

Social Democracy and the German Reichstag (1892)

Abstract

Before the German Reich was five years old, the separate wings of the Social Democratic movement that followed Karl Marx and Ferdinand Lassalle fused at the Gotha party congress of 1875 to form the Socialist Workers' Party of Germany (*Sozialistische Arbeiterpartei Deutschlands*, SAPD). The SAPD survived twelve years of repression under Bismarck's Anti-Socialist Law (1878-1890) and was renamed the Social Democratic Party of Germany (*Sozialdemokratische Partei Deutschlands*, SPD) in late 1890. The brochure excerpted here was published in 1892: it cost just 15 Pfennige and was subtitled "Materials for the Use of Social Democratic Voters." It looks backward not only to the survival of the party during the "heroic" period of the 1880s but also to its astounding growth. In particular it demonstrates the tendency of party leaders, and their publicists, to quantify their party's expansion through the use of election statistics, broken down according to different regions (e.g. rural or urban) of the empire and its federal states. Brief biographical notes (at the end) are provided for all Social Democrats elected to the Reichstag between 1867 and 1887. Note how many SPD deputies are listed as "Dissident," "without confession," Free Thinker, Free Religious, or, in Wilhelm Hasselmann's case, "Materialist."

Source

The Background History of the Anti-Socialist Laws

The **amendments to penal law** considered by the Reichstag in its **1875/76** session can be seen as a precursor to the current Anti-Socialist Laws. Among other things, these amendments included the following stipulation directed at [the] Social Democracy [party]:

"Whosoever should publicly stir up particular classes of the population against one another in such a way as to disturb the public peace, or whosoever in the same manner, be it in speech or writing, openly attacks the institutions of marriage, the family, and private property, shall be punished with imprisonment."

The minister at the time, the elder Count Eulenburg, as is widely known, argued without effect for the bill:

"The government now demands weapons of you which will, over time, make it unnecessary to use the bare weapon. ... Otherwise, we have no other options than to make do with weak legal passages until the shotgun fires and the saber comes down." (Bravo! from the right.)

The government's proposal was unanimously rejected.

May 11, 1878 [Max] Hödel's shot under the linden trees^[1]

On May 17, Prussia presented the draft of a law "to ward off social democratic excesses" to the Bundesrat. Only minor changes were made to it there.

The draft of the law which was forwarded to the Reichstag—dated Friedrichsruh, May 20, 1878—contained just six paragraphs and two pages of justification.

According to paragraph 1, the Bundesrat was to be authorized to forbid texts and organizations "that pursue social democratic aims." Any such bans issued as a result of this authorization were subject to

being checked by the Reichstag, which retained the authority to repeal them.

Paragraph 2 was intended to authorize the police to issue temporary bans on the distribution of social democratic texts along public paths, streets, squares, and other public places. These temporary bans were to be repealed, however, if said text had not been outlawed by the Bundesrat within four weeks as outlined in paragraph 1.

According to paragraph 3, the police were to be permitted to forbid gatherings in advance, or to break these up once they had started, as soon there were any grounds to assume that the gathering served to promote social democratic aims.

Paragraphs 4 and 5 detail punishments.

Paragraph 6 limited the validity of the law to a **timeframe of three years** because, as notably mentioned in the motives, there was “no desire to restrict the freedom of the press and organization, including in regards to Social Democracy, longer than is necessary for the protection of the state and public peace, and in hopes that such protection would no longer be necessary when the three years have elapsed.”

As is evident here, the proposal at that time was not nearly as drastic as the later Anti-Socialist Laws. According to the motives, it was even hoped that [the movement for] Social Democracy would no longer be a problem in three years. Only the conservatives voted in favor [of the law]; even the National Liberals (except for the three professors, [Georg] Beseler, [Rudolf von] Gneist, and [Heinrich von] Treitschke) opposed it.

At the time, the Social Democrats had [Wilhelm] Liebknecht read the following declaration aloud:

“The attempt to use the deed of a lunatic, even before the judicial investigation has been concluded, in order to implement a long prepared political reaction, and to shift the blame for the ‘moral authorship’ of the still unproven assassination attempt on the German emperor to a party that condemns murder in every form and regards economic and political development as completely independent of the will of individual persons, so completely impugns itself in the eyes of every unprejudiced person that we, the representatives of Germany’s Social Democratic voters, feel ourselves forced to make the following declaration:

“We do not consider it possible to participate with dignity in the debate over the exceptive law before the Reichstag today and will not allow ourselves to be dissuaded from this decision by any provocation, regardless the direction from whence it might come. We will, however, participate in the vote, because we see it as our duty to do our part to avert an unprecedented attack on public freedom by bringing our votes to bear.

“Regardless of how the matter is decided in the Reichstag, the [movement for] Social Democracy in Germany, accustomed to resistance and persecution, anticipates further battles with the unshakeable calm that comes with being assured of a good and invincible cause.”

* * *

June 2, 1878: **[Karl] Nobiling’s attack.**

The crown prince, the later Kaiser Friedrich, assumed the regency and appeals were made “to the conscience of the nation for the protection from the threat to society.” Prince [Otto von] Bismarck petitioned the **dissolution of the Reichstag** already in a memorandum on June 6, and the Bundesrat approved this petition on the basis of the memorandum on June 11.

July 30: new elections.

August 16: [Max] Hödel's beheading.

September 9: The [newly elected] Reichstag convenes and the **new Anti-Socialist Laws** are presented. (Draft of a Law against the Publicly Dangerous Endeavors of Social Democracy).

The new proposal was incomparably harsher than the first.

Whereas the initial law had simply said that the Bundesrat could ban texts, organizations, and gatherings aligned with social democratic aims, and that this ban was to be rescinded should the Reichstag request this, the new proposal demanded that the federal police should ban organizations, texts, and gatherings that promoted social democratic, socialist, or communist endeavors aimed to “undermine” existing governmental or social structures. There was no longer any mention of the Reichstag's being entitled to nullify [the ban].

In addition, the new law included stipulations allowing for the declaration of a “minor state of siege” which then included the authority to expel individuals.

The proposal was ultimately sent to a commission of twenty-one [lawmakers], to which, however, no Social Democrat was elected. In this commission, the Progressive [Albert] Hänel, suggested incorporating the following article into penal law along the lines of the government's prior suggestion that had been unanimously rejected at the time:

“Whosoever should incite members of the state to form hostile factions in such a way as to endanger the common peace, or whosoever makes inflammatory remarks over another's religious convictions or over the institutions of marriage, the family, or the state, or the regulation of private property, shall be punished with a monetary fine of 600 marks or with up to one year of imprisonment.”

The National Liberals, however, left Hänel in the lurch. His petition was defeated with a vote of 13 [nays] to 3 [yays] (against the Center and Progressive). In the plenary negotiations, there was no attempt to renew this petition.

The changes made to the bill later in the Reichstag did nothing to improve the bill's essential characteristics.

Reichensperger's efforts to restrict the matter to the “violent coup” were unsuccessful.

A petition submitted by Representative Gneist placing “professional agitators” under police supervision after their first offense was rejected.

Lasker succeeded in having the term “undermining” replaced with “overthrowing.”

A further, similarly inconsequential change was introduced that replaced the Bundesrat, which the proposal named as the last instance for appealing those bans etc issued as a result of the law, with a body appointed for this purpose—the so-called “Reichskommission”—made up of judges and members of the Bundesrat.

The proposed law was to be valid for only two and a half years.

It passed on October 19, 1878, with 221 votes to 149.

After the results had been announced and silently accepted by the house, the Reich Chancellor closed this notable session during which, over the span of forty days, nothing beyond the Anti-Socialist Laws

had been dealt with, aside from a few unimportant audits of election results.

The published law is dated October 21, 1878.

The Extension of the Anti-Socialist Laws and the Parties

The validity of the law had been restricted to three years in the first proposal, which had failed; the second proposal did not include a period of validity at all, but the Reichstag inserted an end-date of March 31, 1881.

In the spring of 1880, the government proposed renewing the law until March 31, 1886; the majority in the Reichstag, however, voted to change the date to September 30, 1884. In this form, the law found, relatively speaking, a more dominant majority than it had originally; the majority was reinforced by around 15 members of the **Center Party**.

In March 1884, the Reichstag was presented with a proposal which suggested extending the validity of the law for two more years, until September 30, 1886. This proposal passed in a famous vote on May 10, 1884, with 189 to 157 votes. The two conservative factions and the National Liberals voted unanimously for the proposal, [along with] 39 members of the **Center Party** and 27 [members] of the **German Free-Minded Party** (25 former secessionists [i.e., members of the Liberal Union Party] and 2 [members of the] former Progress Party; of the latter, a few were “on temporary duty”).

In February 1886, a petition was submitted to extend the law for five years. The Reichstag approved the proposal with 169 to 137 votes, but only for a more restricted two years. Both of the conservative factions and the National Liberals voted unanimously in favor, along with 27 members of the **Center Party**; the **German Free-Minded** representatives all voted in this instance against the proposal, but 14 members were absent.

In the winter of 1887/1888, the government proposed that the existing law not only be declared valid for five additional years, but also (for the first time) that a series of harsher regulations be added. The Reichstag rejected these latter amendments and extended the law unchanged for an additional two years. The majority was 164 to 80. Once again, the Conservative and National Liberals voted en bloc, along with 8 Center Party members; nearly half of the Center Party [faction] was absent. The period of validity was set to end on September 30, 1890.

We list the details succinctly here in these tables.

Consultation Period	The end-date per the government’s suggestion	The end-date as passed into law	Length of validity
1878, First Law	March 31, 1881	2½ years
Spring 1880 First extension	March 31, 1886	September 30, 1884	3½ years
Spring 1884 Second extension	September 30, 1886	September 30, 1886	2 years
Spring 1886 Third extension	September 30, 1891	September 30, 1888	2 years
Winter 1887/88 Fourth extension	September 30, 1893	September 30, 1890	2 years

[...]

The Growth of Social Democracy

since the reestablishment of the German Reich

--	Number of eligible voters	as a percent of total population	Number of valid votes cast^[2]	as a percent of eligible voters	Number of Social Democratic votes	as a percent of valid votes	Number of representatives
1871	7,975,750	19.4	4,126,705	52.0	124,655	3.0	2
1874	8,523,446	20.8	5,190,254	61.2	351,952	6.8	9
1877	8,943,028	20.9	5,401,021	60.6	493,288	9.1	12
1878	9,128,305	21.4	5,760,947	63.3	437,158	7.6	9
1881	9,088,792	20.1	5,097,760	56.3	311,961	6.1	12
1884	9,383,074	20.7	5,662,957	60.6	549,990	9.7	24
1887	9,769,802	20.9	7,540,938	77.5	763,128	10.1	11

The continual growth of the Social Democratic Party, to which no other party came even close, is the most notable characteristic of the comprehensive election statistics for the German Reich.

The party's representation in the Reichstag leaves an incomplete—or even a not in the least accurate—impression of this. While the other parties display a fairly constant ratio of votes cast to the number of representatives, we see here a notable phenomenon, namely that, for example, in 1878, 437,158 votes resulted in nine [representatives], while in 1881 the smaller sum of 311,961 votes resulted in 12 representatives. In 1884, the number of votes grew from 311,961 to 549,990, and the number of representatives doubled, climbing from 12 to 24 (to whom, over the course of the legislative period, [Friedrich] Geyer, elected in Stollberg-Schneeberg, was added as the twenty-fifth. In 1887, the number of votes cast rose by 213,138—in other words, by a full 39 percent, and the number of those elected sank from 24 to 11, by more than half!

According to the ratio of social democratic votes relative to the total number of valid ballots cast, the party would have had the right already in 1877 to no fewer than 36 representatives, then, in 1884, to 38, and in 1887 even to 40.

A few additional examples will provide further evidence of the unfairness of this distribution. 736,389 voters cast ballots for the candidates of the German Reich Party (in other words, 27,000 fewer than for the Social Democrats); but **41 representatives** of this persuasion were elected.

As is known, there are 13 Poles in the current Reichstag; but only 2.9 percent of all votes were cast for Polish candidates. The Social Democratic Party, with over 10 percent of all votes, did not receive as many candidates as that 2.9 percent.

[...]

Of every 100 votes cast, this many were received

in the initial round of regular (main) elections

Parties	1871	1874	1877	1878	1881	1884	1887
Conservative	13.3	7.0	9.8	13.0	16.3	15.2	15.2
Reich [a.k.a. Free Conservative]	8.4	7.2	7.9	13.6	7.5	6.9	9.8
Liberal Reich Party	6.6	1.0	-	-	-	-	-
National Liberal	28.5	29.7	29.7	25.8	14.6	17.6	22.2

Liberal Union	-	-	-	-	8.4	-	-
Progress (Free-Minded)	8.3	8.6	7.8	6.7	12.8	17.6	12.9
Center	17.6	27.9	24.8	23.1	23.2	22.6	20.1
Polish	4.3	3.8	4.0	3.6	3.8	3.6	2.9
Social Democrats	3.0	6.8	9.1	7.6	6.1	9.7	10.1
People's Party	0.5	0.4	0.8	1.1	2.0	1.7	1.2
Guelphs, Particularists, Alsatians	7.2	6.3	5.5	4.9	4.7	4.6	4.6
Danes	0.4	0.4	0.3	0.3	0.3	0.3	0.2
Unaffiliated and fragmented	1.9	0.9	0.3	0.3	0.3	0.2	0.8
Total:	100	100	100	100	100	100	100

Strength of the Factions in the Reichstag

Parties	1871	1874	1877	1878	1881	1884	1887
Conservative	57	22	40	59	50	78	80
Reich [a.k.a. Free Conservative]	37	33	38	57	28	28	41
Liberal	30	3	13	10	1	1	-
National Liberal	125	155	128	99	46	50	99
Liberal Union	-	-	-	-	47	-	-
Progress (Free-Minded)	46	49	35	26	59	67	32
Center.....	63	91	93	94	100	99	98
Polish	13	14	14	14	18	16	13
Social Democrats	2^[3]	9	12	9	12^[4]	24^[5]	11
People's Party.....	1	1	4	3	9	7	-
Guelph.....	5	4	4	10	10	11	4
Particularists/Autonomous	2	-	5	4	-	-	-
Alsatian.....	-	15	10	11	15	15	15
Danes.....	1	1	1	1	2	1	1
Unaffiliated.....	-	-	-	-	-	-	3
Total:	382	397	397	397	397	497	397

[...]

NOTES

[1] *Unter den Linden*, lit. "Under the Linden Trees," is a boulevard in central Berlin where Max Hödel attempted to assassinate Kaiser Wilhelm—trans.

[2] In the initial regular election cycle.

[3] [Reinhold] Schrapf (Zwickau-Crimm.) is listed here as a socialist, but later not.

[4] Through the later election of Bebel, rose to 13.

[5] Rose via Geyer's election in run-off to 25 in the end.

Source: *Die Sozialdemokratie und der deutsche Reichstag. Materialien zum Gebrauch für sozialdemokratische Wähler*. Berlin: Verlag der Expedition des Vorwärts Berliner Volksblatt, 1892, p. 3–7, 19–20, 23.

Translation: Ellen Yutzy Glebe

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