

# Bismarck's Reichstag Speech on the Law for Workers' Compensation (March 15, 1884)

## Abstract

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Part of the social welfare legislation announced in Kaiser Wilhelm I's Royal Proclamation of November 17, 1881, was a workers' compensation law, which passed only on the third attempt, in 1884. The following excerpt is from one of Bismarck's Reichstag speeches in defense of the program of paternalistic social reforms in general and accident insurance for workers in particular. Here, Bismarck is determined to show that his government, not the Social Democratic Party, deserves praise for introducing these reforms. He also tries to calm liberal worries that the state is intervening in the affairs of the workplace, where (liberals believed) the individual capitalist entrepreneur should hold sway. His reform proposal, Bismarck declares, is no "socialist fad."

## Source

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If in the general debate I speak about the matter under discussion, it cannot be my intention to enter into exhaustive discourse about the whole of the subject that concerns us, and even less to anticipate in any way the special debate over the great number of articles that the proposal contains. I do consider it necessary, however, to say a few words concerning the position of the allied governments<sup>[1]</sup> with respect to the genesis of the present proposal and to the intentions that they hold in regard to the bill. Indeed, I should best address my remarks to a discussion of those objections that were made in the previous debate against the principle of the law in general in order to maintain a coherent focus.

I turn first to the remarks of the first speaker, Deputy von Vollmar.<sup>[2]</sup>

[...]

First, Representative von Vollmar avowed a certain satisfaction, which was not free from malicious pleasure, that the lofty socialist intentions that may have been the basis of the first version of this proposal had disappeared. Yes, gentlemen, but this is only seemingly the case. [...] That which we refrain today from presenting has not been consigned to the fire, but only put back in reserve. We have to explore a *terra incognita*. This field of legislation was first set foot on by Germany in 1871 with the law on liability. [...] At that time we eventually convinced ourselves that the difficulties become all the greater, the wider the front on which we advance, while we attempt to march through the narrow gate of your consent. We have for the present restricted ourselves—and to be sure on my own motion, and therefore I believe it my duty to comment on this matter—to the most limited and necessary scope. My colleague von Boetticher already explained yesterday that we do not thereby intend to abandon and not take heed of the remaining occupational groups, but we wish only to be on guard against those dangers to which the proverb alludes, that the better is the enemy of the good. When one attempts too much at one time, one runs the danger of achieving nothing. I wish that we and the present Reichstag might have the honor of at least doing something, and at least making a beginning in this area and thereby taking the lead among European states. Restraint is justified by the consideration that the more comprehensive the proposal is, the more are diverse interests affected, [...] so that the acceptance of the law becomes that much more difficult. [...]

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Deputy von Vollmar has expressed his astonishment that [...] we are making new and different proposals. Gentlemen, that is not our fault. Yesterday Deputy Bamberger<sup>[3]</sup> compared the business of government with that of a cobbler who measures shoes, which he thereupon examines as to whether they are suitable for him or not and accordingly accepts or rejects them. I am by no means dissatisfied with this humble comparison, by which you place the united governments in the perspective of a shoemaker taking measurements for Herr Bamberger. The profession of government in the sense of Frederick the Great is to serve the people, and may it be also as a cobbler; the opposite is to dominate the people. We want to serve the people. But I make the demand on Herr Bamberger that he act as my co-shoemaker in order to make sure that no member of the public goes barefoot, and to create a suitable shoe for the people in this crucial area.

(Bravo!)

Up to now I find that lacking.

Deputy von Vollmar then proceeded to the connection that he imputes between our proposal and the Socialist Law.<sup>[4]</sup> It is not correct, as he conceives it, that we made the proposal in order to win more support for the Socialist Law. There is, indeed, a connection between the two, but it is quite different. At the time of the submission of the Socialist Law the government, and particularly His Majesty the Emperor and, if I am not in error, also the majority of the Reichstag, underwrote certain promissory notes for the future and gave assurances that as a corollary to this Socialist Law a serious effort for the betterment of the fate of the workers should go hand in hand. In my opinion that is the complement to the Socialist Law; if you have persistently decided not to improve the situation of the workers, then I understand that you reject the Socialist Law. For it is an injustice on the one hand to hinder the self-defense of a large class of our fellow citizens and on the other hand not to offer them aid for the redress of that which causes the dissatisfaction. That the Social Democratic leaders wish no advantage for this law, that I understand; dissatisfied workers are just what they need. Their mission is to lead, to rule, and the necessary prerequisite for that is numerous dissatisfied classes. They must naturally oppose any attempt of the government, however well intentioned it may be, to remedy this situation, if they do not wish to lose control over the masses they mislead.

Therefore, I place no value on the objections that come from the leaders of the Social Democrats; I would place a very high value on the objections that come from the workers in general. Our workers, thank God, are not all Social Democrats and are not to such a degree unresponsive to the efforts of the confederated governments to help them, perhaps also not to the difficulties that these efforts meet in the parliamentary arena. The parliament has indeed the right to prevent any progress on our legislation; you have the absolute veto with regard to legislation, and through the uncontrolled exercise of this veto you can certainly paralyze legislation, whether it be because you oppose the government on principle, or whether you do so only opportunely, but consistently in each individual case. [...] The parliamentary element, if it is used only as an obstacle, if proof is provided to the people that it refuses its cooperation to the benevolent intentions of the government, that it has only a simple no, that it makes no attempt to help the government—that must of course to a high degree prove self-destructive and self-diminishing. This I would consider a great misfortune, since I do not know how we could compensate for that. I in no way support an absolutist government. I believe properly exercised parliamentary cooperation to be as necessary and as useful as I consider parliamentary control damaging and impossible.

(Bravo! From the right.)

Parliament should be capable of preventing evil; it should be able to set its veto against the dangers that can be associated with a monarchist government and with every government marked by wastefulness, bureaucratic narrowness, plans based on unrealistic ideas, and political corruption. [...] It should be able to prevent bad laws from being passed, it should be capable of hindering the squandering of the nation's

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money; but rule, gentlemen, that it cannot do. I do not wish to enter into particulars over this; there will be another opportunity to give a lecture on fundamental conceptions with respect to this matter.

I also do not know what one would set in the place of the parliament in order to guard against the dangers that would surround a nonparliamentary government, which would have no openness, no freedom of the press. I mean that in complete seriousness.

[...]

[The real question] is whether the state—by state I always mean the empire—whether the state has the right to abandon to chance the performance of a responsibility of the state, namely, to protect the worker from accidents and need when he is injured or becomes old, so that private companies form that charge premiums from the workers and the employers at whatever rates the market will bear. [...] As soon as the state concerns itself with these matters at all, however—and I believe that it is the state's duty to concern itself—it must strive for the least expensive form and must take no advantage from it, and above all not lose sight of the benefit for the poor and the needy. Otherwise one could indeed relinquish the fulfillment of certain state duties, such as among other things the care of the poor, in the widest sense of the word, as well as schools and national defense [...] to private stock companies. [...] In the same way one can continue to believe that the whole of the state's responsibility must in the end be left to the voluntary formation of private stock companies. The whole problem is rooted in the question: does the state have the responsibility to care for its helpless fellow citizens, or does it not? I maintain that it does have this duty, and to be sure, not simply the Christian state, as I once permitted myself to allude to with the words "practical Christianity," but rather every state by its very nature. It would be madness for a corporate body or a collectivity to take charge of those objectives that the individual can accomplish; those goals that the community can fulfill with justice and profit should be relinquished to the community. There are objectives that only the state in its totality can fulfill. [...] Among the last mentioned objectives [of the state] belong national defense [and] the general system of transportation. [...] To these belong also the help of persons in distress and the prevention of such justified complaints as in fact provide excellent material for exploitation by the Social Democrats. That is the responsibility of the state from which the state will not be able to withdraw in the long run.

If one argues against my position that this is socialism, then I do not fear that at all. The question is, where do the justifiable limits of state socialism lie? Without such a boundary we could not manage our affairs. Each law for poor relief is socialism. There are states that distance themselves so far from socialism that poor laws do not exist at all. I remind you of France. From these conditions in France the theories of the remarkable social politician, Léon Say<sup>[5]</sup>, whom Herr Bamberger referred to, are quite naturally accounted for. This man expresses the French view that every French citizen has the right to starve and that the state has no responsibility to hinder him in the exercise of his right.

(Hear, hear! On the right).

You see also that for many years, ever since the government of the July Monarchy<sup>[6]</sup>, social conditions in France have been unsettled, and I believe that in the long run France will not be able to avoid promoting somewhat more state socialism than it has up to now. Was not also, for example, the Stein-Hardenberg legislation<sup>[7]</sup> of glorious memory, the constitutional justification and appropriateness of which no one today doubts anymore, state socialism? Is there a stronger state socialism than when the law declares: I take away from the property owner a certain part of his real estate and transfer it to the tenant farmer, whom he had on the property up to that point? [...] Whoever censures state socialism completely must also repudiate the Stein-Hardenberg legislation. He must altogether refuse the state the right, whenever law and privilege combine to form a chain and a coercive force which hinders our free breathing, to cut with the knife of the surgeon and create new and healthy conditions. [...]

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I can pass on in general to the comments of Deputy Bamberger because to a certain extent he has summed up the preceding speakers and can therefore serve as a guide. The Deputy mentioned in the introduction to his speech that “yesterday,” therefore the day before yesterday, “once again as a prelude to the day’s agenda the perniciousness and reprehensibility of any opposition was indicated.” Gentlemen, it is however not correct to so characterize my position toward the matter as if I had treated any opposition as reprehensible. I have only refused on my part to cooperate with the goals of the opposition; my whole speech at that time can be summarized in the sentence: I do not wish to allow myself to be harnessed to the triumphant wagon of the opposition.

[...]

In my opinion, a primary reason for the success that the leaders of the real Social Democracy have had with their never clearly defined future goals lies in the fact that the state does not promote enough state socialism; it allows a vacuum to form in a place where it should be active, and this is filled by others, by agitators who poke their nose into the state’s business. [...] Deputy von Vollmar has for his own part admitted [...] that the ideals of Social Democracy could not actually be implemented in one individual state, but rather would only be attainable if a general, international foundation existed. I believe that also, and therefore I believe them to be impossible, since this international basis will never exist; but even if internationalism comes some day, the interim period might be long enough to find a *modus vivendi* that is somewhat more bearable and pleasant for the oppressed and suffering among us. We cannot comfort them with promises that perhaps are not even payable in the next century; we must provide something that has value from tomorrow or the next day.

[...]

Deputy Bamberger has objected that the proposed organization is not compatible with the word *free* and with the concept of freedom; there would be too much compulsion therein and a motto for the whole law would be: “If you aren’t willing, I’ll use force!” Gentlemen, freedom is a vague concept; no one has a use for the freedom to starve. But here freedom is also in my opinion not at all limited and not in contradiction with itself. The proposal intends a freedom in the organization, but it makes the execution obligatory.

[...]

The expression “If you aren’t willing, I’ll use force” is totally unjustified. There scarcely exists nowadays a word with which more abuse is committed than the word *free*.

[...]

According to my experience, everyone understands by *freedom* only the freedom for oneself and not for others, as well as the responsibility of others to refrain absolutely from any limitation of one’s own freedom. In short, by *freedom* they actually mean *domination*; by *freedom of speech* they understand the domination of the speaker; by *freedom of the press* the predominant and preponderant influence of editorial offices and of newspapers. Indeed gentlemen, and I am not speaking here in confessional terms, in all confessions, by *freedom of the church* the domination of the priests is very frequently understood [...] I have no desire to speak of human weakness, but rather of the human custom which establishes the importance of the individual person, the dominance of individual persons and their influence over the general public, precisely on the pretext that freedom demands it. That is indeed more strikingly realized in our own history than in any other. In the centuries of the decay of the German Empire, German freedom was always sharply accentuated. What did this mean? The freedom of the princes from the emperor, and the power of the nobles over the serfs! They wanted for their part to be free; that means, *to be free* was for them and also for others identical with the concept *to dominate*. They did not feel

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themselves to be free unless they dominated. Therefore, whenever I read the word *free* before another adjective, I become very suspicious.

[...]

Deputy Bamberger expressed subsequently his regret concerning the “socialist fad.” It is, however, a harsh expression when one characterizes as a “socialist fad” the careful decision of the allied governments in Germany, weighed for three years, which they again, for the third time, propose to you in the hope finally to obtain your approval. Perhaps the whole institution of the state is a socialist fad. If everyone could live on his own, perhaps everyone would be much more free, but also much less protected and guarded. If the Deputy calls the proposal a socialist whim, I reply simply that it is untrue, and my assertion is as justified as his.

He uses further the expression that the old age and disability care “were chimerical plans.” [...] There is nothing about our proposal that is chimerical. Our proposals are completely genuine; they are the result of an existing need. [...] The fulfillment of a state responsibility is never a chimera, and as such I recognize it as a legislative responsibility. It is in fact not a pleasant occupation to devote these public cobbler services to a customer like Deputy Bamberger, who treats us with scorn and ingratitude in the face of real exertions, and who characterizes as a “fad” and a “chimera” the proposal that was worked out in order to make it acceptable to you. I would like to suggest in general that we might be somewhat milder in the expressions with which we mutually characterize our efforts.

[...]

When Deputy Bamberger indicates that for the sake of a socialist whim the long since established system of insurance in the empire is to be abolished, I reply: if the state occupies itself at all with accident insurance, then the present system is just too expensive. If it were strengthened, who would pay the cost? It would be at the cost of the suffering poor and at the cost of industry, whose export capability is reduced by the burdens laid upon it by [private] insurance. We, for our part, want to lighten these burdens by means of a general and, therefore, beneficent arrangement.

I believe that I have arrived at the end of the train of thought provided by the preceding speakers, and I have only to add [...] the request that you gentlemen meet the confederated governments halfway and serve as leaders, according to your experience and opinion, as pathfinders in an unknown land that we are entering. The entry into this realm we believe to be a responsibility of the state. Do not doubt that we are acting honorably to strengthen the domestic peace, and particularly the peace between worker and employer, and to arrive at the result that we will be in the position to renounce, on the part of the state, continuing this emergency law, which we refer to as the Socialist Law, without exposing the commonwealth to new dangers.

(Bravo! On the right.)

## NOTES

[1] i.e., the states, including Prussia, which were united in the government of the German Empire—ed. [All footnotes are from Jan Goldstein and John W. Boyer, eds, *University of Chicago Readings in Western Civilization*, vol. 8, *Nineteenth-Century Europe: Liberalism and Its Critics*.]

[2] Georg Heinrich von Vollmar (1850–1922), German Social Democratic leader—ed.

[3] Ludwig Bamberger (1823–99), banker and cofounder of the Liberal Party—ed.

[4] A law passed in 1878 that made the Social Democratic Party illegal, though it did not prevent members of the party from being elected to the Reichstag—ed.

[5] Jean-Baptiste-Léon Say (1826–96), French Liberal; finance minister in four cabinets between 1872 and 1882—ed.

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[6] Established in 1830—ed.

[7] Laws abolishing serfdom and regulating property relations in Prussia, 1807–11—ed.

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