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(Review) Wolfgang Burgdorf, Reichskonstitution und Nation

Marc R. Forster

Connecticut College, mrfor@conncoll.edu

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Reichskonstitution und Nation: Verfassungsreformprojekte für das Heilige Römische Reich Deutscher Nation im politischen Schrifttum von 1648 bis 1806. By *Wolfgang Burgdorf*. Veröffentlichungen des Instituts für Europäische Geschichte Mainz, Abteilung Universalgeschichte, volume 173. Edited by *Karl Otmair Freiherr von Aretin* et al. Mainz: Verlag Philipp von Zabern, 1998. Pp. x + 578. DM 98.

Wolfgang Burgdorf's study of the myriad constitutional reform projects written and published in the Holy Roman Empire between the Thirty Years' War and the dissolution of the Empire in 1806 is an important contribution to the ongoing rehabilitation of the Old Reich. The Empire was once disparaged by historians, especially Prussian/German scholars of the "Borussian school," as archaic and antimodern, weak and inefficient, and especially as a hindrance to the development of the modern nation-state. Since the Second World War, historians in Germany and in the English-speaking world have increasingly presented a more positive image of the Old Reich. In this view, the Empire's carefully balanced constitutional system helped contain social and religious conflict after 1648 and allowed a diversity of political entities to survive in Germany, many of which were more congenial for their inhabitants than the "modern" absolutist monarchies elsewhere in Europe.

Burgdorf analyzes over five hundred constitutional reform projects. The steady production of such writings demonstrates that German intellectuals were engaged in a lively political and constitutional debate long before the French Revolution. Burgdorf further argues that the constitutional ideas developed and debated in the eighteenth century informed a wide range of nineteenth-century political debates. Indeed, Burgdorf identifies an "Imperial constitutional patriotism" (*Reichverfassungspatriotismus*) that prefigures the widely discussed "constitutional patriotism" of the postwar Federal Republic.

These reform proposals were written by professors and administrators, many of them jurists, and the majority of them Protestants. The authors were frequently employed in imperial service, often in the Imperial Chamber Court in Wetzlar or in the Imperial Aulic Court in Vienna. Burgdorf emphasizes that their writings rarely promoted the destruction of the Empire. Indeed, by advocating constitutional reform these writers contributed to the stability of the Empire and demonstrated their basic support for the existing political system.

None of the reform proposals were ever implemented, and many of them were primarily polemical. Burgdorf links the plans—which ranged from proposals to enhance the power of the Habsburg Emperors, to plans to turn the Reich into a federation of independent states, to discussions of the dissolution of the Empire entirely—with political and military conflicts. The imperial election of 1740, which led to the only election of a non-Habsburg Emperor in this period, led to a political crisis in Germany and caused a flood of reform proposals. In the mid-eighteenth century, conflicts between Austria and Prussia led to clashing reform proposals, with Austrian supporters advocating a stronger Reich and Prussians proposing its dissolution. In the later eighteenth century, several elections caused reformers to propose converting the traditional Electoral Capitulations (*Wahlkapitulationen*) signed by emperors into a written constitution. Burgdorf consistently examines constitutional reform in the context of political developments within Germany, yet he somewhat paradoxically also argues that the greatest political event of the eighteenth century, the French Revolution, was relatively unimportant to constitutional reformers.

Burgdorf also downplays the influence of constitutional reform on the development

of the Enlightenment in Germany. Reformers were certainly immersed in the writings of the philosophes, particularly Montesquieu, and cited them regularly. In this tradition, some proposals even envisaged the Empire as a legitimate context for the liberation of the middle class and creation of a nation-state. Burgdorf argues, however, such proposals did not have broad influence. Debates over constitutional reform did not lead in Germany, as they did in France and England, to the formation of public opinion, in the sense of a political culture oriented toward a broad-based debate and discussion of political affairs. Instead, the debates took place among a fairly small group of writers in what Burgdorf calls an “intergovernmental discourse.” Thus discussions of these projects, no matter how lively, did not contribute to the formation of Jürgen Habermas’s bourgeois public sphere, nor did they contribute to the creation of opposition to the existing political system.

Burgdorf’s study focuses on the later eighteenth century, a time when events seemed to be passing the Old Reich by and the chances of revolution were greater than the possibility of substantial constitutional reform. At one level it is stunning to read Burgdorf’s presentation of the huge number of reform proposals produced in the 1780s and 1790s. At the same time, one gets an increasing sense of the unrealistic and theoretical nature of much of this discourse. Perhaps Burgdorf overstates what we can learn from these works, and imperial reform projects may not be the place to find important and influential discussions in the later eighteenth century. The relative unimportance of the Enlightenment and the French Revolution might be explained by the fact that German intellectuals were discussing them in other places and contexts. Ultimately, this study illuminates one aspect of political culture in the Old Reich, an aspect that was diminishing in importance as the eighteenth century progressed.

Reichskonstitution und Nation does an important service in demonstrating that modern German constitutional history did not begin with the French Revolution and Napoleon. German intellectuals were engaged with constitutional issues and political reform throughout the early modern period. The ideas they developed and some of their proposals influenced later constitutional debates. Burgdorf reminds us again that during the century and a half after the Peace of Westfalia, many Germans, in the middle class as well as in the aristocracy, considered the Holy Roman Empire a political system that was worth saving.

MARC R. FORSTER

Connecticut College

Lebensläufe, Familien, Höfe: Die Bauern und Heuerleute des Osnabrückischen

Kirchspiels Belm in protoindustrieller Zeit, 1650–1860. By Jürgen

Schlumbohm. Veröffentlichungen des Max-Planck-Instituts für Geschichte, volume 110.

Göttingen: Vandenhoeck & Ruprecht, 1994. Pp. 690. DM 142.

This is a major work of scholarship that reflects many years of extensive archival research. Although its origins are to be found within the framework of the original debate on the nature and significance of protoindustrialization, the scope of Jürgen Schlumbohm’s study is ultimately more wide-ranging. Indeed, by emphasizing the importance of microhistories and historical anthropology its primary emphasis is on the “social practice” of individuals: family structure was essentially flexible, and individual strategies, whether in relation to marriage, inheritance, or employment, can