

Royal Decree: Civil Servants Must Support their King at Election Time (January 4, 1882)

Abstract

This royal decree [*Erlaß*] from January 4, 1882, reflected Chancellor Otto von Bismarck's frustration with the result of the Reichstag elections a few months earlier, when civil servants allegedly supported the oppositional left-liberal parties.

Source

Royal Decree of January 4, 1882

The King's prerogative to conduct the government and the policy of Prussia according to his own judgment has been restricted, but not abrogated, by the Charter. The acts of the King require the counter-signature of a Minister, and have to be defended [*vertreten*], as was the case already before the proclamation of the Charter, by the King's Ministers, yet they remain acts of the King, from whose resolves they emanate, and who expresses his will through them in a constitutional form. It is, therefore, inadmissible, and tends to obscure the constitutional prerogatives of the King, when their exercise is so represented as if it proceeded from the responsible Ministers in office and not from the King himself. The Prussian Charter expresses the monarchical tradition of the country, the development of which rests upon the living relations of its Kings to the People. These relations do not permit of their being transferred to the Ministers appointed by the King, for they are closely connected with the person of the King. To preserve them is a State-Necessity for Prussia. It is, therefore, my Will that neither in Prussia, nor in the legislative bodies of the Empire, should any doubt be allowed to remain as to my own constitutional right, or that of my successors, to conduct personally the policy of my government. Also no opportunity should be lost to contradict the opinion, as if the Inviolability of the King's Person, which is expressed in Article 43 of the Charter, but which has always existed in Prussia, – or as if the prescribed counter-signature by responsible Ministers – had in any way deprived my Acts of their character of autonomous Royal resolves. My Ministers have to defend my constitutional prerogatives against doubts and obtenebration [i.e. darkening]: I expect the same from all Civil Servants who have sworn me the oath of office. Far be it from me to encroach upon the liberty of Elections; yet, for those Civil Servants who are entrusted with carrying into effect my Acts, and therefore can be dismissed in accordance with the disciplinary laws, their duty, as confirmed by their oath of service, extends to defending the policy of my government, also as concerns the Elections. I shall acknowledge with thanks the faithful performance of this duty, and I shall expect at the head of all Civil Servants that, keeping in view their oath of loyalty, they will abstain from all agitation against my government also at the time of the Elections.

Berlin, 4th of January, 1882.

Wilhelm
von Bismarck

Source of English translation: George von Bunsen, "The Liberal Party in Germany," *Fortnightly Review* 32 (December 1882), p. 713, footnote 1.

Source of original German text: “Allerhöchster Erlaß vom 4. Januar 1882,” in Dr. jur. P. Schubart, *Die Verfassung und Verwaltung des Deutschen Reiches und des Preußischen Staates in gedrängter Darstellung*, zwölfte Ausgabe. Breslau: Wilh. Gottl Korn, 1896, S. 212

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