

Grand Duke Ludwig I of Hesse-Darmstadt, Edict on the “Abolition of the Previous Estates-System” (October 1, 1806)

Abstract

In the aftermath of the dissolution of the Holy Roman Empire, many surviving territorial principalities acted on the absolutist or state-centralizing impulse to abolish centuries-old representation of provincial elites in assemblies of the estates [*Landstände*]. Here, the ruler of Hesse-Darmstadt, with his chief minister Lehmann’s co-signature, dissolved the “estates-constitution” on the grounds that it hindered “national spirit and national well-being.”

Source

Due to the state-related changes in Germany in recent years, We have now have several states and possessions that differ considerably, both from Our previous territories and among themselves, in their constitution and form of government. Experience, however, has shown Us that We are not able to promote Our loyal subjects’ happiness to the extent that it is Our duty and Our most fervent wish, unless all of Our territories are harmonized in their constitution, given equal treatment in terms of their rights, and governed according to the same standards; unless relations of the sovereign to the subjects and those of the subjects to the sovereign are the same throughout. Nothing, however, is more of a barrier to this harmonization of the constitution, which alone can establish a national spirit and national welfare on a permanent basis, than the corporatistic representation that previously existed in one part of Our state and was diverse even in the different provinces. This is so because that representation was an obstacle to the intended equal treatment of all of Our loyal subjects, hindered Us quite frequently in carrying out the most beneficial administrative improvements, is associated with enormous expenses, and in today’s changed circumstances no longer meets the purpose that the corporatistic constitution may have served originally.

Guided by these reflections, experiences, and reasons, We have most graciously made the decision to abolish and dissolve herewith the provincial estates in all of Our provinces on Our own absolute authority, transferring the affairs managed by the former to Our State Colleges, to which, according to the duties placed on them, the best interest of the country is no less sacred than to the estates. We hope, by this uniformity introduced into the constitution of Our territories, to find Ourselves in a position to work more actively and effectively toward the welfare of Our beloved subjects.

To ensure, however, that upon dissolution of the corporatistic association, those who have advanced funds toward estates-related loans or loans guaranteed by the estates have no cause for disconcerting worries, We declare most solemnly and give Our sovereign promise that all obligations of the provincial estates or guaranteed by the provincial estates will still be left allotted with and mortgaged by the state and that the most punctual care shall be taken to adjust the interest payable from this as before prior to all the other payments, and that the assets payable or foreclosed in due form be discharged according to previously existing standards.

Source: *Archiv der großherzoglich hessischen Gesetze und Verordnungen*, edited under the

supervision of the ministries. Vol. 1, No. 4. Darmstadt, 1834. p. 19f; reprinted in Walter Demel and Uwe Puschner, eds. *Von der Französischen Revolution bis zum Wiener Kongreß 1789–1815*, Deutsche Geschichte in Quellen und Darstellung, edited by Rainer A. Müller, vol. 6. Stuttgart: P. Reclam, 1995, pp. 112–14.

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