

Joseph Görres, “The Future German Constitution” (August 18, 1814)

Abstract

In 1814, Joseph Görres (1776–1848) published the following piece on the “future German constitution” in the *Rheinischer Merkur*, a politically liberal but culturally traditionalist journal he had founded that same year. Görres, a Catholic publicist, scholar, and civil servant in the educational sphere, had originally been an enthusiastic supporter of French revolutionary ideas. Eventually, however, he joined the publicist battle against the Napoleonic domination of Germany during the Wars of Liberation. In keeping with the traditionalist and at the same time liberal positions advocated in the *Rheinischer Merkur*, this article calls for a cohesive, united, but federalist German nation (under Austrian leadership). This state, Görres argues, would be able to resist repeated incursions by foreign powers. He outlines an alternative to eliminating the element of princely power altogether, as the revolutionaries had initially done under the influence of “the intoxicating cup of French liberty.” While he did not support the revolutionaries’ radical methods, he shared their opposition to seeing the sweeping revolutionary *tabula rasa* replaced by reactionary princes who had imbibed “the hemlock drink of Napoleon’s despotism.” In contrast to the Jacobins, for instance, he envisages an organically grown German liberty. Its elements include “responsible” government by princes in consultation with a council and an estate-based constitution that represents a modernized form of the old imperial constitution. Clearly, Görres wished to harmonize traditional elements with the liberal, enlightened political principles that had emerged from the revolution. As conservative as the overtones in Görres’ vision may seem, his liberal convictions and subsequent opposition to the conservative restoration resulted in his persecution by Prussian authorities. His flight initially led him to Strasbourg and eventually to Munich, where he became professor (1827) and co-founder of the *Historisch-politische Blätter für das katholische Deutschland* (1838).

Source

The Future German Constitution

[...] What we need above all else, and what first must be legally established through the constitution, is cohesiveness in domestic matters and a unified stance against foreign countries. If all other nations have to guard only a single side against us, then we are, like the Persians in Asia, exposed on all sides. Germany is the crossroads where all national roads meets; everyone, as though driven by an inner gravitational pull, bangs against us and presses us in the middle; and if the Spaniards still possessed the Netherlands, no people would be able to do so much as shift uncomfortably in its place without somehow causing the waves to crash directly onto the shores of our land. [...]

That is why our place is at the high look-out of this entire part of the world, from where we must watch all movements of peoples with unceasing vigilance; certain that every movement we carelessly let pass will lead to our ruin. Just as old Germania surrounded itself in the south with a wall of Marcomanni [i.e. a Germanic tribe] and militant peoples to protect against the world domination of the Romans: so, too, must we now gird ourselves on all sides with such a bulwark, and surround ourselves with a wall of shields. The armed nations will be the walls of this great fortification, and high above its battlements will rise the princes, strong towers that look into the far distance and secure and fortify all approach paths. Within [this fortification], then, everything must be *one* life and *one* league for offense and defense, so that the first blow that strikes the edge of the shield at a distant border will make all sit up and take

notice, and so that in case of an actual attack, all will rush to the aid of the tribe under attack. Only then can we successfully prevent the disgrace of seeing enemy armies from the Danube, Elbe, Weser, Main, and Lech drink our heart's blood once again. We can cultivate our prosperity in peace, and need not worry that, with every passing century, it will become the booty of insolent robbery.

To that end, everything in this common entity must come together strongly and solidly, so that the bonds encircle the individual loosely and not oppressively in peaceful times but pull together ever more strongly under pressure and need and when prompted by a foreign threat. For this purpose, all neighboring nations have chosen the unity of the monarchical form without intermediate powers, and in doing so have gained great means for offensive attacks, vigorous flexibility for defense, but at the same time have also sacrificed a good deal of their characteristic inner life. In Germany, this unity is counteracted above all by religious division; by the age-old, independent, unique tribal spirit, which has split and divided the nation like mountain ranges; by the affectionate attachment of the various peoples to their princely houses; finally, by the pious respect for tradition, and for vested rights secured by official documents and the passage of long periods of time. That is why Germany has been given the more difficult task of mastering the polyarchy through the power of the constitution and the overarching will of the nation in such a way that it seems powerful as a unity, if not for offense, then for defense. Higher, then, is the price of this solution, for the best thing is strong unity in free diversity, and the opposite leads all too easily to paralysis, death, and despotism.

To this end, the princes must recognize above all else that they owe the same love, loyalty, devotion, and obedience that they demand of their subjects to the totality and the fatherland, and that the same concord and unity that makes their particular dominion strong and robust can, on a higher level, make the whole entity, and thus their part of it, sustained and lasting. In the same way, the peoples must convince themselves that without a decisive, potent public spirit, the will of the princes for the common weal is powerless, and that if they sink into lassitude the entire entity must necessarily go to ruin. The peoples and the princes have successively braved the difficult test of these times, the former by first drinking from the intoxicating cup of French liberty, the latter by numbing themselves with the hemlock drink of Napoleon's despotism, and both by seeking to build their liberty on anarchy. [...]

But in order that the public spirit – as it has now been happily ignited in Germany – may reverberate and hold and sustain the princes and support them in everything that is good, may find fault with the bad and work against it, it must be granted a constitutional voice in an estate-based constitution and an ability to exert influence on the machinery of state administration.

Where the state lives only within a few, the corruption of these few also leads the state easily to ruin, and the state rises and sinks with them; but where the totality devotes its attention to the state, the state lives an indestructible life, forever renewing itself. In the same common spirit with which the princes come together, the nations will therefore also unite around the princes, and thus, bound by such a two-fold power, the bond will become ever closer as the threat rises, and will stand ever firmer and more solidly united. [...]

A council with which the princes consult in person at certain times should exercise, under their chairmanship, legislative power, and should bring forward-moving, continually self-supplementing life into the constitution, so that the latter, established as lasting, does not become paralyzed, and lest we, imitating the French, wish to change it every year and become a laughing stock. [...]

The three pillars on which all estate-based constitutions are founded, *Lehrstand*, *Wehrstand*, and *Nährstand* [the teaching estate, the military estate, and the food-producing estate] remain the same, however, as those represented – however imperfectly – in the imperial estates of the old constitution, by the spiritual princes, the secular princes including the imperial knights, and the imperial cities. The new constitution will also be erected on this three-pronged foundation, which is as old as history, and which

already appeared in this divided form in its most ancient beginnings and deepest roots. The heads of the three estates will surround the prince as participants in his responsibility, giving him support and advice, spurring him on when his power of rule wanes, blocking him where this power exerts itself all too harshly: mediators between the people and the government.

Source: Joseph Görres, “Die künftige teutsche Verfassung”, *Rheinischer Merkur*, August 18, 1814 und August 20, 1814; reprinted in Peter Longerich, ed., *Was ist des Deutschen Vaterland, Dokumente zur Frage der deutschen Einheit 1800 bis 1990*. Munich and Zurich: Piper Verlag, 1990, pp. 51–53.

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