THE WUERTTEMBERG CONSTITUTIONAL REFORM OF 1906:
BACKGROUND AND ANALYSIS

by

Karl B. Koth
B.A., Roosevelt University, 1965.

A THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
in the Department
of
History

We accept this thesis as conforming to the
required standard

THE UNIVERSITY OF BRITISH COLUMBIA
August, 1972
In presenting this thesis in partial fulfilment of the requirements for an advanced degree at the University of British Columbia, I agree that the Library shall make it freely available for reference and study. I further agree that permission for extensive copying of this thesis for scholarly purposes may be granted by the Head of my Department or by his representatives. It is understood that copying or publication of this thesis for financial gain shall not be allowed without my written permission.

Department of History

The University of British Columbia
Vancouver 8, Canada

Date 22nd. August, 1972
"YET OLD TRADITIONS DIE HARD."

E. H. Carr
ABSTRACT

The hundredth year of the anniversary of the founding of the Second Reich is a fitting moment to raise new questions and indicate possible new directions to the history of that period.

German historiography of the nineteenth century had been mainly concerned with the foreign policy of Bismarck, or with the 'genius' of the creator of the Reich, himself. The most comprehensive accounts, such as Adalbert Wahl's four-volume Deutsche Geschichte 1871-1914, or Treitschke's six-volume, History of Germany in the Nineteenth Century, although concerned with cultural as well as political life, reveal yet another bias: the identification of the Reich with Prussia.

The only inclusive, detailed treatment of the subject in the English language, Hajo Holborn's three-volume, A History of Modern Germany, was no departure from main-stream interpretation of German history. Indeed, English language historiography still does not do justice to the richness and diversity of German constitutional development during the nineteenth century. An image has been created which reduces the role of the south german states to puppets, assuming that these had no or at most very little part to play in the subsequent development of the Reich. A detailed history of the non-Prussian states, their relationship to and their contributions to the Reich remains to be written.

This thesis then is presented out of a sense of dissatisfaction with the manner in which historians continue to deal with the Second Reich, and is an attempt to indicate that there was another political
tradition in Germany. Such an approach is all the more important since that edifice was survived by some of its component parts.

Two alternatives to Bismarckian absolutism emerged in the nineteenth century, parliamentary liberalism and revolutionary socialism. Both of these have come to be the form of government in the two German states which were created after World War II. Here I will be concerned with the former strand as it evolved in the south German state of Wuerttemberg. A similar account could be written for Baden, since both states or Laender shared many features of a liberal development in common. In both a vigorous parliamentary life evolved in the nineteenth and early part of the twentieth centuries which groomed many a politician for his role in the Weimar or later in the Federal Republics. It was Wuerttemberg which was afforded the singular honour of providing one of its sons, Theodor Heuss, as the first President of the Federal Republic in 1949. But principally, the availability of sources determined the concentration on this particular Land.

Given this tradition of parliamentary liberalism and furthermore, the ability and opportunity to exercise its autonomy within the Reich, one may justifiably ask why ultimate parliamentary democracy only appeared when forced by the circumstances of the 1918/19 revolution? A detailed examination of Wuerttemberg constitutional life in the latter half of the nineteenth century, and the controversy surrounding the constitutional reform of 1906, sheds light on the continuing struggle which this tradition faced in the circumstances of the engrossing Prussian influence in the Second Reich.
# CONTENTS

| ABSTRACT                                      | iii |
| ABBREVIATIONS                                | vii |

## CHAPTER

### I. THE CONSTITUTIONAL STRUGGLE 1806-47

| A. Introduction                              | 1  |
| B. Wuerttemberg during the Napoleonic Era    | 5  |
| C. The New Constitution                      | 7  |
| 1. The Fight for 'Das Gute Alte Recht'       | 7  |
| 2. Summary                                   | 11 |

### II. FROM THE FEBRUARY REVOLUTION TO UNIFICATION

| A. Introduction. The 'Vormaerz' in Wuerttemberg | 15 |
| B. 1848-49                                      | 17 |
| 1. Party Origins and Programmes                 | 17 |
| 2. The February Revolution                      | 18 |
| 3. The Failure of Constitutional Reform         | 20 |
| 4. The Reaction of the Fifties                  | 22 |
| 5. German Unity and the Formation of the Volkspartei | 25 |
| C. Unification                                 | 27 |
| 1. The German Question Posed: Austria vs. Prussia | 27 |
| 2. The German Question Solved: The 'Reichsgruendung' | 31 |
CHAPTER

III. THE CONSTITUTIONAL STRUGGLE 1871-1900

A. Wuerttemberg in the Reich 1871-1894

1. Unification and defeat of the Volkspartei
2. Political and Economic Effects of Unification

B. Revival of the Volkspartei

1. A New Generation
2. Renewal of the Demand for Reform

C. The Attempt and Failure of Constitutional Reform 1895-1900

1. Success of the Volkspartei at the Election of 1895
2. Von Mittnacht's Proposal of 1897

IV. THE 36th LANDTAG - 1st SESSION 1901-1904

A. Introduction

1. The Election of 1900
2. The Social Basis of the Parties and their Programmes

B. The Renewed Demand for Constitutional Reform

1. The Government
2. Freie Vereinigung
3. The Volkspartei
4. Deutsche Partei
5. The SPD
6. The Centre Party

C. The Kloss Motion

D. The Defeat of the School Reform Bill

1. Introduction
2. The Volksschule
<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. The School Bill</td>
<td>74</td>
</tr>
<tr>
<td>4. Public Reaction to the Defeat</td>
<td>76</td>
</tr>
<tr>
<td>5. Parliamentary Reaction and the Haussmann Resolution</td>
<td>76</td>
</tr>
<tr>
<td><strong>V. THE 36th LANDTAG - 2nd SESSION 1904-1906</strong></td>
<td>88</td>
</tr>
<tr>
<td>A. The Government takes the Initiative</td>
<td>88</td>
</tr>
<tr>
<td>1. Introduction</td>
<td>88</td>
</tr>
<tr>
<td>2. The Throne Speech</td>
<td>89</td>
</tr>
<tr>
<td>3. The Government Proposal</td>
<td>90</td>
</tr>
<tr>
<td>B. The Debate on the Constitutional Reform Bill</td>
<td>92</td>
</tr>
<tr>
<td>1. Preliminary Debate and Selection of Constitutional Committee</td>
<td>92</td>
</tr>
<tr>
<td>2. The Committee Proposals</td>
<td>101</td>
</tr>
<tr>
<td>3. Second Reading in the Lower House</td>
<td>102</td>
</tr>
<tr>
<td>4. The Committee Report of the Upper House</td>
<td>104</td>
</tr>
<tr>
<td>5. Third Reading in the Lower House</td>
<td>105</td>
</tr>
<tr>
<td>6. Second Reading in the Upper House</td>
<td>108</td>
</tr>
<tr>
<td>7. Fourth Reading in the Lower House</td>
<td>108</td>
</tr>
<tr>
<td><strong>VI. CONCLUSION</strong></td>
<td>111</td>
</tr>
</tbody>
</table>

Illustration - Seating arrangement in the Lower House during the debate on the reform bill | 120 |

Appendix A. Results of Wuerttemberg Elections 1868-1912 | 121 |
Appendix B. Biographical Data | 122 |
BIBLIOGRAPHY | 124 |
ABBREVIATIONS

Parliamentary Records


Parties in the Landtag

Bauerbuendler = Agrarian or Farmer's Party.
Deutsche Partei (DP) = German Party (National Liberals)
Freie Vereinigung = Free Association
Konservativen = Conservatives
SPD = German Social Democratic Party
Volkspartei (VP) = Peoples Party
Zentrum (Z) = Centre Party
CHAPTER I

THE CONSTITUTIONAL STRUGGLE 1806-1847

A. Introduction

In the light of existing literature it is fairly easy to arrive at the conclusion that the non-Prussian members of the Second Reich were forced to give up their sovereignty in exchange for a facade of independence embodied in the 'federal fiction.' A closer examination, however, will reveal that this was not so. Not only did the south German states join the Reich because they felt that it was in their interest to do so, but they brought with them a tradition of parliamentary liberalism which enabled them to maintain an autonomous internal life and which appeared to offer a strong alternative to 'Prussianism.' The steady liberalization of Wuerttemberg life, the lack of censorship and police arbitrariness, as well as the effect of increased popular participation in the great questions of internal reform, were not without effect on the Prussians.¹

According to Franz Schnabel, this difference between north and south placed the latter suddenly in the forefront of German history at the beginning of the century.² Before the founding of the Second Reich

²Franz Schnabel, Deutsche Geschichte (Freiburg, 1949), p. 87.
Bismarck was aware that parliamentary liberalism in south Germany was an influence that would have to be taken seriously into account.

The standstill of the national movement in South Germany after 1867 was of deep concern to Bismarck. There can be no doubt that he wished to include the South German states in the confederation, but he did not intend to buy their support by constitutional concessions that would have jeopardized the predominance of royal power that he had established in the north and that had been a major reason for his willingness to leave the South German states outside of the Confederation of 1866.

In Prussia the liberal reforms which were inaugurated in the first decade of the nineteenth century were part of an autocratic, paternalistic tradition. The reformers were less motivated by any belief in the rights of man than by the realisation that this was the best way to avenge the defeats at Jena and Auerstaedt. How could a Prussian peasant, they asked, be expected to have any patriotic feeling towards a state in which he was still held in bondage?

During the course of the century this approach did not change. Reforms were never introduced because of the desire of the state to bring Prussia in line with modern developments in western Europe. A case in point was the much-heralded social reforms of the 1880's. In 1878 Bismarck substituted the Social Democrats for the Catholics as his internal whipping-boy. Anti-socialist laws, which incidentally were renewed till 1890, forbade the Social Democratic party to hold political meetings and sharply curtailed its press. But in order to make his campaign more effective Bismarck also sought to alienate the working class from their...
party by enacting a series of social legislation. Compulsory insurance
was introduced protecting the worker against sickness, accident, in-
capacity and old age.  

It is generally considered that the Prussian army acted as the
cement of the Reich. Not only was it the strongest in the Reich but
military matters were the exclusive concern of the Kaiser. Certainly
Bavaria was given token constitutional autonomy as regards her army and
the Wuerttemberg king alone had the right to commission officers, but it
was considered everywhere that these were mere paper concessions. Yet
the fact remains that a federal state could and sometimes did impose its
wishes in this sacrosanct area of the constitution. In 1893 Wuerttemberg
experienced hardship in the form of a poor harvest, so much so that it
was considered advisable to scale down previously planned army maneuvers.
Her ambassador, Moser, was asked by Berlin to submit their formal request
as early as possible as the Kaiser was about to leave on a trip to England.
The request arrived only one day before the Kaiser's departure and was
couched in such categorical terms that he was furious. Nevertheless,
the request was granted.

---

6 J.C.G. Roehl, Germany Without Bismarck (London, 1967), pp. 100-101. This was an attempt by the Wuerttemberg Minister President, von
Mittnacht, to embarrass and so get rid of the Reich Chancellor, General
von Caprivi. Mittnacht felt that von Caprivi, who had given up the
Prussian Chancellorship, had thus lost his power over the Prussian ministers,
a fact which endangered the autonomy of the smaller states. Bismarck
himself was aware of this possibility. Cf. Hans Goldschmitt, Das Reich
und Preussen im Kamp um die Fuehrung (Berlin, 1931), pp. 311-312.
Opposition to the Reich was not of course confined to Wuerttemberg. Nor was the evolution of liberalism. The three south German states stand out in marked contrast to the north during the nineteenth century. At a time when Wuerttemberg, Bavaria and Baden were embarking on further liberalization of their constitutions the very opposite development was taking place in northern Germany. In 1896 Saxony replaced her liberal suffrage with the three-class Prussian voting system and in 1905 it was considering further regressive changes. Luebeck in 1904 also abolished equal suffrage while in Hamburg the existing three-class system was reformed at the expense of the lower-class.  

Similar development is to be noted in the area of education. The proponents of denominational education in Prussia managed to influence their government in 1904 to place the schools on a confessional basis; while, in Wuerttemberg in the same year, the failure of a school bill which would have placed school inspection securely in the hands of secular authorities, caused a reaction which had as an immediate result the progressive reform of the constitution. 

The evolution of liberalism in south Germany did not derive exclusively from blind particularism, i.e. the desire to preserve autonomy vis a vis the encroachments of great-power autocracy. Nor was it due solely to the influences of the French Revolution. It was mainly the result of a feeling among leading political sectors, which included the monarchs, that south Germany had a viable alternative to autocracy.  

---

7 Holborn, p. 364.
This feeling was manifested very clearly by the middle-class in Wuerttemberg as well as king William I, and found its expression in the constitutional settlement of 1819. Fostered also by the radicals of 1830 and 1848, it gradually evolved as a tradition, and became firmly anchored in the political platform of their successors, the Volkspartei.

B. Wuerttemberg during the Napoleonic Era

The history of modern Wuerttemberg dates from March 18, 1806. On that day the territory of the old Duchy of Wuerttemberg was united with the motley collection of miniscule states, remnants of the recently deceased Holy Roman Empire, which lay between the lower portion of the Iller and the upper Danube rivers. Together they became known as the Kingdom of Wuerttemberg.

Almost six months before, Napoleon had defeated Austria at the battle of Austerlitz and had forced her to sign the Treaty of Pressburg. Among its provisions was the bestowal of kingship on the Electors of Bavaria and Wuerttemberg. In July, 1806, Napoleon created the Confederation of the Rhine, and a month later demanded, and achieved the dissolution of the Holy Roman Empire.

By the Treaty of Pressburg, Wuerttemberg's territory and population more than doubled to 19,500 sq. kilometers and 1.34 million inhabitants, respectively.\(^{10}\) Because of the differences in corporate structure

\(^{10}\)Ernst Marquardt, Geschichte Wuerttembergs (Stuttgart, 1962), p.304. See also Ernst Mueller, Kleine Geschichte Wuerttembergs (Stuttgart, 1963), pp. 168-169, for a detailed list of territorial gains.
it would have been impossible for Frederick II (1797-1816) to extend the constitution of Old Wuerttemberg to the new territory. For the orthodox Lutheran clergy had now to coexist with the Catholics of southern Swabia, the conservative, class-conscious Old Wuerttemberg middle-class with the more liberal Buerger of the former Swabian Imperial cities, and the middle-class Estates with the mediatised Swabian aristocracy. The confusion was further exacerbated by the presence of a number of princely families who had been deprived of their territories by the recent annexations. Consequently, New Wuerttemberg was governed directly from the court through a centralized administrative apparatus.

Yet Frederick's ambitions were not satiated by the annexations or the imposition of a centralized governmental structure in New Wuerttemberg. For centuries, the two institutions of Old Wuerttemberg, monarchy and estates, had egoistically watched each other for a chance to extend their privileges. A constitution had been promulgated in 1770 under the guarantee of England, Prussia and Denmark, and had since been stridently defended by the Buerger against the encroachments of eighteenth century absolutism. Because of Napoleon's express support, Frederick was able to govern without the participation of the estates.11

The abrogation of the 1770 constitution was decidedly unpopular with Wuerttemberg's Buerger. It was obvious that only the backing of Frederick's powerful ally had enabled him to take such a step. And it was equally clear that if Napoleon were out of the way that the Buerger

would take up the fight for what were considered ancient rights.

C. The New Constitution

1. The Fight for 'Das Gute Alte Recht'

Frederick set about the task of administering and governing his state by creating a central ministry (Staatsministerium) in place of the Geheim Rat which had previously acted as the link between monarch and estates. The new ministry was supported by an administrative re-organisation which encompassed the entire territory. At the same time the privileged position of the Lutheran Church was terminated by the Religionsedikt of October 15, 1806, which guaranteed freedom of religion as well as equality for the three Christian denominations - Roman Catholic, Reformed and Lutheran - in the eyes of the state. \(^{12}\) By including the administration of the Lutheran Church property in the new finance ministry, Frederick completed the process of secularisation in Wuerttemberg which many European countries, eg. Bavaria, had entered upon decades before.

His attempt at absolutism however, met with opposition in Wuerttemberg as well as in the rest of Germany as soon as Napoleon abdicated. In keeping with the liberal-constitutional winds which were sweeping through Germany, the various German states were enjoined by Article 13 of the Federal Acts \(^{13}\) of 1815 to introduce constitutions. But the most

\(^{12}\)Hoelzle, p. 115.

\(^{13}\)Bundesakte. Constitution of the Germanic Confederation created by the Congress of Vienna.
serious pressure was presented by the so-called 'German Movement'\textsuperscript{14} which paradoxically demanded a return to the corporative character of German life while being inspired by the liberal reforms of the French Revolution.\textsuperscript{15}

In a preemptive effort, Frederick summoned the Landtag on May 15, 1815, and presented a new constitution.\textsuperscript{16} But he was met with the combined opposition of oligarchs from Old, and aristocrats from New Wuerttemberg, who demanded a return to the previous constitution of Old Wuerttemberg which had been dubbed 'Das Gute Alte Recht.' This Landtag was the first in modern Germany to appeal to the constitutional theory of contract, based however, not on modern constitutional arguments, but on the rights of the estates as they had existed until 1806.\textsuperscript{17} A renewed attempt by the king to draft a constitution acceptable to the oligarchic group by restoring the right to raise taxes and participate in legislation, was equally rejected. While these were acceptable in themselves the oligarchs had no intention of allowing the king to introduce a bicameral legislature which would have isolated the aristocrats and thus broken the alliance.\textsuperscript{18}

On October 13, 1816, before any agreement was reached, Frederick died. He was succeeded by his son William I (1816-1864) who continued

\textsuperscript{14}Deutsche Erhebung.

\textsuperscript{15}Hoelzle, p. 187.


\textsuperscript{17}Ernst Huber, \textit{Deutsche Verfassungsgeschichte seit 1789} (Stuttgart, 1957), V. I, p. 332.

the negotiations but fared no better than his father. Any attempt short of a return to the old constitution was resisted by the oligarchs, and William was thus forced to continue to rule by administrative decree.

Through a series of administrative reforms William was able to win the support of the public. His first edicts eliminated serfdom and lifted emigration restrictions, to be followed quickly by the restoration of certain rights, the most important of which were the separation of the judiciary and administration at the county level, and the recognition of municipal charters. 19

Nevertheless, although these reforms brought the king a good deal of popularity, and although he did not want to be outdone by Bavaria and Baden, which had proclaimed their constitutions in May and August, 1818, respectively, the catalyst for agreement on the constitution came from external sources. With the murder of von Kotzebue, a Russian State Councillor reputed to be a spy, by a young nationalist student, the German Diet passed the Carlsbad Decrees in September, 1819, beginning the period of Metternichian reaction. Both William and his opposition had seen the writing on the wall and were eager to complete the constitution before the Diet passed its repressive legislation. 20

Now a shift in alignments within the Landtag enabled William to achieve a majority. The minority which had previously supported the new constitution were now joined by the greater portion of the 'Altrechtler'. 21

---

19 Grube, p. 501.
20 Marquardt, p. 277.
21 Adherents of the old constitution.
who recognised the possibility of compromise. It seems that the spirit of particularism, i.e. opposition to a centralized Germany, be it of the liberal or reactionary variety, weighed more than the desire to return to the old days. In elections held June 10, 1819, the government party won a decisive victory, and after three months of negotiating, the new constitution was declared.

This was remarkable in a number of ways. Not only did it recognise the principle of contract, but it was able to incorporate many of the new constitutional ideas of the nineteenth century, at a time when constitutionalism was being attacked by Viennese reaction. Yet, it was decidedly a compromise between the new ideas and 'Das Gute Alte Recht.' Of the old institutions, the Permanent Committee (Staendischer Ausschuss) and the Privy Council (Geheim Rat) were retained, as well as the right to levy taxes and self-administration for districts.

The most important change was the adoption of a bi-cameral legislature, with an Upper House consisting of Lords and appointed members, and a Lower House consisting of 70 elected and 23 privileged members: 13 Gentry, 6 Protestant Superintendants, 3 Catholic Clergy, and the Chancellor of Tuebingen University, each elected by their own class or corporation. In addition, legislative initiative was reserved for the king, and the legislative period set for two sessions of three years each. Only tax-payers could vote, the highest-paying electing two-thirds of the representatives.

---

22 Fritz Hartung, Deutsche Verfassungsgeschichte vom 15te Jahrhundert bis zur Gegenwart (Berlin, 1922), p. 129.

23 German aristocracy was divided into two groups, Standesherren and Ritterschaft, similar to the English Peers and Gentry.
The Landtag was thus to be dominated from now on by the aristocracy and the oligarchy, government influence being ensured by a regulation which permitted civil-servants to run for office. This new constitution could not be called democratic, but it certainly went further towards recognising the principle of representation than had its predecessor, and furthermore it appeared to be the result of an agreement between monarch and people, an extraordinary admission in time of reaction. On paper at least, the Wuerttemberg constitution, along with that of Baden, was the most liberal in Germany.

2. Summary

Despite the anti-constitutional pressure from the most powerful member of the German Confederation (Austria), Wuerttemberg was able to complete the task of drafting and accepting a new constitution before the Carlsbad Decrees.

This was an important achievement in that era of reaction. Yet, nothing would be further from the truth than the assertion that this was due exclusively to a more liberal atmosphere in southern Germany than that which existed in the rest of central Europe. Rather, the key to the underlying motivation for the promulgation of a constitution must be sought in the feverish attempts of Frederick and later William to successfully amalgamate the new territories with the old Duchy of

24 Grube, p. 507.

25 The word people sounds more inclusive than it actually was. Peasants and labourers, i.e. all those who were not of the old Buerger class, were excluded from the category.
Wuerttemberg. Only in so doing could they hope to maintain the title of king as well as hang on to the annexed territories now that their former patron, Napoleon, was no longer present.

The difficulties of consolidation lay in the differing social realities of both territories. On the one hand were the mediatised aristocracy of new Wuerttemberg, petty princes most of whom had themselves been sovereigns not long before and who had been socially and legally on a par with the Duke of Wuerttemberg. They had formed an association which constantly lobbied the Vienna Congress for the restoration of their rights. But because greed played a more important role at Vienna than 'class solidarity,' Frederick was not opposed in his attempt to fit the 'Standesherren' as these were now called, into the framework of his kingdom. What Vienna did demand, however, was that this be accomplished by a return to the Estate system.

The other important social and political element were the oligarchy from the old Duchy consisting of a few rich families who for nearly five hundred years had enjoyed a privileged position comparable to no other in the former Empire. They had managed to secure for themselves a constitution which allowed them considerable power even to the extent of maintaining a parallel and separate administration. And they were not hampered by having to defend their position against an ambitious aristocracy, for this had disappeared from Wuerttemberg public life centuries before.

---

Faced with resolute monarchs and supported only by superficial sympathetic utterances from Vienna, the aristocrats sought an alliance with the oligarchs which was the best way out of their dilemma. Together they rejected the proposals of Metternich which would have divided them and instead demanded the restoration of 'Das Gute Alte Recht,' as well as certain feudal rights.

Frederick and William, partly by force, partly by alluding to the threat from Vienna, and partly through popular support eventually got both oligarchs and aristocrats to agree to a new constitution, which firmly recognised the principle of monarchical sovereignty. Yet, at the same time, this document acted as a bridge between eighteenth century absolutism and nineteenth century constitutional ideas, for while sovereignty of the people as well as any division of powers were rejected, the constitution was not dictated by the monarch but appeared as a contract between the latter and the 'people.' Some concessions were also made to the old constitution, namely, the right of periodicity for the Landtag, the right to raise taxes and to participate in an advisory manner, in legislation.

Most important however, from the point of view of the state, was that the previously irreconcilable elements of the old and the new territories were successfully united under the constitution and given an active part in public life. The mediatised aristocracy were seated in the Upper House, while Knights, representatives of the Churches, the University and the towns sat side by side with elected representatives of the county councils in the Lower House.\(^\text{28}\) No doubt it is true that

\(^{28}\)Schnabel, pp. 84-85.
the middle-class oligarchy received a set-back from its position in the preceding century, but this was not necessarily a reactionary step. There was no question but that the Landtag under the new constitution reflected property interests; yet there was broader representation even though the mass of the people had to wait until the sixties for the right to vote.

The constitution of 1819 thus charted the course of Wuerttemberg political life into the twentieth century. Indeed the basic provisions of the constitution remained unchanged till 1906. And the themes which dominated that reform were obvious early in the century. The inclusion of the aristocracy as a privileged element with its strong denominational character was a sore which kept festering throughout the century. The demand for its removal from the Lower House became stronger. Yet the question was moot whether the removal of this canker would result in any liberalization of Wuerttemberg political life.
A. Introduction - The 'Vormaerz' in Wuerttemberg

The years following the constitutional settlement were characterised by an intensive but uneventful parliamentary activity. The pressure of the great German powers prevented any extension of parliamentary authority, and they especially prevented any reiteration of the idea of German unity. This forced quietude was matched by the apathy of the populace. Only with the revolution of 1830 was there a quickening of interest in the parliament. At the opening of the Landtag in 1833, the streets were crowded with onlookers cheering their representatives.

For the first time, also, there appeared in Wuerttemberg the beginning of political parties which had their various supporting organizations across the country. The majority of the Lower House were members of the liberal associations whose main tenets were an end to interference from the Bund as well as a guarantee of personal security. The king, motivated by a reluctance to give the powers any excuse for interference, tried his best to mollify this opposition. He was successful in so far as the next election gave him a majority of government supporters. The liberals, on their part, decided that there was nothing for them in parliamentary life, and most of their leaders, among them the poet Uhland, retired.\textsuperscript{29}

\textsuperscript{29}Grube, p. 517.
Not until the forties was there another outbreak of liberalism in Wuerttemberg. By this time another generation had arrived on the scene who had not been discouraged by fruitless battles with the Bund. Led by one of the most respected of the older liberals, Friedrich Roemer, familiar demands were made: freedom of the press, and a request to the government to use its vote at the Bundestag in favour of a German Schleswig-Holstein.

These demands coincided with the unrest that was brought about by the misery and hunger of the forties. Already in May, 1847, violence had broken out in Stuttgart, where the king was stoned. In January of the next year, the excitement produced by these events resulted in a public meeting of voters in Stuttgart. A list of demands were drawn up which included freedom of the press and association, a people's militia, public courts, extension of the vote, as well as the entry of all German states into the Customs Union.\(^{30}\) But before they could be debated in the Landtag, news of the Parisian events unleashed another wave of violence across the country. Petitions from Stuttgart and Tuebingen demanded the convocation of the Landtag and concession of the demands, among which was now the transformation of the Lower House into an elective chamber. The king, intimidated by pressures created by the demonstrations and by news that the wave of violence had crossed over from neighbouring Baden, decided to form a liberal ministry and concede the popular demands.\(^{31}\)

\(^{30}\)Huber, v. II, p. 507.

\(^{31}\)Ibid., p. 508. There appears to be no unanimity on the extent of violence. Huber states that castles and government offices were looted and burnt. Cf. Marquardt, p. 285, and Grube, p. 527, who believe that if violent at all, disturbances were purely local.
On March 18, the army took an oath to the constitution. But in that same month, the liberal opposition had begun to split into two distinct groups: constitutional-monarchist liberals and radical democrats. There were even the first formations of workers clubs with definitely socialist ambitions.32

B. 1848-49

1. Party Origins and Programmes

The origin of both the liberal and democratic parties, known later as the Deutsche Partei and Volkspartei, are to be found in the political associations founded in the thirties, and which were originally known as the 'Vaterlands' Association or Liberals and the Peoples Association also referred to as the radical Democrats. The only difference at that time between the two, lay in the reluctance of the latter to exclude the possibility of a republican constitution. Their leaders, Karl Mayer, Ludwig Pfau and Julius Haussmann, were the later founders of the Volkspartei.

The program of this party was influenced greatly by a consciousness of Wuerttemberg's political past, which could boast of almost 400 years of constitutional government.33 Influenced by the ideas of the French Revolution as well as those of the 'Altrechtler', they looked towards the implementation of democratic principles as the basis for the formation

32Grube, p. 528.
33Ibid., p. 526.
of the state.\textsuperscript{34} They accepted the idea of a German national state, but one in which the people were sovereign. For this purpose they rejected both the forms of the Bund, as it existed, and the centralised state. Their executive was envisaged as the national parliament, consisting of a single chamber, which would choose and control a governing committee.\textsuperscript{35} And they fully expected that national unity would be brought about by the people once these had gained sovereign control of their provincial parliaments. For the democrats, the people consisted of the large economically dependent mass, rural labourer and small farmer alike, as well as the free-professions.

The question of unity, then was the main difference between the democrats and the liberals. The liberals felt that unity should be obtained first, and that freedom would follow. But in this point too, they were not on the same ground as the democrats. Freedom for the liberals meant primarily economic freedom which would benefit the small section of property owners.

2. The February Revolution

These party splits did not prevent the Landtag, which convened on March 13, 1848, for two weeks, from accomplishing significant legislation which had been in demand since the thirties. Laws on freedom of assembly, and the formation of a militia were passed; new legislation to end the remaining feudal obligations was hurriedly put together and

\begin{itemize}
\item \textsuperscript{34}Gerhard Eisfeld, \textit{Die Entstehung der liberalen Parteien in Deutschland} (Bonn, 1969), p. 137.
\item \textsuperscript{35}Inge Schlieper, \textit{Wurzeln der Demokratie in der deutschen Geschichte} (Bonn, 1967), p. 169.
\end{itemize}
passed in both Houses. The crowning achievement was the acceptance in principle of the idea of a united, free and strong Germany.\(^{36}\)

Elections were held in May, resulting in a victory for the liberal constitutional-monarchists, with the radical Democrats also making a strong showing. Under pressure from his ministers, William was forced to accept the Declaration of Rights, which had been recently composed in Frankfurt. Wuerttemberg thus attained the distinction of being the first German state to accept and enforce this significant concept. Similarly, William felt pressured into recognising the Frankfurt Constitution, believing this to be the only way of avoiding a revolution.\(^{37}\)

In the meantime things had not gone well in Frankfurt. The parliament had suffered a serious blow to its prestige when the Prussian king rejected the preferred German crown. Consequently it broke up in confusion with a number of deputies departing for Stuttgart where they formed what was to be known as the 'Rump Parliament.' But they were soon prevented from carrying on by the very man who had gained the most radical reputation during the 'Vormaerz', Friedrich Roemer. Leader of the moderate liberals and head of the Wuerttemberg cabinet, Roemer did not hesitate to use cavalry against both Frankfurt deputies and Wuerttemberg radicals.\(^{38}\)

Roemer's actions were characteristic of most German liberals in the revolution of 1848. It was not the liberals, but discontented and hungry artisans and agricultural labourers who had spontaneously initiated


\(^{37}\) Grube, pp. 529-530.

\(^{38}\) Ibid., p. 531.
the revolution. Capitalising on the temporary shock which afflicted the monarchs, the liberals were able to have their demands accepted and attain power. Theirs, however, was not meant to be a revolution of and for the masses of the people, but only for the middle-class. From the beginning one of their greatest problems had been how to replace, "the threatening revolution of the masses with a revolution of notables." Here then appears to be the main difference between the French and German revolutions of 1848: in France the aim of the leaders of the revolution was to overthrow the government; the aim of the leaders of the German revolutions, and certainly the Wuerttemberg revolution, was merely to change the constitution. Had the liberals been able to overcome their ideology and promise the artisans restrictions to economic freedom, their leadership would have been unquestioned. But this would have reduced their program drastically, and so they could not concede. For the artisan, he was faced with the choice of accepting the leadership of men who had little or no connection with him, and who certainly did not come from the people, or in trusting himself to the paternal monarchism with which he was most familiar.

3. The Failure of Constitutional Reform

Before the Landtag had ended its session, elections for a constituent assembly were held according to a more democratic electoral law.

---


40 Huber, II, p. 504.

41 Ibid., p. 155.
The result was a two-thirds majority for the democratic 'Volkspartei.' As a result, the moderate ministry resigned, but not before William had forced Roemer to reject the Frankfurt plans for a united Germany under Prussian leadership. The succeeding cabinet was of an intensely bureaucratic complexion without any support in the House. Notwithstanding, the government proceeded to present its draft constitution. Now even the moderates were upset, for with the exception of the elimination of the aristocracy as a corporate constitutional entity, the draft offered nothing progressive. Although the privileged were to be removed from the Lower House, it was proposed to introduce a class system of voting. The Upper House would continue to contain the Princes, but also would include nominees reflecting property interests. After a few stormy sessions, it was obvious to the king that nothing would be accomplished, and the three-week old Landtag was prorogued.

A second election brought an even greater majority for the radicals, and likewise the complete rejection of a new constitutional draft, one which had been subject to no serious changes. Similar also to the first assembly, the major disagreement between government and Landtag was over the German question. Once more the Landtag pressured the king to overcome his reluctance to accept the conclusions of Frankfurt and use his office to press for the unification of Germany under Prussian leadership. But William, intent on retaining his sovereignty, refused. A third effort brought no more success. With every passing day, the reactionary forces seemed to grow stronger; regaining its confidence, the government decided to schedule new elections for March, 1851, but this time only after declaring the validity of the constitution and electoral law of 1819,
to which the liberals and at least some radicals did not object.  

4. The Reaction of the Fifties

Disadvantaged by the old electoral law, the radicals fell to 18 seats and the moderates to 14 in the new Landtag of 1851. For the next few weeks this bloc argued for the recognition of the electoral law of 1849, as well as for the recognition of the Declaration of Rights. But before any decision was reached, the restored Federal Diet at Frankfurt rescinded the latter, to be followed six weeks later by a similar decree on the part of the Wuerttemberg government. Realising that they had indeed lost, a majority of the Lower House voted to accept the government decree. By this vote, the Wuerttemberg constitution was officially and legally restored in the form in which it had been promulgated in 1819.

Fearful of a reenactment of the events of 1848-49, the government then embarked on a series of repressive measures. Political clubs as well as the student movement were forbidden. Political censorship was reintroduced and the civil-service purged of proto-revolutionary elements. Participants in the recent events including the leading democrats were rounded up and sentenced to long terms in prison. However, the last turbulent years were not without some lasting successes. The feudal

---

42 Grube, p. 532. Adam, p. 95ff.
44 Grube, p. 537.
45 Manfred Traub, Beitraege zur wuerttembergischen Geschichte in der 'Reaktionszeit'. (Inaugural Diss., Tuebingen, 1937), pp. 69-70.
obligations disappeared forever from the scene, while the new system of oral court proceedings was retained. Yet, the most important change was of no immediate practical value. The revolutionary years had stimulated the formulation of political ideas, facilitated their dissemination more widely among the population and encouraged the formation of political parties. Furthermore, the constitutional battles had caused the articulation of those problems which were to dominate Wuerttemberg constitutional life into the twentieth century; the questions of unicameral or bi-cameral legislature, representation of the aristocracy, Church and professions, democratisation of the electoral law and expansion of the legislature's competence.46

Although the government was firmly in power, the intimidation of the legislature did not last. The Crimean War in which Austria was involved again opened the German question. A demand to the Federal Diet for war appropriations led to a debate in the Landtag. With the exception of 15 votes, 14 of which were from the privileged members, the House voted in favour of a motion requesting the government to do everything possible for German unity.47 And regaining its confidence, the House went on to defeat a government draft, which had been presented through pressure by the aristocracy who wanted additional compensation for the loss of their feudal privileges.48

46 Grube, p. 538.
47 Adam, p. 126.
48 Grube, p. 538.
Disgusted with the reactionary Linden ministry, both liberals and democrats decided to campaign together for the 1855 elections, and despite the government's attempt to manipulate the voting, the anti-government bloc was able to return a majority. Over 96% of the electorate had participated (which was still however, a small part of the population), aroused no doubt, by the reactionary demands of the aristocracy. The new Landtag, which lasted for six years, was almost at once embroiled in the question of the relationship between the state and the Catholic Church. The increasing militancy of a Catholicism which was demanding an end to state supervision in questions of education, pastoral duties, liturgy and dogma, had led to the signing of a Concordat between Wuerttemberg and the Papacy in 1857. Its provisions were made dependent on the acceptance by the Landtag. Yet, the government without consulting the legislature went ahead with its proclamation. This clear violation of #85 of the constitution caused much disturbance. Basing its decision on the report by the relevant commission, the Landtag rejected the Concordat. Their argument was unimpeachable. No agreement with the Papacy was valid unless arrived at through the legislative process. The government was forced to back down. Subsequently, legislation similar in extent to the Concordat was presented to the Landtag the next year and duly passed. Because of this Wuerttemberg was spared the unpleasantness of the 'Kulturkampf'; indeed, this legislation remained to regulate the

---

49 Mueller, p. 192.
50 Adam, p. 129.
51 Huber, III, p. 191.
relationship between Church and State until 1918. One side effect of the Landtag's stand was the formation of the 'Fortschrittspartei', consisting of former liberals and democrats.

Not to be outdone, the Evangelical Church also demanded equal treatment. Negotiations for this dragged on until 1867 when a Provincial Church Council, separate from the Ministry of Culture was formed. Another result of the initiation of the entire question of the relationship between Church and State led to a progressive step forward. The replacement of #27 of the constitution by a law separating the exercise of civil rights from a religious qualification, meant in effect the lifting of restrictions against the Jews. In fact, the last restrictions against Jews were lifted on 13th August, 1864.

5. German Unity and the Formation of the Volkspartei

The coalition between the liberals and democrats was facilitated by the deliberately loose definition of the future German state, on the one hand, and domestic constitutional reform, on the other. But the defeat of Austria in 1859 reawakened interest in the German question and brought about a polarisation between those who opted for either 'Gross-deutsch' or 'Kleindeutsch' solutions. It was expressed in the formation of the 'Nationalverein' in 1859, which led to a split in the newly-formed coalition. Unity among liberals was only achieved again during the

---

52 Landessynode. 53 Adam, p. 132. 54 Walter Tormin, Geschichte der deutschen Parteien seit 1848, (Stuttgart, 1966), p. 56. See Traub, p. 83ff for a more detailed discussion of the founding of parties also, and pp. 102-103 for the alliances.
Schleswig-Holstein affair through their criticism of Prussia and renewed demands for a German Parliament. Indeed, during these years, Wuerttemberg's national policy was still motivated by a deep-seated particularism. Simultaneously, the return of the major democrats increased the expectation that a separate democratic party would be formed. Both Mayer and Haussmann had spent their years of exile in Switzerland, and Pfau in France. In 1864 they achieved a split in the remnants of the coalition by excluding those members who were more national than democratically inclined, and with the rest founded the 'Volkspartei' which now combined the national question with a demand for constitutional reform at home. For the first time an attempt was made to formulate a clear ideological position so as to give the party a firm basis. They demanded first of all, the transformation of their homeland according to democratic principles. Further, as regards the German question, they rejected outright unity under Prussian hegemony, and therefore advocated the inclusion of Austria in any future solution, but maintained the idea, harking back to the Swiss model, of a federative German state. Recognising however, that both Austria as well as Prussia had contributed to the demise of the Frankfurt idea, they also demanded the formation of the smaller and middle states into an association so as to be better able to maintain a balance between the great powers. Called the Trias idea, this plan had been developed years earlier and had last been mentioned by king William I himself as an attempt to combat the Bund in 1819.

---

56 Simon, p. 10.
57 Eisfeld, pp. 138ff.
The death in that year of the old king symbolised for Wuerttemberg the end of an epoch. Through the reaction of the thirties and the stormy events of the forties, William had, except for a brief period, held tightly, but by no means bluntly, to the reigns of power. For him, the main task had been to preserve the integrity and sovereignty of his state vis a vis the encroachment of an aggressive Austria and then an even more aggressive Prussia. But in his own country particularism was giving way steadily to the clamour for German unity. It was a tide that could not be stemmed. There was no question that unity would be achieved. But there was serious doubt that this would be in the spirit of 1848. The Prussian eagle, disliked no doubt, would bring with it many advantages. There should have been little doubt which way the monarchies would eventually swing.

C. Unification

1. The German Question Posed: Austria vs. Prussia

Both the Schleswig-Holstein question and the coronation of King Karl seemed to conjure up new energy in the Landtag. There was renewed hope that his reign would usher in a period of lively and enlightened progress in the two matters that dominated this Landtag: the German question and constitutional reform.

Because of the growing estrangement between the two larger German powers which had as a result a weakening of the authority of the Diet, the king was able to accommodate some of the demands of the Lower House for a return to more liberal conditions. In December of the same year
decrees forbidding associations and curtailing freedom of the press were lifted. As regards constitutional reform, a proposal adopted by the Lower House recommending the secret ballot, extension of suffrage and an end to the presence of privileged members in the Lower House, was presented to the government. A month later a majority of representatives presented another list which went considerably further. Demands included democratic guarantee of civil rights, freedom of legislative initiative and parliamentary immunity. Because of the extensive nature of the new demands it was decided to withhold debate until the next Landtag in order to give the government time to study the proposals.58

Unfortunately the constitutional reform had to be postponed because of the serious situation within the German Confederation. The Schleswig-Holstein question had led to a serious battle for hegemony within the Confederation. Prussia now felt too strong to continue in a subordinate role in Austria. Yet the Confederation could not function if the two largest states were at loggerheads. Although there was sympathy for Prussia in Wuerttemberg, public opinion in most quarters, particularists as well as democrats, favoured the retention of the Confederation.59 On the outbreak of war the Lower House, with only eight nays, voted the war appropriations in support of the Confederation, or rather, Austria.

Although the outcome of the Austro-Prussian war was disappointing for Wuerttemberg, there was some advantage to be gained by Austria's defeat.

58 Adam, p. 134ff.
The demise of the Confederation and the completion of the North German Confederation left Wuerttemberg independent, a truly sovereign state, unlimited in her parliamentary and constitutional existence by Federal statutes. Particularist opposition now attempted to muster its strength to defeat the military agreement which was being concluded with Prussia as well as the new Customs Union Law, but was unsuccessful. Wuerttemberg's independence was thus short-lived, for she was now bound militarily and economically to the North. Yet, despite the distaste among the population for the 'Prussian system', there was much to be said for military security against France, and the possibility for further economic development.

With the completion of these treaties, the constitutional questions were reopened, the House being motivated, by the example of the elections for the North German Parliament, which had been held according to a more democratic procedure. Both the Volkspartei and the Deutsche Partei were in agreement that the Lower House should consist of elected members only. Other proposals were reminiscent of those presented before the war. But the government refused to be pressured, delaying action by presenting a draft on judicial and legal matters. Their draft on constitutional reform, however, was not ready until December, 1867, only two months before the end of the electoral period. As it was, this draft

---

60 Trütz and Schütz Buendnis.
61 Rapp, p. 233.
62 Grube, p. 541.
63 German Party - founded in 1866, it was the Wuerttemberg version of the Nationalverein. See, Preussische Jahrbuecher, 1884, Vol. 54, pp. 85-91, Politische Correspondenz, for a discussion of its platform.
provided for the retention of a bi-cameral legislature and contained none of the progressive demands such as civil rights and an end to aristocratic privilege. The electoral commission of the Lower House therefore suggested that debate proceed only on the progressive section of the proposal, the new franchise, requesting the government to submit new proposals on the rejected portion for the next Landtag. Accordingly, the new electoral law was passed and signed on March 21, 1868. It provided for universal manhood suffrage and secret balloting without property qualifications. It was the first important revision of the constitution of 1819. But although in itself a progressive step, the new electoral law was to become a barrier to further constitutional change. For despite differences, the former assembly had been united in one important respect: it had exclusively reflected the propertied classes. Now however, the privileged members were cast into a role for which they were not intended, i.e. as a counterpoise to the mass electorate.  

However, it was not only in constitutional matters that the government was made to feel the force of the opposition. The outcome of the Austro-Prussian war had presented a dilemma to the country. The opposition, inclined to particularism, would have nothing to do with suggestions of joining the North German Confederation. Instead, it advocated a South German Union with Bavaria and Baden. But the government felt that the interests of the state would be less served by such a step than by a connection with the Confederation. Passage of the defence agreement was only secured by declaring that the government interpreted the agreement in such a way that it reserved the right to determine the casus foederis.  

---

64 Adam, p. 146.

65 Huber, III, p. 690.
Elections for the new Landtag were scheduled for July. Campaigning for the first time across the country and competing for the mass vote as well, the parties put a new stamp on the election. With the government undecided as to whether its dislike of the Volkspartei was stronger than that for the Deutsche Partei, the former were able to run a strong campaign. It resulted in 40 seats for the VP, 14 for the DP, and 15 other assorted pro-government seats. With the 23 privileged members, therefore, the government could muster a slight majority, although this was not guaranteed.

In the new Landtag matters reached an impasse. The government had not presented any constitutional proposals, for which the House retaliated with a strongly worded answer to the throne speech. Since there was no hope of accomplishing much, the session was closed on the 23rd December, to allow the commission time to prepare a draft. It was to be 15 months before the Landtag could be convened again.

2. The German Question Solved: The 'Reichsgruendung'

On the 15th March, 1870, the Landtag was convened. Without the report from the constitutional commission, however, there was precious little that could be done in this direction. And with the increase of the left-wing to 45 seats through by-elections, the session was soon dominated by 'democratic' motions. The most important of these came

---

66 Rapp, p. 303.
68 Adam, p. 146.
during the debate on the military budget, at which time the VP demanded the formation of a militia, and a substantial cut in the budget. In order to allow the military commission time to investigate that possibility and prepare a report, the session was brought to an end. At the same time a number of ministers resigned or were asked to do so. The Ministry of War was then given to a man who was considered to be fanatically pro-Prussian. His appointment was seen as a sign that the government had no intention of tampering with the military treaty.  

On July 19, 1870, before the assembly could be convened again, France declared war on Prussia. According to the military treaty Wuerttemberg was obliged to come to the aid of the North German Confederation. Any anxiety on the part of Prussia, due to the difficulty of parliamentary ratification had been unnecessary, for all Germany, including the South, was gripped by a wave of national indignation. Yet of all the south German states, Wuerttemberg was the last to vote war credits. Any anti-Prussian sentiment that was still present was certainly not among the population, or even the Landtag, but at court and among some members of the Cabinet. Indeed, the Landtag voted, except for one lone voice, credits in the sum of 5.9 million Florins. Once more, in October,

---

69 Rapp, p. 345.
70 Huber, III, p. 722.
71 Elben, p. 155.
72 Huber, III, p. 725 - Yet it seems that the Cabinet was not unaware of its responsibility. Before the general mobilization it had voted unanimously to respect the treaty. Dr. Freiherrn von Mittnacht, Rueckblicke (Stuttgart, 1909), p. 55.
73 Grube, p. 543.
the members came together to vote an additional sum. Then the Landtag was prorogued. Both government and party leaders had agreed that it would be advisable to hold new elections before the approaching discussions on unification. In the meantime the king asked for the resignation of the remaining anti-Prussian ministers, the most important of which was Varnbueler, who had been Chief Minister for some years. His place was taken by the able Hermann von Mittnacht, previous Minister of Justice, whose last great service to Wuerttemberg was later to be the preparation of the constitutional proposals which led to the reform of 1906.
CHAPTER III

THE CONSTITUTIONAL STRUGGLE 1871-1900

A. Wuerttemberg in the Reich 1871-1894

1. Unification and Defeat of the Volkspartei

While the battle against France was still raging, Prussia was holding the first exploratory talks on unification with Bavaria. In September of the same year Wuerttemberg acquainted the Prussian Chancellor with her willingness to begin negotiations on a treaty with the North German Confederation, and dispatched her chief minister, von Mittnacht to the conference held in Munich from September 22 to 26.

The last of the states to sign the treaty creating the German Empire, Wuerttemberg seemed to be troubled by second thoughts. Influenced by the remaining anti-Prussians at court, the king had recalled Mittnacht and his assistant, von Suckow, from Munich before they had had a chance to sign the treaty. Only when confronted with their threats of resignation, recognising that this would have an unfavourable effect of the pro-government parties in the coming election, did Karl give in. On November 19, the king accepted the decision of his cabinet. Six days

74 Huber, III, p. 736. Cf. Mittnacht, p. 139 who does not mention his threat to resign. Moreover, he states that the reason for his recall was to win time in order to see if Bavaria would be offered better conditions. (In fact, she was.)
later with the signature of her plenipotentiaries, Wuerttemberg formally
declared her willingness to accede to the Reich.

Before this could become an accomplished fact, however, the
Landtag had to give its approval. This proved no barrier, for in the
elections held in December, the nationalist Deutsche Partei won an over­
whelming victory with 33 seats. The opposition consisting of Catholics,
democrats and a few Gross-Deutsche supporters, managed to win only 17.
20 additional seats went to a pro-government group. At the division over
the Reich question taken in the same month, 74 voted for the treaty with
14 against, while the motion to adopt the terms Kaiser and Reich carried
81 to 7. On January 1, 1871, the German Reich was proclaimed. 75

The Volkspartei which had had such electoral success just three
years before, found itself swamped by the wave of national feeling. As
an organization it was almost completely shattered by the 1870 election,
which produced great resentment in the party ranks. This was not exclu­
sively of a political nature however, but the expression of a group of
people who felt themselves socially excluded from the Reich as well.

Nevertheless, through their single member in the Reichstag, and
the handful in the Landtag, but also in the pages of their party news­
paper, 'Der Beobachter', hefty criticism of the Reich was sustained.
Not only did the democrats regret the loss of the possibility of a bour­
geois-democratic solution to the German problem, but they also felt that
the maintenance of humanist values would be lost through the Prussian
grip. Some even saw the beginnings of German chauvinism and anti-French

75 Huber, III, p. 749.
sentiments. But unsupported by the electorate, the Volkspartei had somehow to come to terms with reality. At the next provincial party meeting, their executive recognised the formal legality of the German Empire, but stressed that this by no means meant approval of the change. Eventually too, their criticism was transformed from blanket disapproval to the more positive review of individual institutions and measures. The least part of this criticism was concerned with the Gross-deutsch idea. Certainly in the sixties the party had expressed such sentiments, but they had almost always been more of a sentimental expression than the basis for practical politics.\(^7\)

The democrats were thus faced with a number of dilemmas. They had been decisively beaten at the polls on the question of the German solution. But in order to carry on the fight they had to somehow accept the legality of the very institution so as to battle within the system. Secondly, they would have successfully to combat the virulent criticism of their former liberal colleagues as well as Bismarck, which damned them as enemies of the Reich. And thirdly, with such a depleted organisation, a decision would have to be taken as which was the more effective arena for their brand of combat: the Reichstag or the Landtag.

2. Political and Economic Effects of Unification

Wuerttemberg's accession to the Reich was to prove a mixed blessing. On the one hand she relinquished a great portion of her independence when

competence in foreign affairs and military matters passed into the hands of the Reich. On the other, what she lost in independence was made up by the terrific boost which accession had given to conservatism. The apparent danger from the democratic as well as the emerging socialist camps could be countered by an appeal to the Reich, if necessary. Moreover, now that its competence had been limited, the Landtag could devote its time to questions of culture, inner administration and even constitutional reform, the latter being the issue which most dominated parliamentary sessions until 1918. In this sense some of the immediate results of accession were indeed positive. Twenty-eight laws of the North German Confederation became valid throughout the Reich. These included freedom of travel, end of police restrictions on marriage, religious equality and the right to found commercial and financial institutions, followed in 1872 by more liberal criminal laws and limitation of police powers.

On the other hand, economic conditions which had been steadily deteriorating in Wuerttemberg since the turn of the century underwent no significant improvement. Indeed, the integration of Wuerttemberg's economy with that of the Reich meant that the former would now be at the mercy of international and continental economic depressions. The conversion to a protectionist policy with the adoption of a general customs tariff in 1879 was a turning point for Germany as a whole. But not until the tariff was quintupled in 1887 did Wuerttemberg get a reprieve from foreign competition whose effects were still felt up to 1895.77

In general the depression of the next two decades hit the trades and agriculture, but especially the latter. Since the mid-sixties Wuerttemberg's railway net had been connected with the rest of the continent, one result of which was the appearance of cheap grain, mainly Hungarian, on the market. From then on grain prices tended to fall. The price of grain and the high cost of labour made life very difficult for the average Wuerttemberg small farmer. Yet life was not so desperate that the farmer considered so drastic a change as emigration, as had been the case in the 1850's. Rather, Wuerttemberg was beginning to share the movement characteristic of the rise of industrialism: the population shift from country to town. However, the scale and rapidity of this shift did not result in the creation of those desperate conditions which have become associated with industrialisation. The depression of 1879-80 did not affect big industry to any extent. In fact between 1882 and 1895 the number of people employed in large factories actually doubled. And for the same period the number of people on poor relief in Stuttgart was actually halved. Dislocation and alienation caused by industrialism appear to have been minimised also by the tendency of industry in Wuerttemberg not to centralize, so that in many cases workers were actually

---


80 Griesmeier, p. 148.

81 Wuerttembergische Jahrbuecher fuer Statistik und Landeskunde (1897), IV, pp. 26-27. Percentage of population on poor relief 1883: 4.06%, 1897: 2.30%.
farmers in their spare time. Thus the economic depression and the changes brought about by industrialisation did not lead to any immediate significant radicalization of Wuerttemberg political life. Nevertheless, this period saw the emergence of the class, which, when organized would produce a serious challenge to traditional Wuerttemberg politics: the proletariat. Because of the special conditions in Wuerttemberg, therefore, this class did not have an immediate or important effect on the political situation.

The Landtag elected in 1871 concerned itself mainly with the routine work of adapting the new laws to Wuerttemberg conditions, and with the new budget. The elections of 1876 brought no significant changes in terms of government support or opposition. Of interest, however, was the gradual penetration of the idea of a Catholic party through to the provincial level. For some years the Catholics, organised as the Centre Party, had fought elections for the Reichstag. Although there was no provincial party, Catholics campaigned together with a platform which stressed their rights, winning a total of 14 seats.

Neither the 1877-80-, nor the 1880-82-session was concerned with the issues of constitutional reform. At the end of the second session, the leader of the VP, Karl Mayer, again reiterated his party's demands for a thorough going constitutional revision on the basis of a unicameral legislature. However, Minister President von Mittnacht declared

---


that constitutional change would only be achieved via reforms, not by a complete revision, and added that there was room for change on the question of the structure of the Lower House. Unfortunately Mayer's demands met with little approbation even from his own caucus, and in the subsequent election the VP was unable to achieve a majority, winning only 12 seats.

In the throne speech which greeted the Landtag of 1883, the government promised that constitutional reform, especially the question of the privileged members of the Lower House, would be the most important task of the government during the session. But the promise remained unfulfilled. It was left to the Minister of the Interior, Hoelder, who was also leader of the DP and until 1881 President of the Lower House, to present proposals. It was his ambition to attempt a reform of not only the constitution but of the entire state administrative apparatus. His plan called for a gradual reform beginning at the lowest administrative level, the county, and then working up to the four large districts. In this way he hoped to replace the privileged members of the Lower House.\(^{84}\) It was a subtle plan which would have given the oligarchy, in the Old-Wuerttemberg sense of the word, almost complete control of the Landtag. Even his successor as leader of the DP, Karl Goez, had to denounce the proposal. As he said, this would have meant delaying any meaningful constitutional reform till the twentieth century.

\(^{84}\) Adam, p. 169. Grube, p. 546. Hoelder had in mind a return to a quasi corporate structure which would have enabled the middle-class to elect their own representatives in place of the privileged. Naturally this would have meant additional representation for property.
In 1885 the government surprised the House with a completely new proposal. The intent and the reasons were obvious. For some time the Upper House had lapsed into a state of benign indolence. Through mortality, laziness and disinterest it seldom met, let alone completed any work; most of the time it was impossible to achieve a quorum. Now, the government wanted not only to increase its membership, but also to provide for greater influence of the Lords. Naturally the bill was rejected by the Lower House. But the debate continued, the issue being the structure of the Lower House. The VP under Karl Mayer, wanted a uni-cameral legislature with elected members only. The DP on the other hand, had no objections to a retention of privileged or appointed members in the House, although they felt that one chamber was sufficient for the smaller states within the Reich. Furthermore, they did not feel that reform was urgent at this time. Of course, the privileged members of the Lower House, representing Knights, Churches and University, declared for the status quo. These felt that their special interests could best be protected from inside the Lower House. But it was the government's position, articulated by von Mittnacht, that proved most interesting, for he was to utilise as an argument a reason which had only existed since the change to universal suffrage. The privileged members of the Lower House, he explained, now constituted a conservative element which was necessary as a counter-weight to the masses, who could now elect their representatives directly into the House.\(^85\) Accordingly, he would prepare a new proposal to be presented at the next session, but which

\(^{85}\text{Schneider, p. 259.}\)
would not include any change in the structure of the Lower House. With that promise, the Landtag went into recess.

When it met again, in the 1886-88 session, the government renewed its promise to work on the reforms, but instead of preparing a draft it entered into direct negotiations with the party leaders. The suggestion was made whereby the privileged members would be transferred to the Upper House and replaced by additional representation from the cities, albeit, elected by the highest paying taxpayers. After some time the government itself realised that the proposals were unfair. They would have thrown the greatest influence on the side of property and the towns at the expense of the agricultural, civil and professional sectors. It was an attempt to replace one conservative element, the feudal-oligarchic, with another, the modern industrial/commercial bourgeoisie. For the attendant representatives then, the existing contemporary situation was preferable to such a change. As the session came to an end, Mittnacht was obliged to admit his inability to find a common formula with the parties.

B. Revival of the Volkspartei

1. A New Generation

After 1871 the activity of the VP remained at a minimum. Still led by the old triumvirate, Mayer, Pfau and Haussmann, the VP found it very difficult to adjust to the new circumstances, not least of all

---

86 Adam, p. 177.
because of the diminished size of the party. But in the 80's new forces appeared on the scene which would bring new life to the party.

The first of these was Friedrich Payer, son of a beadle from the University of Tuebingen. Payer was educated at a protestant seminar in Blaubeuern and later studied law. As the editor of the 'Beobachter' he attempted to get the party moving again and campaigned for and was elected to the Reichstag in 1877. In 1894, by now a mature politician, he entered the Landtag. At the same time, two other young aspiring politicians, by birth as well as inclination, Friedrich and Conrad Haussmann, sons of Julius, entered the scene. Both competent lawyers, Conrad was the first to enter the political arena. In 1887 he was elected to the Reichstag, and two years later to the Landtag. Friedrich was elected to the Landtag in 1890 and eight years later to the Reichstag. After their fathers death in 1889, the two came under the influence of Ludwig Pfau, the real theoretician of the party, and so the tradition of the 48ers was kept alive by the new leadership of the Volkspartei.  

The period in which this new triumvirate entered Wuerttemberg politics was dominated by the Liberal Deutsche Partei which had based its policy on cooperation with the government. This together with the continuing expectations of many people in the benefits of unity created a very mild political atmosphere. But there were already signs of dissatisfaction which was to be fanned by social and economic changes.

---

87 Theodor Heuss, Schwaben, Farben zu einem Portraet (Tuebingen, 1967), p. 153. Heuss also considers the constitutional reforms of 1906 a result of the ideological position of these 48ers.
2. Renewal of the Demand for Reform

The election of 1889 brought little change in the proportion of seats, although the quality of debate received substantial stimulus by the election of men like Adolf Groeber, hitherto a Centre MP in the Reichstag, and the twins Conrad and Friedrich Haussmann. No further progress was made on the question of constitutional reform and in the meantime the old king died and the throne passed to his nephew, William II, who was destined to be the last king of Wurttemberg.

One of the first tasks of the new monarch was to deliver the throne speech at the opening of the second session in 1891. In it he declared the intention of the government to persevere in their attempts to carry out constitutional reforms. Especially at this point one is led to question the motives of the government, for there was little or no vocal pressure on the government for change: the population apparently were hardly interested, the representatives seemed fairly happy with the present structure, or at least they could not reach any significant agreement as to how it ought to be altered, and even Bismarck had communicated his opinion that the status quo was the best thing for Wurttemberg at this time. 88

During the second session Mittnacht again presented proposals. From the start they met with much opposition, for the one point on which a good majority of the House could agree, a uni-cameral legislature, was not up for negotiation. In fact, he declared, to change the Lower

88 Grube, pp. 547-548.
House to a fully representative institution was not possible at this time. This speech of von Mittnacht contains the answer to the question posed above. He had become keenly aware of the potential political situation which was being wrought by the intensive industrial changes since the Gruenderjahre. It was necessary, he explained, for the government to preserve a strong counterweight in the House against the threat of the opposition of the growing Marxist Social Democratic Party, as well as the Catholic. However, the government was prepared to compromise. They would reduce the privileged members of the House from 22 to 15, while including representatives from the technical university, agriculture and commerce. In addition, Stuttgart would be given 4 representatives instead of 1. Commensurate changes in the Upper House would provide seats for those who were leaving the Lower House.

While the VP maintained its stand on the structure of the Lower House, the majority of members decided to try for a compromise. They declared acceptance of the government argument of a counterweight in principle, but decided to limit the privileged to those who would remain after the change, i.e. without accepting representation from any other sources. In the subsequent debate, the proposal which had been drawn up by the commission was attacked from all sides. The Centre, which had been relatively quiet throughout, put forward its own proposals. They were not against a bi-cameral system, declared their leader, Groeber, but wanted to see the rest of the aristocrats cleared out of the Lower House, and their replacements elected by a proportional vote. The

89 Literally - foundation years.
government was not against this last suggestion, but felt that the time was not yet ripe for such a step.

Before the issue could come to a vote, the government decided that no two-thirds majority would be achieved, and withdrew the draft. The representatives were thus prevented from showing their choice on this issue. Worse yet, important legislation, eg. an addition to the elementary school law with better conditions for teachers, remained in suspension.90

C. The Attempt and Failure at Constitutional Reform 1895-1900

1. Success of the Volkspartei at the Election of 1895

The elections of 1895 came at a time of increasing unrest in Wuerttemberg. The growth of industrialism was producing a working class which found political expression in the Social Democratic Party.

Although the population in the cities and towns was still only 40% of the total, over 7% of the entire population had taken part in the shift over the twenty year period 1875-1895.91 Besides emigration was steadily decreasing while the birth rate was steadily increasing. It is true that real wages had been increasing since the 60's and were now 1/3 higher. But an intensification of the work process had increased the needs of the working population for better nutrition and leisure

90 Adam, p. 187.
91 Griesmeier, p. 150.
periods, while the population increase was putting pressure on an already inadequate housing situation.92

The pressures produced by the increase in factory and city population was bound to produce a radicalization of the political process. In addition, there was growing dissatisfaction with the lack of political and economic benefits which many people had expected with unification. Especially since 1890, military, colonial and world power-politics had gained ascendancy over domestic affairs in the Reich. But the small businessmen, traders as well as manufacturers, had almost nothing to gain from the concomitant armaments program, not to speak of the farmers. In the first place, the traders were more interested in good relations with the other developed countries than in colonies, while the manufacturers stood to gain little from the vast armaments industry. At the same time, the main financial burden of power-politics fell heavily on the shoulders of this petty-bourgeoisie which bore the brunt of the indirect taxes and customs duties.93

It was in this atmosphere and among this section of the people that the Volkspartei went to work. Their main tactic was the theme, which since 1819 at least, seemed to have become an important part of the psychological political make-up of every Wuerttemberger: the constitutional reform. And the results of the election, with the extraordinarily high participation of 73.9% of the electorate appeared to justify the


93Simon, pp. 100-101.
tactic. There was a decisive swing to the left. The VP, which had campaigned specifically for the removal of the privileged from the Lower House, for an end to life tenure for district head civil servants as well as for a progressive income tax, emerged with 31 seats. Likewise, the newly-formed Wuerttemberg Centre Party, which campaigned together with the VP on these liberal-democratic principles, won 18 seats. But the Deutsche Partei, although it had run on a similar platform suffered a resounding defeat and was reduced to 13 seats. Having been the majority party for the last twenty five years, the DP had become the electoral scapegoat for the failure to achieve any significant reforms. The government party as well, was completely wiped out, and even the Minister President von Mittnacht lost his seat. Both the Wuerttemberg and Prussian governments were horrified by this situation which was without precedent in the Reich.

In actuality many voters had come to distrust the political position of this party which was supported mainly by civil servants and in the House by the majority of privileged members. Of the rest of the seats, the Freie Vereinigung, consisting of a coalition of conservatives and Farmers party got 6, and for the first time the Social Democrats won 2.

---

94 Grube, p. 549.
96 Simon, p. 52.
Despite the pressures against them, the VP were determined to exercise their rights as the majority party. At first von Mittnacht, pressured both by extreme conservatives and also the Prussian ambassador, was reluctant to deal with the VP. But he came to the realisation that there were other, far worse dangers in sight, which might be held off through cooperation between government and VP. Until 1912 the Landtag was to be dominated by the VP.

2. Von Mittnacht's Proposal of 1897

In the throne speech, delivered on February 20, 1895, the king declared that the government was willing to proceed with proposals to reform the constitution, but that a presentation would first depend on a clarification of the various tendencies within the House itself. Their answer, which had passed by 63 to 19, indicated the general direction: an end to privilege of birth and office, replacement of privileged by elected representatives, the right to legislative initiative, and increased representation for the capital, Stuttgart. Von Mittnacht's answer was somewhat surprising. Exhibiting a willingness to oblige, which had not been present during his dealings with the previous, less radical Landtag, he explained that the government had no intention of being a mere spectator in the matter of reforms. Rather, it would attempt

---


99 Adam, p. 189.
to find a solution on the basis of the present situation, in other words, accepting an end to privilege. At the same time, the government did not intend to relinquish leadership in the matter, for in the face of the apparent division, 53 votes from the VP and Centre, a two-thirds majority could not be attained. Therefore, the government would be obliged to use its influence on the Lords if success were to be achieved.\textsuperscript{100} Mittnacht's speech was greeted with considerable applause.

But the compromise did not end there. After conducting exploratory talks with the Upper House, Mittnacht concluded that no proposal would be acceptable which did not include removal of the privileged from the Lower House. He therefore decided to do without his conservative counterweight there, but to add the privileged to the Upper House while extending the latter's budgetary rights. And he reasoned further, that since the new members of the Lower House would in all probability be elected by those who paid no income tax, it would only be fair to the propertyed classes, that in the case where the Upper House rejected a money bill with a two-thirds majority, the Lower House only be allowed to pass that bill if it could achieve the same margin. In addition, the government felt that removing the privileged to the Upper House would destroy the Catholic majority in that body.\textsuperscript{101} This situation, the result of the annexations of the early 19th century, was embarrassing in a predominantly Protestant kingdom.

\textsuperscript{100}Egelhaff, p. 29.
\textsuperscript{101}Adalbert Wahl, \textit{Deutsche Geschichte 1871-1914}, V. 4, p. 151.
After studying his proposals, however, various parties began to have second thoughts. The newspaper of the DP accused Mittnacht of cleverly mixing reactionary with liberal changes in such a way that the government, with the help of the Upper House and the Centre in the Lower House, would be able to successfully resist liberal legislation. In part at least, this was not an unfair criticism, for the Centre itself had thought its interests better served by the disappearance of the Protestant aristocrats from the Lower House.

The VP, who wanted to see their 'democratic' reform go through were not willing to wait and thus decided to pay any price for removing the privileged from the Lower House, even that of extending the power of the Upper House. The Centre, seeing the Upper House as the protector of Wuerttemberg Catholicism, also agreed to the proposals. On April 5, 1898, the government proposal was put to the vote. It carried with the necessary two-thirds majority, 69-18. But this was not the end of the story. The entire Landtag, not to speak of the population, was to have their hopes shattered by the volte face of one of the most important voting elements. A few days after the vote had been registered, Groeber, leader of the Centre, returned from Berlin, after attending a Reichstag session. Convincing his colleagues that they had overlooked an important point, i.e. putting the Catholics in the minority when the Protestant knights were transferred to the Upper House, the Centre now demanded as compensation extended rights for their schools and religious orders.

---

102 Adam, p. 191.
103 Wahl, V. 4, p. 151.
104 Adam, p. 192.
Their proposal, describing the school as an annex of the church, would have resurrected the parochial school, and placed religious instruction entirely under the direction of the Bishop. Besides, they demanded the right to found orders at will without having to request state permission. The entire proposal would have meant an end to the secularisation of the previous century, and it was too much for both the government as well as the other parties to accept. Mittnacht declared he failed to see any connection between the Catholic bill and constitutional reform. But the Centre was adamant. On December 21, 1899, failing to achieve the necessary two-thirds, the reform was defeated.  

At the beginning of the legislative session, it seemed as if the government had had every intention of embarking on a more progressive course and in carrying out the desired constitutional reform. In actual fact, however, the government was decidedly far from any 'liberal' or 'democratic' conversion. Von Mittnacht's main fear at this point were the Social Democrats. And in order to give them no excuse for radical agitation, he was only too willing to seek support of the VP, a calculable political risk no doubt, but one which enhanced the aura of constitutionality and even responsible ministry. The government was therefore willing also to make concessions on the issue of the 'privileged' in return for a compromise from the VP. But the compromise which the government had in mind would be all in its favour. At best it can be said that they were clever enough to adjust to new realities which had been brought about by economic change. And as they implied from time to time, the

---

105 Adam, p. 193.
adjustment consisted in replacing an old conservatism, the feudal-oligarchic, with a new one, the industrial-commercial. This was merely a reflection of changes which had already been consummated in the Reich itself. That Wuerttemberg was a few years behind, must be attributed to its special conditions. Industrialisation in this south German state was less hectic and slower than the rest of Germany.

Quite aptly, this Landtag, in which reactionary forces had again stalled progressive legislation, was given the name of an earlier one, the 'Vergebliche.' The only mildly positive result was a decision of the left-wing parties to work more closely together in the future. Indeed, the entire period since the founding of the Reich, had brought little significant change.

---

106 Literally - 'do-nothing parliament.'
107 Schlemmer, p. 15.
CHAPTER IV

THE 36th LANDTAG - 1st SESSION 1901-1904

A. Introduction

1. The Election of 1900

New elections were held in December 1900, but not before an important change in the government took place. One month before the elections, Minister President von Mittnacht, now 75 years of age, retired from public life. His successor was Freiherr Schott von Schottenstein.

This election was fought under slightly different circumstances than the previous one, with the discontinuation of the campaign coalition between the VP and the Centre. Also, the presence of the SPD again meant a further splintering of the left vote. All ideological tendencies were represented at this election including the conservative Farmer's Party.

The results confirmed the trend to the left which had been apparent at the last election. The SPD practically doubled its votes to gain five seats and in by-elections reached a total of seven. Some of these seats were captured from the VP who fell to twenty-eight, and from the DP who lost one, while the Centre remained at eighteen.\(^\text{108}\)

\(^{108}\)Egelhaaf, p. 33.
Because of the failure of the previous attempt at reform, the election campaign had mainly been fought over this issue which resulted in a clear differentiation between the left and right-wing parties. In the coming Landtag debates this polarization was to become more pronounced.

2. Social Basis of the Parties and their Programmes

The electorate was split into three distinct groups. The first of these, the Centre party, formed in 1894 in Wuerttemberg long after the Kulturkampf had been officially closed, drew its membership and votes primarily from Catholics of all social groups. Ideologically close to the democrats, its main aims were nevertheless, protection of Catholicism and liberation of the Church from secular control. It also stood up for greater independence for the German Landers.

The second group which was easy enough to identify, although not very numerous in Wuerttemberg, was the Social Democratic party. A revolutionary marxist organization, its support came overwhelmingly from the working-class, which however, because of the special conditions in Wuerttemberg, grew only slowly. Initially republican, the SPD, especially in south Germany, was to lose its revolutionary elan in the course of the next decades.

---

109 Schlemmer, p. 51.
110 Because of lack of records the social structure of the electorate is difficult to distinguish. But some light has been thrown on it by an investigation of local party records. Cf. Simon, pp. 25-37.
The rest of the electorate then, either supported the Deutsche Partei or the Volkspartei, or the conservative bloc consisting of the Conservatives and the Farmers Party. The latter were both primarily defensive in their political stance: the Conservatives, as a weight against the liberals, and the Farmers Party, of mainly medium and larger farmers, who sought to protect their interests against the Social Democrats. 111

Both the Deutsche Partei and the Volkspartei were the successors of early German liberalism, but as already noted, they had split on the question of German unity. Later in the century the DP came to represent the interests of the new industrial possessing classes. Its support came mainly from higher civil servants, Officers, Protestant clergy, pietist circles, big business and some aristocrats as well. 112 A drift to the right was unmistakeable in this party which even saw an alliance with the conservatives as necessary for a steady and orderly development of the Reich. 113 Although it had been the main government supporter in the Landtag from 1871-1895 it appeared to have lost the initiative, and was left in the ensuing period with the choice of assisting the VP with the constitutional reform or becoming totally useless in the eyes of the electorate. However, it contributed its own version of the reform, with a strong lobby for the inclusion of professional representatives in the Landtag.

111 Schlieper, p. 172. Simon, p. 43.
112 Runge, p. 125.
113 Schlieper, p. 204.
The Volkspartei, on the other hand, claimed that it was the party of the middle-class, and therefore tried to recruit its members from all trades and professions. Its executive and local organizations were dominated by the free professions and independent small manufacturers, with a very high percentage of lawyers in all leading positions. This is not surprising as 28% of all the lawyers in Wuerttemberg were active in either the DP or the VP.\textsuperscript{114} Before the SPD became a reality in Wuerttemberg, the workers too were inclined to vote for and belong to the VP. But with the rise of the SPD, the VP tended to lose workers' votes in that direction, as also the Farmers votes, which saw in that party greater protection against the radical socialists.

The program of the VP was in general to influence the Reich as far as possible in a democratic direction, for they saw that edifice as quite incomplete.\textsuperscript{115} They consistently took an anti-imperialist stand, seeing there the outcome of interests which did not emanate from the people and which were leading slowly to a dangerous chauvinism. The VP were patriotic, but not in the aggressive, nationalistic sense of some of their Reichstag colleagues. They stood for a free Germany, one which was strong enough to defend itself, but also for a strict legal and moral interpretation of international affairs. To achieve these goals, they campaigned for a free and equal electoral system in all the German Laender, as well as the equality of women. And for the people to attain the requisite level necessary to effect their political responsibility,

\textsuperscript{114} Runge, p. 78.

\textsuperscript{115} Ibid., p. 180.
they demanded an educational system free from religious manipulation. Because they realised the difficulty of implementing this program in the Reich, the VP concentrated their efforts in Wuerttemberg. The awareness that Wuerttemberg political life was much ahead of the north made them even more determined to set the pace. And because their influence in the Reichstag was not great, they hoped to use the strength of their position in the Landtag to control the Wuerttemberg vote in the Bundesrat. This was certainly no radical departure since the precedent for this had been set much earlier, in Bavaria, as well.

With the Landtag of 1900, then, the VP decided to use all the means to whip up the sentiment for constitutional reform and not let the matter rest until it had been achieved. They were not to know, that the other main plank in their platform, the school question, would provide the main impetus.

B. The Renewed Demand for Constitutional Reform

1. The Government

Although the draft proposal of 1897 had been defeated, the question of constitutional reform did not disappear. All the parties had campaigned for a representative Lower House and acknowledging this desire, the king in the throne speech on January 15, 1901, explained that:

---

116 Simon, p. 110.
117 Ibid., p. 48.
At the last attempt to change the constitution in regards to the composition of the chambers, deep-seated differences of opinion have appeared. Changing the composition of both chambers remains one of the goals of my government; but as long as the differences of opinion have not been reconciled, my government will not be able to offer any hope of success in a new effort.\footnote{P.I.(69), p. 2.}

This pessimistic attitude of the government was reiterated by the Minister President during the course of the subsequent debate. The reform, he explained, had floundered on difficulties within the Lower House itself, on the attitudes of the various parties, and these difficulties did not seem to have disappeared since the election had not changed the strength of the protagonists significantly. He was of the opinion that the chances of a reform were less than those of six years ago.\footnote{P.I.(69), p. 78.} A few days later, however, he assured the House that the government did not intend to relinquish the initiative in the matter, nor was there any uncertainty as to how it proposed to achieve the reforms. The government's position was still based on a transfer of the privileged to the Upper House. But a change in the representation of the Lower House was only feasible if at the same time the Upper House were expanded and given certain rights in regards to the budget.\footnote{P.I.(69), pp. 130-131.}

2. Freie Vereinigung

Support for the government came initially from the Conservatives, one of the groups which made up the loose coalition known as the Free
Association. Their leader, Kraut, declared that the time was not yet ripe to discuss constitutional reforms. The Conservatives felt that the government had chosen the right path by leaving the discussion of the reforms to those parties who were most interested in it. The whole question of constitutional reform was of no practical interest to the people. These were more interested in questions of tax-reform or of road-building.\textsuperscript{121}

Similar opinions were expressed by representatives of the privileged. One of the knights, von Woellwarth, agreed with Kraut's observation of indifference among the people. On the other hand, before the election, certain newspapers had prophesied that the Centre supporters would reflect their displeasure with the party who was responsible for the failure of the reform by rejecting it at the polls. But nothing of the sort had happened. If one analysed the votes for the Centre then one would have to conclude that the issue of constitutional reform had played no part in the election at all. If any case, von Woellwarth did not believe that the question could be solved at this point. The Centre was not about to give in, the VP would probably not agree to the proposed budget rights for the Upper House, and the knights could not agree to their own departure from the Lower House since this was not in the interest of the people as a whole.\textsuperscript{122}

In his closing remarks, von Woellwarth then read a declaration signed by twelve knights, which expressed their willingness to participate

\textsuperscript{121} P.I.(69), p. 64.
\textsuperscript{122} P.I.(69), p. 136.
in any negotiations for reform, but which also rejected the suggested replacement of the privileged with elected members on the basis of equal suffrage. The declaration was not unanimous, however. Freiherr von Gemmingen, with some far-sightedness, expressed the desire for a fully-elected Lower House, but felt that a strengthened Upper House was necessary as a conservative weight to check the absolute power of universal suffrage. Nevertheless, he hoped that such would not be accomplished by a compromise with the Centre, but by a coalition between the VP, the DP and the FV.

3. The Volkspartei

The main reply to von Schottenstein's declaration was given by Conrad Haussmann, who attempted to clarify the ambiguity of the government position. The government, he argued, had merely announced its intention of doing nothing in regards to constitutional reforms, at least until it was crystal clear that there was unity in the House. What did this mean, in fact? According to Haussmann the government had maneuvered itself into a position of dependence on the opponents of reform, and thereby left its own supporters in the lurch. But in order for such a reform to be successful the government would have to take the lead by using all the administrative and legislative powers at its disposal. By thus loosening the reigns the VP felt that the government had strengthened

---

124 P.I.(69), p. 75.
the hand of the opposition immeasurably. The VP were at a loss to explain this volte-face of the Government. The only feasible explanation was that the government was becoming so scared of the SPD that they felt the need of the assistance of the privileged to combat the growing electoral power of Social Democracy. But the government was making a mistake. The SPD could not be fought in this manner. Some years previously the government had asked both the people and the opposition to have faith in it, and that the reform would be successfully completed. But the VP felt that its present actions had destroyed that faith and with it the trust which was necessary for completing other legislation. If the government remained adamant in its unwillingness to take the lead, then there was nothing left for the VP but to oppose the government at every turn. In time, they believed that the government would look back at this step and realise that it had made a serious mistake.  

The next day Haussmann took the opportunity of answering certain accusations made by the Centre and of also reiterating the position of the VP. According to this, the latter were quite prepared to work with the Centre. On the question of the structure of the Upper House, the VP also declared their willingness to participate in discussions. The party considered the number and proportion of new members in the Upper House to be merely practical and by no means 'principled' questions. But before they could formulate a position, they would have to examine the proposals, a step which the VP were quite willing to take.

125 P.I.(69), pp. 76-78.
4. Deutsche Partei

The DP, represented by von Gess and Dr. Hieber, adopted from the outset a less intractable position than that of Haussmann and the VP.

Speaking on January 25th, von Gess, in supporting the government's tactics explained that since 1849 seven constitutional drafts had been prepared, without any success. The DP were anxious to welcome an attempt that would be successful, but they felt that success would only be possible if the various parties reached an agreement on fundamental questions. Clearly one should not blame the government, after so many fruitless attempts, for requesting prior understanding within the House.127

A few days later his colleague, Dr. Hieber continued to outline the position of the DP by attacking the attitude of the knights. The DP regretted the reluctance of the 'privileged' to depart from the Lower House, and saw their declaration an added difficulty in achieving the reform. As regards the government, the DP did not share the conviction of the others that it would have been better for the government to have made its retention of the initiative in the constitutional question clear at the opening of the Landtag. Rather they were pleased that the government had moved away from passivity and reservation in the matter, and they hoped that the government would maintain the necessary leadership. In any case the DP wanted to leave no doubt in anyone's mind that the whole question of constitutional reform was for them of the highest political responsibility. Taking up the question of the indifference of the population, Hieber argued that there was no other matter of greater

national concern than the question of reforming the structure of the Lower House. Furthermore, he feared that if the reform were delayed, or were unsuccessful this time, that the consequences would put the government in a very difficult position.128

5. The SPD

In the south German states the SPD had gradually come to play a different role than in the north. Facing a liberal voting system, and certainly a more liberal parliamentary attitude on the part of the government, the SPD developed early that cooperative attitude which was later branded as revisionism.129

At this time, when the SPD had at least a parliamentary group of workable size, and where the political forces were neatly divided, the party decided to work closely with the left-wing democrats, in this case the VP.130 Besides they made it quite clear that they intended to fight for reform and for the implementation of their program in a constitutional manner. On January 23, their spokesman, Hildebrand, declared their intention to work for the benefit and prosperity of the country, while rejecting emphatically the notion that they were in any way dangerous to the monarchy.131

The Social Democratic Party in Wuerttemberg saw its task as bringing about reforms which would make it impossible for particular

129Huber, IV, p. 121.
130Schlemmer, p. 54.
families and 'estates' to further their own interests through legislation. Their stated aim was a representative assembly in which all classes were represented proportionally. The SPD were ready to compromise with the Centre on the matter of reform, as Hildebrand stated, but the Centre had not responded. As far as the SPD were concerned this reluctance by the Centre was due solely to the fact that being the vanguard of aristocracy in Wuerttemberg, they wished to prevent the reform.132

But the SPD did not put the entire blame on the Centre. Because of the statements by the government they had realised that other anti-reform currents were very strong. At the same time, however, they did not share the opinion that the attitude of the people was one of indifference, consequently they would not work positively on any other legislation which would only have the effect of delaying the reform.

In the present Landtag the SPD had only won five seats, but they had apparently learned how to use even such a minority vote to their own advantage. They considered the question of constitutional reform not of momentary but of historic importance. For them it was the fight of an entire people against the retention of privilege. They were the representatives of the working classes, and were quite conscious of the fact that their opponents in the House represented propertied and privileged interests. The SPD viewed its task then, as seeking an end to those remnants of feudalism which gave special rights to the propertied.133

6. The Centre Party

After the initial debate, a motion was presented to the House on the question of the preparation and answer to the throne speech. It was suggested that the House take this opportunity to make its position on the constitutional reform quite clear. In addressing himself to the motion, the leader of the Centre party, Groeber, took the opportunity to reconstruct the previous position of the House as well as the Centre party regarding the reform proposals. At the beginning of the previous Landtag, the main opposition had come from the privileged. But then, maintained Groeber, a new situation had been created with the suggestion to extend the membership of the Upper House as well as its competence in budgetary matters. Furthermore, it had become clear that not only would that body gain additional members, but would gain them in such a way that the Centre would have to request some constitutional guarantee for the Catholic minority, possibly in the form of the parochial school system. Yet, none of the other parties had even tried to reach a compromise with them, instead the issue had been abruptly terminated by calling for a vote. As the matter stood now, the VP expected to move right into a debate on the answer to the throne speech without indicating any willingness to compromise. In such circumstances the Centre could see no possibility of reaching agreement for a common program and would therefore vote against the motion. 134

Eight days later, opening the debate on the 1901-1902 budget, the Vice-President of the House and Centre representative, Dr. V. Kiene,

continued the exposition of his party's position. The Centre, he said, maintained the same position as in 1894. As regards the structure of the Lower House they were in full agreement with the others. But on the question of the Upper House there were deep differences. Their main concern was the protection of their religious minority. It was unfortunate that the throne speech did not include those many questions of principle which were of importance to the country and its people. Not one syllable had been lost on spiritual-religious matters, although the Centre would have expected that this would be one of the most important areas of government consideration. The most important task of the government should be the preservation of the monarchy, property, family, religion and authority which had their roots deep in the Christian life of the people. Freedom for the Church was the best way in which this could be accomplished, and it was the government's business to afford the Church all the help it could in extending its influence. The future, he continued, belonged to the youth, and therefore the Church ought to be guaranteed the means for training them, which was the parochial school.

After the government declaration on the previous Saturday, V. Kiene thought it necessary to summarise for the Centre. His remarks in fact stand as a summary of the state of the constitutional reform at that time. The government had in fact introduced no new proposals, but had merely presented the House with a fragment of the former draft. No mention had been made of whether the privileged from the Lower House

---

135 P.I.(69), p. 44.
would be replaced, nor how this would be accomplished. Secondly, nothing was said about the structure of the Upper House nor its rights in respect of the budget. Obviously, no progress at all had been made.\textsuperscript{136}

C. The Kloss Motion

The constitutional question, which had only been mentioned during the budget debate, came alive again with the discussion of a motion to increase the representation of Stuttgart. On February 8, 1902, the SPD introduced this motion requesting the House:

To petition His Majesty's government to introduce a bill changing No. 5 \#133, Chapter IX of the Constitution so that the city of Stuttgart be accorded stronger representation commensurate with its importance and population.\textsuperscript{137}

Because of the order of business the motion was not brought forward until February 11, 1903. Kloss of the SPD opened the debate by justifying the motion. Because of the silence of the government on the question of constitutional reform, the SPD were forced by the changing situation to demand additional representation for Stuttgart. In 1839 Stuttgart had had 1/43rd of the total population of Wuerttemberg, but by 1900 this proportion had risen to 1/12th. Yet the number of seats in the House had remained the same, resulting in great injustice to the citizens of that city. If a comparison were made with the rest of the country which had one representative for every 31,000 citizens, then Stuttgart with a population of 180,000 should have 6 members in the House. Furthermore,

\textsuperscript{136}P.I.(69), p. 145.

\textsuperscript{137}P.III.(71), p. 2046.
the city paid 1/6th of the total amount of direct taxes, a considerable amount.\footnote{138}

In answering, the government, represented by the new Minister President, Dr. von Breitling, reminded the House that the government viewed the question favourably, that in fact the constitutional proposals of 1897 had included increased representation for that city. However, the government did not see the necessity of trying to solve that question independently while there was still the possibility of achieving an encompassing reform of Chapter IX of the constitution. Again, he reminded the House, according to the government declaration given in 1901, they were not about to relinquish the initiative in that question, but present a draft as soon as they felt there was a possibility of some success.\footnote{139}

The next speaker, von Gess of the DP, expressed his appreciation at the government's reassurance, and pointed out that as regards the composition of the Lower House the vast majority of representatives agreed that it should be converted into an exclusively representative assembly, by way of general and direct voting. He felt that the motion regarding Stuttgart was justified, but that what they should consider was the feeling of the electorate: and the people wanted a general constitutional reform not a 'lex specialis' for Stuttgart. Therefore the DP would not vote for the Kloss-motion. One the other hand the DP was prepared to continue work on the reform at the nearest opportunity, and at this time presented a resolution to the House, which, recognising

\footnote{\textit{P.V.}(73), p. 3314ff.}
\footnote{\textit{P.V.}(73), p. 3318.}
the government's intention, declared that the House too was ready to participate in a modern revision of the constitution.\textsuperscript{140}

Haussman of the VP expressed himself in a similar manner. He and his colleagues would have to vote against the motion because in the first place it was too pessimistic. It let the government off the hook in having to present a draft reform. Besides, voting for the motion would give the government the opportunity of accusing the parties themselves of doubting the feasibility of achieving the reform. Furthermore, he was pleased at the way in which the DP was now viewing the situation. If von Gess really represented the views of the DP, then the VP were ready to work with them on that basis and would even be willing to bury the suggestion of a proportional vote which had caused so much trouble in the previous Landtag. Consequently the VP asked the members of the House to support the von Gess resolution and thus indicate their desire to continue working for the constitutional reform.\textsuperscript{141} Now, Prelate von Sanderberger, representing the 'privileged', read a declaration expressing their intention to cooperate in bringing about the reform. But, he added, the House had to realise that they were the representatives of what had come to be known as conservatism, and therefore it was of the utmost importance for them to decide whether this political ideology could really best be represented through the ballot box.\textsuperscript{142}

\textsuperscript{140}P.V.(73), pp. 3321-3323
\textsuperscript{141}P.V.(73), pp. 3323-3325.
\textsuperscript{142}P.V.(73), p. 3326.
With that declaration the 'privileged' had at least shown themselves willing to compromise, certainly a departure from their previous position. But with the Centre it was the same old story. Dr. von Kiene explained that they would not support the Kloss motion, because it was only a partial reform, and especially because the government had shown its willingness to reopen the whole question. But the basic position of the Centre towards the reform had not changed. They accepted the idea of an elected Lower House, replacing the 'privileged' section by way of proportional voting in large districts. However, they felt that the Upper House should remain a House of Lords and not be extended with appointed members. Furthermore, they desired that the ratio between both House be kept as it was. This reasoning they based on the program of the majority party for the future, and therefore did not intend to relinquish the minority protection which obtained at the present.\textsuperscript{143}

For the SPD, Kloss then declared that they were pleased to have reopened the question of the reform with their motion. It was true that it had expressed a certain pessimism, but since all the parties had indicated their desire to support another attempt, the SPD would withdraw their motion and support the von Gess resolution instead. However, in case that were defeated the SPD reserved the right to demand a vote on the original matter.\textsuperscript{144}

Haussmann then attempted to close the debate by reminding the House that the most important step had been taken by the FV when they declared their intention of making a positive contribution to the reform. The possibility of achieving a two-thirds majority with the help of the 'privileged' was certainly on Haussmann's mind at this point. Von Ow,\textsuperscript{143} p.V.(73), p. 3327. \textsuperscript{144} p.V.(73), p. 3328.
one of the Knights and spokesman for the 'privileged', was careful to reply that the FV had no intention of replacing themselves with representatives elected directly, without conservative guarantees. But at the same time, he did not refute the tone of von Sanderberger's message which had indicated the possibility of cooperation.\footnote{P.V.(73), p. 3330.}

With a closing address from the Minister President, the resolution was put to the vote, and with 84 members present, it carried unanimously.\footnote{P.V.(73), p. 3332.}

D. The Defeat of the School Reform Bill

1. Introduction

With the acceptance of the von Gess resolution all the parties in the Lower House had indicated their willingness to cooperate in a renewed attempt to bring about constitutional changes. Naturally they had done so only while declaring that there was no commitment to the type of change; this would have to be hammered out either in debate or through negotiations among the party representatives. Nevertheless it was an important step in reopening the question. But of perhaps greater importance was the agreement which seemed to have been reached between the VP and the DP, and the promised cooperation of the FV. For with the Protestant votes of the FV (21 out of 23) the pro-reform bloc in the Lower House would be able to reach the necessary two-thirds majority.
After the sitting, the representatives of the VP and DP sent invitations to the various other parties suggesting they meet and begin negotiations. The first meeting took place in June 1903, with all parties represented except the Centre. Von Gess was charged with preparing a memorandum on their behalf containing proposals for a constitutional reform. Eight months later, the proposal was ready. The idea had been to present these to the various parties for further study, to meet again to iron out any discrepancies and then possibly to present the accepted draft to the government. Before this could take place, however, the School Reform Bill came to a vote in the Upper House. Its rejection was to give the greatest impetus yet, to the long-overdue constitutional reform.

2. The Volksschule

Since the beginning of the nineteenth century the Wuerttemberg state apparatus had tried to extend itself into the education field. Until 1836, administration of the education system had been shared between the protestant and catholic hierarchies, and school inspection had been carried out by clerics. But especially since 1848, the opinion that education belonged in the realm of secular authority had been gaining ground.

In 1858, the Minister of Education and Religion, Gustav Ruemelin, introduced a law designed to raise the quality of the schools by increasing teachers' salaries. Most of the teachers had come to realise that their

social position was being judged according to their economic circumstances, and began to demand a salary commensurate with their education. For this purpose a teachers' Association was founded which encompassed the vast majority in Wuerttemberg. Among their demands was an end to the combination of their teaching duties with that of sacristan, as well as better teacher training. But their most serious demand was to be rid of inspection by clerics and to have the latter replaced with professionals. Consequently this led to frequent clashes with the Church authorities.

Because of constant agitation, the Minister of Education, von Weizsaecker, introduced a comprehensive Education Bill in 1902 which among other things tried to tackle the problem of inspection.

3. The School Bill

A commission was charged with drawing up a report on the government's Bill which was duly presented to the House by Dr. Hieber of the DP. It is not necessary to go into the entire Bill, for all that interests us here is Art. 4, concerning school inspection at the village and district levels.

According to the proposals the government did not intend to change the regulations at the village level. But a fundamental change was envisaged for the districts. Here, the inspectorate was to become part of the district council office, which meant that non-clerics would also be eligible for the position of inspector. Qualified were those persons who had proved their competence by virtue of their education and

---

their previous experience in the field of education. Thus besides the clerics, teachers were also eligible.\textsuperscript{149}

One the same day on which the report was presented, February 5, Art. 4 was passed with only a few minor changes. Voting against, were the Centre and a few of the 'privileged.'\textsuperscript{150} Six days later the entire Bill was accepted with 55 against 25. Apart from the Centre the only other opponents were the SPD who had voted according to party principle which demanded complete secularisation as well as an end to religious instruction in the schools.\textsuperscript{151}

In passing the Lower House only the first hurdle had been negotiated because the Bill had yet to be accepted by the Upper House. Here, of course, was to be found a Catholic majority, those whom the Centre were constantly referring to as protectors of the minority. They were of course a group who refused to make even the slightest concession to the modern principle of professional school inspection.\textsuperscript{152} Von Weizsaecker tried everything to convince the Upper House and answer their objections. But his attempt was useless. The Bill was not actually voted down, for before it actually came to the vote, a simple majority (13 to 11) accepted a motion which would amend Art. 4 in such a way that although the inspectorate would be joined with the existing council office, only clerics in fact could qualify as inspectors. The same day, the government was

\textsuperscript{149}P.V.(73), p. 3124.

\textsuperscript{150}P.V.(73), p. 3237.

\textsuperscript{151}Schlemmer, p. 54.

left with no alternative than to retract the Bill, acknowledging that its intent had been defeated.

4. Public Reaction to the Defeat

The defeat of the School Bill by the Catholic aristocrats in the Upper House generated a public reaction among the protestant population, "as one had never seen before." Public opinion refused to accept the fact that a handful of aristocrats had been able to block the wishes of the government and parliament. A mass demonstration was organised in the auditorium of the Song Hall. The crowd, pressed together like sardines, demanded an end to this situation by a comprehensive constitutional reform. VP, DP, and SPD all cooperated in this protest movement which was directed against the Upper House. But while the SPD and a few members of the other two parties demanded its complete abolition, the majority of the VP and DP merely called for its reform.

On June 16, the Lower House meeting to hear the report of the Education Commission, took the opportunity of officially continuing the protest against the high-handed actions of the Upper House which had caused such disturbance and resentment.

5. Parliamentary Reaction and the Haussmann Resolution

The session of June 16, 1904, opened with a report by the Chairman of the House Education Committee, Dr. Hieber. The assembly had been

---

153 Keil, p. 225.
scheduled to debate petitions by the protestant and catholic teachers' associations, but because of the defeat of the Bill, the committee saw no sense in that. A renewed discussion of the school inspection and organisation at this time, Hieber explained, would lead nowhere.

It was not without a feeling of bitterness that he was forced to come to this conclusion. A moderate and carefully compiled piece of modern legislation had been defeated by a small group of men who represented the kind of clerical opinions which were irreconcilable with the modern state. Yet despite the restrained approach of the House, the moderate bill had been defeated by an appeal to 'conscience.' Hieber felt at a loss to explain this. He argued that much progressive legislation had been accepted by the Catholic 'conscience' in other German states. Did they believe, he asked, that the Protestants had no conscience? Or perhaps that only the Catholic conscience had a right to express itself in educational matters? The House should energetically protest and deny the opinion that the Bill had been a danger to religious education. Had not the Protestant hierarchy supported it? And not only had the right to religious education been confirmed by the bill, but also the right of supervision for the Churches.

All this was of course unimportant now. The main question for the House at this point would be the consequences of the rejection and what further action they should take. First of all, the necessity for changes in the educational field were still present. All concerned bodies, including the Catholic authorities had approved the need for changes. Now, he felt that not only the schools but the Churches would continue to suffer, for no one could deny the tension that existed between
teachers and clerical authorities, and this would certainly increase.

Another consequence of the defeat of the bill would be renewed attempts by the government to achieve changes by way of the administration, i.e. the budget. Possibly the Minister of Culture would include such a provision at the next budget debate. Therefore, the relationship between Church and State would be very strained, not between the Protestants and the State, but between the Catholics and the latter, for the Protestants in the House had from the beginning shared the opinion that school administration was properly the business of the state.

What then, would happen now? Hieber believed that the last few weeks had clearly shown that no progress could be achieved in regards to school reform under present constitutional conditions. And these were not apt to change until the government in consultation with the House made the firm resolve to take the initiative. There was no doubt that the events of the last weeks had brought about a state-wide movement. It was commonly held that every bit of new legislation was plagued by having to take into consideration archaic rights and privileges which continued to exist from by-gone ages. In any discussion of the constitutional question, the most important point would be the structure of the Upper House.

At the conclusion of Hieber's report, the Speaker then read a resolution signed by Hieber, von Gess, Haussmann, one of the knights von Gemmingen, and the protestant Prelate, von Sanderberger.

Because of the defeat of the School Reform Bill by the Upper House, the Lower House refers the petition of the Wuerttemberg

\[155\] P.VIII.(76), p. 5282.
Elementary School Teachers Association which requests a modern revision of the present school inspection clause, to His Majesty's government. At the same time the Lower House expects that the government will be able to put through such reform, if necessary by a revision of the constitution.\(^{156}\)

Arguing for the motion, Haussmann then attacked the action of the Upper House by pointing to the excitement in the country. The gentlemen of that Chamber, he said, made the mistake of moving in exclusive circles and consequently had no idea how the people were thinking. But in fact the movement among the populace was so strong that anyone who did not see the necessity of getting rid of the Upper House would be thought of as a weakling. He was sure that if a vote were taken on the matter in Wuerttemberg that 2/3rds of the people would vote for an end to that body. The tragedy of the whole affair, was that this exclusive club was able with only two votes, to oppose the rest of the people. What they were really saying, he explained, was that the teachers were incapable of inspecting the country's schools, and the state was incapable of running the schools properly. In reality however, the Upper House had proceeded in a very shortsighted and imprudent manner; imprudent, because in this way the Upper House had caused all eyes to be turned on them. The result of course, was a questioning of the entire material basis of the Upper House, and those who asked themselves why it continued to exist could only answer because their fathers were propertied. Even legally the right of the House to exist was questionable, for had it not been abolished some years before, only to be artificially reinstalled some years later? Furthermore, Haussmann asked, what was the participation of the Lords in

\(^{156}\)P.VIII.(76), p. 5283.
legislative matters? Was it not true that the greater portion of the work of that body was discharged by the life members?

The action of the Upper House was imprudent also because it had created a bloc of opposition, including Monarch and SPD and in whose midst marched the Catholic Teachers Association. The government especially had always gone out of its way to please the Upper House, the thanks for which was the rejection of this moderate piece of legislation. In the next few weeks he expected that the movement among the populace would be intensified, and it was the duty of the Lower House to accommodate this feeling, to show that they were ready to assist in any measures necessary to end this unhealthy state of affairs. In fact a revision of the constitution was unavoidable now. Not that it had not been necessary before, but now a new and very pressing reason had appeared. 157

Von Sanderberger now rose to explain the attitude of his Church which he had previously only touched on. It was with a heavy heart, he said, that one was forced to the realisation that it was only a few votes which had spelled defeat for a measure supported by the greater proportion of the population as well as the Lower House. It had been stated not only by the Minister but also by the Upper House, that the initial stimulus for Art. 4 had come from the Protestant Church Council. This ought to have been proof enough that there was no attempt to renounce the interests of the Church or to surrender its rights on the question of Christian education, rather that it was an attempt to adapt to new circumstances. 158

157 P.VIII.(76), p. 5285.
158 P.VIII.(76), pp. 5285-5286.
Groeber now tried to defend his party. He too had noticed the excitement in the country but he was convinced that it had been artificially produced. Previous speakers had furthermore attempted to make it seem as if the opposition in the Parliament was between Catholics and Protestants. He for his part did not accept this. The fact that the opposition in the Lower House happened to be Catholic was only coincidental. If there had been a real conservative opposition in the House that fact would have been only too clear. As proof of his contention he had to cite the fact that two Protestant Lords had also voted against the School Bill, while circulating letters from Protestant clerics. It was clear that many Protestants viewed the matter unfavourably. Therefore it was completely untrue that there were religious contradictions in the House, rather what they were witnessing was a battle between Christian-conservatism on the one hand, and liberalism on the other.

But it would seem, he continued, that the task of the Upper House was being interpreted in such a way as to relegate that body to the status of 'yes-man' to the Lower House. If this were the case then the Centre had to agree with the rest of the House that it would be better to abolish the Lords. But if the Upper House were to continue as an independent legislative body for the benefit of the state and the people, then one could not expect her to play that role. The truth was that the Democrats were playing a subtle game. No longer were they demanding an end to the Upper House. Now they were saying that the Upper House had to be changed and to achieve this it would have to be strengthened. But this was for him paradoxical. The DP also appeared to support this position as could be seen from the draft prepared by von Gess. And as far as the 'privileged'
were concerned they seemed quite happy to remain where they were. The net result of these disparities was that there was no possibility of achieving a reform at this time. Besides did the rest really think that the Upper House, which was needed to pass such a reform, would participate in doing away with or weakening itself in such a way that it was merely useful to the Lower House?

As far as the Haussmann argument went, he could only remark that if this were so, then the entire body of legislation since 1850 was invalid. In fact, all constitutional changes since then would be invalid, including the electoral law on which the membership of the present Lower House was based. Was it not ludicrous to state that the entire constitutional life of the last 54 years be declared at one stroke null and void.

In concluding there was one point which Groeber thought should be mentioned. Haussmann had expressed the hope that the government would now take a completely new position towards those who were responsible for the defeat of the bill, to put it clearly, a precedent had been set in demanding that the government seek revenge on those who had voted against a piece of legislation. He, Groeber, hoped that in the course of the debate the government would give them a clear answer to this proposition.  

The Minister of Education and Churches then addressed the House. They had met today, he reminded them, to discuss the teachers' petitions. But the debate had wandered from there to the defeated school bill and thence to constitutional reform. They would have to understand that

---

159 P.VIII.(76), pp. 5286-5288.
he was not in a position to make any further comments on the government position. However, concerning the motion before them, he would assume that the government had no objections. As far as the Groeber request went, he believed that Haussmann's remarks had been misconstrued. He had not asked for any policy of revenge from the government and the latter had no such thoughts in mind. But it should be obvious that the government would not look askance at the events and neglect its responsibility. 160

Theodore Liesching (DP) then went on to analyze Groeber's contention regarding the ideological split in the House. He had always felt that the Protestants had been represented most ably by the Protestant Prelate. He would have been happy if they had been as liberal as Groeber thought. On the contrary, these gentlemen had approved of the School Bill by declaring that they saw no danger here to the rights of the Church. As to the remark that a protestant cleric had written to two members of the Upper House he could not take seriously, for the latter did not even live in Wuerttemberg, 161 and therefore could hardly be acquainted with local conditions. Even if a cleric did write a letter this could hardly be interpreted as mirroring the official position of the Church which anyhow was represented by the Protestant Prelate.

As for the argument that the Upper House was to be put in a position of merely echoing the conclusions of the Lower House, he could

160 P.VII.(76), pp. 5288-5289.
161 A few members of the Upper House were actually citizens of Holland or Austria, a further example of the anachronistic composition of the Upper House.
remember many occasions previously in which that body had rejected decisions of the Lower House. The fact was, however, that the unpopularity of the Upper House had reached a decisive juncture when something had to be done. What did they believe would happen if in another province, e.g. Bavaria a Protestant majority in the Upper House had acted similarly? Such a structure existed in no other province in Germany. Everywhere the members of Upper Chambers were people who were closely connected with the business of their country. But in Wuerttemberg they had to put up with a condition:

Whereby a Prince Windischgraeetz, who was President of the Austrian Imperial Council, Prince Fuerstenberg, who lived in Baden and Bohemia, and Prince Thurn and Taxis, who only came to Wuerttemberg to visit his forest property, all had a say in Wuerttemberg politics. 162

The patience of the Wuerttemberg people had been exhausted.

Liesching then explicated his party's position regarding the Upper House. The DP did not expect that the total abolition of that body could be achieved at the present time. In the meantime they were satisfied to reconstruct it in a way which would align it with the modern demands of Wuerttemberg public life. The reaction to the June 8 vote had surprised the Lords, who had not expected that their action would have been considered so provocative. But the opposition to the Upper House was by no means confined to the press. It was felt in the smallest village, in so far as that were protestant. There was no doubt in Liesching's mind that the vote had awakened a popular movement which would not rest until the School reform had been achieved. 163

162 P.VIII.(76), p. 5290.
163 P.VIII.(76), pp. 5289-91.
The Social Democrats, although they too had voted against the Bill, lent their weight to the criticisms of the Upper House and the Centre. Hildenbrand, their main speaker, reaffirmed the antagonism in the House between the two 'Weltanschauungen.' The one maintained that the School could only fulfill its task under the direction of the Church, while the other stressed the state's educational responsibility of equipping every citizen with the tools of survival. In such a situation he felt that it was obvious that the government would have to take the side of the left. For the SPD the main problem was the Upper House. They accepted the fact that to reform the school system a change in the structure of Upper House was mandatory. But the ways in which this had been suggested were false. By removing the 'privileged' to the Upper House, the Catholic majority there would certainly be broken, but this would not mean an end to conservatism, the hindrance of progress. There was no guarantee that other progressive legislation would be passed. They felt that the Upper House by its very existence was an obstruction to progress which no reform could ameliorate. Reminding the House of the words of the old Chancellor of Tuebingen, von Weizsaecker, father of the present minister, Hildenbrand said that if progress could not be achieved by peaceful means then violence would result.\footnote{P.VIII.(76), pp. 5291-5293.}

The next two speakers, Rembold (C), and von Sanderberger took the opportunity to clear up one or two points of misunderstanding. But it was left to Haussmann to summarise the arguments for the motion. The tactics of the Centre, he said was to encourage the SPD in every way to
make radical demands for getting rid of the Upper House. In that way they hoped to discourage the conservatives, in particular the 'privileged' to vote against any constitutional reform. But they had no intention of falling into the trap. It was true that one of his fundamental desires was to see an end to the Upper House, but it was not always possible to achieve what one wanted. He would work therefore, for any reform that was truly a progressive step. Whoever voted for his resolution was not committing themselves to any particular reform, but was only acknowledging that the present situation could not continue.  

For the Conservatives, Kraut declared that although they were against the Simultanschule, and some of their colleagues had expressed reservation, they had indeed voted for the Bill. There was considerable agitation on the question of the structure of the Upper House and even some conservative circles were casting a favourable eye on reform. Therefore, they would definitely support the Haussmann motion, while reserving a free hand for the negotiations. Likewise, the representative of the Farmers Party, Haug, expressed their support for the School Bill, the constitutional reform and the Haussmann motion.

The last two members to speak were Keil (SPD) and Groeber. But while the former contented himself with reiterating the fundamental position of his party to the reform, and reminding the House that the SPD were still intent on abolishing the Upper House, Groeber chose to attempt to strengthen the position of his party by presenting the House

---

165 P.VIII. (76), pp. 5299-5300.

166 Simultanschule - expression for a unified inter-denominational school in which the Churches had an equal right in religious education.
with a threat. First of all, he explained, there were some Protestant teachers who had not supported the bill. And to the question of constitutional reforms no one could expect the Centre to agree to proposals that were contrary to their interests. If indeed, a coalition were created with the intention of restructuring the Upper House in such a way as to allow the School Bill and other liberal measures to pass, no one should expect any help from the Centre, for

We reject fundamentally any revision of the constitution for political reasons. You will just have to try it without us, if you think it at all possible.  

A vote was then called on the Haussmann motion. There were at this time 79 members present in the House, of which 62 voted affirmatively. The 17 nays were of course members of the Centre party. The next battle would be what form the revision should take.

---

167 P.VIII.(76), pp. 5302-5303.
168 P.VIII.(76), p. 5304.
A. The Government Takes the Initiative

1. Introduction

The extent of the June protests had had some effect on the government which now decided to continue to attempt to reach some agreement on the constitution with members of the House after the first session closed. During August and September von Breitling held exploratory talks with the speaker of the Lower House, Payer (VP) as well as the latter's colleague, Liesching. Von Breitling was so convinced of the necessity of the reform that he informed the king that he considered himself committed by these talks to introduce a reform proposal and at all events to see it through, otherwise the entire government would have to resign.\footnote{Klaus Simon, \textit{Die wuerttembergischen Demokraten} (Stuttgart, 1969), p. 67.}

Von Breitling's decision was facilitated by the fact that in dealing with the VP and also the DP, he was basing his support on a majority of the elected members of the Lower House. Furthermore, the VP had made it clear during the demonstrations that although they were in principle for a total abolition of the Upper House, they realised that the possibility of achieving this goal was remote. VP delegates
therefore refrained from excluding the possibility of achieving a partial success in the form of an elected Lower House within the bi-cameral system. 170

2. The Throne Speech

Whatever the exact reasons behind von Breitling's decision, the throne speech which opened the second session of this Landtag was of a markedly different tone than previous ones. In the first place the issue of constitutional reform was given precedence over all other legislation, and the government declared its firm resolve to initiate and lead the reform movement, since it could envisage no progress were the initiative left to the Lower House itself. Broad guidelines were laid down within which the government expected the reform to be accomplished. These were first of all the creation of a Lower House on the basis of universal manhood suffrage, the retention of the bi-cameral system, but with a modern reform of the Upper House. This was to be accomplished, furthermore, within the existing constitutional framework. 171

But before the proposals could be presented to the House, leftover business from the previous session had to be completed. And not until June 15, 1905, then, was the House ready to consider the new proposal.


3. The Government Proposal

On Thursday, June 15, von Breitling presented the government draft proposals after an introductory speech. Summarising the history of his government's attempts to reform the constitution, he explained the reasons for now doing so. A year before, the Upper House had been accorded by the Lower House a share in determining the new income tax, which meant that one of the principle objections to the reform proposals of 1897 no longer existed. Secondly, negotiations for the amalgamation of three suburbs with Stuttgart necessitated additional representation for that city. Thirdly, the Upper House was in great need of reform, since its numbers had declined since they were last determined in 1819. Finally, the government was convinced that a reform would only be successful if they created the foundation for agreement, as well as the fact that if there were any further delay the chances of a completion would be very unlikely.

As indicated in the throne speech, the government viewed the retention of the bi-cameral system as an indispensible requisite. The more the masses of the people were given the right to participate in public life, the more did the government feel it necessary to preserve a moderating element in the form of a viable Upper House.

In regards to the Lower House, the departure of the 'privileged' was considered natural. For a replacement, the government intended to extend the representation of Stuttgart, but did not see the necessity for additional members. Stuttgart would therefore be represented by 6 members to be elected according to a proportional vote.
Of prime importance for the government was the reform of the Upper House. They felt that the aristocratic character of that body should be changed to one which could encompass those people who had excelled either through their social and historical positions, or their experience in the intellectual, religious or economic sectors, and who in their support for the state would be best able to further the public interest. For this reason it was proposed, in addition to the royal members, the Lords and the life-members, to appoint representatives from the Knights, the Churches and the Universities as well as commerce, industry and agriculture. The latter category would consist of 2 members each, bringing the total membership of the Upper House to 47.\textsuperscript{172}

Very popular with the Lower House was the introduction of qualifications according to which members of the Landtag had to be residents AS WELL AS citizens of Wuerttemberg. Also the right of voting by proxy was greatly curtailed.

In the question of budget rights, it was suggested that the Upper House be allowed to amend drafts, while the Lower House would be forced to debate these. The result would then be binding on both Houses, but in the case where the Upper House rejected the entire budget, both Houses would be united for the purpose of voting and a simple majority would count.

After his short introduction, von Breitling then handed the draft to the speaker for distribution.\textsuperscript{173}

\textsuperscript{172}B.I.(94), p. 651. In the written introduction to the draft, it was pointed out that since 1819 the membership of the Upper House had fallen from 55 to 29.

\textsuperscript{173}P.IV.(80), pp. 2495-2498.
B. The Debate on the Constitutional Reform Bill

1. Preliminary Debate and Selection of Constitutional Committee

The general debate on the constitutional draft began on June 26, with a presentation by the spokesman for the majority party, Haussmann. It came as more than a surprise to the House that he chose to resurrect an old issue in the form of a demand for the restoration of the constitution of 1848-49. It was surprising less because of its obscure validity than by the fact that the VP, during the demonstrations of the previous year, had indicated their intention of dropping the issue, since a two-thirds majority in the Lower House was needed for its resurrection anyway, and such could not be obtained with the opposition of the Centre and conservatives. Haussmann's reason for this step was a precaution against the defeat of the present bill, and he reminded the government that in such a case they could use the emergency clause of the constitution to summon the representatives of the counties to a constitutional conference.

His opponent, Groeber (C), rose immediately to take Haussmann up on the point. The Centre, he declared, would tend to agree with Haussmann that the debate on the constitutional reform could not be carried out until the legal commission had examined carefully the circumstances of the constitutional events of 1848-50. He then handed the speaker a resolution expressing this desire. Haussmann accused Groeber

\[\text{174} \text{Liesching, p. 14.}\]

\[\text{175} \text{P.IV.(80), p. 2569ff. The revolutionary constitution of 1848-49 had been rescinded by royal decree, but the legality of that move had never been clarified.}\]
and the Centre of using this as a delaying tactic because they had no intention of discussing the question.\textsuperscript{176} Certainly Haussmann had made a point. The Centre was obviously against the reform which would have wiped out the Catholic majority in the Upper House. On the other hand they would have been in a worse position with the convening of a constitutional conference, for there was the possibility that such would again result in the abolition of the Upper House. Groeber therefore answered that they were willing to withdraw their resolution if Haussmann did the same.

It is difficult to say what motives underlay Haussmann's demand. A consummate politician, he must have been aware that his motion had no chance of carrying. Perhaps he was trying to draw the Centre out and in some way commit them to participate positively in the debate. In any case the VP were on very shaky ground, for as the Minister President pointed out, the former leader of the VP, Karl Mayer, on behalf of his party, had relinquished the right to demand the restoration of the revolutionary constitution of 1849.\textsuperscript{177} Furthermore, he reiterated the government's position as proclaimed in the throne speech, which was to carry out the reform according to the limits of the constitution of 1819. The government was supported in this by Prelate Sanderberger, who explained that in no way would his group support a reform except according to the outline of the government.

Haussmann, seeing that his motion had received the anticipated opposition decided to withdraw, followed by Groeber. With this, the

\textsuperscript{176}P.IV.(80), pp. 2574-2575.
\textsuperscript{177}P.IV.(80), p. 2576.
first discussion of the bill was closed.\textsuperscript{178}

The main speakers on the following day, when the actual discussion of the bill began, represented those forces which had been cool towards the government proposal and who preferred to reserve their judgement for a later date. They were curiously enough the representatives of the Knights, von Ow, and the radical left, Keil (SPD).

For Keil and the SPD, the reform was almost senseless since it did not foresee a modernization of the Wuerttemberg constitution by introducing a uni-cameral legislature. As far as they were concerned, the continuation of the Upper House was an anachronism. Worse yet, its proposed strengthening was even more an insult to the people, for the government was attempting to introduce beside the representatives of feudalism, those of property in the modern sense. There were also, the SPD were convinced, no historical grounds for an Upper House. Here they were quite correct, in that an Upper House was a novelty in Wuerttemberg constitutional life, nevertheless, if historical precedent were valid, an Upper House had existed for almost a hundred years. Keil's argument was that whatever the government decided to do with that body, the Wuerttemberg people would not rest until it had been abolished. Thus the present reform would not remove the main cause of constitutional conflict.\textsuperscript{179}

Von Ow agreed with Keil on this last point. He felt that he could see no peace in this question in the future, since the demand for the abolition of the Upper House would be constantly raised by the left-wing

\textsuperscript{178}P.IV.(80), p. 2581.
\textsuperscript{179}P.IV.(80), p. 2584ff.
parties, whose strength appeared to be growing.\textsuperscript{180} But if the reform were to be carried out, then he would have to suggest a much stronger conservative replacement than had been suggested by the government. Von Ow suggested that the Upper House have at least 50 members, with a strong contingent from the industrial and commercial sectors.\textsuperscript{181} And in order to wipe out the disparity that would be caused by changing the Lower House to an elected assembly, he suggested that the Upper House be afforded the same rights in budgetary matters as the Lower House.\textsuperscript{182}

The first to speak on the side of the proponents was Liesching (VP). He reminded the House that nothing positive had yet been said on the reform. After agreeing with Keil that the bi-cameral system was also not in their program, he held up to his colleagues the fact that no other state in Germany, not even Baden, which had just completed a reform itself, had done away with this system. In fact, not even the SPD members had requested any such thing.\textsuperscript{183} Liesching was of the opinion that an abolition of the Upper House was in the future. But quite correctly, he observed that the movement for such a step did not have the support of a majority of the electorate in Wuerttemberg.\textsuperscript{184} As for the substance of the reform itself, Liesching felt that in the first place no extra budgetary rights should be given to the Upper House. As the

\textsuperscript{180}P.IV.(80), p. 2596.
\textsuperscript{181}P.IV.(80), p. 2598.
\textsuperscript{182}P.IV.(80), p. 2600.
\textsuperscript{183}Liesching was referring to the Baden SPD.
\textsuperscript{184}P.IV.(80), pp. 2602-2603.
reform stood, the government intended to place 75 elected representatives vis a vis 47 appointees of the Upper House. This would place the budget in danger, since the Upper House, together with the SPD, who were in the habit of voting against the budgets, could defeat any money bills. Therefore, Liesching declared that they would suggest to the House that a replacement of the 'privileged' be considered by using the entire country as a constituency and electing according to the proportional system. In this way they would be able to keep the original constituencies which the electorate were used to.

For the Upper House, Liesching was against the provision that the king appoint representatives from the industrial sector, et al. Rather, he wanted the latter to be chosen by their various organisations, eg. the Chamber of Commerce, and merely confirmed by the monarch.185

Speaking for the DP, Hieber stressed that the government proposal was certainly a compromise, in itself a good thing, since none of the parties could expect to have their complete program accepted in the House. But the DP were not against the retention of the bi-cameral system, especially since none of the more progressive European states had opted for such a structure. They, however, did feel that there should be a replacement for the 'privileged.' Hieber then declared his support for the main ideas of the VP, but felt it necessary to stress that the DP intended in no way to weaken the rights of the Lower House regarding the budget.186 Their position was supported by the representatives of

185 P.IV.(80), p. 2606.
186 P.IV.(80), p. 2622.
the Agrarians and the Conservatives, Kraut and Haug, who, however, ex-
pressed some concern for the lack of an appointed conservative weight in
the Lower House.  187

During the course of the debate, Minister von Breitling had to
clear up one or two points regarding the draft. On the 28th, he explained
that as far as the government were concerned it was an open question
in what manner the Upper House were extended. But, if the 'privileged'
were to leave the Lower House, it was absolutely necessary that the
government see the addition of a conservative counterpart in an extended
and viable Upper House. As the throne speech had indicated, the retention
of a bi-cameral system was the sine qua non of the entire reform. 188

The last group to make a contribution to the debate was the
Centre. Their position was awaited with great expectation, since they
were the only group who had formally indicated their opposition to the
reform. Groeber's speech was somewhat longwinded, the major portion being
taken up with trying to prove that the government had gone back on its
declarations a number of times, and without consistency. As far as he
could see, there was no more agreement in the House than when the govern-
ment had made this a condition for resuming the reform. 189 In turning
to the draft itself, he remarked that the proposals did not appear to
be such that there was enough compromise for everyone. Groeber considered
the plans for professional representation in the Upper House quite inadequate.

187 P.IV.(80), pp. 2614 and 2623.
188 P.IV.(80), p. 2611.
189 P.IV.(80), p. 2626.
He felt that the idea was meritorious, but the way in which it was set up would result merely in the addition of people who would reflect the government's interest. He would prefer to see complete representations of all the professional bodies in the Upper House.

For the Lower House, Groeber saw the need for a replacement for the 'privileged', for, from a practical point of view, their removal would result in a weakening in that body. Most important of all for the Centre, was the opinion that the reform would do nothing to appease the constitutional situation as it had developed in the last few years. They felt that they were witnessing only the beginning of a concerted movement to get rid of the Upper House. And they pointed with alacrity at what they saw as the dangers of a radicalised Lower House. The proposals of the government would only serve to sharpen the struggle, certainly not to mitigate the differences. For the Centre, the correct way out was to replace the 'privileged' with representatives of the professions and trades, who would be able to look after the interests of the farmers, the middle-class and the Church. Groeber then took his seat indicating that his party would have to wait on further developments before they could make any contribution.

On the third day of the debate, von Breitling took the opportunity of countering some of the arguments that had been presented especially by the Centre and the Knights. Both had accused the government of inconsistency in regards to the particular aspects of the reform

---

190 P.IV.(80), p. 2629.

191 P.IV.(80), p. 2630.
proposals. The charges were not difficult to substantiate, but as von Breitling pointed out, the government were really trying to introduce a reform that was generally acceptable and were therefore forced at times to change this or that clause so as to make it acceptable to the House.\textsuperscript{192}

The major contention of this day, was the Centre proposal that professional representatives, elected by the proportional system, replace the 'privileged', conservative element. Von Breitling explained that this would defeat the entire purpose of the reform which was to transform the Lower House into a body representing electorate as such, and reminded the Centre that in their party program up to and including 1900, they had demanded the replacement of the 'privileged' with generally elected members.\textsuperscript{193} As for the charge of radicalisation, von Breitling felt that it was better for the government to proceed fairly and in keeping with the wishes of the majority; any other action, particularly any overt attempts at suppression of the SPD would probably mean increased radicalism, not less.\textsuperscript{194} In terms of the suggested extension of the Lower House, von Breitling said that the government would keep, for the time being, to their original proposal, but were ready to discuss the possibilities during the same committee sessions.\textsuperscript{195}

Von Kiene, deputy speaker of the House, and deputy leader of the Centre, now continued the argument for his party. It was their opinion that the use of the proportional system in large constituencies was quite compatible with universal suffrage, and it was this system which they would like to see elect the professional representatives

\textsuperscript{192}P.IV.(80), p. 2638. \textsuperscript{193}P.IV.(80), p. 2641. \textsuperscript{194}P.IV.(80), pp. 2641-2642. \textsuperscript{195}P.IV.(80), p. 2640.
in the Lower House. Liesching, Haussmann and Hieber, as well as the Minister of the Interior, all rejected von Kiene's argument. They felt that the election of professional groups, even using the proportional system, was not commensurate with the concept of a general election. Von Pischek explained that the Centre's suggestion was paradoxical. Professional representatives could never be elected generally, they would have to be elected or nominated by their own groups before being presented to a general electorate. He agreed that proportional elections would encourage men of perhaps greater calibre and far-sightedness to run, but there was no guarantee for this. And it certainly would not be any guarantee against further radicalisation of the House.

Groebere tried his best to prove that this was not so and that their suggestion would not in any way disturb the concept of general elections. But perhaps he saw that this tactic would get nowhere, for he switched to another point, that of the danger from the Social Democrats, which had only been mentioned previously. On the basis of statistics, Groeber tried to prove that the dangers were greatest in Wuerttemberg, where the SPD had received 27% of the popular vote. Compared with Baden and Bavaria, the Centre was much weaker. There was of course a logical reason for this as Wuerttemberg had less Catholics, for it was incidentally one of the original Protestant areas. Thus it was not strange that the Centre only received 24% of the popular vote. But Groeber's argument

---

196P.IV.(80), p. 2644.
197P.IV.(80), p. 2647.
198P.IV.(80), p. 2648.
199P.IV.(80), p. 2650.
was designed to convince not the government, who they realised wanted the reform, but the Knights, who had not yet committed themselves, but whose support was necessary for a two-thirds majority.

At the end of this first reading, it was not yet clear how the forces in favour of the reform stood; but almost certainly a two-thirds majority was not yet to be found. The Centre would naturally vote against the reform, and it looked as if twelve votes from the uncertain and sceptical Knights could not yet be counted affirmatively. In any case a decision to press on was taken with the approval of a motion to select a constitutional committee. 200

On July 1, 1905, 16 members were entrusted with the task of studying the government proposals and reporting back to the House. It included members of all the parties, who chose Liesching (VP) as the committee chairman.

2. The Committee Proposals

No time was lost by the committee. It took the chairman only ten days to gather the various petitions and position papers, and when he was ready the committee met. The deliberations lasted from July 10-14, and on July 20 the draft went through its second committee reading and was ready for presentation to the House. 201

The proposals foresaw the replacement of the 'privileged' with 17 MP's in the general election but according to the proportional system,

200 P.IV.(80), p. 2661.
201 Liesching, p. 27.
and using the entire country as one constituency. The Upper House was to be expanded to include 7 representatives of the Knights, 2 from commerce and industry, 2 from agriculture, and 1 from the artisan's guild. These were to be chosen directly by their various organizations.

The budgetary rights for both Houses were accepted as laid out in the government proposals.  

3. Second Reading in the Lower House

Although the committee had been ready with their report at the end of July, the House was not scheduled to discuss the question until after the New Year because of other legislation. On January 24, 1906, the report was presented and the second reading commenced. This lasted until February 1, when the final vote was taken.

There were two major points which had to be considered. During the preliminary debate, the Knights had indicated their displeasure with the proposed extension of the Upper House. Now, through a motion, they requested, in addition to an increase of their own numbers to 8, the inclusion of the three Lord Mayors of the largest towns, 3 representatives of the counties, besides 3 from industry and agriculture respectively, and 2 from the artisans.

There now occurred one of those curious events, which through pure chance, resulted in the removal of what could have been an important obstruction to the reform. In order to achieve their desired extension

\[202\] B.IV.(97), p. 35ff.

\[203\] B.IV.(97), p. 467, #204.
of the Upper House, the Knights had entered into an agreement with the Agrarians, whereby if the latter voted for the extension, the Knights would have sustained the attempt of the Agrarians to eliminate the clause on run-off elections. A removal of this clause would have worked to the disadvantage of the two liberal parties, the VP and DP in the coming elections, although it would have most likely brought some gains to the Centre, SPD and Agrarians, in other words those parties mainly dependent on the working-class or farmers' vote. However, when the vote on the amendments for the Upper House was taken, the Agrarians voted against the appointment of the Lord Mayors, because they had not been properly instructed by their party whip.\textsuperscript{204} The VP on the other hand, without prior consultation, had aided the Knights in achieving their other goals, namely, the increase of their own numbers in the Upper House to 7, as well as the clause covering the professions.\textsuperscript{205} Nevertheless, the Knights were angry at the desertion of their supporters and considered the bargain null and void. This was of course the opening for the reformers. In short order a motion by the Centre to introduce a simple majority for the constituency elections was defeated with the help of the Knights, while a second motion of the DP to resurrect the original clause of the government draft, i.e. the run-off vote, was accepted.\textsuperscript{206} This was an important victory, as the introduction of a simple majority would have forced the VP and DP, who had the most to lose, to reject the entire reform. The question never reappeared again.

\textsuperscript{204} Liesching, p. 29.

\textsuperscript{205} P.V.(81), pp. 3148 and 3158.

\textsuperscript{206} P.V.(81), p. 3171.
The remaining paragraphs, details only and of no importance to this essay, were read the next day. The only other point of importance were the budget rights, and after a short debate a vote was taken which resulted in the acceptance of the committee's proposal, which was in fact the original government draft. According to this, the Upper House was given the right to make amendments to the budget, which then had to be considered by the Lower House, although the latter's final vote was binding. No changes were envisaged in the necessity for consultation in the question of tax revision. But then both House were required to vote on the entire budget bill, and in the case where it was rejected by the Upper House, the ayes and nays of both were counted together, a simple majority deciding the fate of the bill.\footnote{207}

With this completed, the president called for a vote on the entire draft, with the amendments of the second reading. 89 of the 93 members were at the time present, and 69 voted for, and 20 against the bill. The opponents were again of course the Centre with the assistance of two Knights. With this vote, the most important hurdle had been passed. The necessary two-thirds majority had been obtained and the bill was ready for the next hurdle, the Upper House.

4. The Committee Report of the Upper House

Two weeks after the decision of the Lower House, the committee of the Upper House, whose work was carried out in absolute secrecy, presented its proposals to the Lords. These then deliberated from

\footnote{207}{B.IV.(97), p. 64.}
May 22-26, and finally presented their draft back to the Lower House.

In general, the draft of the Upper House consisted mainly in returning to the original proposals of the government. The 17 additional members from the Lower House were rejected, as well as the qualification of residence for the Lords. Also they demanded the right of the monarch to replace a deceased Lord with another member from the aristocracy. The number of Knights was reduced to 6, and the representatives of the professions to 4.

But as regards the budget, there now developed what could have turned out to be an impasse, for although the Lords did not demand complete equality with the Lower House in the budget, they wanted equal rights in matters of general taxation. As the representatives of landed property, the Lords could envisage themselves in a position where the Lower House could introduce taxation bills, especially income tax, which would have put the main burden on the upper classes. On the other hand, for the Lower House to concede such an equality was tantamount to relinquishing one of their most sacred rights.

5. Third Reading in the Lower House

This proposal was returned to the committee in the Lower House, which, completing its work in two days, presented its report on June 12, 1906.

---

208 Liesching, p. 33.
209 B.V.(98), pp. 137-140.
The first clause which came up for debate was a most important one for most members of the Lower House: the rejection by the Lords of the 17 additional members. Von Breitling, on behalf of the government, recognised that it would be difficult to ask the Lower House to concede this point in the face of the Lord's demands *vis a vis* the budget. The government, he declared, would with a heavy heart have to accept the wishes of the Lower House regarding the replacement or he could see no successful outcome to the reform.\(^{210}\) A vote on the motion produced a result of 75 to 5, one of the few times that the Centre voted affirmatively.\(^{211}\) This took care of the Lower House. But as regards the Upper House, they first of all rejected the requested nomination of hereditary members in the case of death or other departure, and likewise the reduction of Knights to 6. This latter point was very touchy with the Lower House, because as Haussmann explained,

... it would not have been loyal for us to accept this reduction, since in the most serious hour, the vote on the reform draft, the Knights supported us against the threats of the Centre.\(^{212}\)

With the professional representatives, the Lower House decided to keep its original draft, but accept the suggested form of their election. Instead of being elected directly into the Upper House, the doubled number would be nominated by the respective groups, and then chosen by the king.\(^{213}\) For the qualification of election, the Lower House retained

\(^{210}\)P.VI.(82), p. 4065.

\(^{211}\)P.VI.(82), p. 4067.

\(^{212}\)P.VI.(82), p. 4069.

\(^{213}\)P.VI.(82), p. 4073.
its original 25-year old clause, as well as the residency requirement.

But it was the budget question, hotly debated on June 13 in two sittings, which was to bring the most surprise. The Upper House had demanded extensive rights in the budget, especially in the area of taxes. Specifically, they were demanding equal rights in setting the level of taxes with a fixed rate, as well as the income tax.

Now, the committee indicated to the House its acceptance of the demands of the Lords. Their reasoning was quite explicit.

There are great difficulties in the way of an agreement with the other House on these questions. On the other hand, according to the declaration of the Upper House, as well as the government, without a compromise in this question, we may as well forget about any constitutional reform.214

The main opposition to this point came from the Centre, which, contrary to earlier arguments, viewed this concession as a considerable weakening of the traditional rights of the Lower House.215 It was an unsubtle tactic, however, for the other members of the House were aware that Groeber had been the original petitioner for the extended budget rights of the Upper House. Haussmann was vociferous in his condemnation of the Centre. Had they not themselves declared in 1897 that they had no intention of working towards a constitutional reform that did not include the restoration of monastic orders and parochial schools?216

The charge was correct. But it was hypocritical coming from the mouth of the speaker of the party that had made the greatest concession to principle in order to achieve the reform.

215_P.VI.(82), p. 4107.
216_P.VI.(82), p. 4120.
Despite the opposition of the Centre, and incidentally the SPD, the motion of the committee carried. All that was left now was to vote on the complete draft. Again, despite the opposition of the Centre, success was achieved, the vote being 64 to 23. The second hurdle had been successfully negotiated, and it seemed as if there was little to stand in the way of eventual success.\footnote{217}

6. Second Reading in the Upper House

On July 30, 1906, the Lords had their chance of reconsidering the draft with its concessions. Now they decided themselves to make concessions and accepted the required extension of the Lower House by 17 members, changed however the voting pattern so as to divide the country into two constituencies, while accepting the minimum age of 25.

Also, they accepted the rejection of the right of the crown to nominate hereditary members, restored the number of Knights to 8, but returned to the original government proposal of 5 representatives of the professions. Even the residence requirement was accepted. Naturally, they approved the budgetary changes of the Lower House with minor amendments.\footnote{218}

7. Fourth Reading in the Lower House

On July 6, the Lower House again considered the revisions of

\footnote{217}P.VI.(82), p. 4127.\footnote{218}Adam, p. 207. Cf. Keil, p. 232. Considerable pressure was exerted by the government and king in order to obtain these concessions.
of the Lords. The only difficulty remaining was over the professional representatives, which the Upper House for the second time had reduced to 5. The committee of the Lower House, in consideration of the request of the Knights, had retained their original proposal of 8. But the committee chairman, Liesching, as first speaker, entered a resolution on behalf of the VP to accept the amendment of the Lords so as not to endanger the success of the reform over this relatively minor point. Strenuous objection was registered by the Knights.\(^{219}\)

The SPD now expressed the sentiments of what was probably a majority of the House. As Keil observed, his party could have no interest in supporting representatives from industry in the Upper House, since in the first place the working-class was not represented there. Moreover, the possibility of those groups having their interests looked after was adequately assured by general elections.\(^{220}\) The opposition was naturally the Centre who maintained that they would have liked to see these groups in the Lower House. With some of the Knights they managed to increase the nays on that final motion to 30. And although the 58 ayes were the lowest recorded vote of the entire question, the motion carried.

\(^{219}\)P.VI.(82), pp. 4456-4458. Cf. Liesching, pp. 38-39. He is incorrect in stating that this objection was only raised at the last minute. The Knights had been adamant throughout the various sessions, and on this day their objection was registered right after Liesching's report. Furthermore, Liesching's comment that the Upper House communicated their unwillingness to make a compromise, during the debate in the Lower House, is not verifiable from the parliamentary report. Between Liesching's report and the final vote, only a few minutes could have passed.

\(^{220}\)P.VI.(82), p. 4459.
All that was left now was to clear up some minor points; then the House adjourned for lunch. The afternoon session was the moment all had been waiting for. As many representatives as could make it, even the sick ones, showed up. The result was what many people, the government, the teachers, the two liberal parties, and many of the electorate had been hoping for: by 65 votes to 23 the constitutional reform bill passed the Lower House.

Now only the formalities were left. On July 9, just three days later, the Upper House accepted the draft unanimously, and on July 16, the bill was signed by King William and became law.

---

221 Adam, p. 207. Cf. Liesching, p. 37. The debate had not been without its tragic side. Two representatives, Friedrich Haussmann and Haug, had succumbed to the physical stress, the former had collapsed during the third reading.

222 P.VI.(82), p. 4478.
CHAPTER VI

CONCLUSION

On July 16, 1906, Wuerttembergers were able to salute the completion of a campaign that had lasted for ten years but which had been brewing for at least half a century. This achievement, the reform of the constitution so as to create a representative assembly, was hailed as a great victory for liberalism, one which properly extended the rights and responsibilities of the electorate.

In place of a Lower House of 93 members in which 25% were not elected, 22 elected members, some by direct vote, others through the proportional system, were to take their place as representatives of the people, making a total of 92. The rise in importance and population of Stuttgart was recognised, for it received 6 representatives, thus reducing the ratio of voters to representatives to only double that of the countryside. In this respect the reform was no less than a clear recognition of the changed social circumstances created by the development of industry. Elsewhere in Europe, as well, this development had

223 By both contemporaries and later writers alike. Cf. Grube, p. 553.
224 In Stuttgart each representative was now elected by approx. 40,000 voters, compared with 1:20,000 in the other constituencies.
caused the transformation of rural labourer to urban proletariat. 225

The breakthrough in the use of the proportional voting system was important. It secured the possibility of the election of representatives of minorities which may not have been elected by the ordinary constituencies, and it also gave a greater guarantee for the election of party leaders. Indeed, Wuerttemberg was the first German state to use the proportional system. 226

As regards the Upper House, its most important result was the increase to 50 members, which ended the Catholic majority there. This was likewise a popular move, for the Catholic majority had not reflected the confessional realities in Wuerttemberg.

The removal of the 'privileged' from the Lower House was certainly a measure that corresponded to liberal thinking of the time, as was also the end to Catholic hegemony in the Upper House. Yet despite these positive aspects, the reform also meant a considerable strengthening of the influence of the government. At the same time, the extension of the Upper House revived that chamber as a parliamentary body, which from now on could reflect government interest and policy through its majority. 227

But by far the greatest disadvantage of the reform was the price with which it had to be bought. Hitherto in Wuerttemberg, as in most

225 Mueller, p. 203.
227 The Catholic opposition had come from within the 19 hereditary Lords. These were now opposed by the following who could be expected to represent the government: 4 Royal Princes, 6 appointed life members, 8 Knights, 4 Protestants, 2 Chancellors, 6 professional representatives.
other parliamentary states, budget rights were considered the sacred province of the elected chamber. Now however, the Upper House was given the right to refuse any increase in the income tax, so as to avoid any arbitrary shifting of the tax burden by a coincidental majority of the Lower House.\textsuperscript{228}

As for the practical results of the reform, these were not readily perceivable, especially in the question as to how the proportional vote would affect the distribution of seats. But in the elections held at the end of 1906 some trends were immediately visible. Because of the increased representation for Stuttgart with its working-class population, the SPD was able to make the jump to 15 seats. A similar rise was recorded by the coalition of Conservatives and Farmers. Another winner was the Centre which increased to 25 seats. The loser this time was the VP which dropped to 24, while the DP remained at 13.\textsuperscript{229} In effect the voting line-up of the Lower House was not altered, for whereas the conservatives, the privileged and the Centre, which one may call the conservative bloc, had been able before to register about 40 out of the 93 votes, this ratio after the election of 1906 was still preserved. In the 1912 election, the polarisation between right and left appeared to continue, the losers being the liberal parties. In Wuerttemberg therefore, the apparently paradoxical situation was to be found whereby a democratic constitutional reform brought about not only an increase in the representation of the left, but also of the right.\textsuperscript{230} Exactly how paradoxical this was, however,

\textsuperscript{228} Weller, p. 16.


\textsuperscript{230} Wahl, V. 4, p. 154. Wahl's interpretation at this point is very biased, for he concedes a conservative growth, but fails to mention the left.
is a moot point. For it is quite valid to argue that the now strong showing of political forces which had hitherto been quite negligible, was due to the constitutional recognition of the presence of new social forces which had not been able to find their reflection in the constitution of 1819.

But by far the most interesting question concerning this reform, is the behaviour of the VP. Why did this party, the protagonists of democratic liberalism, and the strongest party in the House, even when bolstered by a strong popular demonstration, decide to make such important concessions in order to achieve the removal of the 'privileged' from the Lower House?\textsuperscript{231} And the corollary to the question is, of course, why did the government choose to accommodate them?

The first fact that stands out regarding the government is its initiative in the reform, despite even the pressures against such a step which were emanating from Prussia.\textsuperscript{232} It was obvious during the fiasco surrounding the school bill that here was a situation that a government could hardly tolerate. Even before this, however, under Minister President von Mittnacht, the government had indicated its desire to reform the constitution. This was mainly due to von Mittnacht who had realised that the changing situation called for constitutional changes and that in order to maintain the government's influence it was best to make some concessions to the democratic left-wing.\textsuperscript{233} Thus the government was

\textsuperscript{231}Keil, p. 227. According to Keil, the demonstrations were so massive, that although the Upper House would have liked to bring charges against him for slander, they were advised against this.

\textsuperscript{232}Liesching, p. 16.

\textsuperscript{233}Mueller, p. 204.
willing to exert all the pressure it could muster to influence the conservative section of the House, the 'privileged' in the direction of the reform.234

The reasons for which the VP were willing to concede important points are not, however, as easily discernible. They must be sought within the context of parliamentary life in Wuerttemberg. The constitution of 1819 had put the reigns of government in the hands of a state ministry which was appointed by the monarch. All laws had to be approved by both Houses and the king, and although the Lower House possessed legislative initiative since 1894, this was only used twice until 1895. Only in matters of taxation did the Lower House have any far-reaching powers, since the budget had to be approved every two years. Besides, the king was guaranteed the right to suspend the constitution without consulting the parliament at any time that he considered this to be in the best interests of the state, a right which not even the Prussian king possessed. 235

What were the reasons then for the prevalence of such a liberal tone in the constitutional life of Wuerttemberg?

In the first place it seems that the cataclysmic developments of industrialisation which had so rapidly transformed other parts of Germany were not present to the same extent in Wuerttemberg. Because of a lack of natural resources Wuerttemberg did not develop as a centre of heavy industry. Consequently, an industrial proletariat developed quite late, and not in the numbers common to other parts of Germany. At the end

234 Keil, p. 232.

of the nineteenth century, the industrial working-class in Wuerttemberg numbered only 20% of the working population in contrast to 33.4% in the Reich. Moreover, because of the diversification of the various smaller industrial enterprises, the workers were not torn from their connection with the land. Then, of course, landed estates were a rarity. In 1882, 77.52% of agricultural land was divided up into small farms of not larger than approximately 45 acres, compared to the Reich average of 44.52%. Large estates only covered 2% of agricultural land. The democratic left wing in Wuerttemberg, whose political expression was the VP, thus found its recruiting ground among the small farmers and entrepreneurs, as well as white-collar workers, and all in all may best be described as a petty-bourgeois party, par excellence.

From these reasons is to be explained the political practice as it developed in Wuerttemberg in the second half of the century. Neither king Karl, nor William were inclined to autocracy, and the latter especially, left much in the hands of his ministers. It was clear to him that monarchical powers were on the wane and that real power was now to be found in other areas, especially that of big business.

Responsible ministry, although never prescribed by the constitution before 1918, had developed to some extent. In 1870, by reason of a vote of no confidence, von Mittnacht had declared that he would make way for another ministry should a majority of the Lower House so desire. And in the following years his policies were based on the support of the

236 Simon, pp. 5-6.
237 Weller, p. 2.
DP, one of whose members, Hoelder, was appointed minister of the interior. Such cooperation was not confined to domestic affairs either. Under von Mittnacht too, it became part of the political practise for the government to seek the approval of the Landtag before voting on important matters in the Reich Bundesrat. Over the years then, the VP gradually emerged as a party which was willing to forget the 1848-49 episode, and give up its radical platform which called for a change of the entire system. It was thus able to compromise with the government by relinquishing the demand for abolition of the Upper House when it realised that to achieve the reform this point would have to go. And mainly due to the influence of the president of the Lower House, Payer, his party agreed to make the necessary concessions to the Upper House.

Indicative of this atmosphere of cooperation and political compromise was the attitude of the SPD which managed to restrain its more radical wing and play the game by the established rules. Because of this relatively liberal constitutional environment, the political parties in Wuerttemberg tried not to manoeuvre the government into a position which would have resulted in intransigency and would have meant a strict interpretation of the letter of the law.

In one sense then, the constitutional reform of 1906 was a solution to the compromise that had been made in 1819 with the proponents of 'Das Gute Alte Recht', and which, in turn, had arisen because of the

---

238 Liesching, p. 27.
239 Simon, p. 50.
240 Wahl, V. 4, p. 155.
acquisition of new territory. In the words of Engels it was,

... the clearing away of the historically transmitted rubbish of the petty states which stood in the way of the free development of trade and manufacture.241

The reform was a victory for the government and the parties which had been its sponsors, and therefore a victory for the people. But it was decidedly not a victory of the people. Despite the liberal tone of the government and the willingness of the parties to compromise, the changes produced by the constitutional reform of 1906 were late, and therefore eventually not able to withstand the demand for full sovereignty of the people. But the willingness of the various institutions to accommodate this idea within the system led to a much easier transition to the Weimar Republic, and must be counted as one of the great achievements of Wuerttemberg constitutionalism.

In another sense, however, the reform was the last plank in the platform of the '48 democrats. Those forces which had been dormant since the revolution came to the fore again in the unrest produced during the Wilhelmine period. And they utilised the unrest skilfully in an effort to influence the Reich in a democratic, parliamentary direction. The Volkspartei realised that they could accomplish very little in the Reichstag. Even a coalition with their Prussian counterparts was not possible. So they turned their attention to the Landtag, campaigning in 1894 on the one issue which was now something of a tradition in Wuerttemberg: constitutional reform. Once in power, with their reputation enhanced as well by the success of the reform, they could turn to the Reich, and

241 Hamerow, pp. 381-382.
attempt to influence its direction through the use of the Wuerttemberg vote in the Bundesrat.\footnote{Simon, p. 115.}

Their efforts were notable, for their influence far outweighed their numbers. The fact that the south Germans, and in particular the Wuerttemberg democrats steadily assumed a responsible role in the Reich, and that they used this to push it in a parliamentary direction, despite their mistakes and at times lack of courage, must stand to their credit.\footnote{Payer, former president of the Lower House, was vice-chancellor of the Reich in the Hertling and Max von Baden cabinets. Conrad Haussmann was state secretary in the Chancellery. Both were leaders of the democratic-SPD bloc in the Reichstag. Other Wuerttembergers in leading roles were men like Erzberger and Groeber, and the Reich Chief of General Staff, Groener.} But without the political practise and administrative experience which they attained in Wuerttemberg, they would never have been able to assume these roles.
### APPENDIX A

**RESULTS OF WUERTTEMBERG ELECTIONS 1868-1912**

<table>
<thead>
<tr>
<th>Year</th>
<th>DP</th>
<th>Government Party</th>
<th>FV</th>
<th>VP</th>
<th>Gross. Deutsch</th>
<th>Z</th>
<th>SPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1868*</td>
<td>14</td>
<td>15</td>
<td>-</td>
<td></td>
<td>41</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1870</td>
<td>33</td>
<td>20</td>
<td>-</td>
<td></td>
<td>17</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1889</td>
<td>29</td>
<td>20</td>
<td>-</td>
<td></td>
<td>21</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1895</td>
<td>13</td>
<td>-</td>
<td>6</td>
<td>31</td>
<td>-</td>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>1900</td>
<td>12</td>
<td>-</td>
<td>5</td>
<td>28</td>
<td>-</td>
<td>18</td>
<td>7</td>
</tr>
<tr>
<td>1906**</td>
<td>13</td>
<td>-</td>
<td>15</td>
<td>24</td>
<td>-</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>1912</td>
<td>10</td>
<td>-</td>
<td>20</td>
<td>19</td>
<td>-</td>
<td>26</td>
<td>17</td>
</tr>
</tbody>
</table>

*In 1868, 1870 and 1889, Volkspartei and Grossdeutschen ran as one party.*

**Reflects the increase of 22 seats after the 1906 reform.*
APPENDIX B

BIOGRAPHICAL DATA

A. Wuerttemberg Monarchs

1. Friedrich II, 1806-1816.
2. Wilhelm I, 1816-1864.

B. Wuerttemberg Minister-Presidents

1. von Linden, 1850-1870.
2. von Mittnacht, 1870-1900 (member of Lower House 1861-1895).

C. Members of the Lower House

1. von Gemmingen, Knight.
4. Haug, leader of Farmers Party, LMP.
7. Hieber 1862-1951, DP, LMP, RMP.
9. Hildebrand, SPD, first SPD member in Lower House.
15. Mayer 1819-1889, editor, co-founder of VP, LMP, RMP.
16. von Ow, civil servant, spokesman for Knights in Lower House, 1877-1906, RMP, 1881-1890.


18. Rembold, Centre LMP.


* order of data = name, birth and death dates, profession, political affiliation, Landtags member of parliament, Reichstags member of parliament, other positions.
BIBLIOGRAPHY

A. Documents

(abbrv. JbbBw.)

Verhandlungen der wuerttembergischen Kammer der Abgeordneten: Protokoll-, und Beilagenbaender.

Wuerttembergische Jahrbuecher fuer Statistik und Landeskunde. (abbrv. Wjbb.)

B. Memoirs and Political Tracts

A member of the Wuerttemberg educated middle class, Egelhaaf played a prominent part in intellectual life and also in the protestant hierarchy. An early proponent of Klein-deutschland he was a symbol of the close association between protestant circles and the DP. His memoirs are rich in personal anecdotes and vignettes of his class. One of the few political reminiscences is the reform of 1906.

Elben, Dr. Otto. Lebenserinnerungen, 1823-1899 (Stuttgart, 1931).
As editor of the Schwaebischer Merkur, Elben grew up in the liberal tradition of the 'Altrechtler.' His memoirs read like a political philosophy of Wuerttemberg liberalism.

Heuss, Theodor, Der Mann, Das Werk, Die Zeit (Stuttgart, 1967).
This work, composed of a selection of letters, pictures and documents, in chronological order from the Heuss estate, was originally published as a catalogue for the Heuss exposition at the Schiller National Museum.

Memoirs covering the period from his first job to 1933. As a member of the Naumann National Socials, Heuss had many dealings with Conrad Haussmann and the Volkspartei.

These two volumes are particularly interesting as they give insight into a man who rose from simple worker to president of the Weimar constituent assembly, and who was politically active in the four periods of German politics from Wilhelmine Germany to the Federal Republic. Keil allows us to follow the transition of a socialist revolutionary to revisionist politician. V. 1 was of interest for this thesis since it covers the reform of 1906.

Mittnacht, Dr. Freiherrn von. Rueckblieke (Stuttgart, 1909).

This was useful only for the period up to 1870. A strong supporter of Bismarck, Mittnacht's intention here was to vindicate Wuerttemberg's, and his own personal role in the unification of 1871. He disputes the thesis that King Karl and indeed Wuerttemberg, were unwilling to join the Reich.

unsigned, Die Parteien in Wuerttemberg, in Preussisschen Jahrbuecher, v. 54, 1884.

This is a very short discussion of the aims and tactics of the DP in the 1870's. Its main interest is the discussion of the groups from which the DP tried to garner support, eg. pietists, conservatives.

C. Secondary Works

Adam, Albert E. Ein Jahrhundert wuerttembergische Verfassung (Stuttgart, 1919).

Written to commemorate the centenary of the Wuerttemberg constitution in 1919, and using the parliamentary debates as the main, and at times only source, this is rich in detail on the particular subject, but lacks historical perspective.


Although over 50 years old, and limited to the 25 year period of William II, this volume contains a wealth of information on various aspects of Wuerttemberg life, from politics and culture to church and economic history.


The standard English language work on the Prussian army covering 300 years of German and Prussian history.


Still the only English survey of German economic development in the nineteenth century. Somewhat pedantic but extremely useful.
For a long time the standard English history of Germany in the nineteenth century, Dawson saw the unification of Germany as the central fact in European history of the nineteenth century. Although largely political, there is some discussion of social issues.

A short but lucid synthesis of European history between the restoration and the Vormâez.

A study of the origins of the liberal parties in Germany between 1858 and 1870. Unfortunately this work concentrates on Prussia, only one chapter being devoted to the smaller states. Eisfeld sees the split of German liberalism into two distinct groups as the main reason for the later triumph of conservatism.

Goldschmitt, Hans. Das Reich und Preussen im Kampf um die Fuehrung (Berlin, 1931).
Interesting compilation of documents showing the tensions that governed relations between particularist Prussia and the Reich.

Statistical essay on economic and demographic development in both Baden and Wuerttemberg in the nineteenth century. Points out the relatively slow industrial growth which acted as a moderating factor on political life.

Documents the attempt of Wuerttemberg to lead the small and middle states within the Confederation, the growth of the Trias idea and its use to prevent the exclusion of Austria. Also, an evaluation of the King who tried to achieve a 'liberalization' of the Confederation.

This work celebrated the 500th anniversary of the beginning of Wuerttemberg constitutional life in 1457. Mainly concerned with the Landtag, it contains little other information and is disappointing for its lack of criticism.

This excellent work investigates the social and economic background of Germany during the era of the Confederation. It makes available to us for the first time in the English language, the role of artisans and rural labourers in the revolution of 1848.
Hartung, Fritz. Deutsche Verfassungsgeschichte vom fuenfzehnten Jahrhundert bis zur Gegenwart (Berlin, 1922).
- A short, comprehensive but balanced overview of the main developments of German constitutional history from the 15th century to the first two decades of the twentieth.

- A short pamphlet written to inform Wuerttembergers of the constitutional changes of 1906. The main body is preceded by a short account of the various attempts to reform the constitution. It gives the impression that the DP was especially enthusiastic about the reform.

- The last two volumes of this trilogy deal with Germany in the nineteenth and twentieth centuries. This is a very lucid account of the major social, political and cultural trends in modern Germany, but is no departure from mainstream interpretation.

- Hoelzle blames Wuerttemberg particularism and especially the 'Altrechtler' as major factors in the failure to achieve German unity.
- This interpretation is no longer valid, but the work does contain useful descriptions of Wuerttemberg during the Napoleonic era.

- A comprehensive and detailed study, this work was Huber's attempt to validate his thesis of the uniqueness of German constitutional development.

- Not to be confused with his voluminous study on capitalism, Kuczynski traces the major economic developments in Germany from a Marxist point of view.

- A pamphlet by the Chairman of the constitutional committee in 1906 written to ensure the appreciation of the part played by the VP in achieving the reform. It is not always accurate.

- This latest history of Wuerttemberg covering some thousand years of political history is symbolic of the difficulty in breaking new ground. Eleven out of the fourteen chapters deals with the history to the end of the eighteenth century, and an attempt is made to synthesise economic and cultural factors. But, the discussion is
fragmentary and we are left with no new ideas on the wider implications of Wuerttemberg's development.

A pamphlet dealing with the major entrepreneurs in Wuerttemberg, but marred by excessive discussion of their racial characteristics.

A short work covering the period from the Tueticonic migrations to the Federal Republic. Mueller concentrates on Wuerttemberg but includes developments in Baden as well, training his sights on the fusion of the two after 1945.

Rapp, Adolf. Die Wuerttemberger und die nationale Frage 1863-1871 (Stuttgart, 1910).
Although obviously a supporter of the Klein-deutsch solution, Rapp acknowledges the part played by the VP in giving Wuerttemberg its own peculiar political tone.

A thought-inspiring, recent study which recognises the difficulty in holding the Reich together after Bismarck's departure, and appreciates the frailty of that institution. Roehl sees this as the reason forcing the Kaiser into an autocratic role and preventing further parliamentary development in the Second Reich.

A discussion of the ideas of the '48 democrats and their influence in the formation of the Volkspartei between 1864 and 1871. Runge is aware of a rightwards drift in the VP, but is not willing to recognise this compromise with Reich institutions as a symptom of the weakness of the future Weimar republic.

Schlemmer sees the parliamentary experience of the Social Democrats in South Germany as the main factor in the success of revisionism.

An attempt to trace the development of freedom in German constitutional life from the 16th century. It includes short discussions of party programs and the origins of constitutionalism in the smaller states, but does not follow up on these throughout the nineteenth century, and instead concentrates on Prussia.
This predominantly intellectual and cultural history was ini­
tially intended to replace Treitschke's nationalistic work.
Schnabel did not succeed in his intention to get past 1848. The
second volume, with its description and appreciation of south German
liberalism is still unsurpassed.

Schremmer, Eckhardt. Die Entwicklung der Bauernbefreiung der Gantfaelle
und des Besitzwechsels von Grund und Boden, in Moderne Deutsche
Wirtschaftsgeschichte, ed. K. E. Born (Koeln-Berlin, 1966)
Argues that the freeing of the peasants in Wuerttemberg did not
have any adverse effects on small farming, but that peasant bank­
ruptcies were due mainly to general economic depressions.

Simon, Klaus. Die wuerttembergischen Demokraten. Ihre Stellung und
Arbeit im Parteien- und Verfassungssystem im Wuerttemberg und im
Deutschen Reich 1890-1920 (Stuttgart, 1969).
A detailed analysis of the Wuerttemberg Democrats and their role
in provincial as well as Reich politics. Simon is aware of the
failure of the Democrats to take their ideas to logical conclusions,
but falls short of a criticism in this sense.

One of his best known works, which attacks the idea of deter­
minstic factors in German history, and especially any necessary
evolution towards national socialism.

Tormin, Walter. Geschichte der deutschen Parteien seit 1848 (Stuttgart,
1966).
Mainly concerned with political parties at the Reich level, al­
though we are given some information on the Landes. He includes
a short discussion of the origin of German political parties to
1848, as well as one on the anti-Hitler resistance.

Traub, Manfred. Beitraege zur wuerttembergische Geschichte in der
'Reaktionszeit' 1849-1859 (Inaugural dissertation, Tuebingen,
1937).
A brief discussion of Wuerttemberg during the reactionary 50's
and 60's. Using mainly newspaper reports as sources, Traub argues
the reluctance of Wuerttemberg to accept the Prussia solution of the
German problem.

For a long time the definitive synthesis of social and cultural,
as well as political history of the Second Reich, this conservative
work tries to convince of the necessity and greatness of a united,
imperial Germany. Written in the 1920's, Wahl places Germany's
cultural achievements on a par with the political. There is an
unmistakeable presence of later national socialist jargon
This short work on German emigration in the 19th century is the only available treatment of the subject in English. Walker shows the connection and influence of the emigration of the forties on later colonialist opinion.

This book includes a brief discussion of Wuerttemberg under William II. Weller argues that its political life before the revolution of 1918-1919 gave a prestige to its leaders which enabled them to exert a moderating influence during the revolution.

D. Other Works Consulted

Bergstraesser, Ludwig. *Geschichte der politischen Parteien in Deutschland*.
A comprehensive history of German political parties, it contains an extremely useful, 120-page bibliography.

Extremely brief excursion into Wuerttemberg constitutional history in order to claim a unique democratic capacity of its people.

An exceptional English language work dedicated to the rise of constitutionalism in the small and middle German states from the 15th to the 18th centuries. Carsten sees the decline of towns as the main factor behind the success of autocracy.

A brief history of the development of administration in Wuerttemberg in the 19th century.

An analysis of the main political ideas influencing Wuerttemberg liberals at the end of the 18th century, and the continuation of 'Dualist' ideas after 1819.

A legal-constitutional explanation of the Wuerttemberg constitutional reform.
Hartmann, E. Regierung und Staende im Koenigreich Wuerttemberg 1806-1894, in Wjbb, 1894, Bk. I.
A useful list of all Wuerttemberg political figures, 'privileged' as well as elected members of both Landtag and Reichstag.

Koch, Ingeborg. Die Bundesfuersten und die Reichspolitik in der Zeit Wilhelms II.
A discussion on the relationship of the German Kings and Princes to the Reich. Koch decides that the passivity of the monarchs, which was by no means constitutionally necessary, worked in favour of a strong, centralised Reich.

An outdated, but as yet unreplaced work on William I, and his role in the constitution of 1819.

List, Albrecht. Der Kampf ums Gute Alte Recht 1815-1819 (Tuebingen, 1913).
An analysis of the political ideas of the two liberal tendencies during the struggle for the old constitution 1817-1819.

Losch, Dr. G. Die Entwicklung der Bevoelkerung Wuerttembergs von 1871-1890, in Wjbb., 1894, Bk. I.
Statistical essay on demographic developments in Wuerttemberg from 1871-1890.

An examination of the consequences of Wuerttemberg-Russian dynastic connections for Wuerttemberg's foreign policy.

An account of the struggle between the mediatised nobility in Wuerttemberg and the state. It is lacking in any systematic analysis of the economic background to the struggle.

From newspapers, party documents, church archives as well as the Landtage debates, this essay shows the essentially pro-Confederation position of Wuerttemberg from the Schleswig-Holstein crisis to the Austro-Prussian war.

An appreciation of one of Wuerttemberg's great poets and his role in the formation of public opinion during the constitutional struggle of 1817-1819, as well as his subsequent political career.

Schneider, Eugen. Aus der wurtembergische Geschichte (Stuttgart, 1926).
Various essays on episodes from Wuerttemberg history, the most useful of which is a short biography of von Mittnacht.
Siebert, Dr. A. Die Entwicklung der direkten Besteuerung in den süddeutschen Bundesstaaten im letzten Jahrhundert, in Zeitschrift fuer die Gesamte Staatswissenschaft, #68, 1912.
An account of the development of the tax system in the south German states during the nineteenth century.

Treu, Wolfgang. Deutsche Parteiprogramme, seit 1861.
A compilation of documents concerning the political parties from 1861-1967.

In its day the most celebrated and virulent nationalist history of Germany to 1848.