

# Patterns of (Extra)Ordinary Repression: The “Political” State of Siege in France, Italy, Germany, and their Colonial Empires, c. 1790–1900

Amerigo Caruso

University of Bonn

In 1907, two officers of the German General Staff’s Military History Department carried out an extensive study of the army’s interventions to crush revolutionary upheavals in “insurgent cities.”<sup>1</sup> The aim of their work was to support the development of strategic plans for military involvement in the policing of popular protests. Their study was commissioned in early 1906, when German authorities feared that the one-year anniversary of the 1905 Russian Revolution might lead to major disturbances. Although no military intervention was required, the army was put on high alert, and staff officers recognized that the military was not adequately prepared to intervene in the policing of popular protest.<sup>2</sup> In France and Italy, by contrast, military involvement in the policing of strikes and mass demonstrations was more frequent than in the

<sup>1</sup> The work circulated under the title “Der Kampf in insurgierten Städten” [Fighting in Insurgent Cities], MK 2497, no. 39, Abteilung Kriegsarchiv, Bayerisches Hauptstaatsarchiv, Munich, hereafter BayHStA.

<sup>2</sup> See James Retallack, *Red Saxony: Election Battles and the Spectre of Democracy in Germany, 1860–1918* (Oxford, UK, 2017), 401; Wilhelm Deist, *Militär und Innenpolitik im Weltkrieg 1914–1918* (Düsseldorf, 1970), xxxiv.

**3** Anja Johansen, *Soldiers as Police: The French and Prussian Armies and the Policing of Popular Protest, 1889–1914* (Aldershot, UK, 2005).

**4** BayHStA, MK 2497, no. 39, 8.

**5** On the role of the army in the French civil war of 1871 see Robert Tombs, *The War Against Paris 1871* (Cambridge, UK, 1981).

Kaiserreich.<sup>3</sup> German staff officers therefore realized that in this particular field they might learn from the example of their European neighbors. After several months of research, they identified nine case studies of “insurgent cities” that they considered particularly instructive. These cases spanned a long period of time from the July Revolution of 1830 to the Moscow uprising of 1905. The view taken in the study was that the Paris Commune of 1871 and the Milan riot of 1898, in particular, might provide detailed information on “what a socialist-anarchist uprising might look like today.”<sup>4</sup>

What German staff officers saw as “exemplary for future cases” was that in both Paris and Milan the state of siege was promptly imposed, and the military commanders – Patrice de MacMahon and Fiorenzo Bava Beccaris – were given almost unlimited powers. Once the cities were placed under a state of siege, the commanders took a series of measures that would not have been possible in normal times. However, the army’s intervention in northern Italy was seen as a better model than the “war against Paris” – not only because the events were much more recent but especially because the Milan riot was immediately suppressed. By contrast, in the French capital the Commune had lasted a little over two months, and a weeklong battle fought with extreme violence was needed to recapture the city (the “Bloody Week”).<sup>5</sup>

There was another reason why German officers saw the emergency regime in Milan as exemplary (in a positive sense), and this was because the state of siege in Italy’s economic capital pursued a more far-reaching goal than merely crushing the riot. With the agreement of the central government in Rome, Bava Beccaris, the military commander, used the risk of a new upheaval as a pretext to prolong the state of siege for months beyond the suppression of the unrest. In this period of extraordinary-ordinary repression, emergency provisions gave the army powers to dismantle socialist and anarchist networks as well as workers’ associations and democratic clubs. The German staff officers were impressed by the resolute way

in which “inflammatory newspapers were shut down, journalists and socialist party leaders imprisoned, and enemy [i.e., left-wing] organizations banned.”<sup>6</sup> All this was legal under a state of siege. The General Staff’s report drew a clear conclusion: a state of siege was the most effective way to crush revolutionary uprisings and to prevent future threats by dismantling “enemy organizations.”

In this article, I will explore the implementations and conceptions of the state of siege in European nation-states and colonial empires. The first section provides a brief introduction on the importance of pre-1914 states of emergency, which has been largely underestimated because of the impact of Carl Schmitt’s theoretical writings. Schmitt’s views on emergency power, emerging as they did during and after the First World War, wrongly suggested that comprehensive states of exception were specific to the post-1914 era. The second section examines the rise of the state of siege in the 1790s, with a focus on the transnational dissemination of emergency legislation and its deployment in France, Europe, and the colonies. The third section sheds light on the widespread use of the state of siege in 1848–49. In this period, modern emergency politics developed a twofold aim: to crush the current revolutionary upheavals and, in the longer-term, also to dismantle the democratic reforms of the early months of the revolution.<sup>7</sup> After 1848, the suspension of civil and political rights during states of emergency emerged as a widespread strategy to make way for the authoritarian “regeneration” of European states and reaffirm the political exclusion of the working class. This was particularly the case in France and Germany, where the radical wing of the heterogeneous revolutionary movement was tied to the early labor movement. The fourth and final section moves forward in time to analyze the use and abuse of emergency legislation in the decades between the Paris Commune of 1871 and the outbreak of the First World War in 1914. In this section, I will explore debates on the state of siege with a special focus on Italy in the 1890s, where emergencies were commonplace and the state of siege almost permanent.

<sup>6</sup> BayHStA, MK 2497, no. 39, 9.

<sup>7</sup> In some cases, counter-revolutionary efforts to crush revolutionary upheavals and to dismantle liberal reforms were separate, whereas in other cases they followed one another in sequence. On European counter-revolutionaries and “the inestimable advantage of being able to set the timing of the own interventions” see, among others, Christopher Clark, *Revolutionary Spring: Fighting for a New World, 1848–1849* (London, 2023), 583.

**8** See, for example, Hans Boldt, "Ausnahmezustand: *necessita publica*, Belagerungszustand, Kriegszustand, Staatsnotstand, Staatsnotrecht," in *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, ed. Otto Brunner (Stuttgart, 1972), vol. 1, 343–376.

**9** Carl Schmitt, *Theory of the Partisan: Intermediate Commentary on the Concept of the Political*, trans. G. L. Ulmen (New York, 2007), 95.

## I.

Conceptions and implementations of the state of siege went hand in hand with the development of state power and constitutional reform in nineteenth-century Europe. In France, Germany, and Italy, emergency legislation played an increasingly important role after the revolutionary waves of 1789 and 1848, when the idea prevailed that emergency powers were necessary to prevent new civil and political rights from being "misused" to agitate against the state. Indeed, during a state of emergency, the contradictions of democratization became visible. The idea that revolutionary movements and "terrorists" might use the freedoms guaranteed by liberal states to jeopardize the social and political order was also the main justification for emergency regimes after 1914 – in Weimar Germany, then during France's wars of decolonization in the late 1950s, and during the re-emergence of political violence in Western Europe in the 1970s. In these times of turmoil claims of necessity and emergency became a crucial part of political discourse.

"States of emergency" in the twentieth century, however, have been regarded as fundamentally different from pre-1914 "states of siege," which have been described as technical-administrative measures with limited use and without any great impact on political debate.<sup>8</sup> This assumption of fundamental discontinuity between states of emergency in the pre- and post-war periods can be traced back to the influential writings of Carl Schmitt. He made this argument very clear in the conclusion of his book *Theory of the Partisan*, insisting that "real enmity arose only out of the war [World War I], when a conventional state war of European international law began, and ended with a global civil war of revolutionary class enmity."<sup>9</sup> In Schmitt's view, states of siege in nineteenth-century Europe were aimed at overcoming specific revolutionary crises and restoring the status quo. In the mass society of the twentieth century, by contrast, Schmitt saw liberal regimes as permanently threatened. Thus, in his opinion, emergencies became commonplace and could not be

circumscribed. He stressed the weaknesses of legal liberalism and argued that emergency powers should be liberated from “obsolete legalistic (and especially liberal) ideals.”<sup>10</sup>

In the crisis-ridden 1920s, Schmitt radicalized his anti-parliamentary ideas and advocated a metaphysical, anti-positivist concept of order.<sup>11</sup> He emphasized the need for a broader conception of emergency powers – the “state of exception” (*Ausnahmezustand*) – whose goal was not to restore the status quo, but to overcome the liberal state’s supposedly permanent, existential vulnerability. The state of exception was thus conceived as a situation of “regeneration,” i.e. an authoritarian transformation of parliamentary democracy.<sup>12</sup> However, Schmitt’s notion of a fundamental discontinuity between pre- and post-1914 states of emergency overlooks the fact that nineteenth-century states of siege had comprehensive effects via the military repression of revolutionary upheavals and often moved the political system in the direction of an authoritarian polity.

After 1945, when Schmitt became a (nonetheless still-influential) *persona non grata* because of his collaboration with the Nazi regime, historians focused mainly on the unprecedented intensification of emergency powers during World War I and the constitutional mechanisms for emergency powers included in Article 48 of the Weimar constitution.<sup>13</sup> The fact that already in the nineteenth century a not insignificant number of European cities and regions, as well as colonial territories, had undergone “political” states of siege for months and even years was often overlooked.<sup>14</sup> For the same reason that we still do not have a systematic study of the nineteenth century’s emergency politics, we don’t have reliable answers to the question of whether and to what extent the state of siege was fundamentally different from states of emergency in the

**10** William E. Scheuerman, “States of Emergency,” in *The Oxford Handbook of Carl Schmitt*, ed. Jens Meierhenrich and Oliver Simons (Oxford, 2013), 547–569, here 548.

**11** Péter Techet, “Zweck und Wesen des Ausnahmezustandes in den Lehren von Carl Schmitt und Hans Kelsen,” *Zeitschrift für öffentliches Recht* 77 (2022): 271–314.

**12** The myth of the regenerated nation played a crucial role in fascist ideology. See, for example, Emilio Gentile, “The Myth of National Regeneration in Italy: From Modernist Avant-Garde to Fascism,” in *Fascist Visions: Art and Ideology in France and Italy*, ed. Matthew Affron and Mark Antliff (Princeton, NJ, 1997), 25–45.

**13** For an overview of the use and abuse of exceptional powers in the late Wilhelmine and early Weimar period, see Martin H. Geyer, “Grenzüberschreitungen: Vom Belagerungszustand zum Ausnahmezustand,” in *Erster Weltkrieg: Kulturwissenschaftliches Handbuch*, ed. Stefan Kaufmann (Stuttgart, 2014), 341–384.

**14** On the spread of dictatorships in the “long” nineteenth century, which often went hand

in hand with the political state of siege, see Moisés Prieto, ed., *Narratives of Dictatorship in the Age*

*of Revolution: Emotions, Power and Legitimacy in the Atlantic Space* (London, 2022).

**15** There are some similarities between early modern extraordinary repressive measures, such as lese majesty or the *dragonnades*, and modern emergency provisions. On means of repression and police forces available in eighteenth-century France see Iain A. Cameron, *Crime and Repression in the Auvergne and the Guyenne, 1720–1790* (Cambridge, UK, 1981). On martial law and lese majesty see Ralph E. Giesey, “Cardin Le Bret and Lese Majesty,” *Law and History Review* 4 (1986): 23–54 and John M. Collins, *Martial Law and English Laws, c. 1500–c. 1700* (Cambridge, UK, 2016).

**16** On the Champ de Mars events see David Andress, *Massacre at the Champ de Mars: Popular Dissent and Political Culture in the French Revolution* (Woodbridge, UK, 2013).

**17** Howard G. Brown, *Ending the French Revolution: Violence, Justice, and Repression from the Terror to Napoleon* (Charlottesville, VA, 2006), 200.

post-1914 era. In this article, I will put forward the thesis that the nineteenth century’s states of siege should be regarded as important antecedents for the expansion of emergency powers during the First World War and in the interwar period.

## II.

After the escalation of urban and rural violence in late 1789, the French National Assembly issued a decree authorizing authorities to declare martial law. In Old Regime France there had been no modern emergency legislation; the provision was heavily inspired by the British Riot Act of 1715.<sup>15</sup> Martial law was declared in Paris to brutally repress a republican crowd protesting against the proclamation of the constitutional monarchy at the Champ de Mars on July 17, 1791.<sup>16</sup> After this episode the Jacobins condemned martial law as a relic of the Old Regime and, when they came to power, the National Convention promptly abolished the 1789 law.<sup>17</sup> However, the Jacobins had to deal with widespread anti-revolutionary insurgencies in western and southern France and therefore needed a new legal framework for emergency politics. This paved the way for a reevaluation and reinvention of the state of siege, which was originally a purely military measure but now emerged as the new foundation for modern emergency regimes after the abolition of martial law in 1793. To distinguish the new conception of state of siege from its military predecessor, contemporaries used the notion “political state of siege” (*état de siège politique*).<sup>18</sup>

The state of siege sanctioned the suspension, or limitation, of constitutional rights and the use of the army for domes-

**18** In Old Regime France, the state of siege was proclaimed in only two occasions against popular protest: during the wine-growers riot of 1630 in Dijon and the “Flour War”

in 1775. For a brief overview of emergency legislation in France since the eighteenth century, see Sébastien Le Gal, “Réprimer les ‘villes en ébullition’: Le recours aux législations

d’exception en France (XVIIIe-XXe siècle),” in *La ville en ébullition: Sociétés urbaines à l’épreuve*, ed. Pierre Bergel and Vincent Milliot (Rennes, 2014), 241–267.

tic repression. It was, however, the result of a twisted logic. As Howard G. Brown has pointed out, extraordinary envoys of the Convention sent to supervise the siege of “federalist” strongholds such as Lyon, Marseilles, Toulon, and Bordeaux declared the state of siege only after the cities had been occupied by the revolutionary government, i.e. when the military siege had ended.<sup>19</sup> The state of siege thus had a clear political aim: to allow arbitrary repression by suspending constitutional freedoms. After its first implementations against “federalist” cities, the use of this emergency mechanism became widespread. The semi-official newspaper of revolutionary France, the *Gazette nationale*, reported 85 declarations of “political” states of siege between 1793 and 1799. Some places remained under siege for months and even years – Marseille, for example, for almost seven years until 1800.<sup>20</sup>

After widespread deployment in western France and the Midi, the political state of siege was exported to those European countries that were occupied by French troops and to France’s colonies. The rise of a legal framework for modern states of emergency was part of the broader process of the expansion of law within modern constitutional states. However, emergency legislation was not immediately transferred to the colonies, where states of exception remained mostly unlimited and arbitrary.<sup>21</sup> Even if a formal declaration of a state of siege in the colonies was secured – as happened several times in Guadeloupe, Martinique, and Saint-Domingue between 1801 and 1803 – French politicians and colonial officers generally operated in the framework of an undeclared, *de facto* state of emergency in the colonies even without such formal sanction. They justified this with the argument that the colonies were exceptional territories that could only be governed in a permanent state of exception. French officers serving in the Caribbean colonies around 1800, for example, considered the islands to be in an endemic state of emergency – a situation which they described as a “moral state of siege” (*état de siège moral*).<sup>22</sup> Alexis de Tocqueville made a similar argument after his first trip to Algeria in 1841, when he argued that French

**19** Brown, *Ending the French Revolution*, 201. The federalist revolt (1793) was a series of uprisings against the Jacobin government and the increasing centralization of power in Paris. See Alan Forrest, *The Revolution in Provincial France: Aquitaine, 1789–1799* (Oxford, UK, 1996), chap. 7.

**20** Stephen Clay, “La question de l’ordre public et la politique de l’état de siège pendant le Directoire à Marseille,” in *La République directoriale*, ed. Philippe Bourdin and Bernard Gainot (Clermont-Ferrand, 1998), vol. 2, 861–883.

**21** For a comprehensive discussion of the problem of emergency in the colonies see Nasser Hussain, *The Jurisprudence of Emergency: Colonialism and the Rule of Law* (Ann Arbor, MI, 2019). On the “emergency mentality,” which was a constitutive feature of European colonialism, see, among other work, Fabian Klose, *Human Rights in the Shadow of Colonial Violence: The Wars of Independence in Kenya and Algeria* (Philadelphia, 2013).

**22** Captain General of Martinique Villaret-Joyeuse to Colonial Prefect Laussat, March 16, 1806, COL C8A 112 F° 136, Archives Nationales d’Outre Mer, Aix-en-Provence, France.

**23** See Margaret Kohn, "Empire's Law: Alexis de Tocqueville on Colonialism and the State of Exception," *Canadian Journal of Political Science/Revue Canadienne de Science Politique* 41 (2008): 255–278.

**24** Jennifer E. Sessions, "Colonizing Revolutionary Politics: Algeria and the French Revolution of 1848," *French Politics, Culture & Society* 33 (2015): 75–100.

**25** *Neue Rheinische Zeitung*, July 2, 1848, 2.

rule in North Africa was an "exceptional regime" (*régime d'exception*).<sup>23</sup> He criticized the military government and the state of exception when it concerned European settlers, but saw emergency power as necessary and extreme violence as justified when directed against colonial subjects. The long-term deployment of states of siege in cities such as Lyon and Marseilles, and the informally declared exceptional regimes in the colonies, are the first examples of modern states of exception that could not easily be temporally and geographically circumscribed and were often metaphysically justified (e.g., the "moral state of siege" in Martinique).

From a transnational perspective it is also noteworthy that the justification for repressive violence and the use of emergency power in Europe and the colonies became increasingly interwoven. This became clear in 1848 when experiences of colonial wars and "barbarism" stereotypes played a key role in the fight against radicals in Paris.<sup>24</sup> Karl Marx's *Neue Rheinische Zeitung* described General Louis-Eugène Cavaignac's counter-insurgency operation in Paris as "Algerian barbarism" and argued that the French "dictator" had transferred the methods of colonial warfare from the periphery back to the imperial center.<sup>25</sup> As we will discover in the next section, the repression of the "June Days" uprising and the proclamation of the state of siege in Paris became symbolic of new emergency politics and mentalities.

### III.

The theory and practice of modern states of emergency had already expanded from revolutionary France to its colonies and to French-controlled Italian and German provinces during the 1790s. However, it was only after 1848 that the term "state of siege" became a widespread concept in political discussion. In 1849, the historian Jouffroy d'Échavannes wrote an article for a French colonial review describing the current situation in Europe as "A quarter of France is placed under a state of siege; almost all of Prussia, including the Rhine



provinces, is ruled through the state of siege; the Bavarian Palatinate, the Grand Duchy of Baden, and the Kingdom of Saxony are under siege; almost all of Austria . . . Lombardy, and Venice are under siege.”<sup>26</sup> Emergency politics were directed against the most radical wing of the revolutionary movement, which was partly inspired by socialist ideas. This early labor movement was restricted to France and Germany, where organizations of artisans and workers were “the most significant form of association outside the political clubs.”<sup>27</sup> Paris workers, for example, were convinced that 1848 was to be their revolution and the enfranchisement of the working class would inevitably lead to social change.<sup>28</sup>

In the German Confederation the state of siege was initially imposed without a legal basis. This arbitrary use of a “French invention,” as the left-wing member of the National Assembly Carl Vogt put it, was particularly controversial in Prussia, where almost all the major cities (Berlin, Cologne, Düsseldorf, Erfurt, Poznań, Wrocław) underwent a state of siege.<sup>29</sup> Under the rule of General Friedrich von Wrangler in Berlin, the National Assembly was dissolved, and the liberal-democratic order that emerged after the March Revolution largely disappeared. After eight months of enduring the political state of siege the democratic wing of the revolutionary movement was crushed. Moreover, the entire state and its political life were “regenerated” according to a conservative agenda. In 1849, after widespread deployment of the state of siege, Prussia, Baden, and other German states finally adopted a legal framework for emergency politics based on the French model.

In a speech to the Prussian parliament on March 21, 1849 – two months before the government issued a decree that formally regulated the state of siege – the liberal jurist Alexander Grebel addressed three crucial problems of emergency powers: the definition of exceptional circumstances, the question of sovereignty (who decides on the state of exception?), and the abuse of emergency powers. According to Grebel, the

<sup>26</sup> *Revue de l’Orient de l’Algérie et des colonies* 6 (1849), 185.

<sup>27</sup> Jonathan Sperber, *The European Revolutions, 1848–1851* (Cambridge, UK, 1994), 180.

<sup>28</sup> Roger V. Gould, *Insurgent Identities: Class, Community, and Protest in Paris from 1848 to the Commune* (Chicago, 1995), 33.

<sup>29</sup> *Stenographischer Bericht über die Verhandlungen der deutschen constituirenden Nationalversammlung zu Frankfurt am Main* (Frankfurt, 1849), vol. 7, 5005.

**30** *Stenographische Berichte über die Verhandlungen der Zweiten Kammer: 26. Februar bis 27. April* (Berlin, 1849), 211.

**31** *Ibid.*, 221.

**32** *Ibid.*, 663.

**33** *Ibid.*, 668.

**34** Sperber, *The European Revolutions*, 180.

proclamation of the state of siege in Berlin on November 12, 1848, was not only illegal but groundless, because political life and public demonstrations at the time had been largely peaceful and did not pose an acute threat to internal security. Grebel argued that the Prussian government had created “a rich fantasy painting . . . adorned with a red republic, with poison, dagger, murder and fire” to justify emergency politics.<sup>30</sup> The goal of the state of siege in Berlin was indeed twofold: to fight against an imagined “red republic,” and to reverse the democratic reforms implemented in the early months of the revolution.

Grebel and the liberal-conservative Georg von Vincke both criticized the government for having proclaimed and extended the state of siege without consulting the Assembly.<sup>31</sup> On April 26, 1849, Minister of the Interior Otto Theodor von Manteuffel therefore appeared before Parliament and justified the continuation of the state of siege with the argument that groups of radical workers were planning an armed uprising against the army. He quoted police informers who reported that workers were determined to defend the revolution “to the last drop of their blood” and “to burn down at least 1,000 houses and, if necessary, the whole of Berlin.”<sup>32</sup> Manteuffel also referred to the arrest in March 1849 of a shoemaker, accused of being the leader of a secret organization with about 100 members, which had allegedly hatched a republican conspiracy. He stressed that weapons and explosives were found in the worker’s apartment and even showed one of the hand grenades to Parliament during his speech.<sup>33</sup>

During the second wave of European revolutions following the summer of 1848 the labor movement became more closely tied to political organizations.<sup>34</sup> Karl Marx’s *Neue Rheinische Zeitung* fiercely opposed the use of the state of siege, especially after it was deployed in Cologne, where the newspaper was based. The immediate reason for the imposition of the state of siege there was that in the early morning of September 25, 1848, members of the local workers’ association had

eluded arrest and several barricades had been erected around the central market square. Cologne was the most important city in the Prussian western provinces and a crucial center of political and journalistic activity. After the proclamation of the state of siege, Marx's newspaper and the journal of the workers' association were banned for one week. When the ban was lifted, Marx reflected in his articles on the importance for repressive authorities of states of siege, which he described as the new "universal remedy" (*Universalmittel*) for restoring law and order.<sup>35</sup> He also noted the transnational expansion of emergency measures and pointed out that "the state of siege, like the revolution, has made the tour around the world."<sup>36</sup> In Marx's view, the French general Cavaignac was the "inventor of the state of siege."<sup>37</sup> He argued that the Prussian authorities had imported this emergency provision to Germany after observing how effective it had been in Paris during the June Days uprising, when Cavaignac had been given extensive powers.<sup>38</sup> Friedrich Engels, who was co-editor of the *Neue Rheinische Zeitung*, was particularly interested in the Paris state of siege and stressed that this emergency mechanism had a short-term repressive character and long-term "regenerative" effects. In an article published on October 19, 1848, he sarcastically remarked that the state of siege served as a "school for the nation" and had transformed the French Republic into an "honest, tame, artful, and temperate state."<sup>39</sup>

Internal reports of the Prussian administration also conceived the state of emergency as a reeducation experiment. For example, a police report prepared for the district president in Düsseldorf, where a state of siege was declared twice (in late 1848 and in May 1849), stated that emergency provisions had brought about "a favorable change in the mood of all citizens."<sup>40</sup> The report emphasized that emergency regimes were effective in creating a divide between the liberal bourgeoisie and the working class: in a state of emergency, the "well-intentioned elements" (*Gutgesinnten*) in the liberal

**35** Jürgen Herres and François Melis, eds., *Marx-Engels-Gesamtausgabe: Werke, Artikel, Entwürfe, Oktober 1848 bis Februar 1849* (Berlin, 2020), vol. 8, 846.

**36** *Ibid.*, 8:4.

**37** *Ibid.*, 8:84.

**38** The president of the Cologne Workers Association, Andreas Gottschalk, expressed a similar opinion in his pamphlet "Cavaignac in Köln! Eine wahrheitsgetreue Erzählung der Kölner Ereignisse" (Cologne, 1848).

**39** *Marx-Engels-Gesamtausgabe*, vol. 8:29.

**40** Letter to District President von Spiegel, December 8, 1848, Regierung Düsseldorf Präsidialbüro, BR 0004, no. 814, 160, Landesarchiv NRW (Abteilung Rheinland), Duisburg.

**41** On these two concepts, and the importance of Donoso's ideas of the state of siege for Schmitt, see José Rafael Hernández Arias, *Donoso Cortés und Carl Schmitt: eine Untersuchung über die staats- und rechtsphilosophische Bedeutung von Donoso Cortés im Werk Carl Schmitts* (Paderborn, 1998).

**42** *Stenographische Berichte über die Verhandlungen der Zweiten Kammer: 26. Februar bis 27. April* (Berlin, 1849), 216.

**43** Ted W. Margadant, *French Peasants in Revolt: The Insurrection of 1851* (Princeton, NJ, 1980), 203 and 210.

movement proved likely to support state power against “the aspirations of the short-sighted lower classes.”

There was a shared conviction among the German authorities and among a wide range of right-wing thinkers, such as the authoritarian Spanish diplomat Juan Donoso Cortés and the Prussian hardliner Hans Hugo von Kleist-Retzow, that the “dictatorship of the sword” (i.e. the state of siege) was the only way to prevent the “dictatorship of the dagger” (the revolution).<sup>41</sup> In a speech to the Prussian parliament, in which he advocated the continuation of the state of siege, Kleist-Retzow expressed these ideas clearly: “With a completely unrestricted right of assembly and an unleashed press, only one of two things is possible, either the unrestrained masses besiege the legal force, or the legal force besieges the unrestrained masses.”<sup>42</sup> Conservatives saw emergency powers as a means of regenerating the political and social processes of exclusion and inclusion, i.e. to reaffirm the exclusion of the lower classes (and women) from civil and political rights.

The revolutionary developments of 1848 saw extensive use of the state of siege which was unprecedented in its character, intensity, and scope. Calls by the early workers’ movement for democratic reforms and social change increasingly became the target of extraordinary methods of repression. Prussian conservatives as well as French prefects and public prosecutors began looking with approval on emergency provisions. They conceived the state of siege as a means of restoring both the “physical” and the “moral order.”<sup>43</sup> In June 1849, a state of siege was proclaimed in Lyon and once again in Paris with the aim of intimidating mass demonstrations by the left wing of the republican movement. In Lyon, where the democratic movement was particularly strong, the state of emergency was extended until March 1852. While Paris and Lyon remained under a state of siege, the Second Republic collapsed, and Louis Napoleon’s authoritarian regime emerged after a coup d’état and plebiscitarian elections in late 1851. To secure the authoritarian “regeneration” of the Second Republic, the

state of siege was widened to 31 French departments. The aim was to crush widespread resistance to the new regime, intimidate Republicans, and destroy the working-class movement in the provinces.<sup>44</sup>

#### IV.

Quentin Deluermoz recently described the Paris Commune of 1871 as a global media event that was accompanied by revolutionary movements in such places as Martinique and Algeria and revived the specter of revolution worldwide.<sup>45</sup> When the Franco-Prussian War broke out, the imposition of the state of siege initially served military purposes. However, after the collapse of the Second Empire and the proclamation of the Third Republic, the new “Chief of the Executive Power,” Adolphe Thiers, appointed by the National Assembly, did not lift the state of siege, which thus became increasingly political, especially after the insurrection that led to the formation of the Commune in March 1871. Although the Commune lasted only two months, Paris and the surrounding area remained under this emergency measure for about five years, until 1876. The measure’s aim was to provide the army with extraordinary powers against the Communards, and, on a more medium-term basis, to provide the emerging Third Republic with an anti-revolutionary foundation. As in 1848, the state of siege sanctioned the use of military courts as well as restrictions on the freedom of the press and a ban on public meetings. Compared with the aftermath of the 1848 June Days uprising, however, the brutality of the repression reached a new peak in 1871. Communards were frequently compared to colonial “barbarians,” hundreds were sentenced to death by court-martial and summarily executed or deported to French Guiana.<sup>46</sup>

Following the escalation of violence during the *année terrible* of 1870–71, further impositions of the state of siege were restricted to relatively small areas and short periods of time. One of the reasons French authorities became more reluctant

<sup>44</sup> See Robert Liebman, “Repressive Strategies and Working-Class Protest: Lyon, 1848–1852,” *Social Science History* 4 (1980): 33–55.

<sup>45</sup> Quentin Deluermoz, *Commune(s) 1870–1871: Une traverse des mondes au xix<sup>e</sup> siècle* (Paris, 2020).

<sup>46</sup> See, among others, John Merriman, *Massacre: The Life and Death of the Paris Commune* (New York, 2014).

**47** For an overview of emergency politics in the United States, see Gary Gerstle and Joel Isaac, *States of Exception in American History* (Chicago, 2020).

**48** Jonathan Connolly, "Re-Reading Morant Bay: Protest, Inquiry, and Colonial Rule," *Law and History Review* 41 (2023): 193–216.

**49** Letter, Otto von Bismarck to Hermann Wissmann, "Instruktionen für das Vorgehen in Ostafrika," February 12, 1889, Bundesarchiv R 1001/735, 49. On Wissmann's military dictatorship in German East Africa, see Tanja Bühner, *Die Kaiserliche Schutztruppe für Deutsch-Ostafrika: Koloniale Sicherheitspolitik und transkulturelle Kriegführung, 1885 bis 1918* (Munich, 2011).

to impose the state of siege was that in 1878, a new law more precisely defined the "state of emergency" crises (foreign wars or armed uprisings) and strengthened parliamentary control mechanisms. In this democratic version, Parliament decided on the state of exception. This change was a reaction to President Patrice de MacMahon's efforts to stage a coup during his final year as President of the Republic after the triumph of the left-wing Republican Union in the 1877 elections. Despite further proclamations of the state of siege in Madagascar (1898) and Tunisia (1911), France was not the country that used emergency measures most frequently around 1900. The American equivalent—martial law—was frequently invoked by United States governors in periods of major industrial unrest after the Civil War (28 times between 1877 and 1940).<sup>47</sup> In the British Empire, this emergency instrument was imposed to crush anti-colonial movements. In some cases, such as after the brutal repression of the Morant Bay rebellion in Jamaica, this led to turbulent debates about colonial rule, race-thinking, and the use of emergency powers.<sup>48</sup>

In non-common law countries, the use of emergency instruments was even more widespread. In Imperial Germany, emergency legislation was used both at home and overseas. On the one hand, the "minor state of siege" (*kleiner Belagerungszustand*) served to banish Socialist activists from major industrial cities such as Berlin, Leipzig, Frankfurt, and Hamburg under Chancellor Otto von Bismarck's Anti-Socialist Laws (in effect from 1878 to 1890), while on the other hand, at the height of Germany's colonial expansion around 1890, the state of siege was also exported to the colonies. This is clearly illustrated by the instructions given by Bismarck to Hermann Wissmann in 1889. The Iron Chancellor authorized Wissmann, who had been appointed *Reichskommissar* in German East Africa and had led a mercenary force against anti-colonial resistance, to govern the colony as if it were under a state of siege. Bismarck cited the 1851 Prussian law on state of siege as the guide to follow.<sup>49</sup> At least in the eyes of the chancellor's opponents, it was not only the colonial

state of emergency that was indispensable to maintaining the “Bismarckian system,” but also the exceptional laws against Socialists, Catholics, and other internal enemies in certain regions, like Alsace-Lorraine, and the Province of Posen where most of the population spoke Polish.<sup>50</sup> In the years prior to World War I, which saw a heightened level of social conflict, German radical-right pressure groups and employers’ associations also depicted strikes and mass demonstrations in support of universal suffrage as emergencies that required exceptional countermeasures.<sup>51</sup>

Among the many countries that imposed a state of siege or martial law in cases of social and political disturbance, Italy and Spain were those where the use and abuse of emergency powers was most widespread. In the following, I will focus on Italy for two reasons. First, nineteenth-century Spain was often viewed from France and Germany as geographically peripheral, culturally marginalized, and economically backward, while Italy’s industrial north was regarded more as an integral part of Western modernity. Class mobilization and industrial unrest in northern Italy were thus perceived as more closely linked to similar conflicts in France and Germany than social protest in Spain and southern Italy.<sup>52</sup> Second, Italy was the focus of European anxiety because of assassination attempts and bomb attacks by anarchists, which had an unprecedented impact in the late nineteenth century, and in most cases either took place on the Italian Peninsula or were carried out by Italian terrorists elsewhere. The anarchist “propaganda of the deed” provoked large-scale government reactions, exceptional laws, and extensive public debates on emergency politics.<sup>53</sup>

Italy’s use of the state of siege reached a first peak in 1894, when the army crushed a peasant revolt in Sicily and Prime Minister Francesco Crispi adopted a series of exceptional measures – including the so-called forced residence (*domicilio coatto*). Italian authorities had already implemented this form of police-administered deportation during the internal

**50** On mass expulsions and legal exceptionalism in Imperial Germany, see Matthew P. Fitzpatrick, *Purging the Empire: Mass Expulsions in Germany, 1871–1914* (Oxford, UK, 2015).

**51** See Amerigo Caruso, “Joining Forces against ‘Strike Terrorism’: The Public-Private Interplay in Policing Strikes in Imperial Germany, 1890–1914,” *European History Quarterly* 49 (2019): 597–624.

**52** Perceptions of marginality were the result of the distorting lens of Western constructions of modernity and of Spain’s exoticism. See Helen Graham, “Spain and Europe: The View from the Periphery,” *The Historical Journal* 35 (1992), 969–983. On the extensive use of the state of siege in Spain, see Eduardo González Calleja, “La política de orden público en la Restauración,” *Espacio, Tiempo y Forma* 20 (2008): 93–127.

**53** See Richard Bach Jensen, *The Battle Against Anarchist Terrorism: An International History, 1878–1934* (Cambridge, UK, 2014) and Fabian Lemmes, “Exceptional Laws in Times of Exceptional Threat? Anarchist Terrorism and Anti-Anarchist Repression in France and Italy in the 1890s” (forthcoming).

**54** See Paul Garfinkel, "Forced Residence in Liberal Italy: A Pre-History, 1815–65," *Journal of Modern Italian Studies* 16 (2011): 37–58. For a comprehensive overview on social unrest, crime, and public order in Liberal Italy, see John A. Davis, *Conflict and Control: Law and Order in Nineteenth-Century Italy* (London, 1988). On popular uprisings and declarations of the state of siege in Sicily in the 1860s, see Lucy Riall, *Sicily and the Unification of Italy: Liberal Policy and Local Power, 1859–1866* (Oxford, UK, 1998), and Marco Maria Atterrano, "Salus patriae suprema lex: Il controllo delle armi nella repressione dei Fasci a Palermo," *Rassegna storica del Risorgimento* 109 (2022): 57–83.

**55** On the system of police-administered deportation implemented in French Algeria, see Sylvie Thénault, *Violence ordinaire dans l'Algérie coloniale: Camps, internements, assignations à résidence* (Paris, 2012).

war against brigandage in the south after Italy's unification in the 1860s.<sup>54</sup> The forced residence was revived during the states of emergency in the 1890s. Similar exceptional measures of administrative expulsion and deportation were imposed by the French in Algeria (*regime de l'indigénat*), and in Germany under the Anti-Socialist Laws.<sup>55</sup> Concepts and implementations of emergency measures circulated transnationally, although with varying degrees of brutality.

The Milan riot of 1898, which prompted the imposition of a state of siege that lasted four months, was particularly illustrative of social fears in the late nineteenth century. In early May, a spontaneous strike by workers at the Pirelli tire factory escalated into a riot due to its coinciding with general dissatisfaction over high consumer taxes and rising food prices (partly due to the Spanish-American war). News of a broad insurrection in Italy's economic capital immediately echoed across the entire continent. The combination of industrial unrest and food riots revived images of a revolt of the plebs and the specter of anarchy.<sup>56</sup> More importantly, Milan was the stronghold of the Socialist Party as well as of Italian workers' associations, and the riot was therefore associated with fears of socialism and organized labor.

When news of the proclamation of the state of siege in Milan reached Paris, *Le Temps*, one of the most influential French newspapers, sent its top journalist, Eugène Lautier, to Milan as special correspondent. He spent more than two weeks in Milan and noted that the effects of the state of siege were not limited to military repression ("Milan became a military camp") but also included a comprehensive attack on the labor movement: fifteen newspapers were closed down, their

**56** On fears of social disintegration and 'contagion' anxieties that traversed the continent see Matteo

Millan, "The Shadows of Social Fear: Emotions, Mentalities and Practices of the Propertied

Classes in Italy, Spain and France (1900–1914)," *Journal of Social History* 50 (2016): 336–361.



journalists were arrested, workers' associations were banned, and their funds confiscated.<sup>57</sup> In a show trial at the end of July, socialist militants including leading Socialist politicians such as Filippo Turati and Anna Kuliscioff were given heavy prison sentences from two to sixteen years. Another Socialist Member of Parliament, Giuseppe Pescetti, took refuge in the Montecitorio Palace in Rome, the seat of the Italian Chamber of Deputies, where he remained for a few days before fleeing to Paris.

<sup>57</sup> *Le Temps*, May 19, 1898, 2.

<sup>58</sup> *Le Temps*, May 23, 1898, 2.

<sup>59</sup> *Münchener Neueste Nachrichten*, May 11, 1898, 1.

Lautier reported that Italian conservatives and parts of the liberal bourgeoisie supported the comprehensive use of emergency powers: "The state of siege in massive doses, and not in pills, as at present."<sup>58</sup> In fact, not only Milan but the whole of Lombardy and almost a third of Italian provinces were placed under a state of siege between late April and May 1898. The emergency regime was abolished only in late summer after left-wing journalists, socialist militants, and Members of Parliament, like Turati, had been tried in military court and a decree on "urgent, temporary measures to maintain public order" was approved by Parliament on July 12.

If key French newspapers such as the liberal-conservative daily *Le Temps*, and even the right-wing *Le Matin*, were increasingly skeptical of the Italian "system of the state of siege," as Lautier labelled the extensive use of emergency legislation in 1898, the German press had the opposite reaction. Liberal newspapers such as the *Kölnische Zeitung* and the *Münchener Neueste Nachrichten* described the government's "energetic measures" as necessary to avert revolution. The Milan events were presented as the product of "systematic incitement of the masses" by socialists and anarchists.<sup>59</sup> The *Kölnische Zeitung* published accounts of the state of siege in Milan by its longtime correspondent in Rome, Friedrich Noack, on an almost daily basis. His reports set the tone for other German newspapers. Noack was himself influenced by the narrative adopted by key Italian bourgeois newspapers,

**60** On the authoritarian attitude of the elites in liberal Italy, and during the Milan riots in particular, see Umberto Levra, *Il colpo di stato della borghesia: La crisi politica di fine secolo in Italia 1896–1900* (Milan, 1975).

**61** Alfredo Canavero, *Milano e la crisi di fine secolo 1896–1900* (Milan, 1976), 216.

**62** *Kölnische Zeitung*, May 14, 1898, 2.

**63** See, among others, Daniel Whittingham, "Savage Warfare": C.E. Callwell, the Roots of Counter-Insurgency, and the Nineteenth Century Context," *Small Wars & Insurgencies* 23 (2012): 591–607, and Tom Menger, "Press the Thumb onto the Eye: Moral Effect, Extreme Violence, and the Transimperial Notions of British, German, and Dutch Colonial Warfare, ca. 1890–1914," *Itinerario*, 46 (2022), 84–108.

such as *Corriere della Sera* and *La Stampa*, which saw a revolutionary conspiracy of socialists at work and considered the brutal military intervention necessary to restore order and prevent future upheavals.<sup>60</sup> The conservative and, with only a few exceptions, also the liberal press in Italy and Germany persisted with law-and-order slogans even when General Bava Beccaris, the extraordinary commissar of Milan, arrested journalists and members of parliament, or when it became known that numerous women and children were among the victims of military repression. The bourgeois press approved of the emergency provisions against socialist "inflammatory papers," overlooking the fact that liberal Milanese newspapers, such as *Il Secolo*, one of the most widely read in Italy at the time, had also been suppressed. The conservative *La Perseveranza* even went so far as to claim that freedom of the press was too progressive for the (low) "degree of civilization" in Italy.<sup>61</sup>

The German correspondent Noack heavily criticized the few voices being raised in Italy in protest against the state of emergency and presented the army as a "reliable and dutiful element of order." In his view, public opinion in Italy was dangerous because it had been "seduced" by a "perverse enthusiasm for freedom and humanitarianism," which led him to interpret the Milan events as clear evidence of a "moral disease."<sup>62</sup> The contentious metaphors demonstrate once again that the state of siege was conceived as a short-term means of repression and as a more comprehensive and long-term measure to restore "moral order." It is remarkable that the notion of state of emergency was linked with the assumption that coercion had a "moral effect." This notion became a central aspect of colonial war-making and a recurring theme in small wars literature in the late nineteenth century.<sup>63</sup>

The *Berliner Tageblatt* was more critical of the "draconian regime" established in Milan by Bava Beccaris, who had imposed a curfew, shut down opposition newspapers, and issued a series of emergency provisions that even included –

as the correspondent in Rome stated – a ban on riding bikes.<sup>64</sup> The *Berliner Tageblatt's* editor-in-chief, Arthur Levysohn, saw military repression of the riot as necessary, but also argued that ruthless reaction alone would not solve the permanent crisis in Italy.<sup>65</sup> In Wilhelmine Germany, left-wing liberal journalists such as Levysohn, the Catholic Centre Party, and especially Social Democrats were skeptical of emergency powers. After the so-called minor state of siege was used in the 1870s and 1880s under Bismarck's anti-Socialist laws, the "state of siege" (*Belagerungszustand*) became more and more a political concept. After the abolition of the anti-Socialist laws, in 1890, Social Democrats, the Centre Party, and liberals all opposed, to differing extents, the proclamation of emergency measures during the mass suffrage demonstrations of 1905; they did so again during the political unrest in Alsace-Lorraine in late 1913 (the "Zabern Affair"). However, despite these widespread criticisms of emergency powers, the Italian ambassador in Berlin noted that most German newspapers were positively impressed by what the state of siege in Milan had achieved. On May 18, 1898, he telegraphed the Foreign Minister, Emilio Visconti Venosta, to say that both the press and Bülow's government praised the army's discipline in repressing the Milan riots.<sup>66</sup>

<sup>64</sup> *Berliner Tageblatt*, May 13, 1898, 3.

<sup>65</sup> *Berliner Tageblatt*, May 15, 1898, 1.

<sup>66</sup> Giacomo Perticone, ed., *I Documenti Diplomatici Italiani, 1896–1907* (Rome, 1958), vol. 2, 327.

More than six years later, when officers of the German General Staff wrote the report on "insurgent cities" mentioned at the beginning of this article, they took the Milan events as a model for a successful deployment of the "political" state of siege. They positively emphasized its twofold achievements in 1898: providing the army with almost unlimited power and thus the ability to crush popular protest, on the one hand, and dismantling "enemy organizations," such as the networks of democratic activism and organized labor, on the other. In the years before 1914, the General Staff's report was distributed to all military commanders and was echoed in other guidelines issued by the Prussian War Ministry, which stressed the importance of a prompt declaration of an "intensified" state of siege (*verschärfter Belagerungszustand*) in case of

**67** Deist, *Militär und Innenpolitik*, xxxvi-xxxviii.

**68** See the Report of the Ministry of Justice of May 5, 1919, in Hagen Schulze, ed., *Akten der Reichskanzlei: Das Kabinett Scheidemann 13. Febr. bis 20. Juni 1919* (Boppard am Rhein, 1971), 261.

**69** For a more detailed discussion, see Amerigo Caruso, "A Permanent State of Exception? Managing Crises in Late Imperial Germany and the Early Weimar Republic, 1917–1923," in *Crises in Authoritarian Regimes: Fragile Orders and Contested Power*, ed. Martin Wagner and Jörg Baberowski (Frankfurt, 2022), 165–189.

revolutionary upheavals.<sup>67</sup> This notion became widespread after 1918. However, it was not an invention of the interwar "Age of Extremes" but, instead, reflected the comprehensive use of emergency provisions – including the use of military courts and the suspension of constitutional rights – during the states of siege in Paris in 1871 and in Milan in 1898.

Even though one of the first measures announced by the provisional government in Berlin after the November Revolution of 1918 was the suppression of the state of siege proclaimed in 1914, continuities in the practices of the state of emergency are evident, at least between the late Kaiserreich and the early Weimar Republic. In Bavaria the state of siege proclaimed in 1914 was not even suppressed after the end of the war and lasted until 1921. In late April 1919, when Reich President Friedrich Ebert upheld the state of siege declared by the Saxon government, he was applying Article 68 of the Reich constitution of 1871, which remained in place until the Weimar constitution came into effect. In May 1919, a report by the Ministry of Justice sent to Ebert made it clear that Article 68 of the 1871 constitution had not been abolished. The report also explicitly stated that the authority of the Kaiser concerning the state of emergency was now transferred to the Reich President.<sup>68</sup> As a result, state of siege decrees under Article 68 of the Bismarckian constitution, i.e., the Prussian state of siege law of 1851, were applied more than 50 times in the first half of 1919, as Ebert systematically used emergency powers against popular protest and revolutionary upheavals.<sup>69</sup> There is, however, a great deal of discontinuity between the extensive but constitutionally-bound use of emergency powers in the early Weimar Republic and the authoritarian methods of the emergency state practiced by the Brüning government in the early 1930s that went in the anti-liberal direction advocated by Carl Schmitt.

## V.

When the Jacobins abolished martial law regulations in 1793, the state of siege emerged as the framework in which modern

emergency politics was imagined and implemented in the “long” nineteenth century. This was especially true of non-common-law countries in Europe, but also of most of the Latin American states and the Ottoman empire during its brief constitutional period in the late 1870s.<sup>70</sup> After the revolutionary wave of 1848, the French Second Republic and almost all German and Italian pre-unification states passed emergency legislation, or simply arbitrarily declared states of siege to crush revolutionary movements and support an authoritarian response to political democracy and social reforms. The French “political” state of siege served as a model. I have sought to demonstrate in this article that formally regulated as well as arbitrarily declared states of siege increased in frequency after the revolutionary waves of 1789, 1848, and 1871; second, that they increased in duration and scope; and third, that they expanded geographically as well. These three dimensions of emergency powers are of special importance when analyzing the modernity of the “political” state of siege and its impact on social movements and quests for democratization in the nineteenth century and beyond:

(1) Cities like Marseilles in the 1790s, as well as Paris, Lyon, Berlin, and Milan after 1848, but also Algeria and southern Italy in the 1860s and 1870s remained under states of siege for months and even years. During these periods of permanent emergency, especially after 1848, the goal of the emergency measures was to suppress revolutionary upheavals and to forestall future democratization, social change, and anti-colonial resistance. Emergency powers were thus conceived as a mean of “regeneration,” i.e. the temporary or permanent authoritarian transformation of liberal regimes. The state of siege was thus aimed at restoring not just the physical but also the “moral” order. While emergency politics became more comprehensive and expanded into the economic, financial, and social fields after the First World War, the idea that they had a palingenetic authoritarian-transformative effect on democracies and liberal regimes was not new.

<sup>70</sup> See Noémi Lévy-Aksu, “An Ottoman Variation on the State of Siege: The Invention of the İdare-i Orfiyye during the First Constitutional Period,” *New Perspectives on Turkey* 55 (2016): 5–28. On Latin America see Roberto Gargarella, “The Constitution of Inequality: Constitutionalism in the Americas, 1776–1860,” *International Journal of Constitutional Law* 3 (2005): 1–23.

(2) The nineteenth century's states of siege had potentially unlimited duration and unprecedented geographic extension. Large parts of the German Confederation, for example, were placed under states of siege in late 1848. The same happened in France in 1851 and 1871, in Italy in 1862 and 1898 as well as in Algeria (1851 and 1871), Madagascar (1896) and Tunisia (1911). In Spain, the declaration of a state of siege had already become a common political measure by the 1840s. The nineteenth century's states of siege thus increasingly crossed local boundaries. They applied to an entire region or colony, foreshadowing the extension of emergency power to national and global scales in the twentieth century. What is remarkable, however, is not only the geographic extension of emergency politics after the revolutionary waves of 1789, 1848 and 1871, but also that "emergencies" became increasingly transnationally connected in a twofold way. On the one hand, emergency legislation and conceptions of the "political" state of siege in France, Europe, and the colonies were the result of the high permeability of national boundaries and global circulations of legal regulations; on the other hand, implementations of emergency power were aimed at confronting transnational threats, such as anarchism, socialism, mass democratization, and anti-colonial resistance. These were the preconditions for the emergence of an intellectual climate of exceptional thinking that transcended national boundaries.

(3) As a result of the temporal and geographic expansion of states of siege, emergency measures also become broader in scope. When the "political" state of siege emerged in the 1790s, it was deployed to crush widespread political revolt and social unrest in the French provinces and Atlantic colonies. In the second half of the nineteenth century, however, states of emergency were perceived as necessary to deal with increasingly diverse threats in a wide range of contexts, including revolutionary upheavals and anti-colonial struggles, anarchist terrorism, election disturbances, strikes, natural disasters, and legal opposition mounted by organizations such as

the German and Italian socialist parties.<sup>71</sup> Furthermore, as mentioned under the first point, the aim was two-fold: to restore the physical order *and* to regenerate the moral order, i.e. to sanction authoritarian responses to mass democratization and social change.

If the nineteenth century's states of siege were modern in their scope, duration, and geographic extension, as I have argued in this article, what were the long-term consequences of emergency regimes? First, the fact that mass democratization, the enfranchisement of workers, and social change were labeled as emergencies created a self-fulfilling prophecy. Expectations that in the modern world emergencies would be commonplace gave rise to more calls for states of exception and, as a result, to more frequent impositions and more comprehensive frameworks for emergency powers. Furthermore, when mass demonstrations for democratic reforms and industrial unrest were framed as emergencies, this made left-wing activism, and especially the labor movement, an object of urgent security concern. Such concern rose during exceptional circumstances, such as revolutionary upheavals, but also in the "normal" state of affairs. This process of securitization exacerbated social conflict, and – in a vicious circle – justified conservative demands for extraordinary countermeasures.<sup>72</sup> Finally, a far-reaching consequence of increasing calls for emergency measures and impositions of a state of siege was that liberal regimes were perceived as too weak to respond with ordinary legal means to extraordinary, and even ordinary or just potential, threats to public order. If the assumption of political-judicial authority by the army during World War I led to a fundamental crisis in state legitimacy and subverted the rule of law, it is also true that the widespread use of the "political" state of siege posed a threat to the reputation and legitimacy of liberal institutions already before 1914 and made the contradictions of democratization visible.<sup>73</sup>

**71** In 1909, a state of siege was declared in southern Italy after the 1908 Messina earthquake.

**72** On securitization see Christine Krüger's contribution to this special issue.

**73** On the far-reaching impact of the permanent state of exception during World War One, see, for example, John Deak and Jonathan Gumz, "How to Break a State: The Habsburg Monarchy's Internal War," *American Historical Review* 122 (2017): 1105–1136.

**Amerigo Caruso** is Assistant Professor of Modern and Contemporary History at the University of Bonn. His recent publications include “Noble-Bourgeois Elites in an Age of Revolutions, c. 1790–1850,” *The Historical Journal* 66 (2023): 1034–1052, and “The Threat from Within across Empires: Strikes, Labor Migration, and Violence in Central Europe, 1900–1914,” *Central European History* 54 (2021): 86–111 (with Claire Morelon). He is the author of *“Blut und Eisen auch im Innern”: Soziale Konflikte, Massenpolitik und Gewalt in Deutschland vor 1914* (New York: Campus, 2021), an exploration of anti-labor violence and the challenge of mass politics in late Imperial Germany. His current work explores the practice and theory of emergency powers in the nineteenth and twentieth centuries and investigates transfers and entanglements between France, Italy, Germany, and their colonies.