Olimpia Malatesta is a History of Political Thought research fellow and works on a project entitled "Political Planning in European liberal democracies from the 1920s to the 2020s". Her research deals with ordoliberalism (Eucken, Röpke, Müller-Armack, Rüstow, Böhm) and its relations with German sociology (Sombart, Schmoller), Austrian neoliberalism (Hayek), and authoritarian liberalism, with a particular focus on the conservative revolution (Schmitt) and the Weimar Republic. She has also dedicated herself to studying the different interpretations of neoliberalism (especially Foucault, Brown, and Fraser). She got a degree in philosophy from FU Berlin and was a DAAD and IISF research fellow. She completed her PhD in a cotutelle between the UNIBO and the FSU Jena and was a research fellow at UNIMIB and Universidad Complutense de Madrid. Her first monograph titled *Ordoliberalism, State and Society. A Political Theory of Social Order* (Routledge) will be published in 2025.
Contact: olimpia.malatesta2@unibo.it

Soft Power
Revista euro-americana de teoría
e historia de la política y del derecho

Vol. 11(1). Enero-Julio 2024
ISSN (online): 2539/2239 ISSN (print): 2389-8232
http://dx.doi.org/10.14718/SoftPower.2024.11.6

AUTHORITARIAN LIBERALISM AS A SYNONYM OF NEOLIBERALISM?
THE STATE-SOCIETY RELATION FROM RÖPKE TO MÜLLER-ARMACK VIA HELLER AND FOUCAULT*

Olimpia Malatesta
Università degli Studi di Bologna

¿EL LIBERALISMO AUTORITARIO COMO SINÓNIMO DE NEOLIBERALISMO?
LA RELACIÓN ESTADO-SOCIEDAD DESDE RÖPKE HASTA MÜLLER-ARMACK PASANDO POR HELLER Y FOUCAULT

Abstract
The notion of authoritarian liberalism has recently gained a widespread echo in critical theory, often as a synonym for neoliberalism. This notion is frequently employed to interpret the neoliberal wave that started in the 1970s. By reconstructing the notion of authoritarian liberalism as conceived by Heller during the final phase of the Weimar

* Reception date: 13th March, 2024; acceptance date: 13th April, 2024. The essay derives from research conducted within the Dipartimento delle Arti of the Università degli Studi di Bologna.

Republic, the following essay explores the state-society relation within the ordoliberal spectrum by analysing, in particular, the cases of Alexander Rüstow, Wilhelm Röpke, and Alfred Müller-Armack. Can ordoliberalism be understood as a specific declination of authoritarian liberalism despite its inner differences?

Keywords
authoritarian liberalism; ordoliberalism; Weimar Republic; Alexander Rüstow; Wilhelm Röpke; Alfred Müller-Armack

Resumen
La noción de liberalismo autoritario ha adquirido recientemente un amplio eco en la teoría crítica, a menudo como sinónimo de neoliberalismo. Esta noción se emplea con frecuencia para interpretar la ola neoliberal que inició en los años setenta.
Al reconstruir la noción de liberalismo autoritario tal y como la concibió Heller durante la fase final de la República de Weimar, el siguiente ensayo explora la relación Estado-sociedad dentro del espectro ordoliberal, en particular los casos de Alexander Rüstow, Wilhelm Röpke y Alfred Müller-Armack. ¿Se puede entender el ordoliberalismo como una declinación específica del liberalismo autoritario a pesar de sus diferencias internas?

Palabras clave
liberalismo autoritario; ordoliberalismo; República de Weimar; Alexander Rüstow; Wilhelm Röpke; Alfred Müller-Armack

Introduction

In recent years, the notion of authoritarian liberalism has gained a widespread echo in critical theory (see, e.g., Gallego & Barreto, 2021). Often used directly as a synonym of neoliberalism, it is frequently employed to interpret the neoliberal wave that, starting from the seventies, has swept the West (see above all Chamayou, 2021). Undoubtedly, the *fil rouge* of such a neoliberal revolution[1] is the perception of a sudden ungovernability of capitalism brought about by an excessive democratic involvement of society in questions regarding the economic order. Beyond historical contingencies and geographical specificities, to ward off this threat, neoliberals have always thought about one solution with a threefold articulation: reinforcing the state, defending market liberalism, and weakening democracy. And this is equally true for Austrian and American neoliberalism and German ordoliberalism (Biebricher, 2018). Despite their manyfold differences, what they all have in common is an undeniable demofobia (Brown, 2019; Scanga, 2021) and a special interest in the state as the executor of market capitalism. This applies especially to ordoliberalism, which is strikingly connected to Carl Schmitt's thought of the final phase of Weimar (Malatesta, 2025). In this respect, the Foucauldian statement according to which ordoliberalism's "field of adversity" (Foucault, 2008, p. 106) was Nazism appears as a naïve misunderstanding: apparently, Foucault himself fell victim to the representation given by the ordoliberals after the Second World War as brave defenders of liberal democracy torn to shreds by totalitarianism. This is obviously not to say that all ordoliberals were hostile to democracy or—even worse—that they supported Nazism. However, as we shall see, in the thirties, the founding father of the social market economy, Müller-Armack, advocated not only for a Conservative Revolution and for the fascist *Carta del lavoro* but was undoubtedly fascinated by the rise of Hitler. It should be emphasised that the ordoliberals were indifferent to the destiny of democracy insofar as the latter was always subordinated to the market: democracy should be disciplined, contained, and/or sacrificed on the altar of market capitalism.

By reconstructing the notion of authoritarian liberalism as conceived by Heller during the final phase of the Weimar Republic, the following essay explores the state-society relation within the ordoliberal spectrum by analysing, in particular, the cases of Alexander Rüstow, Wilhelm Röpke, and Alfred Müller-Armack. The question behind it is whether ordoliberalism can be understood as a specific declination of authoritarian liberalism despite its inner differences, especially with respect to the diverse attitudes shown by its most important exponents towards democracy and the rise of National

[1] For an interpretation of neoliberalism as a passive revolution in the Gramscian sense, see Ferrara (2021).

Socialism. Even though there does not exist any homogeneous complex of doctrines and authors ascribable to a movement that defines itself as authoritarian-liberal or liberal-authoritarian, the political features of the neoliberal transformation isolated by Heller in his 1933 essay could prove most useful in analysing other existing forms of neoliberalism. Furthermore, against Michel Foucault's idea that neoliberalism was marked by a state phobia and by the desire to free society from the supposed omnipotence and invasiveness of the state, the present essay argues that a correct understanding of authoritarian liberalism requires the Foucauldian scheme to be completely reversed. The hypothesis to be supported here is that even though authoritarian liberalism as a monolithic political philosophy does not exist, in turn, there do exist varieties of ordoliberalism more or less willing to give up *political* democracy but still united by the desire to employ a strong state to oppose *economic* democracy and the power of society.

From Heller to Rüstow

The "apparently oxymoronic syntagma" (Atzeni, 2023, p. 13)[2] 'authoritarian liberalism' was coined by Hermann Heller, German jurist, party member of the non-Marxist wing of the SPD and one of the most acute observers of the birth of the Weimar Republic (Bisogni, 2005; Pomarici, 1989) who, in 1933, a few months before the *Machtergreifung* of the Nazis, in an article published on *Die Neue Rundschau*, denounced the authoritarian turn of the German State. Heller, who by then had already reflected on the intimate nexus between the people and state authority, considered decision-making power as legitimate only if representative: in fact, only representation could justify political decisions (Heller, 2019). In this sense, the law was understood as an expression of the *volonté générale*, which could be realised by parties as mediators of the unification of irreducible political wills into the democratic state (Heller, 2000). The constitutive role assigned to parties as well as the majority principle as the very expression of the diverse components of society was precisely what authoritarian liberals contested, together with the political and social Revolution brought about by the Republic of Weimar: the *Weimarer Reichsverfassung* turned the law into an instrument of defence of subaltern classes, as for the first time in history labour received legal recognition and constitutional guarantees (Dukes, 2014; Mezzadra, 2000). As Heller (1930) states: "By using legislation, the economically weak party attempts to constrain the economically strong party, forcing it to satisfy bigger social demands or even expropriating it" (p. 8). Authoritarian liberalism, as described by Heller, tried precisely to tackle this condition.

[2] For a brilliant analysis of Heller's theory with respect to the concept of authoritarian liberalism, see Atzeni (2023, pp. 9–64).

In the article "Authoritarian Liberalism?" Heller (2015) outlines the political imaginary of the German conservative right together with its proposal of imposing a strong state as a reaction to what was perceived as an excess of democracy in matters concerning the economy: to the pluralism[3] of the Weimar Republic, the conservatives opposed an authoritarian state capable of defending the inalienable principles of private property and the free market by creating an alliance between liberal principles (in the economic domain) and authoritative or even dictatorial ones (in the political domain). Weimar's economic and political crisis—the *Präsidialkabinette* as its exemplar manifestation—could be overcome through an anti-democratic and demophobic turn of the pluralistic State. In this respect, it is clear that "[b]y invoking the 'authoritarian' state one polemicises, in truth, against the democratic state" (Heller, 2015, p. 295).

Heller's adversaries are clearly mentioned: the *Kronjurist* Carl Schmitt and Franz von Papen, chancellor of the Reich from June to November 1932 (Schulze, 1982), and the German ordoliberals, or at least one of its most important exponents, the sociologist Alexander Rüstow. In fact, the expression "neoliberal State" (p. 300) contains an implicit reference to the ordoliberal theory. In 1932, in a famous public speech given at the *Dresdener Tagung* of the *Verein für Socialpolitik*, Rüstow stated that the pluralistic state should better be replaced by a strong state, that is a neoliberal state capable of asserting its independence from social organisations: "The new liberalism, which I and my friends promote, demands a strong state, a state that is positioned above the economy, above the interested parties, in the place where it belongs" (Rüstow, 2017, p. 149). No wonder the original title of its speech was precisely *Freie Wirtschaft, starker Staa*t (Rüstow, 1932), that is, free economy, strong state (see Bonefeld, 2017). Given the expression "neoliberal State" (Heller, 2015, p. 300) used to characterise the institutional imaginary of authoritarian liberalism, it is more than likely that Heller was referring precisely to the definition provided by Rüstow. Moreover, there is evidence of previous contact between the two: a few months before the establishment of the *Präsidialkabinette*, they both spoke in Berlin at the *Deutsche Hochschule für Politik*, where they were invited, together with Carl Schmitt[4] to discuss problems related to political coalitions. Rüstow (1959) held his speech with the title *Diktatur innerhalb der Grenzen der Demokratie* on 5 July 1929. In contrast, Heller delivered three days earlier, on 2 July, a talk entitled *Demokratische und autokratische Formen der Staatswillensbildung*, which in many senses anticipated the

[3] It should be noted that the entire critical discourse on pluralism developed by the ordoliberals takes its inspiration precisely from Schmitt's work on this issue. Cf. e.g., Schmitt (2001). The relation between Schmitt and ordoliberalism cannot be elaborated here: cf. Malatesta (2022) and Oberndorfer (2012).

[4] Schmitt delivered a speech entitled *Der Mangel des pouvoir neutre im neuen Deutschland* on 28 June 1928.

topics presented in *Autoritärer Liberalismus.* In any case, even on that occasion, Heller had not missed criticising directly Rüstow's political proposal to strengthen the Reichskanzler within a term dictatorship in order to save the liberal capitalistic order, pointing out that such a project could only be achieved through a *coup d'état* like that carried out by Mussolini in Italy. Rüstow (1959) contested this by saying that he was not hoping for a sheer authoritarian twist: his proposal to strengthen the chancellor was nothing less than a "fulfillment of the internal configuration of democracy" (p. 110).

Despite the different political approaches of the various exponents of German conservatism, the expression authoritarian liberalism designates a set of economic policies and theories whose shared aim is to keep the economic sphere separate from the political one, i.e., to isolate the state from the economy through its desocialisation. This political program variously sustained by the German right, therefore, implied firstly the "retreat of the 'authoritarian' state from social policy" and the "liberalization (*Entstaatlichung*) of the economy", i.e., two necessary operations "to sever the 'excessive' connections between the state and the economy" (Heller, 2015, p. 300).

The deflationary and austeritarian policies of Chancellor Brüning, the anti-unionism of von Papen, the "self-limitation" (Rüstow, 2017, p. 253) of the state—its withdrawal from the social sphere—championed by ordoliberalism, which Schmitt (Cristi, 1998) in its famous speech *Strong state and sound economy* translated into the depoliticisation of the economy,[5] all converge into a general political project aimed at strengthening the state, at shielding it from any demand for redistribution coming from society. Ultimately, authoritarian liberalism is nothing other than an anti-pluralistic transformation of the social and democratic state aimed at restoring the primacy of the capitalistic economic order over democracy.

"Authoritarian Liberalism?" should be considered a groundbreaking contribution insofar as it does not solely shed light on the specific historical-political conjuncture of the Weimar Republic by "captur[ing] the shift from a parliamentary democracy to an authoritarian presidentialism" (Wilkinson, 2021, p. 25). Rather, it identifies the fundamental characteristics of an epoch-changing phenomenon, which saw the transformation of the liberal state into a neoliberal one. Heller, with extreme clarity, observes a political-conceptual

[5] Schmitt (1998) thought it necessary to insert an "intermediate domain" between the State and the individual by replacing it with a "tripartition". On the one hand, "the economic sphere of the State" (p. 94), could detain some monopolies and strategic companies. On the other, the private sphere, with its small and big individual enterprises, is free from state power. Finally, a third sphere that Schmitt defined as non-state, but nevertheless public, was made to coincide with the "autonomous economic administration", that is, "[a] sphere that belongs to the public interest and should not be seen as separate from it. Still, this is a non-state domain that can be organised and administered by these same business agents, as it happens in any genuine autonomous administration" (pp. 225-226). Cf. also Galli (2019).

shift within the conservative spectrum, that is, the newly gained awareness of right-wing oriented intellectuals who claimed a more active role of the state in questions concerning the economy. Faced with the necessity of "defend[ing] the bourgeois order" (p. 22), the state could not limit itself to preserve its neutrality but should take an active role in the "defence process of economic liberties" (Atzeni, 2023, p. 30). The strong state is, therefore, specifically active insofar as it pursues "strict austerity budgets, the heavy-handed dismantlement of social policy and unemployment benefits, along with the suppression of labour unions" (Scheuermann, 2015, p. 306). What Heller brings to light is the liberal-conservative demand for a new political paradigm, which is a new way of guaranteeing economic freedoms through a strengthened political authority. Even though in "Authoritarian Liberalism?" his reflections were centred around the Weimar crisis, the conceptual frame isolated therein offers a precious analytical tool that could be applied to any historically existing variety of neoliberalism (Mirowski & Plehwe, 2009). From this point of view, neoliberalism can be considered a transhistorical phenomenon whose lowest common denominator is the refusal to accept the democratic management of the economy and the need to affirm a strong state capable of defending the capital order.[6]

Varieties of ordoliberalism? From Röpke to Müller-Armack

The idea according to which neoliberalism is "*intrinsèquement autoritaire*" and that "*c'est seulement dans l'usage de la force par l'État qu'il varie*" (Dardot et al., 2021, p. 74) appears therefore as a plausible hypothesis. In this respect, if we limit the present investigation to the German political laboratory, the proximity of some right-wing intellectuals to National Socialism does not change the fact that the effort put in isolating the economic sphere from social revindications is substantially identical. Whereas within the ordoliberal spectrum, there was no consensus on the best political form within which liberal capitalism could prosper (be it a democracy or a dictatorship), there was a unanimous agreement on the functions assigned to the state in the rational construction and defence of market capitalism. Whether this relation was accompanied by the democratic exercise of the right to vote did not alter the substantial evidence that the decisive characteristic of the neoliberal paradigm is the insulation of the economy from democratic pressures.

For example, let us take the early reflections on the strong state by Wilhelm Röpke (Solchany, 2015), a founding father of the social market economy and an alleged archliberal who, with the Nazi rise to power, flew to Turkey and then to Switzerland. During the twenties, Röpke opposed the welfare state of the Weimar Republic and its growing

[6] For a discussion on the capitalist state and the "liberal state-economy relation in crisis", see Alvarez Taylor (2022).

tendency toward economic interventionism. Like Schmitt (2008), he recognised the dual nature—social and liberal—of the Weimar economic constitution. Yet, in economic practice, he saw the emergence of an *Übergangswirtschaft* (transitional economy) that would not want to abandon the monopolism of the war economy under any circumstances and that, in a short time, would probably abolish free enterprise. Röpke's (1923) judgement is that even though the "idea of economic liberalism (is) not dead", it is so neglected "that no hope seems to spring directly from it" (p. 42). The reason for this transformation from the free economy of the pre-war period to the impending "etatist epoch" (p. 43) lies in the regrettable fact that every German party "has compromised with the system of state interference" (p. 42) so that this increasing politicisation of the economy paves the way for the final capitulation of liberalism. Because the original structure of liberalism itself—namely, the separation of economy and society—had been undermined at least since the beginning of the First World War, Röpke argued in favour of a radical rethinking of the role of the state: it is time to abandon early liberalism, which "limited the state to its 'night watchman' functions" (p. 44), and transform it into the active bearer of liberal capitalism. The "historical mission" of German liberalism ultimately was to "appoint itself to guardian and promoter of a concept of the state purged of anti-liberal aberrations". Far from minimising the role and functions of the state, as the Anglo-Saxon liberal tradition had always done, the new German liberalism—or more precisely neoliberalism—should become the "guardian of the idea of the state, which has been undermined from all sides" (p. 46). As early as 1923, Röpke (1929) understood what function the state should fulfil in order not to be monopolised by interest groups that threatened its autonomy and to prevent free competition from being eliminated by state interventionism.[7] In this text, the first traces can be observed of what Röpke's friend Rüstow (1950) recognised some twenty years later as the actual function of the neoliberal state, namely its role as "holder of the market police" (p. 79).

Given the overtly anti-pluralist tones employed during the Weimar years, it could be surprising that Röpke (1960) has always presented himself as the undisputed champion of a kind of capitalism with a human face. Even more so if we consider his ferocious criticism of mass democracy, his conception of the French Revolution as the "evil's family tree" (Röpke, 1950, p. 43), its hyper-conservative, anti-worker and strongly anti-feminist sociology[8] (Röpke, 1950), or its treatment of the issue of decolonisation underpinned by a racist evolutionism that is difficult to disguise (Slobodian, 2014).

In 1964, Röpke published a pamphlet whose title leaves no doubt as to its positioning: *South Africa: An Attempt at a Positive Appraisal.* Here, he attacks all those

[7] For a reconstruction of Röpke's criticism against planning, see Malatesta (2023b).
[8] On the relation between neoliberalism and conservativism, see Cooper (2017).

progressive humanists who tend to elevate "the ideals of modern mass democracy" (Röpke, 1964, p. 1) to universally valid global norms. Those who see in the apartheid policy pursued by Hendrik Frensch Verwoerd the realisation of an "odium generis humani" (p. 3) would be blinded by abstract moralism, unable to see that a "majority—consisting of an extremely different race" (p. 10) has overwhelmingly penetrated the white settlement areas. Following this argumentative logic, it cannot be said that South African segregationism is "evil" (p. 15). Rather, it constitutes the "specific form in which South Africa pursues the policy of 'decolonizing' and 'development aid'" (p. 14) that whites grant to blacks by virtue of their "extraordinary qualities[:] pioneering spirit[,] initiative, hard work" (p. 4). In contrast, equal political rights and "progressive schooling" would lead to "black supremacy" (p. 16). "Political equality" would thus amount to "advising national suicide" (p. 19). Not granting any political right to blacks and keeping them in a minority state is, in Röpke's view, the best possible solution to impede their democratic involvement in economic questions. Since blacks would certainly aspire to a global New Deal aimed at redistributing resources and strengthening labour, it is more than wise to sustain the apartheid policies implemented by the strong state of Verwoerd. This peculiar mixture of economic and racist[9] considerations with respect to the necessity of imposing a strong state and a free economy leaves no doubt about the authoritarian character of Röpke's political thought. His widely praised opposition to Hitler's regime does not alter this fact and does not make him a courageous defender of democracy or an illuminated liberal.

Whereas Röpke never harboured sympathies for National Socialism, another ordoliberal sociologist and economist like Alfred Müller-Armack, inventor of the "social market economy" formula (1947), overtly did. In his 1933 *Staatsidee und Wirtschaftsordnung im neuen Reich*, he not only supported the rise of the National Socialist regime but also developed a critique of liberalism based on Schmitt's (2007) *Concept of the Political* and inspired by the German Conservative Revolution. One year before the rise of Hitler, in his *Entwicklungsgesetze des Kapitalismus* (1932)—an unjustly ignored milestone of the birth of ordo- and neoliberal thought[10]—he wrote against parliamentarism. He considered this to be the crucial question on which "all fascist movements in Europe" rightly converge. The need to rely on an "authoritarian command [*Führung*]" (Müller-Armack, 1932, p. 32) stems from the fact that the party system has generated a dangerous pluralism that had torn the state apart. In this sense, it is not surprising that

[9] On ordoliberalism's racism, see Cornelissen (2022).
[10] There are obviously exceptions like Haselbach (1991).

Müller-Armack draws on *The Guardian of the Constitution* (2015):[11] if parliamentarism had been conceived as a weapon against absolutism, i.e., as a counterpower to limit the executive power of the government, with Weimarian democracy, it degenerates into a political and social pluralism that jeopardises the unity of the state: "With regard to the interests it represents, parliament does not remain what it was in the beginning. Originally, it was only supposed to ensure the non-intervention of the state, but now it itself becomes the vehicle of state expansion" (Müller-Armack, 1932, p. 107). The solution to the pluralisation of parliamentary democracy and economic interventionism lies not simply in the call for a strong state, which could appear as an empty and vague concept. Müller-Armack recovers the Euckenian analysis of the structural transformations of the State (Eucken, 1932) and identifies in the power gained by society over politics precisely what had generated excessive state interference in economic affairs. The remedy is offered by Fascist Italy, which, by totally incorporating the economy within the state, guaranteed private initiative greater room for manoeuvre. In this way, private economic activity "no longer restricts [...] the sphere of the state, but coincides with it" (Müller-Armack, 1932, p. 127). Fascist corporativism appears to Müller-Armack as an effective solution to make state power independent of interest groups. Its "inner inhibition" thus guarantees the state's hegemony over the economy. In this way, the fascist model achieved a double objective: it reestablished the primacy of the private sphere "without diminishing the power of the state" (p. 127).

These suggestions were further explored in *Staatsidee und Wirtschaftsordnung im neuen Reich* (1933) of the following year. According to Müller-Armack, the ideal of a pacified state, both in terms of the relationship between politics and society and in terms of industrial relations between workers and employers, takes shape in the *Carta del lavoro fascista* passed on 21 April 1927. It is, in fact, a constitution understood in the Schmittian sense[12] as an apparent "commitment to a certain form of [political] life" (Müller-Armack, 1933, p. 46), which, however, overcomes the "merely formal political constitution" (p. 45) that proved incapable of guaranteeing the unity of the state from the attacks launched by the various social groups. The *Carta del lavoro* fascista thus represents for Müller-Armack an authentic *Wirtschaftsverfassung* (economic constitution) in the sense elaborated by the ordoliberal jurist Franz Böhm (1937), that is "a certain method and a certain form of eco-

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[9] On ordoliberalism's racism, see Cornelissen (2022).

[10] There are obviously exceptions like Haselbach (1991).

[11] Especially see the chapter "The Development of Parliament into the Arena of a Pluralistic System" (Schmitt, 2015, pp. 125–146).

[12] Schmitt (2008) stated that "prior to the establishment of any norm, there is a *fundamental political decision* by the bearer of the constitution-making power" (p. 77). In defining the ordoliberal economic constitution, Franz Böhm draws precisely on this Schmittian explanation of the constitution as a fundamental *Grundentscheidung.*

nomic management […] elevated to norm through a political decision" (p. 54; see Malatesta, 2021). Its purpose is not only to regulate the economic sphere but rather to give the state a constitution based on the economic model it has decided to adopt. In other words, the Fascist economic constitution guarantees the resilience and "integration" (Müller-Armack, 1933, p. 46) of the state by matching the latter's interests with those of the workers and trade unions while at the same time surpassing the 19th century "class state" (p. 47).

The conceptual horizon of Müller-Armack's *Wirtschaftsverfassung* is light years away from classical liberal principles: instead of guaranteeing individual rights against state interference, the *Carta del lavoro* is first and foremost concerned with defining the individual as a "carrier of duties" (Müller-Armack, 1933, p. 47) vis-à-vis the nation that can only receive state protection to the extent that it serves the purposes of a community. Free private enterprise is thus no longer a space for individual action preserved from state influence but rather a functional sphere for integrating individuals into the state and consolidating the latter's power.

For this economic constitution to be achieved, it is then necessary to establish, as in fascist Italy, a "professional structure" that neutralises conflicts between "competing labour and employers' associations" (Müller-Armack, 1933, p. 49) through unitary associations of the state. Hence, the task of the corporatist state is primarily political: it must remove both the multiplicity of economic associations, trade unions, and parties that competed within the state and parliamentarism, which continually caused undue influence of society on the economy. The goal of this economic constitution is "the unified formation of the will and integration of the entire working people into the state. Its task is to serve the integration of the state" (pp. 51–52).

Unlike his colleagues and friends Eucken, Böhm, Röpke, and Rüstow, by sustaining the corporatist state and the *Volkstum*, Müller-Armack draws heavily from the conceptual universe of the Conservative Revolution (Kondylis, 1986): not only does he quote Arthur Moeller van den Bruck (Müller-Armack, 1933, p. 8–9), but also Wilhelm Stapel and Hans Freyer, author of the famous *Revolution von Rechts* (1931), one of the milestones of conservative and national socialist thought. According to Müller-Armack (1933), the Nazi movement

> sees Marxism as its arch-enemy [and] adopts the socialist idea in its name and programme. Marxism and socialism become elementary opposites. It fights against liberal democracy and speaks out more clearly in favour of folk laws, property, and private initiatives in economic life than the previous state. (pp. 7-8)

What Müller-Armack and many exponents of the Conservative Revolution have in common is undoubtedly the emphasis on a nation grounded on the *Volkstum* and the

criticism of the abstract universalism of Western liberal democracies (see, e.g., Stapel, 1928), which appear as a "sum of identical, i.e., abstract and unrelated atoms" artificially held together through "cerebral humanistic ideals" (Kondylis, 1986, p. 747). What needs to be emphasised is that for Müller-Armack and the majority of the conservative revolutionaries, the attack on *political* liberalism is not at all combined with criticism of *economic* liberalism but quite the opposite. In fact, none of these thinkers questions the social order of capitalism in the slightest: none of them proposes to change the social and productive structure, but only to emancipate the "concept of the worker" from the "class basis" (Gerstenberger, 1969, p. 55), creating a sense of belonging to the nation and its *Volk*. In this sense, Kondylis' (1989) definition of "conservative' neoliberalism" (p. 492) perfectly describes the thought of authors like Müller-Armack, Max Hildebert Boehm, and Edgar Julius Jung. Boehm (1933), for example, defends what he calls "'sane' liberalism" (p. 12) and imagines a community based on economic liberalism and corporatism, the aim of which is to overcome the induced atomisation of liberalism, as well as Marxist mechanicism. The same argument can also be found in the writings of Edgar Julius Jung (1930), who contrasted 'bad' liberalism based on individualism with true community based on higher spiritual ideals than the mere thirst for money.

If, in the thirties, Müller-Armack took on tones and contents typical of conservative revolutionaries, the same cannot be said of Walter Eucken, who did not even hint at the need for a corporatist state, nor did he attack liberalism as a political philosophy. And yet, it must be emphasised that the same criticism of the intertwinement of state and society, as well as the criticism of parliamentary liberalism that both Röpke and Rüstow engage in, undoubtedly intersect with the approach of the conservative revolutionaries. Like the ordoliberals, the young conservatives also advocated "the restoration of the old liberal dichotomy of state and society" (Breuer, 1995, p. 63). They criticised the dangers of an overly broad expansion of the welfare state, which had eliminated competition as the best possible selection mechanism in the economic struggle.

It is precisely in the fight against pluralism that we can identify the *trait d'union* of all those theorists that can be described as authoritarian: Schmitt, some exponents of the Conservative Revolution, as well as the ordoliberals (despite their inner differences), conceived the Weimar crisis primarily as the result of the pluralistic state, i.e., of that state unable to assert its primacy in the face of the widespread politicisation of the economic sphere. In order to fight the alleged hypertrophy of the welfare state, a new separation of the state from the economy and politics from society was needed.

However, it is also necessary to point out the differences within the ordoliberal field: whereas Eucken, Böhm, and Röpke did not support the national socialist regime, their

political imaginary implied the complete depoliticisation of society and the transformation of politically active citizens into small entrepreneurs entirely devoid of any ideology. Müller-Armack, on the other hand, aimed at the same goal but emphasised a domesticated labour movement organically integrated into the nation. Rüstow, as we have seen, claimed a "dictatorship within the limits of democracy", whereas Röpke saw the need to insulate the free market from any democratic pressure even if this implied the socio-political marginalisation of blacks on an ethnic basis (although disguised as an economic necessity). Finally, in 1932, Eucken's (2017) fear of the masses caused him to conceive the strong state as an ineludible tool to fight "modern anti-capitalism [which] by contrast seeks to overthrow capitalism through a total state, a state that is as autarchic as possible, a state that has engorged the economy" (p. 58). And, finally, one should not forget Franz Böhm (2010), whose lifelong effort consisted precisely in the construction of a juridical order completely opposed to the Weimar Constitution, viewed as the result of a pernicious comprisal which made the "free market economy system" no longer the "dominant constitutional principle of economic life" (p. 322).

The analysis so far shows that the ordoliberal argumentative logic was miles away from the classical liberal conception of the state as an entity whose action should be restricted as much as possible to let individual action flourish without impediments. Ordoliberalism could therefore be defined as a kind of 'illiberal liberalism' to the extent that its interest did not lay in the need to protect a society consisting of private individuals from the omnipotence of the state but in the creation of a strong state capable of providing the *a priori* conditions of the market and of protecting the economy from the tentacles of the greedy society of the masses "struggl[ing] for power in the state" (Eucken, 2017, p. 57). In this way, the classical liberal scheme is wholly reversed, a fact that Foucault, despite his brilliant intuitions on neoliberalism, was only partially able to recognise.

With Foucault beyond Foucault

Although Foucault's analysis of ordoliberalism revealed some interpretative limits (cf. Villacañas, 2019) and was largely influenced by François Bilger's (1964) seminal study, it is undoubtedly one of the most insightful ever. One should not forget something obvious but crucial: Foucault did not have the privilege of historical distance; quite the opposite. He lectured at the Collège de France shortly before Margaret Thatcher's election and two years before Reagan's. Considering the historical-political conjuncture, then, one could say that the French philosopher was precisely in the eye of the storm: neo-liberalism, which had been conceptualised in Germany and Austria even before Nazism, leaves academic circles and associations and becomes hegemonic throughout

Europe. Foucault seems to suggest that neoliberalism has been in the pipeline for a long time before finally being transformed into a practical instrument of government. He is, therefore, interested above all in defining the features of the neoliberal transformation of the West. In this respect, the post-war Federal Republic of Germany (FGR), with the governments led by Konrad Adenauer and Ludwig Erhard (1949–1966) under the aegis of the social market economy, rightly appears to him as an early experiment of the new way of the world, as to borrow the title of a famous work which owes much to Foucault (Dardot & Laval, 2017). The central argument of the philosopher is, in fact, that in the FRG, it was the economy that laid the foundations for the creation of the German post-war state. As Foucault stated: "Economic development and economic growth produces sovereignty […]. The economy produces legitimacy for the state that is its guarantor" (Foucault, 2008, p. 84). As a matter of fact, the liberalisation of prices and the resulting success served as a means of political legitimisation of the new German state, so much so that this economic operation could be defined as the founding act par excellence of the FRG since the *Grundgesetz* was promulgated one year later, on 23 May 1949.

Given Foucault's specific focus on the economic (and not political) foundation of the post-war German state, and considering not only the fact that in the aftermath of National Socialism, the ordoliberals presented themselves as champions of democracy against the defeated totalitarianism but also that the social market economy—as the political product of ordoliberalism—was systematically described in the CDU's propaganda as the very source of the economic miracle and of the renaissance of Germany, it is understandable that Foucault was influenced by this interpretative scheme. He was unable to see that neoliberalism was not at all characterised by a "state phobia" by a deep-seated fear of the "intrinsic power of the state in relation to its object-target, civil society" (Foucault, 2008, p. 187).[13] As the present analysis has shown through the interpretative lenses offered by Heller, early neoliberalism in no way criticises the state in itself, nor a supposed hypertrophy of the latter, but rather the fact that it has been occupied by society, that it has become a party state and not a state devoted to the defence of the market. Hence, to understand authoritarian liberalism, one should reverse the Foucauldian scheme: the problem for neoliberals is not the state allegedly occupying, invading, and controlling society, but the fact that society, with its conflicts and disorders, has penetrated inside the state claiming to control and direct the economy (increasingly bureaucratised, planned, welfarist) according to its own interests. What neoliberals lament is a weak, powerless state, not a "polymorphous,

[13] For a discussion on the state-society relation in Foucault, cf. Dean and Villadsen (2016).

omnipresent, and all-powerful" (p. 189) one. In their works, there is no "negative theology of the state as the absolute evil" (p. 116). Had Foucault focused on the rise of ordoliberalism during the Weimar Republic and its emphasis on the strong state, indeed, his analysis would have been different (see above all Marco, 2022; for the opposite point of view, cf. Brindisi, 2021, p. 262).

Moreover, also the following statement appears problematic: the "idea that the state has a specific, intrinsic dynamism which means that it can never halt its expansion and complete takeover of the whole of civil society" (Foucault, 2008, 189). Although ordoliberals were undoubtedly concerned about the expansion of the welfare state (see in particular Röpke, 1944, 1950, 1959), the starting point of their criticism is the expansion of society over the state. To really understand authoritarian liberalism without misunderstandings, one should turn Foucault's argument upside down: it is society that assaults the state, that turns it into a "prey" (Rüstow, 2017, p. 147) and makes it no longer able to impose its autonomous will over the various economic groups.

The ordoliberal diagnosis is this: with the democratisation of the German state, the latter has been degraded to a mere tool in the hands of the various socio-economic groups. The point is to regain its pre-eminence over society by reconstituting the necessary division between state and society. It is necessary for the state to become not only the supreme guardian of the market by actively creating its conditions of possibility, i.e., *a priori*, but to depoliticise the economy, to draw a clear line between the economic norms it must create, implement, and protect and society with its class-based interests. The problem, as Eucken (2017) states in 1932 unabashedly, is that this "economic state" caused the "politicization of the economy" (p. 56), namely the fact that the masses, organised politically within parties, gained "much greater influence over the management of the state, and so upon economic policy" (p. 59). It is with the intention of fighting this phenomenon that Rüstow reversed the famous formula of the German industrialist and foreign minister Walther Rathenau: whereas for the latter, the economy represented Germany's destiny, Rüstow (2017) emphasised the crucial role that the state must play in managing the economy by asserting that Germany's destiny is the state and that, in turn, "the state also decides the fate of the economy" (p. 144).

Consequently, ordoliberals are interested in society not because of its presumed horizontality or because they conceive it as a sphere of freedom as opposed to a hypertrophic and dirigiste authoritarian state. On the contrary, it is precisely the extension of society over the state and its economy that needs to be fought. With its conflicting nature and class divisions, society must be transformed into a smooth space where economic subjects can realise their individual plans. Civil society, therefore, is not the elec-

tive dimension of political freedom but solely the space in which individual economic liberties can be exercised.

What, on the contrary, is of enormous heuristic value for the understanding of authoritarian liberalism is the question of the normative character of competition. After all, according to the ordoliberals, the problem of the economic state is that it attacks the beating heart of the market economy, i.e., competition. In this respect, Foucault's (2008) observations are extraordinarily useful and deserve to be quoted:

> For what in fact is competition? It is absolutely not a given of nature. [C]ompetition is not the result of a natural interplay of appetites, instincts, behavior, and so on. […] Competition is an essence. Competition is an eidos. Competition is a principle of formalization. (p. 120)

Foucault identifies the core principle of ordoliberalism, which could also be extended to other forms of authoritarian liberalism: the fact that competition does not occur spontaneously, that in neoliberalism, it is not enough for the state to delimit a space of economic freedom for there to be competition. On the contrary, a strong state is called upon to actively construct the market's framework conditions (*Rahmenbedingungen*). That is, competition is not a natural phenomenon but an artificial object that must be skillfully built. In this sense, the legal framework creates the *a priori* of the market, its very conditions of possibility: "The juridical gives form to the economic, and the economic would not be what it is without the juridical" (Foucault, 2008, 163). In this respect, Foucault provides incredibly acute reflections on the nature of ordoliberalism, which immediately recall the definition— contained in the ordoliberal manifesto —of the economic constitution "as a general political decision as to how the economic life of the nation is to be structured" (Eucken et al., 2017, p. 36). Following the Schmittian motto, the *Wirtschaftsverfassung* is to be understood as a depoliticising political decision insofar as the state constitutionalises the economic rules of liberalism, inscribing them in its own legal framework.

Therein lies the theoretical core of ordoliberalism and, at the same time, its political prescription for counteracting the influence of society on the economy: once the liberal laws of the economy have been inscribed within the constitution, it will no longer be possible for either the executive or the legislative to change their content. It is precisely on this constructivist character of the economy, identified by Foucault, that neoliberalism has been able to impose itself in Europe through a constitutionalisation of the economy that can rightly be called authoritarian insofar as it is devoid of any

democratic legitimacy (cf. Streeck, 2015). Beyond historical specificities that cannot be ignored, the reflections of Heller and Foucault—the former witnessing the birth of neoliberalism in Germany as a political-conceptual laboratory, the latter observing instead the post-World War II expansion of neoliberal policies on a European scale—offer precious insights that continue to help us to question the ever-changing, and still unbeaten phenomenon of neoliberalism (Callison & Manfredi, 2020).

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