most politically influential. In Berlin, there was some disagreement among the authorities about how to proceed as demonstrators took to the streets. Friedrich Wilhelm’s younger brother urged the Prussian king to suppress all the revolutionaries, and this was indeed his first move. Within less than a month, however, the king had situated himself at the forefront of the movement. Habitually deferential to Austria, Christopher Clark has argued, Friedrich Wilhelm, upon hearing news on March 15\textsuperscript{th} that Chancellor Metternich (1173-1859), the notorious Austrian leader, had fallen in Vienna, followed suit. On March 17, the king “agreed to publish royal patents announcing the abolition of censorship and the introduction of a constitutional system in the Kingdom of


\textsuperscript{146} Schurz, \textit{Reminiscences}, 111.

\textsuperscript{147} Clark, \textit{Iron Kingdom}, 1417.
Prussia.” With such political concessions, he “consented to meet the demands of the nation” and on May 22, 1848, he presented the Prussian Constitutional Assembly with a draft of a constitution which affirmed that “the future representation of the people shall in any case have the right to approve or reject all laws, grant all taxes and ratify the provisions of the budget.”

The Berlin National Assembly was one of three constitutional assemblies which emerged in 1848, the others located in Frankfurt (also called the National Assembly, producing some confusion) and Vienna, which was called a Reichstag. The Habsburg powers, having quickly capitulated to the liberal demonstrators, began constitutional deliberations in July 1848. Yet, as swiftly as the Habsburgs had surrendered in Vienna, they mobilized a counter-revolution, which dashed hopes of constitutionalism by late 1848. Prussia fared somewhat differently. During the summer of 1848, the Constitutional Assembly debated the draft of the constitution which had been introduced in 1848. One new provision in particular drove Friedrich Wilhelm to reverse his cautious support for the constitution which was under consideration. On October 12, 1848, the left wing of the Constitutional Assembly demanded that the title “by the grace of God” be removed from the beginning of the constitution, which inspired the king’s fierce reproach. Soon after, as revolutionary violence overtook Berlin again, Friedrich Wilhelm removed the Constitutional Assembly to Brandenburg. Finally, on December 5, 1848, the king officially dissolved the assembly and presented his own “octroyed” constitution to Prussia. While he claimed that this constitution took into account “the wishes expressed by the representatives of

148 Clark, Iron Kingdom, 1423-4.


150 Barclay, “Political trends,” 61-62.
the people,” in fact, he formulated it in opposition to the doctrine of popular sovereignty.\textsuperscript{151}

Indeed, under the influence of Stahl’s “monarchical principle,” Friedrich Wilhelm IV had begun to consider the way a constitution might be reconcilable with his own belief in divine right.

At the same time that Austria and Prussia were engaged in constitutional deliberations, the Frankfurt Assembly undertook the most ambitious constitutional project of all—“the project to create a unitary and constitutional German state.”\textsuperscript{152} For its liberal and national aspirations however, disagreements about the nature of the German state locked the parliament into a lengthy process of discussion. Chief among the points of disagreement was the question of whether or not a united Germany would include Austria. Those in favor of a \textit{großdeutsch} solution proposed Austrian captaincy of the German nation, while proponents of the \textit{kleindeutsch} solution wanted to exclude the Austrian half of the Habsburg monarchy from the proposed German state. In October 1848, as counter-revolution was in full swing in Prussia and Austria, the Frankfurt Assembly finally voted in favor of the \textit{großdeutsch} plan. Yet, this turned out to be for naught when Habsburg Prince Felix zu Schwarwenberg refused the offer to incorporate German Habsburg territories into the German nation-state.\textsuperscript{153}

While counterrevolution had succeeded in Austria, Prussia was still in the process of becoming a constitutional state—albeit a conservative one. On February 26\textsuperscript{th}, 1849, the new chambers of Parliament formally accepted the king’s constitution from December and began a slow process of revision.\textsuperscript{154} While the revision process was stop-and-start and its liberal promises

\begin{itemize}
\item[\textsuperscript{152}] Barclay, “Political trends,” 63.
\item[\textsuperscript{153}] Barclay, “Political trends,” 64-65.
\item[\textsuperscript{154}] Robinson, \textit{Constitution of Prussia}, 14.
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modest, it appeared as though Friedrich Wilhelm would, unlike Austria, follow through on his agreement to inaugurate Prussia as a constitutional state. Thus, in a last-ditch effort to realize the German national state, the Frankfurt Parliament decided to offer Friedrich Wilhelm the German imperial crown and accept a *kleindeutsch* solution after all. Friedrich Wilhelm, however, officially rejected the offer of crown in April 1849. For the king, the imperial crown bore the stamp of revolution and to accept it would serve as a sanction of the ideas of popular sovereignty.\(^{155}\) Moreover, Friedrich Wilhelm was extremely sensitive to the fact that, historically, Austria had served as a leader among the German lands. For these reasons, he refused to accept a crown which for which a Habsburg had historically been the just, God-ordained inheritor.\(^{156}\) Friedrich Wilhelm’s commitment to uphold the principle of *Gottesgnadentum* thus played a key role in his decision to refuse the imperial crown. Still committed to the cause of the fatherland, however, Friedrich Wilhelm devoted himself to preserving the honor of the Prussian Crown and using his position as the head of state in Prussia to exercise ethical influence over the rest of Germany. Although he accepted constitutionalism in Prussia, he hoped that the constitution could be harmonized with the principle of divine right.

Indeed, when the Prussian Constitution was finally adopted in 1850 after many revisions, Friedrich Wilhelm used the occasion of this constitutional oath to assert his belief that it be used to reaffirm “God’s order.” In such a way, far from a reversal of his infatuated belief in the divine right of authority, Friedrich Wilhelm actually formulated a constitution which he believed was compatible with this conservative doctrine. Thus, as Clark has also suggested, Friedrich Wilhelm’s initial decision in 1848 to accept a constitution had been brilliantly executed. By

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\(^{155}\) Barclay, “Political trends,” 65.

\(^{156}\) Clark, *Iron Kingdom*, 1481.
“consenting in principle to the constitutionalization of the monarchy, he locked the liberals into an arduous process of negotiation while biding his time and looking for an opportunity to regain his freedom of manoeuvre.” Moreover, “Behind the scenes, he gathered about him a cabal of conservatives determined to end the revolution at the earliest opportunity.” Thus, influenced by a cadre of conservatives like Stahl, Friedrich Wilhelm’s constitution ultimately proved to be a rejection of the principle of “popular sovereignty” which propelled the revolutions of 1848. Therefore, the revolutions of 1848 were an essential moment in Prussian history. It is the transformations they prompted, and specifically, the transformation of Friedrich Wilhelm’s own convictions, which make up the rest of my investigation in this chapter.

Friedrich Wilhelm IV’s Monarchical Aesthetic

Friedrich Wilhelm’s affection for an “aesthetic” state actually stood in contrast to the previous Prussian kings and the rationalist origins of the Prussian state itself. As David Barclay has noted, Prussia was a “relative newcomer” among the great European powers and thus “the incarnation of the modern, rational, ‘machine’ state of the eighteenth century.” In fact, one of the most significant aspects of Friedrich Wilhelm’s “revival” of divine right kingship in Prussia is that there was little factual tradition of sacral kingship within recent Prussian history to base this “revival” on. Friedrich I was the first and only king of Prussia to have enjoyed grandiose monarchical ritual and an opulent court. His two successors, Friedrich Wilhelm I and Friedrich II, the “Soldier King” and “Frederick the Great,” respectively, considered court garishness

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158 Barclay, *Frederick William IV*, 17.
outside of their own bureaucratic programs.\textsuperscript{159} Rather than reinforcing their own power through a performance of \textit{Gottesgnadentum} and lavish court ceremonial, these eighteenth-century kings relied on “the structures of administrative might and army” to buttress their royal authority.\textsuperscript{160}

Thus, the French Revolution did not, in Prussia, serve as the ideological kindling for a “break” with divine-right kingship in Prussia; rather, long before the nineteenth century, emphasis on the divine right of kings had been supplanted by a focus on bureaucracy and administration.

At the same time, Friedrich Wilhelm IV came of age at a time when Prussia was undergoing the full transition from ‘royal’ to ‘bureaucratic’ absolutism. He was born in 1795, just a year after the introduction of the Prussian Law Code. He witnessed the near demise of Prussia to Napoleon in 1806, and thereafter, the Prussian Reform Movement under his father, Wilhelm III. Indeed, between 1807 and 1816, Baron vom Stein (1757-1831) and Prince Karl August vom Hardenberg (1750-1822) took the lead in restructuring the Prussian monarchy as a “streamlined, unitary, and bureaucratic system” and also hastened the “differentiation between crown and state.”\textsuperscript{161} Still without a constitution, Prussia thus emerged as a \textit{Beamtenstaat} during this reform era.\textsuperscript{162} This bureaucratization was exacerbated by Wilhelm III’s distaste for the type of court ritual characteristic of a robust monarchy, an aversion one historian attributes to his “morose and withdrawn personality.”\textsuperscript{163}

\textsuperscript{159} Barclay, \textit{Frederick William IV}, 17.
\textsuperscript{160} Barclay, \textit{Frederick William IV}, 17.
\textsuperscript{161} Barclay, \textit{Frederick William IV}, 17-22.
\textsuperscript{162} Barclay, \textit{Frederick William IV}, 20.
\textsuperscript{163} Barclay, \textit{Frederick William IV}, 22.
Friedrich Wilhelm was a great opponent of Hardenberg and lamented the bureaucratic reforms that he witnessed in early nineteenth century Prussia. Thus, on the one hand, the king’s lust for a robust and aesthetically rich monarchy was a reaction the Stein-Hardenberg program. On the other hand, it would be false to suggest that he desired the “restoration” of some eighteenth-century monarchical precedent, as the bureaucratic absolutism of the eighteenth century was equally undesirable to him. Like Stahl, he vehemently criticized “the absolutism of the state.”\textsuperscript{164} In later years, too, the conservative proponents of \textit{Gottesgnadentum} would go to great lengths to situate themselves in opposition to absolutism. Thus, in seeking a viable historical and aesthetic model for \textit{Gottesgnadentum}, Friedrich Wilhelm looked much earlier than recent centuries of Prussian history and to the German Middle Ages for aesthetic inspiration.

According to Barclay, Friedrich Wilhelm came to understand the monarchy as a \textit{Gesamtkunstwerk}, or total work of art. He argues that the concept of \textit{Gesamtkunstwerk}, a “product of the nineteenth-century German Romantic imagination” can serve as “a metaphor for Frederick William’s developing understanding of his royal office and his life’s work.”\textsuperscript{165} In formulating his own monarchical aesthetic, Friedrich Wilhelm relied heavily on the tropes of German Romanticism. His exposure to Romantic art and literature began in his early education. As a child, Friedrich Wilhelm devoted himself to endeavors like drawing and architecture and quickly developed passion for Romanticism, particularly the works of Friedrich de la Motte Fouqué. Fouqué, a relatively obscure (and frequently criticized as second-rate) writer, penned vivid and idyllic tales of the Germany in the Middle Ages. \textit{Der Zauberring}, which was published in 1812, shortly before the Wars of Liberation, exercised profound influence over Friedrich

\textsuperscript{164} Barclay, \textit{Frederick William IV}, 38.

\textsuperscript{165} Barclay, \textit{Frederick William IV}, 32.
Wilhelm: “Fouqué’s evocation of an organic medieval world, of the special bonds between ruler and ruled that had supposedly typified the Middle Ages, encouraged the tendency in Friedrich Wilhelm’s part to think of his future responsibilities in terms of feelings, allusions, and images.”¹⁶⁶ In such a way, the young Friedrich Wilhelm developed an early acquaintance with German Romanticism, which would serve as the aesthetic basis for his revival of *Gottesgnadentum*.

Friedrich Wilhelm also had a personal religious experience when he accompanied his father to Napoleon-occupied western German territories during the Wars of Liberation between 1813 and 1815. He was greatly affected by his exposure to historical German landscapes, and even described his encounter with the Rhine as follows: “I immersed my right hand in the Rhine and crossed myself. What a divine stream!”¹⁶⁷ This so-called *Bildungsreise* through the Rhineland was a catalyst for Friedrich Wilhelm, who thereafter developed a mystical vision and esteem for the traditions of the historical Holy Roman Empire with increasing fervor. This regard for the Holy Roman Empire was closely tied to a feeling of obligation to God and historical tradition. Indeed, the great attraction of the Holy Roman Empire was the supposed harmonious relationship between the ruler and his people—“a medieval empire sustained by shared Christian and monarchical values”—that it represented to the Crown Prince.¹⁶⁸

In his years as Crown Prince, Friedrich Wilhelm’s artistic predilections compelled him to support a number of extravagant architectural projects. In particular, he enthusiastically championed the completion of the Cologne Cathedral. The enormous Gothic church that had

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¹⁶⁶ Barclay, *Frederick William IV*, 30.
¹⁶⁷ Barclay, *Frederick William IV*, 31.
¹⁶⁸ Barclay, *Frederick William IV*, 32.
been untouched since the sixteenth century, but now, three centuries later, Friedrich Wilhelm embraced its completion, understanding the monument as profoundly transcendent. Bound up in the completed Cathedral were homage to the traditions of the Holy Roman Empire, refined aesthetics (apparent in the architecture itself), and resplendent celebration of Christian glory. Thus, Friedrich Wilhelm enthusiastically supported architectural plans to finish the building project. The beginning of construction began in 1842, two years into his reign as king. Barclay argues that this cathedral came to inform Friedrich Wilhelm’s vision of the state, which like the glorious church, he imagined as Gesamtkunstwerk.\textsuperscript{169}

How, exactly, did Friedrich Wilhelm go about fashioning the state as a work of art? The project of creating an aesthetically transcendent state was closely linked to the concept of Gottesgnadentum. Indeed, for the king, true aesthetic glory came only as a gift from God himself. The concept of Gnade, or grace, in fact signifies a freely given gift by God. When Stahl wrote that “the power of the king is by the grace of God,” he also revealed his belief that power of the king to rule was a freely given gift from God. Thus, for Friedrich Wilhelm, the aesthetically transcendent state was premised upon his own ability to embody and exude his God-gifted majesty. While Barclay sees Friedrich Wilhelm’s infatuation with Gothic architecture and court ritual and as most indicative of his aesthetic sensibilities, it was, in fact, the king’s personal image which served as the most important aesthetic expression of the state. This he achieved primarily through charismatic oratory.

In an 1843, Thomas Bade, a publisher in Berlin, produced of a volume of the king’s Reden und Trinksprüche. Still only three years into his reign, the volume was just over thirty

\textsuperscript{169} Barclay, Frederick William IV, 31-32, 49.
pages long, including a brief yet effusive preface complimenting the king’s skillful oratory.\textsuperscript{170} Indeed, the preface asserts, “Improperly is the power which fortifies the eternally young creation of justice in the people denoted an art [\textit{Kunst}]: it is more than that and is higher than that. It is the gift and bestowment of God, a grace from God, an earthly participation in transcendent majesty and glory. An art it is not.”\textsuperscript{171} This suggests that \textit{Gesamtkunstwerk} is perhaps an inappropriate designation for Friedrich Wilhelm’s vision of the state, for \textit{Kunst}, apparently, did not convey the sort of \textit{transcendent} state that the king envisaged. The majesty of the state and of the king were not mere art, but an aesthetic higher than art, one which was “by the grace of God.”

For Friedrich Wilhelm, language became the primary means by which he projected a majestic image of himself. Indeed, the king was untalented in martial affairs, extremely nearsighted, and rather stout, which presented certain challenges in visually projecting his “God-gifted” power.\textsuperscript{172} Thus, it was less through visual tropes and more through his own eloquence that he sought to radiate majesty. Friedrich Wilhelm’s exceptional skills with language became the very foundation of conveying an image of himself as a God-given king. This is particularly interesting in light of the observation by several historians that “majesty was always surrounded by silence, a sacred silence which protected the State’s mysteries.”\textsuperscript{173} In the case of Friedrich

\textsuperscript{170} I have tried in vain to find further information about the publisher Thomas Bade and his intentions when publishing this brief volume. That said, the enthusiasm of the preface suggests that it was likely intended as pro-monarchy propaganda.


\textsuperscript{172} Barclay, \textit{Frederick William IV}, 28.

\textsuperscript{173} Elodie Lecuppre-Desjardin, “‘Et le prince respondit de par sa bouche.’ Monarchical Speech Habits in Late Medieval Europe,” in \textit{Mystifying the Monarch: Studies on Discourse, Power, and History}, edited by Jeroen Deploige and Gina Deneckere, 55-64 (Amsterdam: Amsterdam University Press, 2006), 55.
Wilhelm, it was precisely the opposite. To this end, the same preface to Friedrich Wilhelm’s early speeches expounds upon eloquence as one sign of Gottesgnadentum:

It is the successful grasp of the genius, the ray of hope of the God-gifted, to touch, speaking in the veiled contradictions of social nature, that element which is common to all, that ear which hears in one for all the rest and in thousands for this One, to strike that chord which simultaneously resonates with the sanctum of mankind, the sanctum of the people and the sanctum of its last member. The one to whom it was granted to impart this, the one whom God anointed with the charisma of natural eloquence, in so far as it is the true eloquence, is kingly.174

Friedrich Wilhelm, then, affected the prestige of the state both through ornament and the production of a visual monarchical aesthetic and through verbal affectations. The king’s charismatic eloquence, as this passage suggests, was understood as a divine gift. Thus, charisma itself was the higher aesthetic, that which stood above Kunst, which was foundational to the king’s conception of a divinely-endowed state. This foreword, moreover, deploys the concept of “God’s anointed,” a metaphor which was foundational to early modern formulations of divine-right kingship. As such, it painted the king’s eloquence itself as evidence of his position as God’s anointed. To that end, this preface continues to explain that, “The king’s speeches are incredibly simple. They are not the products of study, they are the fruits of a great and intelligent soul, of a pure and at the same time rich heart, of a gifted spirit, for the spirit of man stirs in the sound of

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his speech.”\textsuperscript{175} In such a way, this constructs the king’s majestic oratory not as product of *Bildung*, but rather a testament to his natural connection to God. That is, the king’s eloquence was not a product of *learning*, but a natural gift and a proof of God’s grace.

Moreover, this preface states that “the ethical personality is the very foundation, principle, and arsenal of eloquence.”\textsuperscript{176} Like in Stahl’s work, “personality” refers here to the notion of a free, creative, and personal God, whose personality is expressed through his moral commandment. Indeed, this regard for the concept of personality serves as a concrete link the intellectual project of Stahl and the state project of Friedrich Wilhelm. It is important to emphasize here, once again, that the German word *Persönlichkeit* does not have the same *psychological* implications as it does in English, and even in contemporary usage, refers to the essence or nature of an individual.\textsuperscript{177} Stahl, recall, recognized the state as a “kingdom of personality” which was based on the ideas of the “ethical kingdom.”\textsuperscript{178} His regard for hereditary monarchy, moreover, stemmed from his belief that “it is an inherent part of the concept of personality to exist originally and without ceasing in itself.”\textsuperscript{179} As such, he believed that “Only by the fact that the king is of himself through his birth, and that the line of the princes persists from within itself… does the state also attain personality in the prince.”\textsuperscript{180}


\textsuperscript{176} Frederick William IV, *Reden und Trinksprüche*, 4. “Die sittliche Persönlichkeit ist überhaupt das Fundament, das Prinzip und das Arsenal der Beredheit.”

\textsuperscript{177} Breckman, *The Young Hegelians*, 11. See further, the Grimm’s definition of *Persönlichkeit* in the *Historisches Wörterbuch*.


\textsuperscript{179} Stahl, *Die Philosophie*, 238.

\textsuperscript{180} Stahl, *Die Philosophie*, 238.
Bade’s foreword to Friedrich Wilhelm’s speeches aestheticizes the concept of the ethical personality by designating eloquence as its very manifestation. Indeed, while traditional teachings about Aristotelian rhetoric differentiate between the categories of *ethos* and *pathos*, this author intentionally conflates them. Moreover, as Stahl does, this foreword considers personality to be God-given and maintained only through a line of hereditary monarchs. It expounds, “I see three families in which the ethical personality is an inheritance. I see three royal tribes which, in splendor and majesty of character, overshadow all the others, which darken all the others, which pass on sympathy for the people in a straight line from father to son, and in which virtue seems so immortal as the most fruitful forces of the spirit.”¹⁸¹ These dynastic lines, he continues, are the Hohenstaufen line, the Orange-Nassau line, and the Hohenzollern line.¹⁸² In such a way, like Stahl, too, he considers it “an inherent part of the concept of personality to exist originally and without ceasing in itself.”¹⁸³ Thus, only a king who embodies the ethical indivisibility conveyed by hereditary kingship is capable of eloquence required to project God-gifted majesty.

As Max Weber is the well-regarded authority on “charismatic authority,” it is worth noting here how this understanding of charisma contradicts Weber’s thesis. In his essay “The Nature of Charismatic Authority and its Routinization,” Weber defines that “charisma will be applied to a certain quality of an individual personality by virtue of which he is set apart from

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¹⁸¹ Frederick William IV, *Reden und Trinksprüche*, 6. “Ich sehe drei Familien, worin die sittliche Persönlichkeit ein Erbgut ist. Drei königliche Stämme sehe ich, die an Pracht und charaktervoller Hoheit alle übrige überragen, die alle übrige verdunkeln, welche die Sympathie für das Volk in gerader Linie vom Vater auf den Sohn verer ben, und in welchen die Tugend so unsterblich scheint, als die fruchbarsten Kräfte des Geistes.”


ordinary men and treated as endowed with supernatural, super-human, or at least specifically exceptional powers or qualities.”\textsuperscript{184} Likewise, he considers charisma to be “a gift of grace.”\textsuperscript{185} Yet, true charisma, Weber argues, is lost precisely when it becomes “routinized,” “traditionalized,” or “rationalized.” He then proceeds to cite the various ways in which this might occur. Among these, he claims, true charismatic authority is lost “by the conception that charisma can be transmitted by heredity,” hereditary monarchy serving as “a conspicuous illustration” of this phenomenon.\textsuperscript{186} Another concept which routinizes charisma, he claims, is “that charisma may be transmitted by ritual means from one bearer to another or may be created in a new person. The concept was originally magical. It involves a dissociation of charisma from a particular individual, making it an objective, transferable entity. In particular, it may become the charisma of office.”\textsuperscript{187} For Weber, then, \textit{true} charisma, by nature, could not be inherited, nor could it be a feature of an office, for this would violate the essentially spontaneous nature of charismatic authority, which he contrasts with legal authority and traditional authority. Oppositely, for Stahl and Friedrich Wilhelm, what Weber claims to be a “routinization” of charisma actually constituted the very \textit{basis} of the Prussian king’s legitimate charismatic authority. The concept of charismatic eloquence was closely linked to that of “personality” which both Stahl and the preface to Friedrich Wilhelm’s \textit{Reden und Trinksprüche} believed was a feature of hereditary kingship. It, was, as well, associated with the ritual of assuming the kingly office. As such, where Weber sees traditional authority and charismatic authority as mutually

\begin{thebibliography}{99}
\bibitem{185} Weber, “Charismatic Authority,” 50.
\bibitem{186} Weber, “Charismatic Authority,” 56-57.
\bibitem{187} Weber, “Charismatic Authority,” 57.
\end{thebibliography}
exclusive (the routinization of charismatic authority itself producing traditional authority), Friedrich Wilhelm believed that charisma remained an essential feature of the “traditional” kingly office.

The acclaim for the Hohenstaufen line of kings, which were a line of German kings during the Middle Ages, also linked Friedrich Wilhelm with the idealized medieval empire which he used as an aesthetic model for Prussia. Indeed, Bade’s preface solidifies this connection to the medieval past by claiming that “The world-historical legacy of the Hohenstaufen has been passed on to the Hohenzollern.” By concretizing the link between the Hohenstaufen past and the current Hohenzollern king, Friedrich Wilhelm’s connection to the Holy Roman Empire was transformed from a mere fond affection to a living legacy. Indeed, Friedrich Wilhelm treated the Holy Roman Empire as an aesthetic pinnacle—the historical archetype of Christian monarchy—of which he was the existing bearer. Particularly, constructing Wilhelm Friedrich as the bearer of the Hohenstaufen line of kings established a natural lineage between him and Emperor Friedrich I, or Barbarossa, who, during the nineteenth century, was a revered object of the German national imaginary among liberals and conservatives alike.

The preface to the King’s Reden und Trinksprüche, moreover, enthusiastically designates Friedrich Wilhelm, “a crowned priest, a king of Solomon!” It states as well that Friedrich Wilhelm’s “words of consecration in Cologne are a sublime reminder of the inauguration of the Jehovah Temple by Solomon.” In such a way, it hearkens directly to the biblical foundations

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188 Frederick William IV, Reden und Trinksprüche, 7. “Das weltgeschichtliche Erbe der Hohenstaufen ist auf die Hohenzollern gekommen.”

189 Barclay, Frederick William IV, 32.

190 Frederick William IV, Reden und Trinksprüche, 8. “Die Kölner Weihworte des Königs erinnern in erhabener Weise an die Einweihung des Jehova-Tempels durch Salomon.”
of divine-right kingship. Indeed, recall that in the book of Samuel, the Lord tells David: “Behold, a son shall be born to you who shall be man of rest. I will give him rest from all his surrounding enemies. For his name shall be Solomon, and I will give peace and quiet to his Israel days. He shall build a house for my name. He shall be my son, I and I will be his father, and I will establish his royal throne in Israel forever.” David, in this story, was anointed by God, and Solomon, his son, was anointed to replace him at the end of his reign. This divinely-commanded passing of kingly power from father to son has been interpreted as a consecration specifically of hereditary monarchy. Indeed, descendants of Solomon continued to rule Israel for half a millennium. This reference, then, asserts that the Hohenzollern line to be the rightful torchbearers of the Hohenstaufen line. In the Book of Samuel, too, God supplies David with plans for Jehovah’s Temple, which Solomon was to build. These biblical references were foundational to earlier doctrines of divine-right kindship.192 Invoking them thus linked Friedrich Wilhelm and his project to complete the construction of the Cologne Cathedral to a much older canon of justifications for Gottesgnadentum.

It is telling here, too, that this author suggests that King Friedrich Wilhelm was “[p]erhaps Prussia’s king is the first monarch who, in the face of his people, with uplifted hands, calls times ‘rich in the peace of men, rich in the peace of God’ down upon his country—a crowned priest, a king of Solomon!”193 While the wording is ambiguous, this indicates that Friedrich Wilhelm was the first real king of Solomon, and thus the first real Prussian king von

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This is initially counterintuitive, considering that Friedrich Wilhelm’s goal was to establish himself as the bearer of a historical tradition of kingship. And yet, it is important to consider here, once again, that, “there was little basis in Prussia’s real experience for such an exalted, almost mystical view of monarchical authority.” Above all then, Friedrich Wilhelm’s task was to use aesthetic appeals to *create* a tradition which did not already have clearly defined historical precedent in Prussia. Consummating Friedrich Wilhelm as the first “king of Solomon” was part of a larger project to establish the “tradition” of divine-right kingship anew in nineteenth century Prussia.

Friedrich Wilhelm pursued this goal, too, through the creation of monarchical ritual. Rather than simply reviving court ceremonials of earlier Prussian monarchs, the king “sought to modernize and transform older religious rituals into a new kind of public festival.” To use Eric Hobsbawm’s famously coined term, this was a case of “invented tradition.” Invented tradition designates those practices which “seek to inculcate certain values and norms of behavior by repetition, which automatically implies continuity with the past.” However anachronistically infatuated the past Friedrich Wilhelm may appear, then, paradoxically, his enchantment with German antiquity, monarchical ritual, and religious obligation were in fact integral to the foundation of a “modern Prussia.” Indeed, as Hobsbawm argues, *modern* nations like Prussia “generally claim to be the opposite of novel, namely rooted in the remotest antiquity, and the opposite of constructed, namely human communities so ‘natural’ as to require no definition other

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194 Barclay, *Frederick William IV*, 51.
195 Barclay, *Frederick William IV*, 50.
than self-assertion." As such, Friedrich Wilhelm modified Prussian ritual to establish Gottesgnadentum as the basis for his nineteenth century Prussia.

The king’s invention of ritual began with his own coronation in 1840. Friedrich Wilhelm had little immediate historical model for such an event, as the only sacral coronation to ever occur in Prussia was that of the first king, Friedrich I, in 1701. That being said, previous Prussian kings had continued to practice homage in Königsberg and Berlin. Thus, both cities proved excellent sites to fuse established Prussian ritual with an exhibition of sacral kingship. In September 1840, a special Huldigungslandtag was formed to publicly affirm Friedrich Wilhelm’s antique privileges as king. The following month, a ceremony took place in Berlin, on the very day of the king’s birthday (Figure 4). This occurred inside the Berliner Stadtsschloss, with clergy and “mediatized nobles” paying special homage to Friedrich Wilhelm.

The king also used the occasion to demonstrate his lyrical oratory. During his speech, he rapturously proclaimed the glory of Prussia: “Above all, I will strive to secure for the Fatherland the place to which divine Providence has raised it through an unprecedented history, in which Prussia has become a shield for the security and rights of Germany.” By invoking the metaphor of Prussia as protective shield for the rest of Germany, Friedrich Wilhelm demonstrated his powerful aesthetic gifts. Friedrich Wilhelm, too, referenced “divine Providence” as both the source of Prussia’s glory and grounds for his own royal legitimacy. This

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197 Hobsbawm, The Invention of Tradition, 14.
198 Barclay, Frederick William IV, 52.
199 Barclay, Frederick William IV, 53.
200 Frederick William IV, Reden und Trinksprüche, 18. “Ich will vor Allem dahin trachten, dem Vaterlande die Stelle zu sichern, auf welche es die göttliche Vorsehung durch eine Geschichte ohne Beispiel erhoben hat, auf welcher Preußen zum Schilde geworden ist für die Sicherheit und die Rechte Deutschlands.”
directly echoed Stahl, who likewise defended “divine right” by appealing to “divine Providence.” On an occasion like the Berlin homage, then, Friedrich Wilhelm married his own gottbegabte eloquence with an elaborate invented ritual of sacral coronation.

He did this, too, on the occasion of the beginning of construction to complete the aforementioned Cologne Cathedral in 1842, whose architectural plans Friedrich Wilhelm had so enthusiastically supported in his years a Crown Prince. The king staged an elaborate ritual to celebrate the Grundsteinlegung des Kölner Doms in which he touted the construction of the Gothic cathedral as a way for Germany to create a living connection with an idealized vision of antiquity. Characteristically, Friedrich Wilhelm sermonized articulately on the occasion: “Here where the foundation stone lies, there with those towers at the same time, the most beautiful gates of the world shall rise. Germany is building them—so may they become for Germany, through the grace of God, the gates of a new, great, good age!”

Again, Friedrich Wilhelm employed the language of Gottes Gnade, thereby linking this ceremonial link to the German past with his own legitimacy as a ruler von Gottes Gnaden. In such a way, he also cast himself as the actual agent of divine Providence.

The Aesthetics of Liberalism and the Revolutions of 1848

In the early years of his reign as Prussian King, Friedrich Wilhelm was, in effect, fulfilling Stahl’s political program. The key to understanding the development of this program is to appreciate that the king was engaged in a struggle with liberal adversaries to define the nature

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201 Frederick William IV, Reden und Trinksprüche, 22. “Hier wo der Grundstein liegt, dort mit jenen Thürmen zugleich, sollen sich die schönsten Thore der Welt erheben. Deutschland baut sie, – so mögen sie für Deutschland, durch Gottes Gnade, Thore einer neuen, großen, guten Zeit werden!”
of the monarchy. During the king’s reign, conservatives were far from the only ones who attempted to lay claim to the German past. While Friedrich Wilhelm actively tried to concretize his link to the Hohenstaufen line, and particularly, Barbarossa, to justify the divine foundations of authority in the nineteenth century, simultaneously, Barbarossa also featured prominently in the nineteenth-century German liberal imaginary, particularly in the corpus of Romantic literature which historians agree fueled the rise of nationalism in nineteenth century Germany.

It is, of course, a historiographical truism to claim that mid-nineteenth century liberalism found its ideological partner in nationalism. As Christopher Clark has reiterated, “nationalists, like liberals and radicals, claimed to speak for ‘the people’ rather than the crown. For liberals, ‘the people’ was a political community composed of educated, tax-paying citizens; for the nationalists it denoted an ethnicity defined by a common language and culture.” On this basis, he asserts that “liberalism and nationalism were ideological cousins.”202 It is more familiar, still, to speak of the cultural nationalism around which liberal revolutionaries were mobilized. Romantic writers and intellectuals played a key role in codifying and disseminating nostalgia for the German past. I would like to suggest further that key liberal thinkers attempted to appropriate myths from the Holy Roman Empire and harness them in support of their liberal cause, in what proved to be a mode of secularized mysticism. Moreover, the liberal effort to exploit myths for a liberal nationalist cause was, contrary to effusive tales of the sweeping cultural nationalism, a hotly contested process.

For example, at the same moment when Friedrich Wilhelm was solidifying his “natural” connection to the Hohenstaufen line and the acclaimed Barbarossa to justify his divinely ordained right to the Prussian throne, liberals saw different meaning behind the myth of

\[202\] Clark, *Iron Kingdom*, 1470.
Barbarossa. The Brothers’ Grimm were partially responsible for this, for they formalized the Legend of Friedrich Rothbart auf dem Kyffhäuser. This story posited that the esteemed medieval emperor “is not dead, but that he shall live until the Day of Judgment, and also that no legitimate emperor shall rise up after him.” Indeed, the legend was that Barbarossa was sleeping inside a cave at Kyffhäuser Mountain in Thuringia, where he would one day awaken to unite the German nation. Another 1817 poem by Friedrich Rückert also captured the liberal fascination with the old Emperor:

The Ancient Barbarossa  
By magic spell is bound,—  
Old Frederic the Kaiser,  
In castle underground.

The Kaiser hath not perished,  
He sleeps an iron sleep;  
For, in the castle hidden,  
He ’s sunk in slumber deep.

With him the chiefest treasures  
Of empire hath he ta’en,  
Wherewith, in fitting season  
He shall appear again.

Importantly, liberal claims to the myth of Barbarossa were much different in nature than Friedrich Wilhelm’s attempts to legitimate his own authority by casting himself as the bearer of the Hohenstaufen line. Heinrich Heine, a staunchly liberal poet, captured such liberal attachments to Barbarossa in an 1837 essay entitled Elementary Spirits. Writing about the appeal of “Emperor Friedrich” to the German people, Heine claimed:


It is the man whom the German people await, the man who will finally give them prosperity and life, the one for whom it has so long yearned in its dreams. Why dost thou delay, thou whom the old men have foretold with such burning desire, thou whom the youth so impatiently await, thou who bearest as sceptre the magic wand of freedom, and the crown of the Kaiser without a cross!\footnote{Heinrich Heine, \textit{The Works of Heinrich Heine} (New York, Croscup and Sterling Company, 1917), translated by Charles Godfrey Leland, 206.}

The liberal enthusiasm towards the myth of Barbarossa is perhaps best captured in the last line—“the crown of the Kaiser without the cross.” Liberals, likewise under the spell of German Romanticism, were enchanted with the German past and wanted harness this past in service of the liberal-national project. Indeed, they wanted to affix the imagery of a historically-endowed German crown to their own vision of a united German state. Importantly, however, they attempted to remove the \textit{cross} from this crown. In other words, they endeavored to secularize the German crown, while simultaneously maintaining its mystical appeal.

One of the great 1848 revolutionaries, Carl Schurz, precisely articulated the appeal of this myth among his liberal contemporaries. In his memoir, he notes that in revolutionary meetings, his fellow liberals wistfully recalled the pinnacle of the German nation before the ravages of the Thirty Years’ War. Schurz recalls that “[t]he patriotic heart loved to dwell on the memories of the ‘holy Roman Empire of the German nation,’ which once, at the zenith of its greatness, had held leadership in the civilized world.”\footnote{Carl Schurz, \textit{The Reminiscences of Carl Schurz}, Vol 1, 1829-1852, edited Frederic Bancroft and William A. Dunning (London: John Murray, 1909), 103.} To that end, he longingly recounts the myth of the old Kaiser Friedrich Barbarossa. This legend, he notes, echoing the accounts of the Grimms and Rückert, told of the Kaiser, “sitting in a cave of the Kyffhäuser mountain in Thuringia, in a sleep centuries long, his elbows resting on a stone table and his head on his hands, while a pair of ravens were circling around the mountain top; and how one day the ravens would fly away and
the old Kaiser would awaken and issue from the mountain, sword in hand, to restore the German Empire to its ancient glory.”207 In such a way, Schurz revealed the liberal impulse to deploy secularized vision of the past and link it to the German national project.

Clearly, myths about the German past enchanted both liberals and conservatives alike, each tying them to their vision of the state. Doron Avraham in particular has done much work to discredit the idea that nationalism of this kind was the exclusive territory of liberals in late eighteenth- and early nineteenth-century Germany. He has argued, to that end, that “conservatives in Prussia and other parts of Germany realized it was unwise to leave the question of national identity and unity in the hands of their liberal rivals.”208 Thus, while the liberals occupied themselves with fortifying the cultural nationalism which would bring the German nation to fruition, he argues that conservatives, Stahl one of the most important among them, occupied himself with a competing project in which they sought to strengthen social and religious nationalism.209

What this account lacks, however, is attention to the fact that cultural and religious nationalism cannot be treated as discrete categories during this period of time. Liberals, certainly, attempted to fashion a vision of the German nationalism by projecting the shared past as the basis for cultural unity. Therefore, myths like the one of Barbarossa were essential. At the same time, Friedrich Wilhelm, who was committed to the same conception of divine right that Stahl had laid out, had a vision of German unity which relied on exactly the same mythicized German past. The difference, however, was that while liberals regarded the Barbarossa myth as

207 Schurz, Reminiscences, 103.


confirmation of a common German greatness and a call for unification, Friedrich Wilhelm’s esteem for the Hohenstaufen past and his general reverence for the Holy Roman Empire was closely tied to his attempts to justify Gottesgnadentum. For him, the most appealing aspect of the myth was that it featured a crown with a cross. This, he believed, was the historical precedent which Prussia ought to resurrect as it strove to “become a shield for the security and rights of Germany.” That is, the precise attraction of the Holy Roman Empire was the fact that it naturalized his vision of “a medieval empire sustained by shared Christian and monarchical values.”

Rather than understand Friedrich Wilhelm’s and other conservative attempts to fortify a religious basis for authority in Prussia as being starkly opposed to liberal “cultural nationalism,” we must instead recognize that both conservatives and liberals shared the same corpus of myths, and they sought to morph these myths to justify their own political projects. Thus, my interpretation reinforces David Ellis’ recent account of 1848 as a “cultural struggle.” To this point, he contends that “in 1848 nearly all parties were waging a cultural struggle to convince the public that their God (in a literal or metaphorical sense, depending on the party) was the one whose presence should be reflected in the law.” Adding to this account, it is imperative to recognize that the debate was not whether or not the myth of Barbarossa ought to feature centrally in the German imaginary; rather it was a question of how that myth ought to be transposed to serve the present. The liberals, paradoxically, proposed a sort of secularized mysticism. Friedrich Wilhelm, on the other hand, tried to concretize his connection to the

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210 Barclay, Frederick William IV, 32.

Hohenstaufen line in order to legitimize his conception of *Gottesgnadentum* and the belief that he was personally anointed by God.

As he went to great pains to craft his own monarchical aesthetic, Friedrich Wilhelm also used his own belief in his endowment by God to justify his “personal rule.” In Stahl’s theory of the state and the king’s own vivid rhetoric, the personal rule of a monarch von Gottes Gnaden stood in stark opposition to absolutism, which both understood as the sort of authoritarian bureaucracy that had its heyday under the Stein-Hardenberg reforms. In practice, however, Friedrich Wilhelm struggled greatly to develop an “effective system of personal rule,” and during his first five years in office, chaos set in as various groups attempted to gain the good favor and ear of the king. Among these were the cabinet, the ministry, court officials, the military entourage, the royal family, and his personal friends.212 This was certainly not the system of bureaucratic absolutism that had characterized the reform era; yet, it was almost an erratic and repressive regime.213 Part of the initial support for the king was a result of the assumption that he would be obligated to realize the constitution promised by his father and predecessor, Wilhelm III. In reality, his efforts to re-constitute the monarchy were more performative than anything. Particularly, the king spared no effort into expanding his cadre of court officials. Far from offering a check on his personal rule, Friedrich Wilhelm baptized the new court with new regal titles, which served his goal of inventing monarchical tradition.214

Friedrich Wilhelm hoped to address the growing distress about his unpredictable personal rule and quell liberal demands for constitutionalism and a parliament before the provincial diet

212 Barclay, *Frederick William IV*, 55-56.

213 Barclay, *Frederick William IV*, 71.

214 Barclay, *Frederick William IV*, 71.
he called in Prussia in February 1847, which convened in April of the same year. It is worth noting that the diet was considered skeptically by both liberals and conservatives: while constitutionalists understood the diet as a half-hearted performance to avoid any real liberal reforms, conservatives criticized the diet for emboldening liberals and legitimizing the possibility of constitutional monarchy.\textsuperscript{215} When the diet actually convened, liberal suspicions appeared correct. Friedrich Wilhelm began the diet by using it as a platform to affirm his vision of \textit{Gottesgnadentum}, in his predictably expressive rhetoric. He pronounced:

\begin{quote}
that no power on earth should ever succeed in moving me to transform the natural relationship between prince and people…into a conventionalized, constitutional one, and that I will, not now nor ever, admit that a written piece of paper, a second Providence, as it were, stands between Our Lord God in Heaven and this country, to reign over Us with its paragraphs and thereby replace the old, holy allegiance.\textsuperscript{216}
\end{quote}

Friedrich Wilhelm proclaimed himself, moreover, the “irreconcilable enemy of despotism,” and claimed that “the idea of artificially and arbitrarily putting together a constitution of the estates would have devalued the noble creation of the dear king.” He concluded decisively that the “legally required assembly of estates” would take the form not of a formal parliament, but rather a “union of the Provincial Diets” which would resemble the form of deliberative imperial diet characteristic of the Holy Roman Empire.\textsuperscript{217}

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\textsuperscript{215} Barclay, \textit{Frederick William IV}, 127-128.
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\textsuperscript{216} Friedrich Wilhelm IV, \textit{So sprach der König: Reden, Trinksprüche, Proclamationen, Botschaften, Kabinetts-Oders, Erlasse n.l.w} (Stuttgart: Verlag von Karl Göpel, 1861), 46. “daß es keiner Macht der Erde je gelingen soll, Mich zu bewegen, das natürliche, gerade bei Uns durch deine innere Wahrheit so mächtig machende Verhältnis zwischen Fürt und Volk in ein conventionelles, constitutionelles zu wandeln, und daß Ich es nun und nimmermehr zugeben werde, daß sich zwischen Unsern Herr Gott im Himmel und dieses Land ein beschriebenes Blatt, gleichsam als eine zweite Vorsehung eindränge, um Uns mit seinen Paragraphen zu regieren und durch sie die alte heilige Treue zu ersetzen.”
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\textsuperscript{217} Friedrich Wilhelm IV, \textit{So sprach der König}, 46.
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Such a proclamation of the legitimacy of *Gottesgnadentum* attested to the penchant for traditional monarchy that Friedrich Wilhelm had demonstrated through his aesthetic endeavors during the first seven years of his reign. These claims thus generated enormous backlash from liberals who desired a constitutional monarchy and real parliament. The most potent of the attacks on Friedrich Wilhelm targeted precisely his aesthetic vision for the state by caricaturizing it viciously. One political cartoon from 1847 depicts the king violently inebriated and spewing on the 1847 Diet with the very words he had used to assert “the natural relationship between prince and people” (Figure 1). This was particularly potent, for it not only mocked the speech itself, but rendered the king’s oratory itself abject. That is, the king’s eloquence, which he evinced as a sign of his divine authority, was portrayed as repulsive. Another cartoon features Wilhelm struggling to keep the door from being pounded down by a crowd of his angry subjects, attempting to insert a written constitution between themselves and him (also per his speech at the 1847 United Diet) (Figure 2).

Yet, perhaps the most interesting depicts Emperor Barbarossa standing forcefully atop Kyffhäuser Mountain, with his hands held high in horror as he observes the gaudy coronation of Friedrich Wilhelm (Figure 3). This formed a particularly potent attack on the king, for it accused him of being the false bearer of the very German antiquity which he so passionately lionized as the basis for the Prussian state and the justification for his own authority. Indeed, it precisely highlights how the battle between liberals and conservatives was waged as a competition to claim the metaphors of German antiquity as their own. In such a caricature, liberals caustically denounced Friedrich Wilhelm’s attempt to situate himself as the mystical emissary of the Hohenstaufen past. At the same time, the caricature articulated a liberal vision to harness the
myth of Barbarossa to serve a different political project, which envisaged the myth of Barbarossa as a rallying call to fortify the cultural nationalism that could bolster the liberal political project.

In March 1848, the liberal attacks on Friedrich Wilhelm erupted into full-blown revolution. Here again, his Friedrich Wilhelm’s support for Gottesgnadentum was a main source of condemnation. Carl Schurz criticized him brazenly for his monarchical aesthetic. In his memoir, he accuses that “Frederick William IV was possessed of a mystical faith in the absolute power of kings ‘by the grace of God.’ He indulged himself in romantic imaginings about the political and social institutions of the Middle Ages, which had for him greater charm than those befitting the nineteenth century.”

Gustav Struve, another 1848 revolutionary, scathingly notes in his history of the age of revolutions that “the king was determined not to let go of even the offensive title ‘by the grace of God,’ let alone any part of the power in his hands.”

Friedrich Wilhelm was as disgusted by the doctrine of popular sovereignty as his liberal counterparts appeared to be by his “medieval fantasy.” As I noted early on, when revolution erupted in March 1848, the king first moved to suppress it. However, he quickly realized he would have more sway if he accepted a constitution. Thus, he quickly switched gears, and situated himself at the forefront of the movement, a role which Christopher Clark has suggested he performed “with surprising aplomb.”

He first presented the Prussian Constitutional Assembly with a draft of a constitution in May 1848, the revision of which was taken up by a committee during the summer of 1848. This is initially perplexing, and the rapidity with

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218 Schurz, Reminiscences, 165.
220 Clark, Iron Kingdom, 1459.
221 Robinson, Prussian Constitution, 14.
which the king switched from a devout believer in his own divine office to a willing supporter of a constitution has puzzled many historians. Was it a display of his own weakness, or perhaps an act of political pragmatism? The earlier assumption among historians, even those who have cast the king more favorably, has been that any measure of capitulation to constitutionalism would have been fundamentally at odds with his deeply rooted belief in Gottesgnadentum.

I would like to suggest however, that by 1848, Friedrich Wilhelm had already been provided ample time to reconcile divine right and constitutionalism. Indeed, Friedrich Stahl had published his highly influential Das monarchische Princip in 1845. By the time the revolutions broke out in Germany, Friedrich Wilhelm had had three years to consider the possibility that his divine office was compatible with a constitutional monarchy. While it is difficult to ascertain the precise nature of its influence on Friedrich Wilhelm IV, it was because of the monarch’s endorsement that Stahl was summoned to the University of Berlin in 1840 in the first place. Moreover, James Sheehan has made clear that “the powerful religious current in [Stahl’s] thought kept him close to the pious circle of advisers around Frederick William IV.” Stahl was in fact close with Ernst Ludwig von Gerlach, who was himself an adviser of the monarch. Moreover, although Stahl and Friedrich Wilhelm were not intimate personal friends, as an 1873 letter from Gerlach reveals “Stahl’s vocation here [in the Prussian Parliament] was the king’s own work, and he always held Stahl in high esteem.” Stahl was also, Gerlach has suggested,

222 Barclay, Frederick William IV, 140.
223 Breckman, The Young Hegelians, 81.
224 Sheehan, Germany History, 595.
225 Barclay, “Political trends,” 62.
“ordered to the royal table.” 226 The king’s later desire to offer Stahl a seat at his prestigious royal table indicates that Friedrich Wilhelm did indeed hold Stahl in high intellectual regard, which suggests the real likelihood of Stahl’s influence in 1848. Moreover, as Clark has recently argued, agreeing to offer a constitution was a clever move on the king’s part, which allowed the him to bide time during a tumultuous period. While he assented to a process of constitutionalization to appease revolutionaries, behind the scenes, the Friedrich Wilhelm was working to secure his power and seeking the counsel of conservatives who would assist him in the formulation of what proved to be a conservative constitution which maintained the king’s divine right to the throne. 227

The liberals, however, did not want a constitution which recognized the king’s divine right. Rather they wanted one which recognized the sovereignty of the people. Interestingly, their conception of popular sovereignty relied on other permutations of the same medieval tropes. Indeed, some of the most interesting liberal attacks on Friedrich Wilhelm did not so staunchly reject the monarchical aesthetic that he had intently manufactured, but rather, inverted it. That is to say, they adopted the same language of mysticism to assert their own claims for the sovereignty of the people. Indeed, in the revolutionary years of 1848 and 1849, a number of liberals framed their demands by claiming that power was not von Gottes Gnaden, but rather, von Volkes Gnaden. That is, by “the grace of the People.” For example, the July 1848 edition of Das Volk published the following poem:

Rise! The courageous flames are ready  
Let all the metal coalesce  
While it is hot, let us cast bullets  
And a new mold of time


227 Clark, Iron Kingdom, 1459.
Through bullets they want to push forward
Through fire they want to cleanse
It is not a throne by the grace of God
It is a throne of freedom, the barricades

The swallows have taught us,
If they thought us so teachable
That was the spring, which they brought us
That was the nest, preserved in the storm
If hail rains down from hell
The courage of our blood is molded
It is a throne by the grace of the People
It is a throne of freedom, the barricades

This glorifies the power of revolution to undermine a throne “by the grace of God” and replace it with a throne “by the grace of the People.” It not only espouses the doctrine of popular sovereignty; as well, these claims are shrouded in the same mystical discourse which Friedrich Wilhelm used to produce his aesthetic state of Gottesgnadentum.

The language of von Volkes Gnaden became pervasive enough in liberal newspapers that conservatives launched several attempts to discredit it. One attempt came with the 1848 publication of a Politisches Wörterbäch für den zeitungslesenden Landmann (Political

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\[228\] Das Volk: Organ des Central-Komitees für Arbeiter (Berlin: Stephen Born, 1848), 91.

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Dictionary for the Newspaper-Literate Peasant) in Augsburg. Subtitled, “that is, the
Germanization [Verdeutschung] of some of today’s common foreign words,” the fifty-page
pamphlet uses topical examples to clarify the meaning of political terminology originating in the
French Revolution, which had found its way into the German language sphere during the
revolutions of 1848. Under its illustrative explanation of Volkssouverainetät (the sovereignty of
the people), the book specifically castigates the concept of von Volkes Gnaden, explaining to its
readers that the very idea of “the people’s Grace” would undermine the established structures of
society. Indeed, the political dictionary criticizes it as a blasphemy. Moreover, it likens the
subversion of political authority through an appeal to “the people’s Grace” to the equally
unspeakable subversion of paternal authority in the household: “For there must be order in the
house as in all the land; where there is no head and no lord of the house and no authority,
everything must get mixed up, and there can be no happiness or blessing!”229

By borrowing Friedrich Wilhelm’s mystical political language, liberals had hit a nerve.
The king might have been willing to accept a constitution, but he would not accept the doctrine
of “popular sovereignty.” Like Stahl, he believed that all power came from God and God alone.
As such, a doctrine which espoused “the grace of the People” was flagrantly heretical. Thus,
when the leftist faction of the Constitutional Assembly demanded, on October 12, 1848, that the
title “by the grace of God” removed from the constitutional draft, Friedrich Wilhelm was
outraged.230 Just three days later, on his birthday Friedrich Wilhelm made the following
announcement:

229 Politisches Wörterbüh für den zeitungslesenden Landmann (Augsburg, Verlag von B. Schmid’schen Buchhandlung, 1849), 40.“Denn Ordnung muß seyn im Haus wie im ganzen Land; wo kein Oberhaupt und kein Herr vom Haus und keine Autorität ist, da muß ja Alles durcheinander gerathen und kann kein Glück und Segen dabei seyn!”

230 Robinson, Prussian Constitution, 12.
I draw your attention, gentlemen, to the fact that We still have an ancestral authority by the grace of God that is still strong; this is the only foundation on which the welfare of the people can be built. With this trust in God which is so powerful in Me (beating in my heart)...I hope that over the year we will look to the common perfection of a value which may last for centuries.  

Friedrich Wilhelm, then, appeared willing to accept a constitution. He would under no circumstances, however, accept that “the people” were the source of political power. Even in a constitutional system, the king emphasized the continued importance of the “divine right of authority,” as captured in the title “by the grace of God.”

One Catholic preacher, Anton Westermayer, also addressed this controversy over the title “by the grace of God” in his 1849 sermon entitled “Volks- oder von Gottes- Gnaden.” More than a sermon, this read as a rather deferential plagiarism of Stahl’s own political philosophy. The thrust of Westermayer’s argument was not an attack on constitutionalism, but rather, a rebuke of the notion that any power came from the people. To that end, he announced that, “It is a lie, and it is a very great lie, that all power is with the people, and that the people give their power only to the kings in accordance with a tacit contract.” However hostile Westermayer was towards constitutionalism, like Friedrich Wilhelm IV, this did not compare to his outrage at the idea that any authority could be installed “by the grace of this people.” The precise object of his attack was the concept of Volkesgnadentum.


Indeed, it was exactly the removal of this from the royal title which Westermayer denounced as sacrilege throughout his address. He declared that, “peace and quiet, the cessation of revolution and indignation will not be spoken of until the truth of Christianity, that the kings and authorities are by the grace of God and not by the grace of the People, is restored.”

For indeed, to reject the title, “by the grace of God”, was not simply to reject kingship, but to undermine the very nature of authority and thereby commit the ultimate blasphemy. Westermayer cast liberal distaste for the divine right of authority as “a proof that the whole movement of the present time has renounced the foundations of Christianity and is walking in completely unchristian paths.”

He continued, moreover, that “by reviling the kings on the grounds that they do not want to do away with the title ‘by grace of God,’ one also reviles Christianity, on which alone the divine right of the authorities is based.” This was a clear reiteration of Stahl’s own insistence on the divine origins of all authority. For Westenmeyer, all authority, kingly or otherwise, came only God and God alone. Therefore, to claim that the Volk were somehow capable of bestowing the free gift, Gnade, or installing a government was not simply a matter of political disagreement; it was a matter of outright idolatry.

Westenmeyer cemented his connection to Stahl by citing the same scriptural justifications for the “divine right of authority”:


234 Westermayer, Volks- oder von Gottes- Gnaden, 8.

“in Beweis, daß die ganze Bewegung der Jetztzeit sich von den Grund lagen des Christenthums losgesagt hat und auf ganz und gar unchristlichen Pfaden wandelt.”

for it is clearly and explicitly written in Holy Scripture: There is no power except from God, and that which exists is ordered by God. According to the authoritative power, he who opposes the order of God condemns himself to damnation (Rom. 13, 12.) The following is hereby clearly stated: the power possessed by the ruling authority is from God, the supreme Lord of nature and man, and is a part of his sole power to rule the people. Thus, it is an indisputable law that every supreme power of the state is by God’s grace, a concept comprehensively expressed in the word “majesty.”

This was precisely the defense which Stahl deployed in order to justify Gottesgnadentum, not just in the case of kingship, but in any form of the state. Emulating Stahl, too, then, Westenmeyer was not entirely antagonistic towards liberal reforms; rather he was antagonistic towards the suggestion of Volkesgnadentum.

Stahl, too, came to comment on the issue in his essay, Die Revolution und die constitutionelle Monarchie. As I will explore more thoroughly in the next chapter, Stahl used this essay to offer an even more detailed intellectual reconciliation of constitutionalism and divine right. Significantly, his most scathing criticism of the revolutions of 1848 was his condemnation of “the phantom of popular sovereignty.” Like Friedrich Wilhelm and Westermayer, then, Stahl believed that “popular sovereignty” asserted alternative mystical source of power and attempted to ennoble “the people” to the level of majesty. He rejected outright this “majesty of the people,” holding to his earlier assertion that “majesty is the specific attribute of God as the absolute real and ethical power and the avenger of the law.” Stahl, too, then, cast the doctrine


238 Stahl, Die Philosophie, 180.
of “popular sovereignty” as one of idolatry and sin. While Stahl would prove amenable to constitutionalism, he was equally unwilling to make any compromises which might undermine the assertion that all authority has its basis in God.

**Friedrich Wilhelm IV’s Constitution**

After his reassertion of his belief in *Gottesgnadentum* in October 1848, Friedrich Wilhelm proceeded to dissolve the Constitutional Assembly. On December 5, 1848, he presented his own constitution in Prussia. This was formally accepted several months later as the official “law of the land,” but underwent a long process of revision. As Friedrich Wilhelm IV moved to affirm Prussia’s commitment to the divine right of authority, however, the elephant in the room was the issue of German unification. After all, the initial goal of the revolutions of 1848 had been the unification of Germany. Friedrich Wilhelm IV, a devoted proponent of German unity, was an even more devoted proponent of divine right. This became clear in 1849, when the Frankfurt Assembly was finally prepared to unite the German states under Prussia and offer Friedrich Wilhelm the title of German Emperor after Austria had declined it. The king, for all his infatuation with medieval ritual, was unwilling to accept it immediately. Indeed, he did not believe that the Frankfurt Assembly had the political legitimacy to confer the crown. In a private letter, Friedrich Wilhelm expressed his unwillingness to forgive the members of the Assembly who had so brazenly attacked the divinely-ordained nature of authority: “Personal insults I can forgive and forget for nothing and do it almost daily. I may not forgive the touching and

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overturning of the divine order and the law in this way. God’s Word proclaims forgiveness only to the repentant. In this way and no other way an authority by the grace of God must proceed according to his bound duty.” While desirous of the imperial title, the king was apparently unwilling to accept it on terms which undermined Stahl’s principle of divine authority.

In April 1849, Friedrich Wilhelm officially rejected the imperial crown:

I was unable to give a favorable answer to the offer of a crown by the German National Assembly, because the Assembly did not have the right to award the crown it offered Me without the consent of the German Government, because it was offered to Me on the condition of the adoption of a Constitution incompatible with the rights and security of the German States.241

Thus, while the liberals in the assembly were apparently enthusiastic to perform the ritual of the Holy Roman Empire for the sake of hearkening to a common German past, they were disinclined to accept divine right as the legitimate basis of the political order. Friedrich Wilhelm, on the other hand, was prepared to forgo an ostentatious coronation in order to uncompromisingly assert his belief in the divine origins of authority.

In a letter to Christian Karl Josias von Bunsen, his envoy in London, the king expounded upon this decision further: “…the crown which a Hohenzoller might take, if the circumstances make it possible, is not that which is made by a revolutionary assembly, albeit with the approval of the princes…but rather that which bears the stamp of God, which makes the one upon whom it


241 Friedrich Wilhelm IV, So sprach der König, 108. Ich habe auf das Anerbieten einer Krone seitens der deutschen Nationalversammlung eine zustimmende Antwort nicht erteilen können, weil die Versammlung nicht das Recht hatte, die Krone, welche sie Mir bot, ohne Zustimmung der deutschen Regierung zu vergeben, weil sie Mir unter der Bedingung der Annahme einer Verfassung angetragen ward, welche mit den Rechten und der Sicherheit der deutschen Staaten nicht vereinbar war.
is placed, according to the holy anointment, “by the Grace of God.” So emerged a contradiction in Friedrich Wilhelm’s monarchical aesthetic. The king, up until this point, had attempted to naturalize the connection between medieval ritual and the political principle of Gottesgnadentum. Now, the liberals were presenting him the imperial crown, but it was, to once again quote Heine, in a metaphorical sense a “crown without a cross.” That is to say, rather than serving to reinforce the principle of Gottesgnadentum, to accept ritualistically the crown which Barbarossa had borne himself would discredit the very political principle which it was supposed to represent. Liberal efforts to coopt the metaphor had initiated a breakage between crown and doctrine, for the crown being offered to Friedrich Wilhelm was a crown of Volkesgnadentum. Indeed, to accept to the crown presented to him by the Frankfurt Assembly would, in his mind, have been an endorsement of popular sovereignty, which was the basis of the parliament which had offered it to him. This was a crisis of political metaphor. As Wilhelm Friedrich sought to come to terms with this, one caricature depicted his dilemma perfectly. In in, the king is featured lasciviously holding the crown yet vacillating back and forth on whether or not to accept it. “Soll ich, soll ich nicht?” reads the caption, as the king weighs his desire to bear the crown of his divinely anointed predecessors with misgivings towards the Frankfurt Assembly, which had attempted to engraft the ritual onto their opposing metaphor grounded in the idea of the people’s grace (Figure 5). Ultimately, Friedrich Wilhelm refused the Frankfurt crown on the grounds that the Frankfurt Parliament had appropriated it in service of a political doctrine with which he did not agree.

While he rejected the German imperial crown, however, Friedrich Wilhelm reaffirmed his respect for the Prussian crown. Although Germany was not united under the banner of Gottesgnadentum, the king avowed Prussia’s support for the principle. In February 1850, after more than a year of revisions, Friedrich Wilhelm swore an oath to the newly adopted Prussian constitution. In its final form, the king claimed, the constitution would actually be an instrument to preserve the integrity of the Prussian Crown. In his speech in Berlin, the king announced that although the constitution came into being during a “year of worthy of tears,” now, “in the form in which it has been presented to you, however, it is the work of sacrificial allegiance of men who have saved this throne.”

He likewise denounced “those who wish to regard this document as a substitute for divine Providence, our history and ancient holy allegiance.” Indeed, the condition for the existence of the constitution, claimed Friedrich Wilhelm, was that “governing is made possible for me with this law,—because in Prussia the king must rule, and therefore I do not rule because it is My pleasure, - God knows it! - but because it is God’s order; but that is why I also want to rule!”

In the final constitutional oath then, Friedrich Wilhelm made a provoking assertion. He did not believe that the constitution furthered liberal political aspirations; rather, his hope was that it could secure the historical legal condition in Prussia, which had been so violently destabilized in 1848. Friedrich Wilhelm concluded: “now and by confirming herewith


244 Friedrich Wilhelm IV, “Allerhöchste Eideslesitung,” 117. “als Ersatz der göttlichen Vorsehung, unserer Geschichte und der alten heiligen Treue betrachten möchten;”

245 Friedrich Wilhelm IV, “Allerhöchste Eideslesitung,” 118. “denn in Preußen muß der König regieren, und Ich regiere nicht, weil es also Mein Wohlgefallen ist, - Gott weiß es! — sondern weil es Gottes Ordnung ist; darum aber will Ich auch regiere
the Constitutional Charter by virtue of kingly power, I solemnly, truthfully and explicitly vow before God and men to keep the Constitution of My country and kingdom firm and inviolable and to govern it in accordance with it and the laws." 246 Certainly, then, the king reversed the opposition to a constitution which he professed in 1847. Yet, the constitution he ultimately accepted was intended as a bulwark against popular sovereignty and a protection of the monarchical principle.

In the end, however threatening the revolutions of 1848 proved for the principle of divine right, in other ways, they forced Friedrich Wilhelm IV to adapt his understanding of Gottesgnadentum to modern circumstances. 1848 had demanded the king to begin the process of actualizing the early political musings of Friedrich Julius Stahl, who had sought to reconcile the divine right and constitutionalism. Thus, the revolution revealed that the principle of divine right was far more adaptable to modern political life than had previously been imaginable. In the years after 1848, and during his ten-year career in parliament, Stahl devoted himself to an even more detailed theoretical and practical reconciliation of divine right and constitutionalism.

“I am in the strange position of having to protect the majority here,” quipped Friedrich Julius Stahl in during an 1853 address to the first chamber of the Prussian parliament, provoking laughter from the audience. On this February day in Berlin, Stahl, at this point well-known as a conservative and never reluctant to voice opposition to revolutionaries and liberals, had found himself defending the Prussian constitution alongside them. The constitution, finally adopted in 1850 after copious phases of revision, came under fire again just several years later. Unsurprisingly, its opponents primarily comprised conservatives. Now, four years after the eruption of the revolutions of 1848, the Prussian monarchy had been secured and revolution no longer appeared to be an imminent threat. Under these conditions, Count von Saurma-Jeltsch and Prince Reuß decided that the constitution carried the pernicious traces of 1848 and thus had to be eliminated. As such, they put forth a motion to request that King Friedrich Wilhelm IV repeal the constitution of 1850. In short, they launched an initiative to restore Prussia to the sort of absolute monarchy that had characterized it up until 1850. Stahl, despite his long-standing medieval affinities, not only opposed this motion vehemently, but placed himself in the vanguard of constitutionalism.

While Stahl’s defense of the Prussian constitution happened to dovetail with the stance of the liberal and moderate majority, the reasoning behind his affection for the document remained altogether different. Far from understanding a constitution as a vehicle to achieve a more liberal.

Prussian state, Stahl, like Friedrich Wilhelm IV, recognized that the constitution could be exploited as a tool to realize his conservative political aspirations. During his career in the Prussian parliament, Stahl devoted himself to the productive amendment and reform of the constitution. Far from constituting a break with his previously espoused affinity for divine-right kingship, Stahl spent his career as a politician attempting to bring the two concepts, constitutionalism and divine right, into harmony with each other. Stahl believed that a constitution could be used to strengthen, rather than weaken, the position of the monarch and, indeed, reinforce his divinely-endowed authority.

The events surrounding 1848 had seriously undermined the concept of divine authority that Stahl so enthusiastically defended. In response, during the decade after the revolutions, he harnessed the tools of modern politics in order to maintain this deep conviction. This will be the focus of this chapter. I will argue that Stahl attempted to transform Gottesgnadentum from a historically-grounded belief into the political platform of the nascent Prussian Conservative Party. In other words, he embedded it as the foundational ideology of his party at a time when political parties themselves were an embryonic institution in Prussia. He saw the potential of the constitution not to limit the personal power of the monarch, but, rather, to offer it an institutional guarantee. As such, I will first explore Stahl’s attempts to fashion a party program which was committed to both the divine right of authority and constitutionalism. I will then explore the actual form of the Prussian Constitution of 1850, which maintained the personal authority of the monarch. Next, I will examine Stahl’s defense of the constitution during his time in parliament and, relatedly, how he endeavored to deepen his party’s orientation towards the ideology of divine right during the 1850s. In my focus on political and parliamentary developments during this period of time, I will add important texture what, in John Breuilly’s words, is “the least well
researched period of the whole century.” I will conclude with an examination of a 1863 speech by Stahl’s close conservative colleague, Ernst Ludwig Gerlach, who, two years after Stahl’s death, eulogized Stahl by declaring divine right to be the “true party flag” of the Prussian Conservatives.

**Stahl’s Conservative Party Platform**

The most useful framework for describing Stahl’s undertakings following 1848 is that of a “modernization” of his conservative convictions. Indeed, several scholars have remarked on Stahl’s pivotal role in transforming German conservatism. Warren Breckman, for example, has noted that in his early work, Stahl recognized that “the state was not merely the personal property of the monarch but had an objective institutional existence,” an intellectual contribution which “modernized” German conservatism’s “theoretical understanding of the state.”

Breckman, in fact, was developing an argument set forth in the earlier work of Robert Berdahl. Berdahl identified Stahl as the major theoretician of the Prussian conservatives “on the eve of revolution.” Indeed, by the late 1840s, the conservatives required “a theory of strong monarchical power without, at the same time, succumbing to bureaucratic absolutism.” Berdahl continues, “They needed an ideology that recognized the public character of the state, one that would allow them to accept and exploit a constitutional system.”

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249 Warren Breckman, *Marx, the Young Hegelians, and the Origins of Radical Social Theory: Dethroning the Self* (Cambridge: Cambridge University Press, 1999), 86.


251 Berdahl, *Conservative Ideology*, 349
explication of the “monarchical principle,” offered a framework for “constitutional monarchy” which could fit the bill.

Yet, Stahl is the last major protagonist in Berdahl’s history of German conservatism, which begins in 1770 and ends before 1848. For Berdahl, Stahl’s theory was a last-ditch effort, under mounting liberal pressures that characterized the 1840s, to salvage a viable conservative model. While Stahl’s first attempt to develop his “monarchical principle” constitutes the end of Berdahl’s tale, it was actually the beginning of a different story. Indeed, Stahl’s 1845 *Das monarchische Princip* served as a theoretical template of a conservative constitutional monarchy which he would later develop far more robustly; it was only after 1848 that Stahl was forced to actualize his theory, when faced with reality of revolution. It was thus in the decade or so after 1848 that Stahl made his most significant contributions to the modernization of conservatism.

There were two key texts following 1848 wherein Stahl innovated his conservative convictions. The first is his ‘Entwurf für eine conservative Partei,’ a heavily edited document recovered in his estate, which German historian Wilhelm Füßl has aptly identified as “the first party program of Prussian conservatism.”\(^{252}\) Indeed, it was exactly at this moment between 1848 and 1849 that organized factions at the Frankfurt Assembly “crystallized into parties with programmes.”\(^{253}\) In this preliminary design of the conservative party, Stahl makes the following declaration:

> We shall hold firmly, even in a constitutional state, to real, true monarchy. We do not want the king simply because he is regarded as necessary or a useful cog in the mechanism of the state…rather, we want the king because of his holy right to the throne…And we regard him as the highest authority, as the sovereign of our

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land, which he still remains even under the most extreme constitutional limitations.\textsuperscript{254}

Stahl, concisely yet potently, identified what he saw as the ideological basis for the nascent Prussian conservative party: the king’s “holy right to the throne” even within a constitutional framework.

The second text wherein Stahl articulated a conservative party program was the 1849\textit{ Revolution and the Constitutional Monarchy}. This roughly one-hundred-page document comprises seven sections, beginning with a consideration of “revolution” itself, and ending with a lengthy treatise addressing the question, “what is a constitutional king?” The section which functions most conspicuously as a party program is the third, entitled “The Banner of the Conservatives.” In it, Stahl begins by lamenting the “destructive power” of revolution which so undermined the public order. Far from rendering conservatism untenable, however, Stahl claims that “a sense of law and order and authority, the sense of the kingship, and the crown are still alive in innumerable hearts.”\textsuperscript{255} He continues, “It is only matter of uniting these forces for a common goal, of planting a banner around which we can gather.”\textsuperscript{256} The “planting of a banner” ought to be understood as a metaphor for Stahl attempts to harness the modern political party to institutionalize his political convictions.

As in his \textit{Entwurf}, in this treatise, Stahl proposes a “banner” of conservatism which involves an imaginative reconciliation of \textit{Gottesgnadentum} and constitutionalism. Essentially, he

\begin{itemize}
  \item \textsuperscript{254} Füßl, \textit{Professor in der Politik}, 184. Translated by David Barclay, \textit{Frederick William IV and the Prussian Monarchy, 1840-1861} (Oxford: Claredon Press, 1995), 225.
  \item \textsuperscript{255} Friedrich Julius Stahl, \textit{Die Revolution und die constitutionelle Monarchie} (Berlin: Verlag von Wilhelm Herz, 1849), 28. “der Sinn für Recht und Ordnung und Autorität der Sinn für Königthum und das angestammte Königshaus noch lebendig in unzähligen Herzen.”
  \item \textsuperscript{256} Stahl, \textit{Die Revolution}, 28. „Es kommt nur darauf an, diese Kräfte zu einigen für ein gemeinsames Ziel, ein Banner aufzupflanzen, um das man sich samme!“
\end{itemize}
was attempting to discredit the idea that constitutionalism naturally reinforced the doctrine of popular sovereignty that had gained traction during the revolutions of 1848. He argues: “The mere confession to the constitutional monarchy is not sufficient…for the constitutional monarchy is an ambiguous, elastic concept, it therefore requires a delineated drawing of its basic relations.” Specifically, Stahl outlines a conservative understanding of constitutional monarchy in which the king remains the real center of power in the government. To that end, he declares that the “highest maxim” of conservatism to be “to stand everywhere on the soil of the law, not merely on the will of the people; to faithfully adhere to the sovereignty and independence of the king, which still rightly exists intact, to refuse any ethical or legal approval of revolution, any assertion of the sovereignty of the people…” Indeed, far from viewing constitutionalism as a form of government which would promote popular sovereignty, Stahl hoped to exploit it to do precisely the opposite: thwart popular sovereignty by clearly demarcating the limited power of “the will of the people.” To this point, he argues that “the relationship between the crown and the people’s representatives must be determined for the now joint exercise of state power to a solid, secure legal order” specifically so that “the blind, immoderate will of the people does not master everything.”

Moreover, Stahl understood a constitution as a document with the potential to codify the already existing status quo in order to insulate it from revolution. Recall that Stahl was a disciple

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259 Stahl, *Die Revolution*, 32. „daß nicht der blinde maßlose Volkswille alles bewältige.”
of the Historical School of Law and a student of Friedrich Carl von Savigny. Savigny is most well-known for his claim that positive law exists in the “consciousness of the collective subject,” that is, the *Volk*, before it ever appears as law. As John Toewes has argued, Stahl reimagined Savigny’s historicism is several significant ways, particularly by stressing the transcendent source of law. The state, as Stahl understood it, had divine origins and was “the culmination of a historical progression toward an organic structure of legal and constitutional forms.”260 Indeed, Stahl considered such historical progression to be evidence of divine Providence. For that reason, he did not see a constitution as a mere compilation of laws prescribing the structure of state administration. Rather, he argues in *Die Revolution* that “it is a false constitutionalism which dates all law in the state from the written constitution.”261 For Stahl, the constitution would have its basis in the already existing ethical norms of the Prussian state.

For this reason, Stahl embraced constitutionalism in Prussia. He even went so far as to argue that the basis for political unity in Prussia could “be no other than really the monarchic-constitutional one: the sovereignty of the king, but the exercise of that sovereignty in terms of the new constitutional character of the constitution.”262 This constitutional order, now a necessity given certain historical developments, would maintain “the inviolable, inalienable kingly right, that has its roots in the grace of God, not the will of the people, from which all authorization and


262 Stahl, *Die Revolution*, 31. „Die Grundlage politischer Einigung kann deshalb für uns keine andere sein, als wirklich die monarchisch-constitutionelle: die Souveränität des Königs, aber Ausübung der Souveränität im neueren, d. i. constitutionellen, Charakter der Verfassung.”
sanction proceeds.’”263 In such a way, Stahl codified an ideological bricolage of constitutionalism and divine right as the central tenet of the conservative party program.

More concretely, Stahl sought to model this banner of conservatism off the English model of the state. He situated himself as firmly opposed to monarchical absolutism, and indeed, for all his affection for a medieval monarchical aesthetic, also believed that the old form of the monarchy, with “specially conferred rights of the estates” had “perished irretrievably” and would therefore be a retrograde step for Prussia to attempt to reinstall it.264 Indeed, as Breckman has noted, Stahl was a staunch believer in the public character of the state, a belief which was incompatible with the restoration of the old estate relations.265 Yet, Stahl also considered “the constitutional monarchy of France, as it was attempted from 1789 to 1848 on the basis of “the sovereignty of the people” entirely untenable and something which “we reject and fight with all our soul.”266 Stahl’s wanted instead to follow the English model, albeit with some modifications to suit Prussia’s historical particularity. He hoped to refashion the English system to ensure that “the king still remains a real power in the country, his personal will is still valid.”267 He notes further in Die Revolution that in the Prussian system, the king should not simply “merge into Parliament,” but rather, that he ought to remain “a differentiated and independent factor of the


264 Stahl, Die Revolution, 32. „die besondern wohlerworbenen Rechte der Stände,“ ist „unwiederbringlich untergegangen.”

265 Breckman, Young Hegelians, 86.

266 Stahl, Die Revolution, 33. „die constitutionelle Monarchie Frankreichs, wie sie von 1789 bis 1848 auf dem Boden der Volksouveränität...versucht worden ist...werfen und bekämpfen wir aus ganzer Seele.”

267 Stahl, Die Revolution, 33. „daß der König noch eine wirkliche Macht im Lande bleibt sein persönlicher Wille noch etwas gilt.”
state power.” Adherence to such an understanding of constitutional monarchy would, for Stahl, be the “banner of the conservatives.” Stahl, then, formulated the bourgeoning conservative party platform such that a modernized conception of divine-right kingship would serve as its ideological foundation.

It is in this way that Stahl modernized Prussian conservatism in two distinct yet interrelated ways. Berdahl defines “conservatism” as “the elevation of traditional patterns of authority to a conscious and formal level of articulation.” Karl Mannheim, likewise, has observed that “conservatism first becomes conscious and reflective when other ways of life and thought appear on the scene, against which it is compelled to take up area in the ideological struggle.” First, then, Stahl consciously transformed his conception of divine right from an idea into an ideology when he took up the struggle to defend divine right against its liberal adversaries. Stahl, indeed, James Sheehan has argued, initiated an “important moment of ideological adjustment” for Prussian conservatism. In 1834, Stahl wrote in a letter to a friend that “medieval principles and liberal principles both have some truth to them, and in my concept of the state, I have tried to weave them together.” This attempt to “weave together” liberalism and medievalism represents the transformation of Prussian conservatism into a self-conscious and reflexive ideology of conservative constitutionalism. As ideologies do, it was intended to

268 Stahl, Die Revolution, 33. „der König nicht völlig aufgehe ins Parlament, wie dort, sondern durch feste Sicherung seiner Befugnisse ein unterschiedener und selbstständiger Faktor der Staatsgewalt bleibe.”

269 Berdahl, Conservative Ideology, 6.


272 Quoted in Sheehan, German History, 592.
“fuse together people’s moral values, material interests, and political convictions into a system of ideas” which could “explain historical change, guide present actions, and point towards future achievements.”

Through his emphasis on divine Providence, Stahl had revealed the effectiveness of his nascent ideology at explaining historical change. Now, in the Prussian parliament, he was dedicated to proving its compatibility with modern constitutionalism. After his death, his close colleague Ernst Ludwig von Gerlach would take up the challenge of directing Gottesgnadentum, as an ideology towards the future of Prussia and Germany. In this way, Stahl was an important modernizer of conservatism, for he was pivotal in transforming a longing for “a mythically reconstructed past” into a powerful ideology. Secondly, Stahl recognized that this ideology could serve as a political rallying call, and indeed, transformed it into a party platform in the hopes of institutionalizing it. This is evident in the fact that in both his Entwurf and in Revolution, Stahl set forth to outline a conservative party program.

It is the last section of Revolution, which functions as its own political treatise, that Stahl further solidifies constitutional divine right ideology as a comprehensive political platform. Entitled “What is a constitutional king?”, Stahl sets out to distinguish conservative constitutionalism from its “radical” and “liberal” counterparts and thereby differentiate himself from his political rivals’ attempts to create their own “constitutional” party programs. The defining feature of this treatise is Stahl insistence that constitutionalism does not equate to “popular sovereignty” and to divorce constitutionalism from that of revolution, a pernicious marriage which he identifies as an unfortunate result of the events of 1848.

To start, Stahl identifies what he considers to be the primary features of “revolutionary constitutionalism” and proceeds to detail the speciousness of such a radical political program.

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273 Sheehan, German History, 590.
The great folly of the “radical” system, he argues, is that it does not include a kingly veto and calls for only one, undifferentiated chamber of parliament. He therefore criticizes the French constitution of 1789 and the later constitutions of Spain and Italy, casting them as “products of revolution…built on the idea of the sovereignty of the people.”

Such systems, he asserts, demote the king from a sovereign to a “mere executive power.”

A model of constitutionalism which does not allow for a kingly veto furthers the idea that “the task of the constitutional monarchy is the complete and consistent realization of the idea of popular sovereignty.” This, he continues, is a patently fallacious conception of the origins of power itself. By lacking a kingly veto, “radical constitutionalism” transforms the capricious “the will of the people” into the “highest moral benchmark and guiding principle” of the country.

Stahl indicts such radical ideology as ethically bereft, for it elevates “the aberrances of the masses” into “the highest ethical standard.”

Likewise, Stahl situates himself as equally opposed to the doctrine of “liberal constitutionalism.” Indeed, besides the “radical constitutionalism” of 1789, Stahl defines “liberal constitutionalism” as the ideology which the French and German “left” adopted between the Restoration and 1848, and also scathingly charges that “the so-called right” has now also deemed it acceptable. This version of constitutionalism maintains the kingly veto, as well as two...
appropriately differentiated houses of parliament. Yet, Stahl charges that “the whole [liberal] party places the essence of the constitutional monarchy under the responsibility of the ministers” who are bound by the will of the people, and “if they do not receive their approval, should have to leave their office.”

This, Stahl laments, is what the English government has come to look like in practice. In fact, while the English system is sound in theory, in reality, Stahl argues that the relations of the state resemble a brand of liberal constitutionalism wherein the ministers rule according to the will of the people. He thus calls it “not a species of monarchy, but a species of the republic.” In such a way, he condemns “liberal constitutionalism” as a variation of “radical constitutionalism.”

Stahl’s own ideology—his banner of conservatism—rebuked radical and liberal attempts to appropriate constitutionalism as an essentially revolutionary concept. In his treatise on “real constitutional monarchy,” Stahl claims that the only tenable constitutional model for Prussia must ensure that the king is not “an organ of the will of the people, but rather an organ of reasonable societal order.” That it, “[t]he king as sovereign…always remains the source and the center of power” in the state. Stahl accuses the socialists and radicals of his time of falsely perpetuating the idea that there can only be one power in the state, and that one must choose

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280 Stahl, Die Revolution, 84. „von der ganzen Parthei wird das Wesen der constitutionellen Monarchie in die Verantwortlichkeit der Minister gesetzt, und darunter denkt man sich nichts Geringeres, als daß die Minister für alle Arte der Staatsgewalt der Volksvertretung gerecht werden, und darum, wenn sie deren Billigung nicht erhalten, von ihrem Amte weichen müssen.“

281 Stahl, Die Revolution, 85. „und diesem thatsächlichen Verhältniß nach ist heutigentags der englische Staat auch wirklich nicht eine Species der Monarchie, sondern eine Species der Republik.“

282 Stahl, Die Revolution, 94. “Er ist dann nicht ein Organ des Volkswillens, sondern ein Organ der vernünftigen gesellschaftlichen Ordnung…”

283 Stahl, Die Revolution, 95. „Der König als der Souverän bleibt aber immer die Urquelle und das Centrum der Gewalt.”
between the sole rule by the king or sole rule by the people. To this end, Stahl distinguishes between “Gemeinsamkeit der Gewalt” and “Teilung der Gewalt,”—that is, a *communality of power* as opposed to *the division of power.*\(^{284}\) He argues that the doctrine of the separation of powers destructively situates the king and parliament in opposition to one another, when, they should in fact bound by the common aim to secure the ethical order of the state. Thus, Stahl argues that “a true kingship is only there when the prince possesses, however limited, independent power, where his personality and his personal will have a meaning in the public order.”\(^{285}\) Even in his later writings, then, Stahl continued to espouse the principle of “personality” as central for the state. The ethical integrity of the state was contingent upon the guarantee that the king would remain the center of power, even in a constitutional monarchy. It was this “real constitutionalism” which Stahl attempted to cement as the ideological foundation of modern Prussian conservatism.

In this section, too, Stahl seeks to use historical precedent to divorce constitutionalism from the doctrine of popular sovereignty, which he considers an ethically devoid affront to true constitutional monarchy. To do this, he turns again to the English example. England, he argues, emerged as a constitutional monarchy starting at the end of the Middle Ages, still more so during the Restoration of the English monarchy under Charles II, and was fully realized as such under the rule of William III and then Anne. The “parliamentary government,” which moved the English system toward “a species of Republic,” was a result of George I.\(^{286}\) Under George I,

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\(^{284}\) Stahl, *Die Revolution*, 96.

\(^{285}\) Stahl, *Die Revolution*, 97-98. „Ein ächtes Königthum aber ist nur da, wo der Fürst eine, wenn auch noch so beschränkte, doch immer selbstständige Gewalt besitzt, wenn seine Persönlichkeit und sein persönlicher Wille eine Bedeutung hat in der öffentlichen Ordnung.“

\(^{286}\) Stahl, *Die Revolution*, 97.
Britain began to transition towards a system of government and the king became “a captive of his ministers.”*287 Stahl argues that “the constitutional constitution [constitutionelle Verfassung] therefore existed in England itself through all time, the parliamentary government for only a short period of time and to varying degrees.”*288 It is this historical example that Stahl uses to illustrate the viability of his conservative constitutionalism. It was clear to Stahl from the English example that the marriage of constitutionalism and radical thought was a recent one, and one which he forcefully intended to undo. As such, Stahl was able to cite the English case to lend credence to his own conservative constitutionalism.

It would be myopic to name Stahl the sole influencer on the final form of the Prussian Constitution of 1850. Nevertheless, in its final version, it did appear to ensure the power of the king in the way Stahl proposed, and as Friedrich Wilhelm had claimed before he took the constitutional oath. As nineteenth-century historian James Harvey Robinson claims, in the Prussian constitutional model

the king retains a sufficiency of power to enable him to promote his ends without a formal breach of the constitution. He is still the recognized and efficient head of the state, in whom all political powers are vested. While in the exercise of certain definite government functions, he must proceed with the co-operation of the representatives of the people, he continues to possess all residual powers and nothing can legally be done by the government without his consent.289

The personal power of the king was ensured in the constitution in several key clauses—firstly, in that, the document begins by introducing the King of Prussia with the title, “by the grace of God.”*290 As discussed in the previous chapter, the inclusion of this title sparked a fiery debate in

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290 Robinson, Constitution of Prussia, 27.
1848. Friedrich Wilhelm IV, however, had used the occasion of his birthday to reaffirm Prussia’s commitment to the principle of the divine right authority. In addition, Title III of the constitution, which describes the role of the king, begins with clause 43, that, “the person of the king shall be inviolable.” This codified the principle that “the king can do no wrong,” as there “is no power above him.” Indeed, even if he defies the constitution “he is responsible to God alone and to his conscience, for the king has no judge except history.” In this way, then, the constitution proved an opportunity to guarantee legally the principle of divine-right kingship. Finally, in addition to the power of the absolute veto, the constitution maintains the right of the king “to enact provisional laws” (Art. 63) and to dissolve the lower house of parliament (Art. 51). The constitution, then, rather guaranteeing the sovereignty of the people, consolidated the power of the monarch.

The power of the Prussian king was further guaranteed by the fact that the constitution did not specify the many powers of the king explicitly. As contemporary German scholar of Prussian constitutional law Hermann Schulze noted, it would be “contrary to the nature of the monarchical constitutional law of Germany to enumerate all individual powers of the king, or to speak of royal prerogative.” Rather, even within the constitutional monarchy, the king’s “sovereign right” embraced “all branches of the government.” Indeed, according to Schulze, “Everything which is decided or carried out in the state takes place in the name of the king. He is

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291 Friedrich Wilhelm IV, So sprach der König: Reden, Trinksprüche, Proclamationen, Botschafte, Kabinets-Oders, Erlasse n.l.w (Stuttgart: Verlag von Karl Göpel, 1861), 89.
292 Robinson, Constitution of Prussia, 35.
293 Robinson, Constitution of Prussia, 35.
the personified power of the state.” In his early work, Stahl staunchly maintained his belief that “the rule of the state, that is, the state itself, becomes personal in the king.” At this moment, then, the Prussian constitution codified this conviction. The 1850 document gave concrete form to the creative theory of constitutionalism that Stahl theorized in his 1845 Das monarchische Princip. While he formulated this theory on “the eve of revolution,” it did not die with the outbreak of revolution in 1848. Rather, it was only after 1848 that Stahl tried to implement his divine-right constitutionalism practically, an exercise he continued throughout the 1850s.

Stahl’s Career in Parliament

Stahl solidified his conservative constitutionalism during his career in the Prussian parliament, where he served in the Herrenhaus, or House of Lords. Indeed, in the decade after 1848, Stahl became a leader of the Prussian Conservative Party and one of the most effective orators in parliament. Just three years after the Prussian constitution was adopted in 1850, it came under fire again. Two other members of the first chamber of Parliament, Count v. Saurma-


297 See Sheehan, German History, 594-595, for a discussion of the influence of Stahl’s monarchical principle on practical administration in the 1850s.

298 Berdahl, Conservative Ideology, 353.
Jeltsch and Prince Reuß, occupied a position considerably more conservative than Stahl’s. In 1852, they presented a petition in favor of repealing the constitution altogether and returning to absolute monarchy in Prussia. As the constitution came under attack, Stahl came to its defense. Indeed, it was in Stahl’s plea in support of the constitution that he more fully developed his template for conservative constitutionalism. At the same time, one should not mistake Stahl’s defense of the constitution for an expression of liberal sympathies. While he was in favor of keeping the constitution, he also championed its revision. In fact, Stahl believed that through the effective amendment of the already existing constitution, it could be purged of any lingering traces of the revolution from which it had emerged and rendered even more conservative.

Stahl used his January 24th, 1852 address to parliament to explain the necessity of a constitution, and, moreover, the necessity of revising it in order to improve it. He acknowledged that the constitution certainly carried “the traces of its origin” in the revolutions of 1848, which he called “a painful fact in Prussia’s history.” Yet, he also realized that “The claim is unfounded that the Prussian constitution violates the monarchical principle.” Indeed, he accepted that the tide of history had demanded a constitution—that is, that Prussia had abandoned the “patriarchal government” in favor of a “legally delimited order.” While “not without its dangers,” Stahl declared rather nostalgically that Prussia could not take a retrograde

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300 Stahl, “Revision der Preußischen Verfassung,” 18. “Allein leider trägt sie die Spuren dieses Ursprungs zu sichtbar an sich selbst…so schmerzliche Thatsache in der Geschichte Preußens.”


step. Quite biblically, he pronounced that “We have tasted of the apple of sin of the party system, and unfortunately we have tasted only too much, and its sharpness would acidify the patriarchal government.” Thus, while Stahl made it clear that he did not want to be perceived as ushering in this new era, he accepted the necessity of a constitutional government and the recognition of the public character of the state, given recent historical developments.

In the forceful conclusion of his address, Stahl again lamented the extent to which Prussia had faltered during the revolutions of 1848, specifically with respect to upholding the value of *Gottesgnadentum*:

If, in the summer of 1848, a state had held up the banner of authority and authority by the grace of God under those violent storms, this state would have gained unspeakable power and prestige. But just so a government will gain strength and honor at the present time if, unflinching through all the latest events, it does not allow the banner of justice and the banner of freedom to sink. As he declared the necessity that Prussia raise the banner of justice and freedom so that it might redeem itself, Stahl clearly considered a written constitution essential to achieve this feat. Indeed, he believed that a robust constitution could help Prussia regain its reputation and prestige. For that reason, he also supported the revision of the current constitution in order to make it appropriately conservative. As it existed in its 1850 form, the constitution, Stahl argued, was far too vague: “The constitutional document is rich in sentences that say everything and say nothing, rich in laws that do not contain a commandment, but rather an intent, rich in promises of future

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303 Stahl, “Revision der Preußischen Verfassung,” 25. „Wir haben von dem Sündenapfel des Parteiwesens gekostet, und leider nur zu viel gekostet, und seine Schärfe würde die patriarchalische Regierung versäumen.“

laws …in short, Prussia’s *charta magna* is for the most part *charta bianca*.”\(^{305}\) This, he denounced, allowed every party to interpret it “according to their doctrine.”\(^{306}\) Stahl wanted to revise the constitution such that it could be interpreted in a strictly conservative way. In such a revised form, the constitution could resolutely affirm Prussia’s commitment to “authority by the grace of God” which it had so regretfully abandoned in 1848.

Stahl expressed this even more doggedly in his February 24, 1853 address to parliament, which also concerned the question of repealing the constitution. Stahl began this address by expressing deep sympathies with the motives of conservatives desiring to abolish the constitution. He announced, “I thoroughly respect the weight of the motives on the part of the gentleman proposing the motion; he is moved by devotion to the old Prussian kingship…”\(^{307}\) He acknowledged too, once again, that the constitution had problematic origins, which he, along with Saurma-Jeltsch and Reuß, agreed were unacceptable. Stahl lamented: “The constitution has its origins in the barricade-struggles. It takes its substance from the first work of the Constitutional Commission of the National Assembly; it has the form and often the parlance of the revolutions of 1791 and 1848, which are certainly also the ample expression of the spirit of

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\(^{306}\) Stahl, “Revision der Preußischen Verfassung,” 18. „Jede Partei beschreibt sie daher mit ihrer Doctrin...“


There is an English translation of this speech available here: [http://germanhistorydocs.ghi-dc.org/pdf/eng/2_A_P_Stahl.pdf](http://germanhistorydocs.ghi-dc.org/pdf/eng/2_A_P_Stahl.pdf). My translation differs in subtle ways, for example in my translation of “Königthum” as “kingship” rather than “kingdom”. Nevertheless, it can serve as a reference useful for readers of English.
revolution.” On these grounds, he acknowledged that the constitution “carries in it the principle of revolution.”

Yet, for Stahl, this was not reason enough to abandon the constitution entirely. To that end, he asserted to his addressees that “the origin of a legal condition out of rebellion is not an absolute reason to give up this legal condition.” On a personal level, of course, Stahl professed, “I would be the last person to offer my approval for trading the previous monarchy for the current constitution as is.” Yet, this did not change the fact that “the constitution has been in existence for three years, relationships have been regulated by it, laws have been built upon it, rights have been acquired through it.” As such, to get rid of it entirely would wreak havoc on Prussia. Stahl’s endorsement of constitutionalism also stemmed from his previously esteemed for divine Providence, which he believed was expressed through the progression of history itself. To that end, he declared: “The constitution of Prussia, be it good or bad, does have a history, and offhandedly giving up something with a history without specific proposals for a replacement is something I would not want to call ‘le contraire de la révolution,’ but rather the Contre-

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309 Stahl, “Aufhebung der Preußischen Verfassung,” 29. „daß sie das Princip der Revolution in sich trägt.“

310 Stahl, “Aufhebung der Preußischen Verfassung,” 29. „Daß der Ursprung eines Rechtszustandes aus Empörung noch kein absoluter Grund ist, diesen Rechtszustand selbst aufzugeben...“

311 Stahl, “Aufhebung der Preußischen Verfassung,” 31. „Ich würde am wenigsten dazu meine Zustimmung geben, gegen die frühere Monarchie die jetzige Verfassung, wie sie daliegt, einzutauschen.“

Revolution!” Stahl, then, suggested that Prussia had been “placed on the path of Providence” to adopt a constitution.

As he continued his address, Stahl developed further the idea that this constitution could be used to guarantee the king’s divinely-endowed authority. To that end, he praised the constitution’s guarantee that “the king possesses a secure army and possesses secure finances.” As explicitly enumerated powers in the constitution, Stahl hoped to insulate the king from the “will of the people,” should they attempt to usurp this power. Surprisingly, however, Stahl also commended the constitution for containing “legal guarantees and a state parliament.” Indeed, it was precisely in this speech that Stahl most articulately expressed his vision of the relationship between parliament and the king. Under a model of conservative constitutionalism, Stahl believed that a parliament could actually consolidate, rather than enfeeble, the authority of the king:

we want a national representation, but in a completely different spirit from that which existed in the German lands from 1815 to 1848: we do not want in it a weakening of the monarchical power, not a mutual control of mistrust…but rather, through it we want a strengthening of the Crown, we also want to add the moral power of the public impression to the legal power of the Crown.

This quotation can be found in exact translation on: http://germanhistorydocs.ghi-dc.org/pdf/eng/2_A_P_Stahl.pdf pg 3.


Stahl, “Aufhebung der Preußischen Verfassung,” 32. „daß sie Rechtsgarantien und eine Landesvertretung enthält.“

Stahl, “Aufhebung der Preußischen Verfassung,” 33. Desgleichen wollen wir eine Landesvertretung, aber in einem ganz anderen Geiste, als sie von 1815 bis 1848 in den Deutschen Landen bestanden hat: wir wollen in ihr nicht eine Schwächung der monarchischen Gewalt, nicht eine gegenseitige Controlle des Mißtrauens...sondern wir
Stahl, then, did not advocate the abolishment, but rather, the correct Bildung of a state representation. He, once again, put forth a vision of the state most aptly termed a Gemeinsamkeit der Gewalt, wherein the king and the parliament would form a “harmonious legal whole.”

The stark difference between Stahl’s vision of state representation and that furthered by revolutionaries in 1848 cannot be overstated. Stahl did not consider a parliament an organ of a progressive state, nor a realization of the doctrine of popular sovereignty. As he explicitly avowed: “We do not want the state parliament, furthermore, in order to promote so-called progress, this great process of disintegration of our era; on the contrary, [we want it] in order to maintain conditions, and to restore them where they have been damaged.” Ultimately, then, Stahl envisioned the constitution as one which would harness the institutions of modern politics to fortify a conservative state. He believed that a constitutionally-based legal order could be brought into total harmony with Prussian history, whose highest values were “the power of the kings” and “the spiritual participation of the people.” Through the revision of the existing constitution, the document could more conservatively delineate the role of parliament and thereby transform it from “a monument to the grave pitfall of Prussia” into “a monument to

\[\text{This quotation can be found in exact translation on: } \text{http://germanhistorydocs.ghi-dc.org/pdf/eng/2_A_P_Stahl.pdf pg 5.} \]

\[\text{318 Stahl, “Aufhebung der Preußischen Verfassung,” 33-34. “Wir wollen ferner die Landesvertretung, um den sogenannten Fortschritt, diesen großen Auflösungsproceß unserer Zeit zu befördern; im Gegenteil, um die Zustände zu erhalten und da, wo sie beschädigt sind, wieder herzustellen.”} \]

\[\text{319 Stahl, “Aufhebung der Preußischen Verfassung,” 34. “Zwei Momente sind es, die durch die glorreiche Geschichte dieses Landes hindurch gehen. Das Eine ist die Macht der Könige, das Andere die geistige Betheiligung des Volkes.”} \]
Prussia’s restoration.” Such a monument would triumphantly reaffirm Prussia’s commitment to the “divine right of authority.”

Thus, it was during his time in the Herrenhaus that Stahl fully developed his ideology of conservative constitutionalism. A pragmatist to some extent, Stahl, as Barclay puts it, “believed in maximizing monarchical authority by linking conservative values to new parliamentary and constitutional realities.” Yet, this was not, as Barclay claims, a mere “constitutionalism of convenience.” To call it such underestimates the intellectual labor involved in reconciling constitutionalism and conservatism. In many ways, the revolutions of 1848 had strengthened the marriage of constitutionalism and popular sovereignty. Stahl, then, took on the strenuous task of annulling what he considered a pernicious marriage of ideas. The progression of history had made a constitution an inevitability, but the adoption of a constitution did not necessarily demand that conservatism be forsaken. Rather, Stahl occupied himself with the extremely inconvenient undertaking of bringing constitutionalism and conservatism into harmony with one another. This supports Christopher Clark’s more recent interpretation that Stahl “led the way in reconciling conservative objectives with modern representative politics.” It was during these early years in parliament that Stahl began to actualize the conservative party program which he had outlined in his Entwurf and Revolution, which prized the divine right of authority.

It is worth noting, too, that by 1858, Stahl’s other formidable enemy, besides liberalism, had reemerged: conservative bureaucracy. In 1850s Prussia, the face and motor of this

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321 Barclay, Frederick William IV, 187.

322 Barclay, Frederick William IV, 251.

323 Clark, Iron Kingdom, 1520.
bureaucracy was Otto von Manteuffel (1805-1882), who had gained a seat in the king’s cabinet in 1848. Manteuffel, David Barclay has argued, “always remained a child of the Prussian bureaucracy.”\textsuperscript{324} Such being the case, his conservative program emphasized “traditional bureaucracy” and policing, and he expressed little interest in the ideological issues that motivated Stahl and both Ernst Ludwig and Leopold von Gerlach.\textsuperscript{325} As such, by formulating \textit{Gottesgnadentum} as the center of his political program, he attempted to deepen the ethical and ideological orientation of conservatism and thereby oppose the perceived threat of ethically vacuous bureaucratic reforms. Stahl thus made his career in parliament by defending the continued importance of \textit{Gottesgnadentum} in Prussia against both liberalism and conservative bureaucratism.

Curiously, in the mid 1850s, the most potent threat to the sanctity of divine right which Stahl identified was, of all things, \textit{Spielbanken}, or casinos. Stahl’s general distaste for casinos, of course, is not altogether surprising. Yet, the fervor with which he denounced them as a threat to the inviolability of authority is particularly intriguing. Stahl offered his most eloquent censure of these institutions in an 1858 parliamentary address. Pointing to how earnestly Stahl considered the issue of the casinos, the 1862 compilation of his parliamentary addresses categorizes this particular speech under the subsection of speeches concerning “kingship and the constitution.”\textsuperscript{326}

Part of the general distaste for casinos among the German authorities in the min-nineteenth century had to do with their French origins. As E.J. Carter has noted, they were regarded as “mostly French-owned institutions and representatives of a traditionally French

\textsuperscript{324} Barclay, \textit{Frederick William IV}, 263.

\textsuperscript{325} Barclay, \textit{Frederick William IV}, 255.

cultural practice,” and the disdain for them stemmed from the desire to expunge French influence from the German lands. Liberal nationalists, in particular, regarded them as “obstacles to German unity.”\(^\text{327}\) Stahl, like some of his liberal counterparts, attacked the French origins of casinos. His distaste for their Frenchness, however, had less to do with concerns about French cultural influence and more to do with his tendency to equate anything French with political radicalism.

Stahl began his 1858 speech by declaring his belief that “the abolishment of casinos from Germany is the task for which the Prussian Crown strives.”\(^\text{328}\) This aim, Stahl claimed, was shared by Friedrich Wilhelm IV, who had commendably closed the last of the casinos in Prussia in 1854. Yet, the fact that they continued to thrive in smaller German states allowed their destructive influence to fester in all of Germany. He then continued to illustrate “the ruinousness of the gambling houses for the German people.”\(^\text{329}\) Stahl, likely, was particularly concerned about the destructive influence on the nobility and the civil servants. He scathingly asserted that, “The reprehensibility of this game consists first of all in the fact that the player wants to win sums from others without work, achievement and merit.”\(^\text{330}\) Stahl continued, “The reprehensibility of the game…also consists in the fact that the player dares and wastes his own fortune, the preservation of which is required to him for the fulfilment of his vocation in life and for the care of his own. It is this a disregard of the most sacred duties.”\(^\text{331}\)  


\(^{329}\) Stahl, “Die Spielhäuser,” 38.


thought that to be so cavalier with one’s own property was an infringement on the basic ethical order of society. To understand this, one must return to Stahl’s earlier works, where he writes earnestly that “property and right of succession are primeval rights of man, holy, God-ordained institutions.”\textsuperscript{332} Stahl believed, moreover, that property was the outward expression of the inner will—that is, proper ethical sensibilities.\textsuperscript{333} For that reason, he thought that casinos promoted socially injurious insouciance towards the principle of property itself. As such, he considered the institutions themselves to be deleterious to German society.

Yet, his main concern was not only that the casinos were ruinous for both the German people, but that they were ruinous for the reputation of the German authorities. Indeed, if the nature of the games was that they destroyed the ethical condition of society, Stahl demanded to know, what would become of the authorities if they allowed this to happen?\textsuperscript{334} This was particularly concerning given the fact that the Prussian government had so fervently reaffirmed its commitment to authority “by the grace of God.” Adding to the shame that a government that professed to adhere to the doctrine of \textit{Gottesgnadentum} would continue to tolerate the ethical corruption by casinos was the fact that the Frankfurt Parliament of 1848, a government which had specifically denounced \textit{Gottesgnadentum} in favor of popular sovereignty, had previously banned casinos. This was simply intolerable for Stahl: “the government which was led…in the name of the people suppressed a being which no one will claim is divine, whereas the government which is led in the name of God permits such a being, even in part still cultivates

\textsuperscript{332} Stahl, \textit{Philosophie}, 92. „Eigenthum und Erbrecht sind Urrechte des Menschen, und solche Urrechte, in deren Besitz er sich bereits befindet, die ihm nicht erst durch eine Umwälzung errungen zu werden brauchen, sie sind heilige gottgeordnete Institutionen.“

\textsuperscript{333} Stahl, \textit{Philosophie}, 92.

\textsuperscript{334} Stahl, “Die Spielhäuser,” 39.
it!” In other words, for casinos to exist in Germany, just as it nominally reaffirmed its commitment to the divine right of authority, was entirely contradictory. This was an *a fortiori* argument: if the Frankfurt Parliament (which Stahl condemned) had done the right thing by condemning casinos, this was all the more reason for the present “ethical” regime to follow suit. To do otherwise would jeopardize the recovered Prussian state’s moral authority, while at the same time lending moral authority to a government that had been led in the name of the people.

All of this led Stahl to conclude that casinos were a potent threat to the ethical integrity of Prussia. Of course, as I said before, casinos did not still exist in Prussia itself. Yet, they were still permitted many of the smaller German states, where they could still exercise influence. Indeed, the availability of rail travel meant that they were readily accessible to Prussians and all Germans. Moreover, Stahl considered that “The prestige of the authorities in Germany is a solidarity good of the entire German nation and of all German governments.” As such, he considered it the duty of Prussia and the larger German states to wield their moral authority to advocate the abolishment of casinos from all of Germany.

What made Stahl’s 1858 speech on casinos most noteworthy was the end, when he used the occasion to declare *Gottesgnadentum* to be the most important aim of his career as a scholar and politician:

> I stood up for the divine right of authority and the monarchical principle in writing and speech in the thirties, 1847, in the summer of 1848, during the revision of the constitution of 1849, and I justify my right to take part in any debate where the divine right of the authority or the monarchical principle is

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335 Stahl, “Die Spielhäuser,” 40. “daß jene Regierung, die in seinem, in des Volkes Namen geführt wurde, ein Wesen, das Niemand für göttlich aus geben wird, unterdrückt hat, dagegen die Regierung, welche im Namen Gottes geführt wird, ein solches Wesen gestattet, ja zum Theil noch pflegt!”

called into question, where in a situation of apparent peace the seeds are sown from which the storms over this right and principle could one day still break out, perhaps even will break out.\textsuperscript{337}

Quite self-consciously, then, Stahl identified the principle and now, ideology, of *Gottesgnadentum* to be the unifying thread of his life and work. Indeed, he quite clearly declared himself to be the authority on any questions regarding divine right. It was precisely at this moment in April 1858 that Stahl most unequivocally named his belief in the divine right of authority to be the defining feature of his career, between his early work in the *Philosophie des Rechts* and his current role in the Prussian parliament. Even as he spent his years as a politician championing constitutionalism, he cemented divine right as the hallmark of his conservatism.

**Stahl’s Eulogy to the Prussian King**

It was in March 1861, just months before his death, that Stahl made clear, too, that he understood himself and King Friedrich Wilhelm IV as bound together by this common conservative program. Two years after Friedrich Wilhelm’s death, Stahl presented a eulogy to the deceased king to an audience in Berlin. The speech, he began, was not intended to be a *Lobrede*, but rather, he wanted “to evoke [the king’s] image, how he dwelt among us and ruled over us, and to illuminate the rich deeds of his life.”\textsuperscript{338} The substance of Stahl’s speech will ring


\textsuperscript{338} Friedrich Julius Stahl, “Zum Gedächtniß seiner Majestät des hochseligen Königs Friedrich Wilhelm IV und seiner Regierung,” in *Siebzehn parlamentarische Reden und drei Vorträge* (Berlin: Verlag von Wilhelm Herz, 1862), 263. “was ich beabsichtige, ist, sein Bild hervorzuwurfen, wie er unter uns weilte und über uns waltete, und die reichen Thaten seines Lebens aus Einem Strahlenpunkte zu beleuchten.”
familiar, for the deeds which he chose to expound upon were precisely those which demonstrated Friedrich Wilhelm’s own belief not only in his own divinely-endowed authority, but the larger principle of *Gottesgnadentum*. In the eloquent address, Stahl portrayed the departed king as the patron saint of divine right kingship and, indeed, the father of the newly articulated conservative program.

In painting an image of Friedrich Wilhelm IV, Stahl elaborated powerfully on the king’s eloquence. He waxed, “There was in his spiritual vision a warmth and a nobility and an artistic beauty, reflected…above all in his incomparable plastic eloquence.” Stahl called this eloquence a “gift of the spirit,” and rhapsodized further that the king, “effused the features of grace through his entire being.” Stahl, then, recognized the king’s own aesthetic eloquence as the expression of his grace—a gift from God. It was in this way that Stahl attested to Friedrich Wilhelm’s own divinely-endowed right to the Prussian throne. This echoes my investigation in Chapter 2, which examines the importance of eloquence in Friedrich Wilhelm’s efforts to evince his godly authority.

Stahl, too, praised the king for defending the principle of divine right kingship, which had been under attack since the French Revolution. He pointed specifically to Friedrich Wilhelm’s 1847 speech, where he famously attempted to squash demands for a written constitution in Prussia. Praising the speech, Stahl declared:

> The king began his work by opposing the roar of the sea of an antichristian and antimonarchical public opinion with his kingly testimony, which could not be ignored, his testimony for “our divine Savior, Lord and King,” his testimony to the crown, which he alone wears “from God”, his testimony against “the division

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of sovereignty,” against “the disintegration of society”, against “a written piece of paper, a second Providence, as it were, stands between Our Lord God in Heaven and this country, to reign over Us with its paragraphs and thereby replace the old, holy allegiance.”

The constitutional ambitions which Friedrich Wilhelm IV then suppressed, indicated Stahl, were based on the “ideas of the French Revolution,” which had spread so rapidly throughout Germany in the twenty-five years since the Restoration. Although the king had briefly been forced to succumb to the revolutionary impulse, a fact which Stahl lamented, it was the October 15th, 1848 that the king bravely renounced obedience to the revolution and reaffirmed his commitment to the principle of “authority by the grace of God.” Here, Stahl was referencing the same speech in which the king had demanded that the kingly title “by the grace of God” be included in the Prussian constitutional draft. Stahl also praised the king’s speech in February 1850, before he swore his constitutional oath. This moment, Stahl claimed, was not a capitulation to the idea of popular sovereignty. Rather, the king “weighs and harmonizes the old indelible duty to the sacred order of God and the historical order of his country, and the newly assumed duty to the work of ‘the year worthy of tears.’” Friedrich Wilhelm, claimed Stahl, only affirmed the constitution upon having achieved such harmony. Stahl, then, understood himself and the king as ideologically simpatico. He and Friedrich Wilhelm IV had taken up the same mission—the


reconciliation of constitutionalism and the divine right of authority—and tried to establish them as the fulcrum of the Prussian state.

Stahl also praised Friedrich Wilhelm IV for his refusal to accept the German imperial crown:

The rejection of the imperial crown may be considered by a spurious statesman to be the most extreme of ignorance...On the Scale of the Eternal Tribunal it exists as the sublime deed of sincerity and wisdom and precisely of loyalty to the German cause. He rejected the imperial crown because it was not the “rightful” German imperial crown. He rejected it because it was not the real German imperial crown, not the crown of power and authority, but the “iron collar of the serfs of the revolution.” It was in loyalty to the German nation that he preserved it in reverence to the sacred rights which were once the foundation of the glory of its millennial empire. It was in loyalty to the German nation that he purely affirmed the legitimacy of his Prussian Crown, which itself is a stronghold and jewel of German nation.344

Stahl, then, recognized, as the king himself had in 1849, that the German imperial crown, although the symbol of Germany’s historical commitment to the divine right of authority, had been rebranded by liberals as symbol of popular sovereignty. It was for this reason that Stahl commended Friedrich Wilhelm for declining it, so that, paradoxically, he could uphold the doctrine of Gottesgnadentum which it had previously represented.

Moreover, now that the crown of imperial Germany could no longer be called upon to maintain the doctrine of divine right, Stahl imagined an even more vital role for the Prussian Crown. As a “jewel of the German nation,” Stahl recognized Prussia’s potential to wield decisive

ethical influence over the rest of Germany, and, indeed, all of Europe. To that end, Stahl extolled Friedrich Wilhelm IV a king with a “world-historical mission.” He applauded that the king had “recognized it as his calling, in a state of European power, the state of one of the most deeply educated peoples on earth, to unfold, at the height of the throne, the banner of the eternal truths of faith and right to ‘negate the spirit of the times.’” Indeed, he viewed himself bound to Friedrich Wilhelm IV not just by the common goal of maintaining Prussia’s commitment to the ideology of *Gottesgnadentum*, but of Prussia’s ethical leadership in an era of renewed commitment to the principle across Europe. Stahl claimed:

> the struggle of the world principles, once unleashed, does not bind itself to the locality, but rather proceeds according to inner law towards the salvation of the world. If this happens, it may come to pass for the second time that the integrity of Germany and the existence of Prussia stand in inseparable solidarity with the eternal truths of faith and law, that the call “here Prussia, here Germany,” and the call “here God-ordered authority, here holiness of treaties, here honor, here loyalty, here oath” is one and the same battle cry.

This was the last noteworthy speech Stahl held before his death five months later in August 1861, and perhaps the most succinct expression of his values and his regard for the deceased Prussian king. Throughout the 1850s, Stahl had emerged as the conservative champion of constitutionalism. This was a constitutionalism which was not only compatible with his belief in the divine right of the authority, but rather, served to institutionalize the power of the king by


harnessing modern political tools, like party politics and a written constitution. It was also the last moment at which Stahl cemented *Gottesgnadentum* not just as an idea, but as the ideology, or “banner” of modern conservatism, which he believed had the potential to negate the deleterious effects of the French Revolution which had overtaken Europe during his lifetime.

**A Party Flag in Stahl’s Honor**

Two years after Stahl’s death, his close friend and colleague in the conservative party, Ernst Ludwig von Gerlach (1795-1877), eulogized Stahl with a lecture entitled “Christianity and Divine-Right Kingship in Relation to the Progress of Our Century.” Such a title could not have more fittingly paid tribute to the intellectual and political commitments which Stahl had furthered during his lifetime. Gerlach began, “The highly esteemed and excellent man for whom this meeting has preserved an honorable and grateful memory, and who was a close friend and a faithful and closely connected comrade in spirit and struggle to me, has treated topics like my present one earlier at this point. Painfully you miss, as I do, in these moments our precious, too-soon departed Stahl.”

He continued, “He, not I, should speak to you…[about] the kingship by the grace of God.” While he excused himself for being less eloquent than Stahl, what followed

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was a remarkably impassioned articulation of the relationship between the concept of divine right and the modern era.

The most important feature of this lecture, and the one most indicative of Gerlach’s ties to Stahl, was its insistence that the principle of divine right kingship serve as the conservatives’ Parteifahne, or party flag. Indeed, Gerlach’s lecture was a remarkably self-conscious articulation of the evolution conservatism and the metamorphosis of ideas into ideology, such that they could be embedded into cohesive party platform. Gerlach acknowledged that “The words, ‘by the grace of God’ have been a feature of Christian kingship for a thousand years.” 350 And yet he maintained that, “never has the divine-right kingship been invoked and emphasized with more fiery enthusiasm than that with which we now and rightly emphasize these words.” 351 Familiarly, Gerlach believed that since the French Revolution, the principle of Gottesgnadentum had come under fire and it could thus no longer be taken as given. It was on these grounds that he defended himself before those who claimed that “the divine-right kingship is self-evident, no one can deny it, one should not make a party flag of it.” 352 Certainly, in the Middle Ages, he argued, “when neither absolutist nor revolutionary heresies asserted themselves, it could not be a party flag.” 353 Now, however, Gerlach contended, “the essence, the core of the kingship, is in

350 Gerlach, Königthum von Gottes Gnaden, 4. „Von Gottes Gnaden. - diese Worte setzen die Könige der Christenheit seit mehr als tausend Jahren vor ihren Königstitel als Einleitung ihrer Gesetze und feierlichen Kundgebungen.“

351 Gerlach, Königthum von Gottes Gnaden, 4. „Aber nie ist wohl das Königthum von Gottes Gnaden mit feurigerer Begeisterung angerufen und betont worden. als mit der wir diese Worte jetzt, und zwar mit Recht, betonen.“


353 Gerlach, Königthum von Gottes Gnaden, 36. „Im Mittelalter, als -noch weder absolutistisch noch revolutionäre Irrlehren sich geltend machten, konnte es nicht Parteifahne sein.“
dispute.” On these grounds, he argued, his fellow conservatives had an obligation to establish it as the mainstay of the conservative party platform: “Therefore, ‘by the grace of God’ is a true party flag. For the eternal truth, which descends into our darkened world, wants and must remain a party flag until it has finally ascended the darkness.” Gerlach, then, situated himself in the vanguard of the movement to which Stahl had devoted his own career: fortifying a conservative party with divine right kingship as its ideological foundation.

Gerlach, moreover, did not believe that the prevalence of various republics and the turn away from monarchy in any way threatened the viability divine right theory. Recall that Stahl, in his Philosophie, had provocingly asserted, that “The king’s power is “by the grace of God”; it is a ‘divine law.’ This is true of all state authority, even the republic.” Gerlach shared a similar belief. Indeed, it was not simply kings who ruled “by the grace of God”; rather, he asserted that “authority is nothing without God.” Gerlach, in fact, believed that republics could emerge naturally:

the family and the monarchy can also transform themselves in such a way that republican house or state forms emerge from it. The father departs with death. None of his several sons follows him in government. They stand equally powerful and equally entitled next to each other, but nevertheless continue the One Housekeeping with each other. This is how a family constituted as a republic comes into being.

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354 Gerlach, Königthum von Gottes Gnaden, 36. „Jetzt dagegen ist das Wesen, der Kern des Königthums streitig.“


356 Stahl, Philosophie, 250.

357 Gerlach, Königthum von Gottes Gnaden, 5. “die Obrigkeit ist nichts ohne Gott.”

358 Gerlach, Königthum von Gottes Gnaden, 11. „Die Familie und die Monarchie kann sich aber auch so umgestalten daß republikanische Haus- oder Staatsformen daraus hervorgehen. Der Vater geht mit Tode ab. Kein einzelner seiner mehreren Söhne folgt ihm in der Regierung. Sie stehen gleich mächtig und gleich berechtigt neben einander, setzen aber gleichwohl das Eine Hauswesen mit einander fort. So entsteht eine als Republik constituierete Familie.”
This being the case, he reasoned that that “that republics are also well founded in human nature, although not as immediate and primordial as the monarchies.”\textsuperscript{359} Moreover, Gerlach rejected the notion that a monarchy would naturally and inevitably progress into a republic. Rather, he declared that “The revolutionary time pushes towards the monarchy as its final goal.”\textsuperscript{360} In other words, he considered the restoration of a monarchy to be a progressive synthesis.

It is worth noting that in 1863, the year of Gerlach’s address, prince-regent Wilhelm I had recently ascended to the Prussia throne after the death of Friedrich Wilhelm IV. Wilhelm I had already been in power since 1858, when Friedrich Wilhelm had fallen perilously ill. Historians have called the ascent of Wilhelm I the “new era,” as opposed to the “era of reaction” which characterized the earlier 1850s. Wilhelm I had determined to make “moral acquisitions,” and a major part of his political program became his willingness to cooperate with the liberals.\textsuperscript{361} Indeed, having been suppressed after the 1848 revolutions and kept at bay during the reactionary 1850s, by the early 1860s, liberals in Prussia and Germany were once again resurfaced as a force to be reckoned with.\textsuperscript{362} Now, as in 1848, the liberals pronounced themselves “the party of movement, progress, and future.”\textsuperscript{363} In light of the return of liberalism as a potent political force,

\textsuperscript{359} Gerlach, Königthum von Gottes Gnaden, 12. Es is jedoch nicht zu übersehen, daß Republiken zwar ebenfalls in der menschlichen Natur wohl begründet sind, aber noch nicht so unmittelbar und uranfänglich wie die Monarchien.


\textsuperscript{362} Mommsen, “German liberalism,” 420.

\textsuperscript{363} Sheehan, German History, 254.
Gerlach had determined to solidify the ideological stance of Prussian “high conservatives.” Moreover, he specifically set out to prove the ability of such conservatism to take on issues of “progress,” previously the watchword of liberalism, without simultaneously abandoning its fundamental conservative values.

Gerlach took up the cause of reconciling Prussian conservatism with the concept of progress enthusiastically, asserting that “We must not give up a good word and leave it to our opponents, not even the word progress.” Gerlach held that conservatism’s refusal to reconcile itself with “progress” would lead to its self-destruction. The core of his belief was the idea that the conservatives “should not fight progress, but rather the sins of progress.” Progress, for Gerlach, consisted of the various developments in finance, communication, and transportation that characterized the nineteenth century. He was particularly focused on the system of “world credit” which had emerged, which he called a “fertile ground for corruption.” Yet he was also convinced the such rapid progress was a sign of Providence itself: “Whoever opposes the unfolding of the world…fights against God's order to his own detriment. Only from the full blessing of Christianity, only from the Church of God has the progress of our time been able to emerge.” Moreover, he believed that credit was none other than “faith and trust applied to intercourse with the goods of the earth.” As such, he believed that a reinvigorated ethical order


365 Gerlach, Königthum von Gottes Gnaden, 43. “Nicht den Fortschritt sollen wir bekämpfen, sondern die Sünden des Fortschritts.”


could was not only compatible with progress but would facilitate greater progress. Thus, by taking up the divine right as their party flag, Gerlach believed the conservatives could usher in a new, even more progressive age. It was in this way that Gerlach extended Stahl’s own attempts to modernize divine right. Stahl, in the wake of 1848, had transformed *Gottesgnadentum* into “the banner of conservatism.” Gerlach adopted this position, and, even more ambitiously, imagined a divine right as harmonious with modernity.

It is indeed revealing that the way in which Gerlach chose to eulogize Stahl was a lecture in which he attempted to reconcile divine-right kingship with “progress.” It suggests that his contemporaries, too, recognized him as a great modernizer of conservatism. After 1848 and in his years serving in the Prussian parliament, Stahl made it his goal to bring his espoused belief in “the divine right of authority” into harmony with contemporary historical developments, which had made a written constitution a necessity even in Prussia. Stahl recognized that the principle of *Gottesgnadentum* could never again be taken for granted, and rather, would not only have to be reimagined, but reinstituted using the tools of modern politics. As such, he made it the center of the nascent Prussian Conservative Party platform, hoping to mobilize conservatism in order to re-entrench it. While it could never again be an *a priori* assumption of political discourse, Stahl was committed to defending it as a conservative *ideology*. 
Conclusion

Friedrich Julius Stahl began his reimagination of the theory of divine right in the Restoration period in his work *Die Philosophie des Rechts*. While most historical narratives have identified the French Revolution—with the beheading of Louis XVI and the rise of popular sovereignty—as the nail of in the coffin for the theory of divine-right kingship that had its heyday in the early modern period, Stahl exercised diligence and creativity in trying to refashion the theory to suit the nineteenth century. His argument for the divine right of kings did not claim that the king was appointed by God’s direct intervention, but rather, stressed that the king rose to the throne through divine Providence.

King Friedrich Wilhelm IV, never an intimate personal friend of Stahl’s but a close intellectual compatriot, took up this theory of divine right in both his style of government and individual conduct. Friedrich Wilhelm was committed to a model of “personal rule” in Prussia and equally so, attempted to project his God-gifted majesty through aesthetic projects and his own lyrical oratory. When, during the revolutions of 1848, the king was forced to abandon his preferred “personal rule” and adopt a written constitution, he did not, accordingly, endorse the doctrine of popular sovereignty. Rather, under the influence of Stahl’s powerful reconciliation of monarchy and constitutionalism, he attempted to mold a constitution which was compatible with his own belief in the principle of divine right.

After 1848 revolutions compelled Friedrich Wilhelm to make such adjustments and allow Prussia to be inaugurated as a modern, constitutional state, Stahl used his career in the upper house of the Prussian parliament in the 1850s to continue the harmonization of constitutionalism and conservatism. Stahl harnessed the tools of modern politics to do this, embedding
Gottesgnadentum into the nascent Prussian Conservative Party platform and waving it as “the banner of conservatism” – what Ernst Ludwig Gerlach later called “the party flag.”

Even after Gerlach’s eulogy to Stahl in 1863, Gottesgnadentum did not reach any final demise. Exemplative of this is a story from 1868, when Carl Schurz, an 1848 German revolutionary who famously recast himself as a Republican politician in the United States, returned to Germany for a visit. He had gone to spend the holidays with his family in Wiesbaden, and afterwards, headed to Berlin to pay a call to Bismarck, who had requested his presence. Schurz, who has recounted his visit with Bismarck in his Reminiscences, has recorded the following anecdote from his meeting with the German Chancellor:

“I know,” said [Bismarck] with a smile, “you do not believe in such a thing as the divine right of kings. But many people do, especially in Prussia — perhaps not as many as did before 1848, but even now more than you may think. People are attached to the dynasty by traditional loyalty. A King of Prussia may make mistakes, or suffer misfortunes, or even humiliations, but that traditional loyalty will not give way.”

To what extent ought one to take Schurz, in his recollection of this anecdote, and Bismarck, in his report of the lingering appeal of divine-right kingship in Prussia, at their word? It is hard to say, of course. What this tale compels us to wonder is how the convictions of forceful men like Stahl and Friedrich Wilhelm were interpreted by everyday Prussians. Moreover, it brings to the fore questions about the lifespan of Gottesgnadentum in Prussia after the deaths of its most vocal advocates in 1861. This story suggests that it had a life and power beyond the personalities and proclivities of influential men. Thus, the political project of Stahl and Friedrich Wilhelm was neither an isolated fad nor the unrealized brainchild of hermitic political nostalgists. Rather, it

had an existence beyond its intellectual supporters. How did Gottesgnadentum function in the lives of Prussians and Germans? Where was it taken up in social and cultural and religious life, how did this belief mobilize those outside of the elite chambers of parliament? These are new avenues for research—research which can only be undertaken when we realize fully that the “premodern” theory of divine right had a life in the modern era.

Thus, I return now to Warren Breckman’s claim that “although [Stahl] claims that the king rules by divine grace, his was not actually a theory of divine right.” For Breckman, it appears, the prospect that any serious theoretician or politician advocating the divine right of kings could expect to be taken seriously in the nineteenth century was too anachronistic to entertain. And yet, Stahl managed to avoid simply making a medieval caricature of himself. Stahl was not foolishly antediluvian. Rather, his theory proved to be a bricolage of old world and new. He reimagined the theory of divine right kingship as an answer to what he understood as volatile times of revolution. Even in his early writings, Stahl proved himself to be a man of his times for his forward-thinking insistence on the public character of the state. He took the modernization of conservatism to further ends when he published his notable treatise The Monarchical Principle, and realized it fully after 1848, when he became the most outspoken conservative defender of constitutionalism in the Prussian parliament. For all of the essentially modern features of his ideology, at the core of it remained his belief that authority was God-ordained. He believed that the king ruled “by the grace of God,” and this remained the kernel of his philosophy even as he ushered in constitutionalism and parliamentarianism in Prussia. His career was one of conservative reckoning. He brought the “premodern” idea of divine right of kings into the modern era, buttressing it through new political infrastructures rather than medieval corporatism, refashioning it as an ideology, and planting that ideology as the party flag
of the Prussian conservatives. Stahl’s was a theory of divine right. Yet, it was a theory of divine right which took on new life in a new era.
Appendix

Figure 1

“Friedrich Wilhelm IV. im ‘Vereinigten Landtag’ “

https://www.sammlungen.hu-berlin.de/objekte/sammlung-von-flugblaettern-und-flugschriften/37568/
“Karikatur über Friedrich Wilhelm IV zur Einführung der Verfassung”

http://www.virtuelles-kupferstichkabinett.de/de/detail-view
“Wie der Kaiser Barbarossa die Hände über dem Kopf zusammenschlägt”
“Die Berliner huldigen dem König Friedrich Wilhelm IV. am 15. Oktober 1840”

https://www.flickr.com/photos/94791180@N06/13779072544
Figure 5

Friedrich Wilhelm IV Karikatur
Bibliography

Secondary Sources


Lecuppre-Desjardin, Elodie. “‘Et le prince respondit de par sa bouche.’ Monarchical Speech
Habits in Late Medieval Europe,” in Mystifying the Monarch: Studies on Discourse, Power, and History, edited by Jeroen Deploige and Gina Deneckere, 55-64. Amsterdam: Amsterdam University Press, 2006.


Primary Sources


