

National Liberal Party, Founding Program (June 12, 1867)

Abstract

With the defeat of Austria in 1866 and the establishment of the North German Confederation in early 1867, the dream of a “small German” [*kleindeutsch*] nation-state appeared within reach to National Liberals; but many questions lay open. Indeed, ever since the Progressive Party split in the early autumn of 1866 over the Indemnity Law, liberals who wanted to express their agreement with Bismarck’s course in other ways had been edging toward independence. This development had been slowed but not halted when the “liberal nationalists” made a dismal showing in the Reichstag elections of February 1867. In its founding program of June 1867—authored in large measure by Eduard Lasker (1829–1884) and written with the next Reichstag elections of July 1867 very much in mind—the National Liberal Party advocates national unity as its major objective. It also stresses the inclusion of southern Germany, the need for liberty and the rule of law, a stronger Reichstag, and the continuing evolution of the constitution. Soon the party’s central role in national unification was rewarded with electoral success. In 1874 it won 155 Reichstag seats with about 30 percent of the popular vote. Long-term electoral decline, which was only partly the result of the Secession of 1880, was briefly reversed in the “nationalist” elections of 1887, when the party’s total seats rose to 99. But three years later, in 1890, the party suffered the odium of belonging to Bismarck’s “cartel”; it won just 42 seats with about 16 percent of the vote.

Source

When the old Confederation broke apart last year and the Prussian government declared its earnest intention to maintain the national bond and to set German unity on firmer foundations, we felt there could be no doubt that the liberal forces of the nation must assist in the undertaking if the work of unification were to succeed and in the process satisfy the people’s need for freedom. For the sake of this goal we were ready to render assistance. This assistance only became possible when the government desisted from its infractions of constitutional law, recognized the principles that have been so resolutely defended by the Liberal party, and requested and received the indemnity. The groupings within the party occasioned by the constitutional conflict were not adequate to assure the continuation of this assistance. Thus the requirements of the new situation called for the formation of the National Liberal party, a party whose purpose is the establishment, upon the foundations at hand, of a unified Germany endowed with both power and freedom.

We never harbored any illusions about the difficulties inherent in the task of promoting development along liberal lines while working in collaboration with a government that for years maintained the constitutional conflict and administered without a duly passed budget, and having to do this with imperfect constitutional weapons. But we undertook this task with the firm intention of overcoming the difficulties involved through continuous, earnest labor and with the confidence that the greatness of the goal would strengthen the energy of the people.

For we are inspired and united by the thought that, in the long run, national unity cannot be achieved and maintained without the full satisfaction of the liberal demands of the people and that, without the active and driving power of national unity, the people’s instinct for freedom cannot be satisfied. Therefore our motto is as follows: the German state and German freedom must be achieved simultaneously and through the same means. It would be a pernicious error to believe that the people, its advocates, and its representatives need only protect the interests of freedom; or that, on the other hand, unity will be achieved without us by the government on the basis of politics made by its ministers.

For us the unification of all of Germany under one and the same constitution is the highest task of the present.

To bring a monarchical federal state into harmony with the requisites of constitutional law is a difficult assignment, something that has never yet been accomplished in the history of mankind. The constitution of the North German Confederation accomplished this task neither completely nor in a conclusively satisfactory manner. But we consider the new constitution to be the first indispensable step on the road to a German state whose freedom and power will be firmly secured. The accession of southern Germany, which the constitution holds open, must be promoted with urgency and with all available forces, but under no circumstances should it weaken or place in question the unitary central power.

A constitution that arises through the agency of practical necessities never comes into being without shortcomings. In the present instance these imperfections grew with the number of conflicting interests. However, it was always a sign of healthy vitality that the improving hand went to work immediately. We have not escaped the lot of human imperfection, but the difficulties have not discouraged us, and the imperfections have not blinded us to the good nucleus we now possess. Just as in its earliest stages our party was concerned to improve, so will it work without pause—indeed in the next session of the Reichstag—to strengthen and complete the constitution along the lines already laid out.

We saw in Parliament the union of the living active forces of the nation. Universal and equal suffrage, direct elections, and the secret ballot have with our assistance become the foundation of public life. We are not oblivious to the dangers that go along with these things, so long as freedom of the press and the rights of assembly and association are infringed upon by police power, as long as the primary schools stand under crippling regulations, and elections are subjected to bureaucratic interventions, dangers made all the more ominous by the fact that the refusal of daily allowances for deputies limits the ability of persons to stand for election. However, although these guaranties could not be achieved, the dangers have not deterred us. It is now up to the people to demand honest elections. Strenuous efforts will succeed in enabling the people to express its voice in accordance with the truth, and once this happens general suffrage will become the sturdiest bulwark of freedom. It will clear away the remnants of the estates system that have survived into modern times and will finally make guaranteed equality before the law a reality.

We are determined to secure the jurisdiction of the central government and to extend it to all matters that concern the whole. We have as a goal the most complete possible transferal of the parliamentary functions of the state to the Reichstag. In addition, the Prussian Landtag should gradually come to content itself with a position that does not in any way detract from the prestige and effectiveness of the Reichstag. We want to pursue this goal by constitutional means. Until it is reached in this manner, the two parliamentary bodies must mutually respect each other's powers and display a peaceful rivalry in the fulfillment of their callings.

By following the example of the Prussian Constitution in the drafting of the Imperial Constitution, imperfections corresponding to those of the former have found their way into the latter. In both cases we must now strive in a simultaneous and uniform manner for essential reforms that can furnish the only secure foundation of public law. First and foremost, the right of approving the budget must be fully secured, so that full influence over the activities of the state falls to the representatives of the people. No less urgent is the need for laws, resting on the juristic principle that everyone must answer for his actions, which will establish effective responsibility of ministers and all officers of the state. Beyond this, a more complete representation of the responsible bearers of governmental power should be provided for on the federal level and their relationship to the governments of the individual states clarified.

Through the events of the previous year and the transformations that have now begun, the tasks of the Prussian state—of the government as well as of the people—have multiplied.

The annexation of the newly acquired territories makes a program of energetic reform legislation—which under the domination of the Conservative party has been delayed and which during the constitutional conflict was completely brought to a standstill—urgent and not postponable. Throughout the country, innumerable abuses such as the freezing of credit on real property, the limitation on the freedom of movement, and the pressures placed on the trades and labor by the chains of trade regulations, await prompt redress. The necessary merging of the old and new territories calls for comprehensive reform in the organic and other important laws. We also owe to the new provinces, which in the areas of the judiciary and administration enjoy many advantages over us, protection of their institutions. It would be impossible to allow them to be replaced by faulty old Prussian institutions. Rather, uniformity should be brought about by our following their lead in those areas where they are ahead of us. Prussia owes to all Germany a good example in the fields of law and administration in so far as both of these matters are reserved to the individual states, since the future of the entire fatherland depends on that example. For this reason we believe that we must all the more zealously strive for the development and revision of the Prussian Constitution. Now as before we call for the fulfillment of the laws promised in the constitution and the reform of the House of Lords as the precondition of all reforms. With regard to reforms themselves, by far the most important are the following: first, the removal of the estates principle from the communal, district, and provincial constitutions and the reform of these constitutions in accordance with the principles of equality of rights and self-administration; second, the abolition of local manorial authority and manorial police powers.

These secure and broad foundations are required for the vigorous advance of the fatherland. In addition, the increasing size of the state's territory increases the dangers of bureaucratic influences, and the sway of the system of communal administration which rests on preferential treatment and privileges is incompatible with the principles of modern law recognized in the constitution. The population, the urban as well as the rural, has, through the great and willing services it performed in the recent war, renewed its right to see its most urgent wishes finally fulfilled.

Among the other numerous objectives we support, we note the following: the protection of the legal system by means of an independent judiciary; the independence and expansion of legal procedure; the revision of laws dealing with conflicts of competence and the determination of the legality of actions in the administrative sphere; the extension of jury trial to all criminal matters of a political sort along with the dissolution of the *Staatsgerichtshof*; and the abolition of caution money and taxes on newspapers and journals.

Mindful of its heavy responsibility and loyal to the principles it enunciated previously, the party established internal peace during the days of danger and decision on the basis of law conforming with the constitution, and it also generously furnished the means and approved the armaments that would secure Prussia's unrestrained effectiveness in the pursuit of its destiny. For the honor and power of the fatherland, we shall continue to act in the same fashion. However, we are spurred on by the burdens of chronic war readiness to consolidate quickly the new conditions in Germany, in order that soon, in any event not later than the end of the provisorium, the necessary economy of a true peacetime level of military strength may be attained. In the meantime, the shortening of the required period of military service to the end of the thirty-second year, which has been secured in the constitution, must be quickly implemented, and every other possible easing of the burden in this policy area must be pursued.

We do not harbor the hope of fulfilling our numerous requirements all in a single stroke. However, we will forget none of them, and according to the propitiousness of the circumstances we shall place the one or the other in the foreground. But we consider at all times that the indispensable precondition for the successful cooperation between the government and the representatives of the people and for the prevention of new conflicts is an administration that acts in accordance with the laws and that is steadfastly respectful of the rights and freedom of the individual bodies politic as well as of the whole. Relapses into other practices characteristic of the past must be openly opposed without restraint,

regardless of the danger. We can walk hand in hand only with a government that faithfully observes the law. With such a government we are ready to search out the proper paths.

Vivid experience has taught us that the same tools may not at all times be appropriate for the accomplishment of the same tasks. Where such significant and momentous goals are to be striven for simultaneously, as presently is the case in Germany and Prussia, it is not sufficient merely to hold firm to conventional maxims and to allow new and diverse needs to be neglected for the sake of a simple and convenient tradition. It requires arduous and cautious labor to master the various demands one encounters, to oversee the course of events, and to gain the advantage that can be wrought from an opportunity. The ultimate goals of liberalism are unchanging, but its demands and procedures are not cut off from life and are not reducible to fixed formulas. Its innermost being consists of observing the signs of the times and satisfying the demands they pose. The present speaks to us clearly with the message that in our fatherland every step toward unity on a constitutional basis is at the same time progress in the area of freedom or carries within it an impulse to that end.

We do not intend to oppose with malevolence other factions of the Liberal party, for we feel at one with them in the service of freedom. However, in the face of the great questions of the present moment and with a sense of responsibility that makes us conscious of how much depends on the proper choice of means, we shall endeavor and hope to bring the principles we have developed to bear within the party.

[There follow fifty-six signatures, including those of Rudolf von Bennigsen, Max von Forckenbeck, Eduard Lasker, Heinrich Bernhard Oppenheim, Karl Twesten, and Hans Viktor von Unruh.]

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