

Carlsbad 1819

Like another Chouannerie

Two visions of national sovereignty: English and Frankish

April 1, 2018 by Nulle Terre Sans Seigneur

The Prussian conservative Hans Hugo von Kleist-Retzow once said that a nation without class divisions is but a mere horde, “like the Huns.”

Echoing the same sensibility earlier, the royalist Armand Francois d’Allonville (1764-1853) strongly rebuked (<https://archive.org/stream/lettredunroyalis00allo>) the promotion of constitutionalist ideas among the right-reformist monarchien faction led by the Baron Malouet: “You are a very wicked man in saying that you must choose between one and two chambers, and in not voting for the three orders.”

The idea of hereditary social orders is very difficult to appreciate, especially in a world characterized by “embourgeoisement” of the working classes into middle class values of representation by national assemblies not stratified in any distinction between corporations, but only in at best procedural distinctions between upper/lower houses of a chamber. The erosion of self-reliance through mutual aid and fraternal organizations and their replacement by social insurance programs managed by administrative agencies has further contributed to the promotion of this faceless “nationhood” as a crowded mass of people equal in rights, but undifferentiated by rank.

Even if we assume equality of rights, though — say, in the imposition of a unified judiciary and civil code granting everyone “equal justice” — the idea of representation by order over representation by head does not lose its meaning. The Prussian three-class franchise system illustrated this, where voting power was differentially multiplied on basis of level of income from property holdings. In order for there to be social solidarity, it is not enough that people interact with each other as social equals. Actually being governed by someone you perceive as an equal leads to insubordination and activist dissent. It’s one thing to banter with a drinking buddy. It’s quite another thing to have to take orders from a drinking buddy.

Even when nobility exists purely as an attachment to the state and not as an independent power per se, such hereditary titular peerages and the rights of being summoned as a representative that may go along with them, have value in embodying a national *lineage*. That is to say, actual *gens* — families whose continuity are associated with the constitutional traditions of the state. A mere *populus* of constantly rotating directly elected officials, in contrast, is arbitrary and by definition impermanent. It is even more

to the point if such peerages carry with them certain customary restrictions, such as a ban from engaging in commerce. In doing so, the potential for resentment by other classes in having to witness the perpetuation of legal inequality (an eternal offense to bourgeois sensibilities) can be offset by the noblesse having to make a public *sacrifice*. But neither should class resentment be appeased too much to begin with.

On the other hand, a major problem with such an estate-based vision is that by and large the ownership of property in modern society does not convey power by itself. Both the working classes and the professional classes alike, the latter including nurses, doctors, lawyers, social workers, etc. have this antiquated notion floating in their minds that we are still being governed by some sort of equivalent to a landed gentry. Whether it's the archetype of the globalist NGO-affiliated banker on one axis, or that of the reactionary corporate executive who wants to dismantle democracy, public regulations, and implement military-colonial social Darwinist rule on the other (this appears to be how most progressives think of power in modern society; they still associate it with Cecil Rhodes type of figures) — the propertyless do not like the propertied, even when the reasoning behind this hostility is long outdated.

It is true that people have more material conveniences than ever. In aggregate terms, their real-wage income — that is to say, the ratio of money wages to commodity prices — has probably never been higher, for the simple reason that even if the prices of commodity and services aren't going down, there's a wider variety of commodities and services than ever. All of this consumer convenience comes with virtually no social power. Marriage, detached from clerical control and canon law, and reduced to a mere state bond entitling the signatories to a bunch of tax breaks or whatever, no longer even carries the nominal commitment to indissolubility due to the advent of no-fault divorce. People have no need to aid each other through credit unions, lodges, friendly societies, etc. when they can make use of welfare benefits. Town hall meetings mean next to nothing. Communities no longer do so much as raise funds for a turnpike; these are liabilities of someone else. Compulsory schooling is a major obstacle to raising children in the faith.

If it was once accepted that all nations, no matter how pure in stock, required internal boundaries for their healthy flourishing, these are all regarded as unjust privileges today. This is something that must be taken as a given.

Regardless, some form of gentry was considered indispensable, and not even industrialization could kill it off invariably (as in the "rye and iron coalition" in the Kaiserreich). The monarchien Nicolas Bergasse, in his *Essai sur la propriete* (1821), stated that "In the system of real property, it is less a matter of acquiring than of preserving." Echoing the vein of property and power, the Prussian conservative Johann Friedrich Ancillon believed that "It is sovereignty that makes a cluster of men a true nation, and not the nation that creates sovereignty."

It was actually this last point that summarized the bulk of the disagreement between d'Allonville and Malouet on national sovereignty and the constitution of France.

"The order of things which the nobility maintained was only attacked by an antisocial faction," d'Allonville maintained. "A constitution could not be happily reformed and modified except with information provided by the same constitution." This constitution, he said, existed even in the forests of Germany as described by Caesar and Tacitus, with a section of "les grands" holding preeminence over all freemen, and in the differential wergilds apportioned by rank as seen in the Salic and Ripuarian laws.

Most bluntly:

In a State where political equality is broken by the existence of a hereditary noble corps, the changes which this body achieves may have the effect of invalidating the vanity of the inferior class; to discourage, humiliate, enervate some, and thus to exalt pride, ambition, tyranny in others; but an order of men, equally free of one and the other, and recruiting indifferently from both, forms the first degree of social hierarchy; this order, attached by principle, by duty, even by interest to the maintenance of religion, and public morality, united by an indelible link to all the classes of the state. The existence of this order gives to the lowest class of the State a clear way to rise to the level of its virtues and talents, to rush beyond an order superior to them in which the noble man will make it a necessity that the plebeian will have the opportunity to improve himself. The latter will see his soul grow and retain all dignity.

In the absence of such a hereditary noble corps, it is said that “patriotism” will be made a word of infinite ambition and tyranny.

In the end, d’Allonville maintains his fidelity to Louis XVI’s Declaration of June 23, 1789 (<http://chnm.gmu.edu/revolution/d/303/>), maintaining that “the ancient distinction of the three orders of the state be preserved in its entirety, as essentially linked to the constitution of his Kingdom; that the deputies, freely elected by each of the three orders, forming three chambers, deliberating by order, and being able, with the approval of the sovereign, to agree to deliberate in common, can alone be considered as forming the body of the representatives of the nation.” Moreover: “The especial consent of the clergy will be necessary for all provisions which could interest religion, ecclesiastical discipline, the régime of the orders and secular and regular bodies.”

The baron Malouet, in contrast (https://archive.org/stream/projetdeconstitu00malo_0/), held in his constitutional project that “the French Nation is eminently free and independent of all authority, tributes, laws and statutes that it would not confess in the future.” He also granted nearly complete religious toleration, held to a meritocracy regardless of rank and condition, that there should be full fiscal equality, that the National Assembly should not be based on estates of the realm, but on bicameralism — even ecclesiastical clerics going in the House of Commons. The provincial states “may not render in their name any Ordinance as regards the revenues and expenses of the province,” moreover there will be a new unified national code, civil and criminal, a proposal predating the eventual establishment of the Code Napoleon and that presumably would have superseded any remnants of the *droit coutume*, even possibly the Coutumes de Paris.

“The Provincial States, the Municipalities and their Delegates will be obliged to report regularly to the Commissaries of His Majesty, all the details of their administration, and if there is negligence or abuse, the said King’s Commissaries shall have an extraordinary affiliation in the provincial states or the city councils, in order to know and remedy them.”

The section dealing with the executive branch proceeds to supply the roots of an administrative law system, perfecting that of Colbertisme. All venal offices are abolished. Majoritarianism in constitutional changes would have been enacted: “There can be no change to the Constitution except at the request of half of the Kingdom’s provincial states.”

Napoleon would ultimately enact a similar project which would end up sticking, and the Bourbons, as part of the Treaty of Paris (1814) imposed by the occupying Allied forces after the fall of Napoleon, were de facto nudged into adopting a constitution of some form. Louis XVIII thus enacted the Declaration of Saint-Ouen which maintained bicameralism, the Code Napoleon and the Legion of Honor, later evolving

into the Charter of 1814. Even after the withdrawal of Allied forces from France by the terms of the Congress of Aix-la-Chapelle in 1818, the liberal opposition in parliamentary politics prevented the consolidation of a lasting ultra-royalist front.

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One thought on “Two visions of national sovereignty: English and Frankish”

1. Vladimir says:

[April 3, 2018 at 2:41 am](#)

I don't get it — what is supposed to be the “English vs. Frankish” contrast here?

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