

The Minister of the Interior on Domestic Reform (May 1915)

Abstract

The consensus in favor of the war was precarious from the beginning, despite the impression of popular unity. The chancellor was responsible for preserving the domestic truce forged in the summer of 1914, but he was constrained by forces on both the Left and Right. Many members of the Left advocated democratization at home. As this memorandum by the State Secretary for the Ministry of the Interior suggests, popular aspirations for reform centered on the suffrage system in Prussia – the Prussian Diet privileged members of the old order and did not have truly universal male suffrage. Reformers also advocated recognizing unions and granting them the legal rights to collective bargaining, which was unavoidable if organized labor was to participate in the mobilization for war.

Source

Personal

In connection with my discussion today with Undersecretary Wahnschaffe, I am honored to present Your Excellency with a short note about the new orientation in our domestic policy. The note presents neither all the questions that need to be resolved nor specific suggestions for their resolution. Instead, it offers Your Excellency simply some points of reference for upcoming discussions with representatives of the parties. [...]

Last year, on the fourth of August, His Majesty the Kaiser addressed the members of parliament, who were gathered in the White Hall, with these words: “I no longer recognize any parties; I recognize only Germans.” These words, which have often been quoted since, have been the signature of domestic policy since the beginning of the war. Their underlying premise has found expression in the so-called *Burgfrieden*, the “peace in the fortress.” [...]

Some have construed the words of His Majesty the Kaiser to mean a promise for the postwar period as well, and they have demanded legal guarantees that the government’s conciliatory position remain in force even after the peace. In deference to these wishes, the Chancellor, the Prussian Minister of the Interior, and the Federal State Secretary of the Interior have repeatedly proclaimed, more or less concretely, a new orientation in our domestic policy; they have, however, refused to discuss the details of this question until the war has ended. This promise will have to be fulfilled, and the question is apt whether the lengthening war will not make it necessary to deal more intensively with the wishes that the parties have expressed. It will in any event be necessary during the war to reach a degree of agreement within the government about what should be done to meet the wishes of the parties, for it seems absolutely necessary that the government go public with a definite program once peace is concluded, and that preparations for implementing such a program be far enough prepared that it can be quickly implemented. It is necessary to do so because public complaints must in all circumstances be avoided that the Kaiser failed to keep a solemn promise. It would, however, also represent an act of both political good sense and justice to acknowledge emphatically that all the people, without regard to ethnicity or party membership, have placed their full energy in the service of the Fatherland, and particularly that the economic organizations of the working class, whatever their party affiliations, have performed valuable services for the Fatherland since the beginning of the war. Nevertheless, it will not be easy to fulfill promises that have been made or to meet expectations that have grown out of these promises.

The desires that have been publicly discussed fall mainly into two categories. On the one hand, they focus on reform of the Prussian suffrage, and, on the other hand, on rescinding all so-called emergency laws, that is, legal provisions that are directed against particular political parties – above all, those that have been decreed for the protection of Germandom – or those that are directed primarily against particular classes of the population or political parties. The question of the Prussian suffrage and the so-called Polish policy of the Prussian government can be disregarded here. We are therefore talking primarily about a modification of the Law on Associations and provisions that regulate the so-called right of assembly for workers. As far as the Law on Associations is concerned, at issue is a modification of §1, 12 and 17. To the extent that Social Democrats have expressed their sentiments in this regard, they essentially have to do with reshaping these paragraphs, inasmuch as they limit activities of the trade unions. The Socialists demand a provision that exempts the trade unions from the Law on Associations. Such a provision would mean that the trade unions would be privileged over all other corporations and economic and political associations. Nothing would prevent youths from joining unions. Likewise, language restrictions would not apply to trade-union meetings. If the Social Democratic side nevertheless also expressly demands the elimination of §17, it contends that this paragraph involves an intensification of the Prussian Law on Associations, which prohibits only students and apprentices from belonging to political associations. The Socialists claim further that, particularly in Prussia, the operation of §17 has resulted in prohibiting youths from belonging to any kind of associations that are affiliated in any way with the Social Democratic Party. That these complaints have a certain justification cannot be denied. Prussian administrative practice does tend to treat under the Law on Associations trade unions that have any sort of ties to the Social Democratic Party. This practice obviously does not do justice to the predominantly economic significance of the trade unions, and it belies declarations that the government made when the Law on Associations was passed. These declarations gave assurances that trade unions that limit their activities to those described in §152 of the Industrial Code would not fall under the Law on Associations. Furthermore, there can be little doubt that the Law on Associations has also been applied to youth groups that, although led by Social Democrats, restrict themselves in general to activities that are not political, such as the gymnastic associations and the so-called workers' educational associations. Events and assemblies of youths have in fact been forbidden when the agenda simply comprised recitations of the German classics and musical performances of innocuous content. All these complaints would be eliminated were the actual practice of the authorities more liberal, particularly in Prussia – that is to say, if the law were interpreted not expansively but restrictively. Because, however, even if such a practice were to be introduced, no long-term promises could be given; the Socialists demand legal guarantees.

Obviously, one cannot simply exempt the trade unions from the provisions of the Law of Associations. It is impossible to do so, because the concept of a trade union or a vocational association is difficult to define, and because the wholesale exemption of the trade unions would make it possible to pursue political goals of every kind in the guise of a trade union. Even if one were to admit that the language paragraphs are in need of reform, one would not be able to dispense entirely with power to prohibit the use of Polish, Danish, and French in cases where these languages are cultivated and used expressly to promote subversive goals. Given this state of affairs, there are two possibilities. One could try to modify the Law on Associations to remove its applicability to trade unions to the extent that they restrict themselves to activity described under §152 of the Industrial Code and to economic-political questions that are directly related to it. One would thus certainly expand the trade unions' freedom of movement somewhat. The debate over whether a line so drawn can be maintained will not, however, be eliminated this way. The second way would be to regulate by statute the legal status of vocational associations and to free all associations that are organized according to this law from the application of the Law on Associations. This solution to the question is not unobjectionable, because the trade unions will only be interested in a law that regulates the legal position of vocational associations if this regulation takes place in a liberal sense and provides for the creation of arbitration agencies to settle industrial disputes that result from conditions of labor. To draft such a law by the conclusion of peace will not be easy, and

its passage in the Reichstag will be very difficult.

The wishes of the Poles and of the Danes are directed primarily against §17 and §12 of the Law on Associations. The Poles and Danes demand, first, the removal of §17, but they would probably be satisfied with a regulation that gives the right to exist to youth groups that limit themselves to the cultivation of the Polish language – poetry and art. Above all, their desires are directed toward the removal of §12, which in its present form and previous application has doubtless given rise to hardships. These hardships lie, however, once again less in the law itself than in the manner of its application. If the authorities of the federal states, especially Prussia, could decide to apply the paragraphs more mildly, if Prussia could decide to make use of the full powers provided in the final paragraph of §12 and to create through state legislation a somewhat more liberal right, one could probably get around a modification of §12. To be sure, Prussia's willingness to uphold to such a milder practice, even were there the prospect of one, can be strongly doubted. One will also not place much trust in the permanence of any Prussian legislation. One must also recognize that the present version of §12 is unfortunate. If one takes into account that it was not possible during the war to hold public lectures in Polish, while, on the other hand, the use of the Polish language is allowed in election assemblies, one must admit that this paragraph is in need of improvement.

As far as §17 is concerned, one can probably best do without it, especially if one keeps in mind that it was not included in the law's original draft from the state governments and thus was not considered essential by the Prussian government either. Perhaps one could make the complete removal of this paragraph contingent upon drafting a law on preparing youth for military service.

An additional demand is that membership in trade unions, whatever their political inclination, should be available to workers in state enterprises. This demand has far-reaching significance only for railway workers. In all other enterprises, especially those in mining and the navy, membership in even a Social Democratic trade union is already tolerated, as long as the worker in question does not undertake public agitation on behalf of the Social Democratic Party. Perhaps one could solve this question by allowing railway workers to belong to organizations that abjure strikes as a tactic in conflicts over wages and working conditions.

However these questions might be answered in detail – if in fact the promises made are honored in any way – the decision will have to be made whether to grant greater freedom to the development and activities of the trade unions. A valid reason for rejecting such a demand on principle will hardly be found, considering that the war and their role in it has clearly confirmed the great economic significance of the trade unions and that all political parties, including the Social Democrats, have demonstrated during the war that they have done their job unconditionally when it comes to protecting the Fatherland.

Source: Clemens Delbrück to Chancellor Theobald von Bethmann Hollweg from May 23, 1915, concerning the Necessity of Clarifying the Content of the Announced "New Orientation" of Domestic Policies, reprinted in Willibald Gutsche, *Herrschaftsmethoden des deutschen Imperialismus 1897/8 bis 1917*. East Berlin, 1977, pp. 225–29.

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