

D Did the constitution of the Weimar Republic establish a sound structure for democracy in Germany?

The fledgling democracy in Germany faced two immediate challenges. One was the signing of a peace treaty, which you will study in Chapter 2. The other was the writing and acceptance of a constitution. This task began in January 1919 when elections were held for the German Constituent Assembly. The elections for the assembly were held on the basis of universal male and female suffrage, and used a proportional representation system similar to the one that would be adopted in the Weimar constitution a few months later.

The moderate Socialists, the SPD, hoped to gain a majority but did not. However, three-quarters of voters chose parties committed to the new republic. The Assembly met in the city of Weimar and set about drawing up a new constitution. A committee headed by the liberal lawyer Hugo Preuss drew up a constitution which was accepted in August by 262 to 75 votes. Then they chose Ebert as President and Scheidemann as Chancellor of a coalition government. The constitution has been described, ironically, both as the most democratic in the world and as a major reason why democracy failed in Germany.

SOURCE 1.17 The Constituent Assembly election results, January 1919

Parties committed to democracy that later voted for the Weimar constitution		
	% of vote	Deputies
SPD	38	163
Z/BVP*	20	91
DDP	19	75

Parties that later voted against the constitution		
	% of vote	Deputies
DNVP	10	44
USPD	7.6	22
DVP	4.4	19

* In Bavaria, there was a separate Catholic party, the Bavarian People's Party.

Notes: The turnout was 83 per cent. The KPD boycotted the election.

ACTIVITY

- 1 What was encouraging for the survival of democracy in the election results of January 1919?
- 2 Was this surprising?
- 3 What do the results suggest about the strength of socialism (both moderate and revolutionary) in Germany?
- 4 Do they prove that Ebert's fears of radical revolution in 1918 were unjustified?

FOCUS ROUTE

1 a) Read the explanation of the Weimar system of government and the extracts from the constitution, then copy and complete the following table.

Aspects	British system	Second Reich (see pages 9–10)	Clause in Weimar constitution	Weimar
Head of state and how chosen				
Head of government				
How the head of government is chosen				
Law-making body				
How assembly chosen				
Power of assembly over government				
Written constitution				
Constitutional statement of rights				

- b) What do you consider were the most significant differences between the constitutions of the Second Reich and the Weimar Republic?
- 2 Assess the strengths and potential weaknesses of the Weimar constitution in providing a base for democracy in Germany.

ACTIVITY

Develop a basic understanding of the Weimar constitution by answering these questions based on the extracts in Source 1.18.

- 1 Separate groups of students could each look at one of the four aspects listed below. For the first three, note down how they were chosen and what powers they had.
 - a) The President
 - b) The Chancellor
 - c) The Reichstag
 - d) The relationship between the national (federal) government and the local states.
- 2 Read Part Two of the constitution about fundamental rights. Divide into three groups.
 - a) One group should try and identify rights which were probably not very controversial and which most Germans might accept.
 - b) The second group should identify those rights that might particularly appeal to German workers/Socialists, and which might worry the conservative Right.
 - c) The last group should identify those rights that might reassure industrialists/the Right, and might worry Socialists.
- 3 How might Article 48 be used to
 - a) protect
 - b) threaten parliamentary democracy?

The Weimar constitution

The Weimar constitution is very important for understanding how the new regime developed, so we have included some major extracts. These cover not just the political structure, but also considerable extracts from Part 2: Fundamental Rights and Duties of Germans, which contains over 60 articles.

SOURCE 1.18 Essential articles from the constitution of the Weimar Republic

Preamble

The German people, united in all their branches, and inspired by determination to renew and strengthen the Commonwealth in liberty and justice, to preserve peace at home and abroad, and to foster social progress, have adopted the following Constitution.

Section One. Federation and States

Art. 1. The German Federation is a republic. Political authority is derived from the people.

Art. 5. Political authority is exercised in national affairs by the national government in accordance with the constitution of the Reich, and in state affairs by the state government in accordance with state constitutions.

Art. 13. Federal law overrides state law.

Section Two. The National Assembly

Art. 22. The delegates are elected by universal, equal, direct and secret suffrage by all men and women over twenty years of age, in accordance with the principles of proportional representation.

Art. 23. The National Assembly is elected for four years.

Art. 25. The President of the Federation may dissolve the Reichstag, but only once for any one reason. The general election shall take place not less than 60 days after the dissolution.

Section Three. The National Presidency and National Cabinet

Art. 41. The National President is chosen by the whole German people.

Art. 43. The term of office of the Reich [National] President is seven years.

Art. 47. The National President has supreme command over all the armed forces of the Federation.

Art. 48. If any state does not perform the duties imposed on it by the Constitution or the national laws, the National President may hold it to the performance thereof by force of arms. If public safety and order in the Federation is materially disturbed or endangered, the National President may take the necessary measures to restore public safety and order. The Reich President is obliged to inform the Reichstag immediately of all measures taken under this article. If the Reichstag demands it, these measures are to be revoked [cancelled].

Art. 53. The National Chancellor and, on his proposals, the National Ministers are appointed and dismissed by the National President.

Art. 54. The National Chancellor and the National Ministers require for the administration of their offices the confidence of the National Assembly. Each of them must resign if the National Assembly by formal resolution withdraws its confidence.

Art. 56. The Chancellor . . . determines the main lines of policy, for which he is responsible to the Reichstag.

Art. 60. A Reichsrat is formed to give the German states representation in the law making and administration of the Reich.

Art. 73. A referendum shall take place if one-tenth of those entitled to the FRANCHISE petition for the submission of a proposed law.

Art. 76. The Constitution may be altered by legislation. But decisions of the Reichstag as to such alterations come into effect only if two-thirds of the legal total of members be present, and if at least two-thirds of those present have given their consent.

Part Two. Fundamental Rights and Duties of Germans

Art. 109. All Germans are equal before the law. Men and women have fundamentally the same rights and duties.

Art. 114. Personal liberty is inviolable [cannot be taken away].

Art. 117. Every German has the right, within the limit of the general laws, to express his opinions freely, by word, printed matter or picture, or in any other manner . . . Censorship is forbidden.

Art. 124. All Germans have the right to form unions and societies.

Art. 135. All inhabitants of the Reich enjoy full religious freedom and freedom of conscience.

Art. 137. There is no state church.

Art. 142. Art, science and the teaching thereof are free.

Art. 151. The organisation of economic life must conform to the principles of justice, with the object of assuring humane conditions for all. Within these limits the economic freedom of the individual must be guaranteed.

Art. 153. The right of property is guaranteed by the Constitution.

Art. 156. The Federation may by law . . . [with compensation] . . . transfer to public ownership private business enterprises adapted to socialisation.

Art. 157. Labour is under the special protection of the Federation.

Art. 161. The Reich shall organise a comprehensive system of [social] insurance.

Art. 163. Every German has the moral obligation, his personal freedom notwithstanding, to exercise his mental and physical powers in a manner required by the welfare of all.

Every German shall be given the opportunity to earn his living through productive work. If no suitable opportunity can be found, the means necessary for his livelihood will be provided. Further particulars will be given in subsequent legislation.

Art. 164. The independent, agricultural, industrial and commercial middle class shall be fostered by legislation and administration, and shall be protected against oppression and exploitation.

Art. 165. Workers and employees are called upon to co-operate, on an equal footing, with employers in the regulation of wages and of the conditions of labour, as well as in the general development of the productive forces.

TALKING POINT

'A well-balanced statement of rights and duties.' Do you agree with this comment on Part Two of the constitution?

■ Learning trouble spot

What do we mean by a parliamentary government?

The **head of state** is the formal leader of a country. Originally, most countries had a monarch as head of state; now most have an elected president. In Britain, the Queen has a ceremonial role, above party politics. Technically she appoints the Prime Minister, but this is just a formality, as the leader of the party winning a majority in Parliament becomes Prime Minister.

A **parliament** is an assembly elected by the people. This is essential for a democracy. It can have various powers, most notably the power to legislate (make laws). It is thus a legislative body. In the British form of democracy, but not in all systems, some of its members also make up the government.

The **government** is the group of people who actually run the country: that is, make decisions about foreign policy, taxation, expenditure, etc. The government is the executive power. It carries out policy. Government

ministers are in charge of the various departments of state: for example, foreign affairs, finance, etc. Before many of their decisions can be enacted, a new law has to be passed by parliament. The **cabinet** consists of the most important members of the government, i.e. heads of important departments. Junior ministers are members of the government, but not the cabinet.

In Britain, the government consists of elected members of the House of Commons and members of the House of Lords. The government is formed from the party that has a majority in the House of Commons. (Our tradition of having two major parties and our first-past-the-post electoral system normally ensure one party has a clear majority of MPs.) The government has to have the support of Parliament. In Britain this is easy as the party in government has a majority of MPs in the House of Commons who will normally pass whatever the government wants. If Parliament passes a vote of no confidence in the government, it has to resign.

Verdicts on the constitution

SOURCE 1.21 From a speech by Hugo Preuss, the liberal lawyer who headed the Commission that drew up the constitution, to the Weimar Assembly, April 1919

I have often listened to the debates with real concern, glancing often rather timidly to the gentlemen of the Right, fearful lest they say to me: 'Do you hope to give a parliamentary system to a nation like this, one that resists it with every sinew in its body? Our people do not comprehend at all what such a system implies.' One finds suspicion everywhere; Germans cannot shake off their old political timidity and their deference to the authoritarian state.

SOURCE 1.22 Gustav Stresemann, DVP leader, talking to a German ambassador

The ordinary people have no affection for Ebert. The truth is, the Germans do not want a president in a top hat . . . He has to wear a uniform and a fistful of medals.

SOURCE 1.23 During the debates on the constitution, a USPD deputy, Cohn, warned of possible dangers under Article 48

. . . if some henchman of the Hohenzollerns [the royal family], a general perhaps, were to be at the head of the Reich.

SOURCE 1.24 A. Nicholls, *Weimar and the Rise of Hitler*, 1979, p. 128

Whatever problems faced the Weimar Republic they were not attributable to the democratic nature of the Constitution, which was a brave statement of liberal and democratic principles.

SOURCE 1.25 K. Fischer, *Nazi Germany. A New History*, 1995, pp. 56–9

. . . The final document . . . was in many ways a mirror image of the social dissonances of [lack of harmony in] German society. The Weimar Constitution was a hodge-podge of principles drawn from Socialist and liberal agendas; it represented so much confusion in regard to economic objectives and unresolved class conflicts that German democracy was stymied [impeded] from the beginning . . .

[It was] one of the most democratic documents in the world. In 1919, however, it was doubtful whether such a democratic constitution could work in the hands of a people that was neither psychologically nor historically prepared for self-government.

SOURCE 1.26 D. Peukert, *The Weimar Republic*, 1991, p. 50

Despite its imperfections, the Weimar Reich constitution provided an open framework for an experiment in democracy which would have been quite capable of further refinement under more favourable circumstances. It brought different groups into the new order; enduringly so in the case of the old 'enemies of the Reich' in the Social Democratic labour movement and Catholic political groups, temporarily so in the case of sections of the middle class. It offered new CORPORATIST ways of attempting to reconcile basic social divisions, and it laid down the foundations for an expansion of the welfare state. Finally, it was signally successful, by international standards, in helping make possible the transition to a peacetime economy.

ACTIVITY

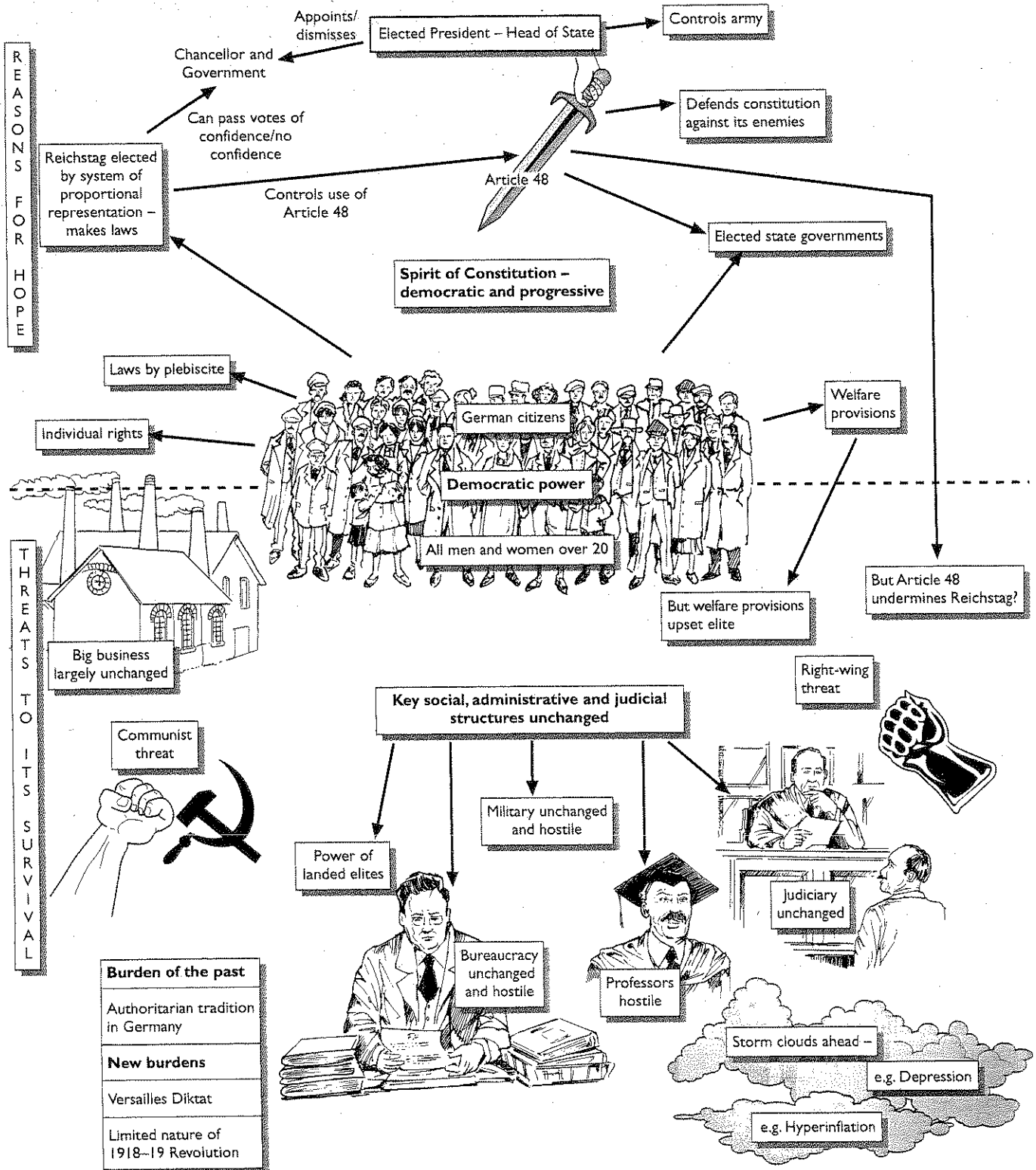
- 1 Read the contemporary accounts in Sources 1.21–3. What problems for the survival of democracy in Germany do these comments suggest?
- 2 Read the verdicts of historians in Sources 1.24–6.
 - a) What strengths do they identify in the Weimar constitution?
 - b) What weaknesses do they identify?
- 3 Do they think that the constitution itself was a strong basis for democracy or a recipe for chaos?



Review: Was the Weimar Republic doomed from its very beginnings?

You have now studied how parliamentary democracy came to Germany. You have examined its difficult birth during military defeat, the nature of the revolution that created the Weimar Republic, and the new democratic constitution. You now need to decide whether the background and the events of 1918-19 doomed the new Republic to failure or whether it still had a chance of establishing democracy in Germany.

IJ The Weimar constitution: will it survive?



Paul von Hindenburg, 1847–1934

- Recalled from retirement at the outbreak of the First World War and became Commander-in-Chief in the east
- Won battle of Tannenberg over Russia in 1914, establishing his reputation
- Promoted to field marshal
- Put in overall command of German forces in 1916
- Helped restore morale, but unable to break trench system in the west despite ordering massive assaults
- In August 1918 he realised the war was about to be lost, and advised an armistice
- Retired again from the army after the war
- Elected President in 1925 (see page 89)



Field Marshal Hindenburg, Wilhelm II and General Ludendorff

Erich von Ludendorff, 1865–1937

- Hindenburg's subordinate commander at the battle of Tannenberg
- In 1916 promoted to Quartermaster General and in control of Germany's war policy
- Virtual military dictator, hostile to the Reichstag
- Firm supporter of unrestricted submarine warfare
- Victorious in Russia and dictated the terms of the Treaty of Brest-Litovsk
- In charge of 1918 spring offensive
- Dismissed on 26 October 1918 by the new civilian government
- Involved in Kapp Putsch (see pages 42–3)
- Involved in Hitler's Munich Putsch (see pages 53–4)
- From 1924 to 1928 sat as a Nazi Reichstag deputy
- In 1925 he was the Nazi candidate for presidency; he won 1 per cent of the vote

a new offensive, telling his soldiers that within months they would have victory. In March 1918 the German attack nearly broke through the Allied lines. Only the arrival of large numbers of American troops stopped the German advance.

By August 1918 the tide of war had clearly been reversed. The USA had poured in nearly 2 million fresh troops to reinforce the Allies. Germany's allies, Bulgaria, Turkey and Austria–Hungary, were on the verge of collapse and seeking peace. The German generals realised it was only a matter of time before Germany was defeated. Their troops began a gradual retreat towards the German frontier. At home there was growing unrest as economic crisis and war weariness sapped the commitment of many Germans to the war. Civilian and, in places, military morale was disintegrating and there was a danger of revolution.

■ IC The effects of the First World War on Germany

Economy/finance

- Between 1913 and 1918 the mark lost 75 per cent of its value
- Industry made vast profits, which were increasingly resented by ordinary Germans
- Agricultural production fell
- December 1916 Auxiliary Labour Law gave government harsh powers over labour
- War financed by printing money and borrowing: led to inflation
- Expectations of booty from victory
- Only 16 per cent of cost of war met from taxation

The cost of war	Germany
Killed (millions)	2
Wounded (millions)	6.3
Cost (£ million)	8,394

Living conditions

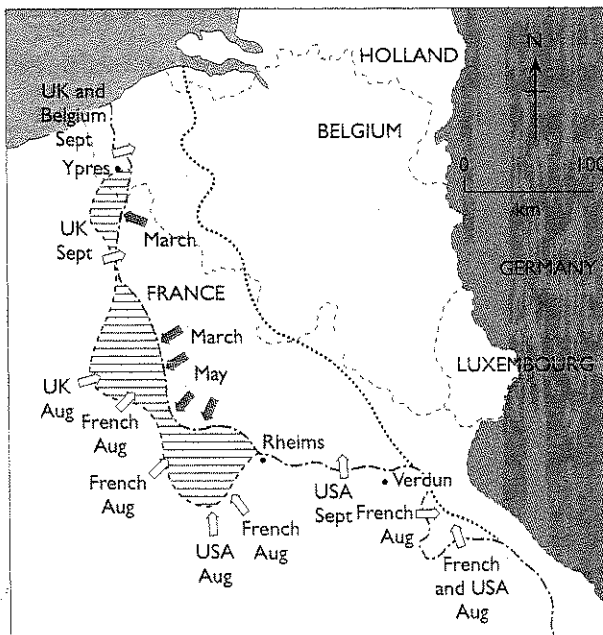
- Real earnings fell 20–30 per cent
- Meat consumption fell to 12 per cent of pre-war level
- 1917 winter called 'turnip winter' – the only food to eat
- Major food and fuel shortages
- Disease (thousands dying each day from major flu epidemic), starvation
- Deaths from starvation and hypothermia
1916: 121,000
1918: 293,000

Political developments during war

- 1914 Most Germans rallied to nation; but by 1917 unity breaking down
- 1916 Increasing military control of government; growing criticism of the war
- 1917 April Radicals opposed to war formed the USPD (Independent Socialist Party)
- July Reichstag voted for peace
- Sept Fatherland Party founded by nationalists who wanted Germany to make a 'peace of victory' with land conquests in west, east and overseas

Terms of the Armistice

- The new German government signed a 30-day armistice on 11 November 1918
- Key terms:
 - Alsace–Lorraine and invaded lands would be evacuated by Germany
 - West bank of Rhine to be occupied by Allies; German troops to evacuate east bank
 - Most of the German fleet, many armaments and transport equipment to be handed over
 - Germany (but not the Allies) to hand over prisoners of war
 - Treaties of Brest-Litovsk and Bucharest to be renounced
 - Allied naval blockade to remain



Key

- Front line, March 1918
- Front line, Nov 1918
- ➡ German offensive
- ◀ Allied offensive
- ▨ Area captured by Germans in spring offensive 1918

ACTIVITY

- 1 Study Chart 1J, then list the strengths and weaknesses of the democratic system set up in Germany in 1918–19. Refer to:
 - a) Germany's political tradition
 - b) the nature of the 1918 Revolution
 - c) the Weimar constitution
 - d) the overall context of 1918–19, especially Germany's defeat in 1918.
- 2 Reconstruction Minister Waither Rathenau said in 1919: 'Now we have a Republic, the problem is we have no republicans.' Explain what you think he meant.
- 3 Debate: 'Fatally flawed'. Discuss this view of Germany's infant democratic system.
- 4 Structured essay.
 - a) Describe how Germany changed from being a semi-absolutist monarchy in 1918 to a parliamentary republic in 1919.
 - b) Explain why the prospects for the survival of the new democratic regime were not great.

ACTIVITY

Copy this table and complete columns 2 and 3 from the two lists below. This activity will help you grasp the overall theme that the way the Weimar Republic was created caused problems that reduced its chances of flourishing.

Potential problem	Details of the problem	Significance/possible effects
Legacy of the First World War		
Nature of the German Revolution		
Weimar constitution		

Details of the problems

- i) Growth in government debt and inflation
- ii) Voting by proportional representation
- iii) SPD government's suppression of communist uprising in January 1919
- iv) Germany's unexpected defeat and the myth of the 'stab in the back'
- v) Article 48
- vi) Inclusion of the principles of a welfare state
- vii) Treaty of Versailles
- viii) Ebert's deal with Groener and the 'unrevolutionary revolution', November 1918

Significance/possible effects

- a) The Weimar regime printed too much money to meet its expenditure requirements, causing continued inflation; groups on fixed incomes became discontented.
- b) The two main left-wing parties remained bitterly divided.
- c) Weimar's 'November criminals', not the army generals, were blamed for Germany's defeat.
- d) The President could bypass the Reichstag.
- e) Weimar governments were associated with this national humiliation.
- f) The elites might later turn against the constitution, considering it too radical.
- g) Influential social groups and institutions, potentially hostile to democracy, were not removed from their positions of power.
- h) This made coalition governments very likely.

KEY POINTS FROM CHAPTER 1: Was the Weimar Republic doomed from its very beginnings?

- 1 Until 1918 Germany had been a semi-absolutist state dominated by the Prussian AGRARIAN elite.
- 2 In 1918 Germany came close to military success in the First World War, but then was forced to seek peace to avoid military disaster.
- 3 Parliamentary government was created in October 1918 in a 'revolution from above', advocated by the generals as a device to blame others for military defeat.
- 4 Late in October a 'revolution from below' began when unrest spread from sailors in Kiel throughout Germany.
- 5 On 9 November, a Socialist-led republic was declared in Berlin.
- 6 The 'German Revolution' was very limited. Ebert's government made a deal with the army, and gained the co-operation of the old elites. This would be harmful for the future development of full democracy.
- 7 On 11 November, the new government accepted an armistice.
- 8 In January 1919 the socialist government used the Freikorps to crush a communist rising. This led to lasting bitterness between Socialists and Communists.
- 9 The constitution of the new Weimar Republic was very democratic. It established parliamentary government. The Chancellor was appointed by the President, but had to have the confidence of the Reichstag.
- 10 The system of proportional representation and the President's emergency powers under Article 48 were to create problems for the survival of democracy.

