
Building a Nation-State

Early in February 1871, the great British politician and statesman, Benjamin Disraeli, took the floor in the House of Commons in order to reflect on the significance of German unification, which had culminated several weeks earlier out of the Franco-German war. He spoke of “a greater political event than the French revolution of last century.” “There is not a diplomatic tradition which has not been swept away. You have a new world, new influences at work, new and unknown objects and dangers with which to cope, at present involved in that obscurity incident to novelty in such affairs.” He concluded on an ominous note: “The balance of power has been entirely destroyed, and the country which suffers most, and feels the effects of this great change most, is England.”¹

Four decades later, as war again descended on Europe, Disraeli’s dark analysis looked prescient, but at the time he ventured it, its accuracy was, as he himself seemed to concede, anything but clear. A good case could be made that the consolidation of political power in central Europe would in fact stabilize affairs on the continent, bringing peace and stability to this part of Europe, eliminating the fragmentation that had historically lured the armies of foreign powers into it. Nor was it clear from early signs what sorts of changes, “new influences,” and “new and unknown objects and dangers” would transpire within the borders of the new German state.

A National Constitution

Reports of the great German military triumphs of 1870, then the ceremonial establishment of the German Empire early in 1871, were greeted by popular festivals throughout the territories that made up the new state. These festivals took place on the initiative of local public officials, civic elites, business groups, and Protestant clergymen. They reached a crescendo in the late spring of 1871, when the victorious local regiments returned to their hometown garrisons. Among Germany’s urban elites, these celebrations reflected a sense of historic

¹ William Flavelle Monypenny and George Earle Buckle, *The Life of Benjamin Disraeli, Earl of Beaconsfield*, 2 vols. (London, 1929), vol. 2, 473–4.

fulfillment that had been lacking at the conclusion of the Austro-Prussian war in 1866. "We finally feel firm ground under our feet. The German state exists," wrote the historian and journalist Heinrich von Treitschke, one of the loudest apostles of German unification. "Millions feel how difficult are the challenges it poses, and how glorious the gift it has given us."²

Still, the character of this gift left much to the imagination. Despite the excitement, little looked different at home. Whether in Prussia, Saxony, Braunschweig, Baden, or Bavaria, public institutions remained at every level much as they had been before the war. So did routine daily encounters with policemen and judges, tax collectors, schoolteachers, and other representatives of the state. A German national state, long a utopian vision whose features could only be imagined, now had to be defined, constituted, and constructed in practice.

The formal beginnings of this process seemed smooth. In a series of negotiations that culminated in formal treaties in November 1870, the four south German states – Baden, Württemberg, Bavaria, and the Grand Duchy of Hessen – agreed to join the North German Confederation and, with minor modifications, to accept its constitution as the foundation of the new state. The pertinent treaties went into effect on January 1, 1871; with them, this state came formally into existence, constituted as the German Empire (*Deutsches Reich* or *Deutsches Kaiserreich*), also known as Imperial Germany. The ceremonial culmination came on January 18 in Versailles, where the German army's high command had established its headquarters. Here the Prussian king, Wilhelm I, formally accepted the title of German Emperor (*Deutscher Kaiser*). In May 1871, the new state's parliament approved and promulgated the text of the constitution.

In reality, behind each of these steps lay contentious issues, including concessions to the south German states and the reluctance of the Prussian king himself to accept the imperial title, which he regarded as a degradation of his royal rank. Disagreement even reigned over whether a "*Reichsgründung*," the founding of a new German Empire, had taken place at all. Whether the founding act represented the expansion of the existing Confederation or its dissolution and replacement by a new state was a question that occupied German constitutional lawyers for decades thereafter, as did the issue of where sovereignty ultimately resided within the polity that had resulted.³ These debates were but one indication of how complicated and ambiguous the constitutional situation had become.

² Heinrich von Treitschke, "Parteien und Fractionen," in Karl Martin Schiller, ed., *Aufsätze, Reden und Briefe*, 5 vols. (Meersburg, 1929), vol. 3, 616.

³ Dieter Grimm, "Was the German Empire a Sovereign State?" in Sven Oliver Müller and Cornelius Torp, eds., *Imperial Germany Revisited: Continuing Debates and New Perspectives* (New York, 2011), 51–66; Ernst Rudolf Huber, *Deutsche Verfassungsgeschichte seit 1789*, 8 vols. (Stuttgart, 1957–91), vol. 3, 760–5.

The new state's constitution was, for practical intents and purposes, the constitution of the North German Confederation writ large.⁴ The German Empire was constituted as a federation (*Bundesstaat*) among twenty-five member states – four kingdoms, six grand duchies, five duchies, seven lesser principalities, and three free cities (Hamburg, Bremen, and Lübeck) – in addition to the so-called *Reichsland* of Alsace-Lorraine, which the new German state seized from France in 1871, then ruled directly from Berlin. The critical institutional nodes in the German Empire were accordingly the member states. On their authority alone, the German Empire had come formally into existence; on the subject of popular sovereignty, the new federal constitution breathed not a word. Along with their own constitutions, the member states retained most of the powers they had enjoyed before unification, including jurisdiction over education, religion and other cultural affairs, police, railways, roads, and canals. Several of these states, including Bavaria and Württemberg, retained their military autonomy in peacetime, as well as their own postal and telegraphic services and embassies abroad. Nor did unification alter the distribution of political power within these states. Most were still ruled by princes, whose control over their ministries and bureaucracies remained broad, despite the existence of state parliaments (*Landtage*). The powers, composition, and election of these parliamentary bodies varied, but they were everywhere set up to ensure that government remained in the hands of the well born and well situated.

This proposition held true in the leading member state as well. The kingdom of Prussia was only a little less hegemonic in the German Empire than it had been in the North German Confederation. It comprised about two-thirds of the territory of the new state, as well as three-fifths of its population. The distribution of political power within Prussia conformed to the pattern in most of the other member states. The constitutional crisis of the 1860s had left the Prussian king's executive prerogatives intact, including his power to name his own ministers, even as it affirmed the powers of the Prussian parliament to approve the state's budget. Prussia's plutocratic class-based suffrage system, which was more restrictive than the franchise in most other states, continued to govern elections to the lower house of this parliament, ensuring the disproportionate weight of representatives from the Prussian aristocracy, hence the continuing influence of this social group in both Prussia and the new Reich.

The hegemony of Prussia was anchored as well in the new German state's federal institutions. These found a home in Berlin, which henceforth served as

⁴ Michael John, "Constitution, Law, and Administration," in Roger Chickering, ed., *Imperial Germany: A Historiographical Companion* (Westport, CT, 1996), 185–214; Wolfgang J. Mommsen, *Das Ringen um den nationalen Staat: Die Gründung und der innere Ausbau des Deutschen Reiches unter Otto von Bismarck 1850–1890* (Berlin, 1993), 333–83.



Map 3 The German Empire, 1871–1918. Source: Map by David McCutcheon FBCart.S www.dvdmaps.co.uk.

both the Prussian and imperial capital. The structure and powers of most of these federal institutions were carried directly over from the North German Confederation, for they continued to reflect the preferences of their creator, Otto von Bismarck. Chief among his concerns was to strike a balance between these institutions and those of the member states.⁵ The federal government was equipped with substantive powers, but these were not substantive enough to threaten the dominant position of Prussia in the whole system. The result was an institutional network of great ingenuity, complexity, and controversy. The German emperor was also the king of Prussia; and he appointed both the minister-president of Prussia and a federal counterpart, a chief executive called the imperial chancellor. To the surprise of no one, Bismarck himself took over both offices, setting a precedent that survived him and was only briefly abandoned during the history of the German Empire.

The most controversial institution was the federal parliament, the Reichstag. The controversy had less to do with the institution itself, for parliamentary bodies were by now a common feature of both the German and European political landscape; it attached instead to the voting system with which the Reichstag was to be elected. Here Bismarck retrieved a feature from the constitution that the Frankfurt parliament had issued fruitlessly in April 1849. This document had provided for a national parliament based on full, equal suffrage for all males aged twenty-five years and older. Bismarck, the man whom liberals and democrats had vilified several years earlier as a despot, adopted this very provision as he fashioned the new Reichstag into one of the most democratic bodies in Europe. He reduced the risks of this move, however, by narrowly defining the jurisdiction and powers of this institution. Federalism in Imperial Germany left most business of government to the member states, so the jurisdiction of the federal agencies was limited to matters such as foreign affairs, the central postal and telegraph systems, fiscal and commercial policy, and the federal legal system.⁶ Even in these areas, though, the Reichstag found its powers circumscribed by the absence of an executive ministry that was responsible to it. Technically speaking, there was no federal cabinet. Instead, “state secretaries” in a number of federal offices – for foreign affairs and the postal service, for example – advised the chancellor, who alone was responsible to the Reichstag, in the sense that only he was required to defend the federal government’s policies in front of this body. The chancellor owed his appointment, however, to the emperor alone, so not even a unanimous vote of no confidence from the Reichstag could remove him from office. To emphasize this fact, the constitution also provided that no official in the federal executive could simultaneously be a member of the Reichstag.

⁵ Oliver F. R. Haardt, *Bismarcks ewiger Bund: Eine neue Geschichte des Deutschen Kaiserreichs* (Darmstadt, 2020), 211–21.

⁶ Rudolf Morsey, *Die oberste Reichsverwaltung unter Bismarck 1867–1890* (Münster, 1956).

The Reichstag's most important powers lay in approving the budgets of federal agencies. But even these powers were carefully confined. Only the member states were empowered to levy direct taxes – a mixture that varied widely from state to state but eventually included taxes on income, property, profits, and capital gains. The federal government, whose main expenditures were devoted to the army and navy, relied instead on indirect taxes, mainly excises on a range of consumer items (such as alcoholic beverages, tobacco, and salt), income from tariffs, revenues from the postal service and other federal agencies, and annual levies on the member states (called *Matrikularbeiträge*), which were calculated according to the central government's fiscal needs and the member states' populations. In this way, as Bismarck put it, the federal government's role was to be a "freeloader on the member states."

Another institution completed the bridling of the democratic parliament. The German states figured directly in national legislation, too. They were represented in the federal government in an institution called the Bundesrat or Federal Council, which, because it comprised delegates from all the member states, recalled the assembly of the German Confederation of the early nineteenth century.⁷ Sovereignty in the new state was collectively vested in this remarkable body – a conglomerate that resisted, as Oliver Haardt has noted, "any theory of public law."⁸ The Prussian king was its president and chairman, the leading figure in the federal executive. In some respects, the Bundesrat functioned like an upper house of the federal legislature. It had powers to initiate as well as to veto legislation passed by the Reichstag. It also had the power to amend the constitution. While the delegates of each state were required to vote as a unit, the fifty-eight members of the Bundesrat were apportioned roughly according to the population of member states – so, for example, Prussia had seventeen members, Bavaria had six, Württemberg three, while the smallest seventeen states each had one.

The most striking thing about the Imperial German constitution was the hegemonic role of Prussia in the new state. Beyond the positions of the Prussian king and minister-president in the federal government, the federal state secretaries were usually also the heads of the corresponding Prussian ministries, although their federal bureaucracies were far smaller than their Prussian counterparts. In view of its size, Prussia could in fact have claimed many more seats in the Bundesrat, but it retained enough votes to block constitutional changes. One final matter, which was in many eyes the most

⁷ Manfred Rauh, *Föderalismus und Parlamentarismus im Wilhelminischen Reich* (Düsseldorf, 1973), 37–117; Karl-Dietrich Erdmann, "Der Bundesrat: Eine historische Standortbestimmung," *GWU*, 33 (1982), 193–204.

⁸ Haardt, *Bund*, 224.

significant of all, sealed the issue, even as it further complicated the constitutional landscape. The organization of the Imperial German Army (*Reichsheer*) was given official form in the constitution. The army's defining feature was its domination by the army of Prussia, which had by 1871 absorbed the armies of twenty-one of the member states. The result was that twenty-five of the German army's thirty-six divisions were Prussian. The others comprised autonomous contingents that were conceded to Saxony, Bavaria, and Württemberg but were themselves linked by treaty to Prussia. In the now-formalized new structure, these contingents, too, fell under the command of the Prussian king upon the declaration of war. Consequently, the institutions and practices of the Prussian army, including compulsory military service, organization, training, discipline, military law, weaponry, and field regulations, henceforth applied to soldiers throughout Germany. The Prussian king's powers of military command had emerged unscathed from the constitutional crisis of the 1860s; and they were henceforth both broadly defined and shielded from the Reichstag's control. There was no federal State Secretary of War, only the Prussian Minister of War (as well as his counterparts in Saxony, Bavaria, and Württemberg); and even the Reichstag's powers over the army's budget remained initially ill-defined.

There was substance to the charge that the new Germany was not so much *kleindeutsch* as *grosspreussisch*, that the wars of 1866 and 1870 signified Prussia's conquest of Germany. These events also signified Bismarck's triumph over the political vision that had animated the Prussian liberals during the earlier constitutional crisis. Despite superficial appearances, the new Germany was not to be a parliamentary system – like the British monarchy or the new republican system in France – in which the executive ultimately answered to the parliament. In basic respects, Imperial Germany remained an autocratic state with a constitution.

Another difficulty was that this constitution represented, by its very nature, only a legal and political framework. It left open central issues about the German people whose institutional unification it had sealed. The German people (*Volk*) was mentioned in the constitution's preamble not as the agent, but only as the object of the new state. The state, read the constitution, had been established "to protect the national territory and the law of the land as well as to promote the welfare of the German *Volk*."⁹ At both the federal and member-state levels, the constitution gave the impression that sovereignty was vested not in the people, but instead in the constituent states of the new Reich, whose executive leaders were in most cases the princes.

⁹ Louise W. Holborn, Gwendolen M. Carter, and John H. Herz, eds., *German Constitutional Documents Since 1871: Selected Texts and Commentary* (New York, 1970), 19, where "Volk" is translated as "people."

This proposition raised a host of questions about the meaning of the “German nation-state.” What, beyond the constitution, did its citizens have in common? In what ways were they united? Common citizenship in the new state (*Reichsangehörigkeit*) was formally acquired by virtue of separate citizenship in a member state (*Staatsangehörigkeit*). Other than voting, what moral and material benefits, rights, and privileges did common citizenship confer? Other than paying taxes, obeying national laws, and, if they were male, performing military service, what moral and material obligations did the citizens of the new state incur? These questions quickly became matters of practical politics.

Institutional Integration

In 1908, in a classic study of the origins of the German nation-state, the historian Friedrich Meinecke drew the distinction between a “cultural nation” (*Kulturnation*) and a “political nation” (*Staatsnation*), highlighting the developmental differences that, he claimed, distinguished Germany from the West. He wrote of nations, such as Germany, that rested principally on “a commonly experienced cultural heritage” and those, like France and England, that rested instead on “the unifying power of a common political history and constitution.”¹⁰ The distinction was primarily one of timing. The essential work of establishing a national culture in the western lands came, Meinecke argued, only after the political consolidation of the state. In Germany, by contrast, the formation of the national culture preceded the consolidation of the state in 1871.

Meinecke’s distinction long found general acceptance, particularly among German scholars, who believed that the German pattern of development corresponded to the unique historical eminence of German culture. In recent years, however, Meinecke’s categories have come under criticism. Amid linguistic landscapes no less variegated than the German, historians have found evidence of an English and a French national culture well before the political consolidation of a modern state in these lands. They have also noted the narrow social foundations of German high culture before 1871, arguing that a comprehensive national culture took shape primarily after the founding of the German Empire.¹¹ *Pace* Meinecke, Imperial Germany was a *Staatsnation*, too.

For nation-building in Germany and everywhere else, this proposition emphasizes the importance of institutions, understood as systems of communication. Institutions made possible the shaping of common experiences, the

¹⁰ Friedrich Meinecke, *Weltbürgertum und Nationalstaat: Studien zur Genesis des deutschen Nationalstaates* (Munich, 1908), 2–3.

¹¹ Siegfried Weichlein, *Region und Nation: Integrationsprozesse im Bismarckreich* (Düsseldorf, 2004); Dieter Langewiesche, “Staatsbildung und Nationsbildung in Deutschland – ein Sonderweg? Die deutsche Nation im europäischen Vergleich,” in *Reich, Nation, Föderation: Deutschland und Europa* (Munich, 2008), 145–60.

acceptance of shared meanings, and, on this basis, an emerging sense of collective identity among the people who constituted the nation.¹² Constructing a national culture, “imagining the national community,” thus required national institutions, which in Germany, no less than in France or England, had to be built.¹³ In the new German Empire, the extensive powers of the member states, particularly Prussia’s, made this a complicated and problematic undertaking from the start. Technically, the new German constitution provided for only one national institution. This was the Reichstag. Electing this body linked all German adult males, whatever their rank or station, in a common ritual that was scheduled every three years (every five years after 1890) to elect 397 delegates who, regardless of their partisan affiliations, collectively represented the German nation. The singular national significance of this institution was at odds with its marginal position within the constitutional structure of power, which found fitting symbolic expression in the location of the Reichstag building in Berlin. Completed only in 1895, this edifice was situated at a considerable distance west of the Royal Palace, the ministerial quarters, and the Prussian parliament – the real centers of power in the new state.¹⁴

Although the process entailed prolonged parliamentary strife between the champions of centralization and the advocates of member-state power, the institutional bases of more extended and ramified national interaction began to take shape during the 1870s. Many observers likened this process to an “internal founding of the Empire.” A practical legal basis lay in constitutional provisions that guaranteed freedom of movement throughout the new state, as well as the right of Germans to settle anywhere within it. These provisions removed a variety of laws that had for ages restricted mobility and residence within and among the German states.

On this basis, as Oliver Zimmer has observed, the internal foundation of the German nation involved erecting “a scaffolding of new institutions designed to fortify the nation as a tangible community of praxis.”¹⁵ Rudiments of this scaffolding were already in place in 1871. Most of the common institutions of compulsory military service had been defined in Prussia and the other German states during the decade before the *Reichsgründung*. Military service immediately became a common experience for males in the new state. They were

¹² Karl Deutsch, *Nationalism and Social Communication: An Inquiry into the Foundations of Nationality*, 2nd ed. (Cambridge, MA, 1966); cf. Ernest Gellner, *Nations and Nationalism* (Ithaca, NY, 1983).

¹³ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London, 1983).

¹⁴ Wolfgang Hardtwig, “Bürgertum, Staatssymbolik und Staatsbewußtsein im Deutschen Kaiserreich 1871–1914,” *GG*, 16 (1990), 280.

¹⁵ Oliver Zimmer, *Remaking the Rhythms of Life: German Communities in the Age of the Nation-State* (Oxford, 2013), 7.

required to register for the draft at age eighteen and became eligible for induction two years later. After serving in active regiments for three years (after 1893 for two), they passed into a series of reserve levies, in which they were required to participate in training and maneuvers for several weeks a year. Here they served until they were well into their forties, after which they were encouraged to join veterans' associations (*Kriegervereine*), which were overseen by regular soldiers. Regiments were locally recruited, so direct interaction among soldiers usually involved young men from the same region. Yet military service perforce involved them all in a broader community as well. It trained them in a common set of martial skills and civic attitudes; and it rested on a civic obligation that extended to the sacrifice of their lives in the national defense.

Meanwhile, other networks of national communication were being institutionalized.¹⁶ An Imperial German postal and telegraph system was born formally in 1875. Its basis, too, was a system established in the North German Confederation, which had reduced an institutional tangle of seventeen separate postal networks into one. It incorporated some 500 private postal offices that the princes of Thurn and Taxis had operated in eighteen different German states. With unification, this consolidated system was expanded into the imperial postal and telegraph service. However, the result was not one, but three services, for, in a gesture to their autonomy in the new Reich, Bavaria and Württemberg were allowed to retain their own services and to issue their own stamps. Still, over the next two decades the expansion of the imperial postal system registered in new, German postage stamps, the tripling of the number of mailboxes (all decorated with the imperial insignia), and in the establishment of more than 16,000 new post and telegraph offices. Much like the railroads, along which the telegraph lines ran, both the postal and telegraphic services drew isolated rural areas into a national network of direct interaction. The effectiveness of the communication was best marked both practically and symbolically by the sudden popularity of postcards. After they had linked German soldiers to their families and friends at home during the war in France, postcards began to circulate throughout Imperial Germany as a preferred mode of correspondence. With information supplied to them telegraphically, newspapers, too, traveled through the mails, linking readers both regionally and nationally. The legal terms of newspaper circulation were now regulated throughout the country as well. An Imperial Press Law, which the Reichstag passed in 1875, abolished censorship practices and other restrictions on the press that had been common in Germany after 1849. Prior censorship ended, as did the licensing fees that publishers and editors of newspapers, journals, and other printed matter had paid. Editors were responsible, however, for all legal transgressions – such as sedition or libel – in which

¹⁶ See Beate Althammer, *Das Bismarckreich 1871–1890*, 2nd ed. (Paderborn, 2017), 65–88.

their publications were vehicles; and, to this end, they were required to present a copy of each issue to the local police and, if called on, to print corrections of objectionable information.

The newspapers, mails, and much else moved by rail. The ongoing expansion of the German rail network further promoted communication on a national scale, albeit amid its own institutional clutter.¹⁷ Not least for military reasons, Bismarck and his allies hoped initially to amalgamate eighteen separate railway administrations, which comprehended more than sixty separate public and private railway companies, into a single, centrally administered public network. These plans ran aground on resistance from the member states. A measure of consolidation began nevertheless at the end of the 1870s. With Prussia in the lead, the member states themselves took over most of the private companies that had operated in their territories. By 1890, less than 10 percent of the German rails remained in private hands, and most of these lines belonged to small feeder systems.¹⁸ Still, the administrative decentralization of the railways survived and for decades complicated efforts of the Federal Office of Railways, which was created in 1873, to establish nationwide uniformity in rates, gauges, equipment, rolling stock, station design, and safety standards. The continuing construction of rail lines knitted state networks nevertheless more tightly into a national system, albeit with inconveniences like having to change trains at state borders. By 1891, a train could travel along Prussian rails from Berlin to the outskirts of Hamburg, a distance of 286 kilometers, in three and a half hours, while the journey from Magdeburg to Leipzig, a stretch of 199 kilometers, which required the service of both the Prussian and Saxon state railways, took a little over two hours – hence was slower by about twelve seconds per kilometer. Meanwhile, the trip from Hamburg to Munich, which required travel on three different state railways, took almost seventeen hours. However, an additional measure of uniformity arrived in 1893, when, largely in order to coordinate service on the rail network, the German Empire was unified into a single time zone.

Together with expanding systems of canals and roads, rail transportation had an essential commercial dimension. It complemented reforms that had, in the name of free trade and commercial equality, dismantled the last surviving legal privileges, monopolies, and restrictions of the old order in Germany. The liberal commercial code of the North German Confederation was extended to south Germany in 1873, just as another foundation of the new commercial

¹⁷ Christian Heinrich-Franke, *Gescheiterte Integration im Vergleich: Der Verkehr – ein Problemsektor gemeinsamer Rechtsetzung im Deutschen Reich (1871–1879) und der Europäischen Wirtschaftsgemeinschaft (1958–1972)* (Stuttgart, 2012); Allan Mitchell, *The Great Train Race: Railways and the Franco-German Rivalry, 1815–1914* (New York, 2000), 120–55.

¹⁸ Thomas Nipperdey, *Deutsche Geschichte 1866–1918: Arbeitswelt und Bürgergeist* (Munich, 1990), 261.

order was laid in a national monetary system. Despite streamlining under the Zollverein, seven separate currency areas had remained in 1870, along with thirty-three independent banks of issue, public and private. So, coins and banknotes, which were based on silver or gold, circulated in breathtaking variety. The process of consolidation began in 1871. It entailed removing from circulation a mélange of south German Gulden, north German Thaler, Doppelthaler, Vereinstaler, Kronen, Groschen, Kreuzer, and Heller. In their stead arrived a single national currency, which was denominated in Marks and Pfennige and rested, after 1875, exclusively on the gold standard, which Germany had adopted in 1873. In 1876, a central bank, the Reichsbank, was founded atop the new monetary system, although thirty-two banks retained power to issue the national currency. A new Federal Office of the Treasury followed in 1879, and by the end of the century the country had the institutional bases to implement a uniform monetary policy with standardized discount rates.

As these institutions removed commercial and monetary frontiers within the new German state, central legislation dismantled frontiers of another kind. These had preserved a rich diversity of legal systems throughout the German lands.¹⁹ Within a decade of the new state's establishment, the foundations of a single federal legal system had been laid. The commercial code, which was supported by a network of commercial courts, was a central feature of this effort, too. In 1871, a common penal code, which the North German Confederation had already enacted, was extended to the entire German Empire. National codes of criminal and civil procedure followed several years later, together with a federal court system, which culminated in a central supreme court (*Reichsgericht*) in Leipzig as a final court of appeal. The creation of a Federal Office of Justice followed as well. Only a comprehensive civil code remained to be written. This undertaking began in 1873 but was so complex that it required the rest of the century to complete.²⁰ In some legal spheres, the member states retained jurisdiction, including over most aspects of administrative law, while their universities continued to train their judges and other jurists. Nevertheless, legal uniformity henceforth prevailed in most areas of German jurisprudence, including patent law. An Imperial Patent Office was established in 1877.

The most basic dimension of national integration was cultural. It bore on communication in speech and writing; and it, too, rested on institutions. School systems in the German states had virtually eliminated illiteracy by the last decades of the century, but barriers to oral and written interaction survived

¹⁹ Michael Stolleis, "'Innere Reichsgründung' durch Rechtsvereinheitlichung 1866–1880," in Christian Starck, ed., *Rechtsvereinheitlichung durch Gesetze* (Göttingen, 1992), 15–41.

²⁰ Michael John, *Politics and the Law in Late Nineteenth-Century Germany: The Origins of the Civil Code* (Oxford, 1989).

in scores of impenetrable local dialects, varying competence in high German, and regional irregularities in the language itself. Efforts to address this last problem, to systematize the orthography of the national language, antedated the *Reichsgründung* (the brothers Grimm had begun their famous *German Dictionary* in 1838), but pressures toward uniformity in this direction mounted after 1871 from philologists, teachers, publishers, and public officials. An effort under Prussian auspices to produce national standards of spelling foundered in 1876 on resistance from other member states. In response, Prussia and Bavaria issued official spelling rules for use in the schools of their own states. These were similar enough that Konrad Duden incorporated them into his authoritative *Orthographic Dictionary of the German Language* in 1880, after which they won acceptance in most parts of Imperial Germany. The orthographic rules did not, however, address another linguistic problem. German was in no form the first language of citizens in several parts of the new state – among Poles in eastern Prussia, Danes in northwest Prussia, and French speakers in Alsace-Lorraine. In a controversial step in 1876, the Prussian government confronted this problem with a heavy hand in its own territories, declaring that German was henceforth to be only the language of state business.²¹

More than the spelling, the common meaning of German words, like “Deutschland” and “Vaterland,” was a defining criterion of a national community. The state’s most immediate attempt to fix these meanings flowed through the basic institutions of civic socialization, the public elementary schools (*Volksschulen*). These schools were organized as a rule by confession, but they, too, lay in the bureaucratic domain of the member states, which brought administrative and curricular coordination of their schools to completion after unification. By the 1880s, attendance stood at over 90 percent of the country’s children, although the rate was higher in urban and Protestant areas than in rural or Catholic Germany.²²

Because state schools lay within twenty-five different bureaucratic regimes, the effort to attach uniform civic meanings to German words remained a contentious quest. It was basic to the construction of a common sense of civic loyalty, national identity, or patriotism (*Vaterlandsliebe*). The events of 1871 quickly made their way into textbooks and readers, which teachers’ associations published and state ministries selected for use in subjects that were of immediate relevance to civic education, such as history, geography, and culture (*Heimatkunde*). The situation in Prussia, where the better part of

²¹ Theodor Schieder, *Das Deutsche Kaiserreich von 1871 als Nationalstaat* (Cologne, 1961), 95–124.

²² Sascha O. Becker, Francesco Cinnirella, and Erik Hornung, “Bildung, Entwicklung und Nationsbildung im 19. Jahrhundert,” in Ulrich Pfister, Jan-Otmar Hesse, Mark Spoerer, and Nikolaus Wolf, eds., *Deutschland 1871: Die Nationalstaatsbildung und der Weg in die moderne Wirtschaft* (Tübingen, 2021), 313–33.

these schools was located, revealed why curricular standardization was a sensitive issue. Here the schoolbooks easily incorporated a reading of German history – hence a civic meaning of national unity – in a form that became known as “Borussian,” insofar as it accented the heroic place of Prussia in German history. In this reading, Prussia had been destined to lead German history to fulfillment in a “Second” German Empire – a mighty successor to the first, Holy Roman Empire, which had expired in impotence at the beginning of the nineteenth century. This extravagant reading of Prussia’s achievements, which associated things national with things Prussian, was not palatable in other German states, particularly in the south.²³ Here questions of national unity had to comport with regional loyalties, which were focused on regional dynasties. Classroom instruction accordingly stressed the cultural foundations of national unity, affinities of language, and folkways that were portrayed not so much as the feat of Prussian arms as a collective achievement, the roots of which lay in the traditions of the Holy Roman Empire. School readers in Württemberg did not even mention the name of Bismarck until after his death.²⁴

Resistance to a Prussocentric vision of the nation was most pronounced and durable in Bavaria, where the idea had early surfaced that the king should be appointed “vice-Kaiser.”²⁵ Here the word “Vaterland” referred in the first instance to the Bavarian kingdom. The emphasis in the Bavarian classroom fell accordingly on Bavarian history. The role of Bavarian soldiers was highlighted in the wars of German unification, the role of Prussia minimized, although the common quip was only half facetious that Bavaria’s “most beautiful” war had been waged not in 1870 but in 1866, when Bavarian soldiers were still allowed to shoot Prussians.²⁶

In the aftermath of unification, the constitutional structure of the new state amplified the challenges of national integration, both cultural and material. The obstacles were reflected in the very symbols of the new German Empire’s unity. These gestated slowly, haphazardly, and amid no little controversy. The problems revolved again principally around the location of Prussia in this symbolism. For one thing, the Hohenzollern king, like many Prussian conservatives, resisted any imputation that Prussia was to be subsumed under the new Reich. They believed that even the title of “Kaiser,” which resonated with

²³ Katherine D. Kennedy, “Regionalism and Nationalism in South German History Lessons, 1871–1914,” *GSR*, 12 (1989), 11–33;

²⁴ Abigail Green, *Fatherlands: State-Building and Nationhood in Nineteenth-Century Germany* (Cambridge, 2001), 321.

²⁵ Hans-Michael Körner, “Geschichtsunterricht im Königreich Bayern zwischen deutschem Nationalgedanken und bayerischem Staatsbewußtsein,” in Karl-Ernst Jeismann, ed., *Bildung, Staat, Gesellschaft im 19. Jahrhundert: Mobilisierung und Disziplinierung* (Stuttgart, 1989), 245–55.

²⁶ Weichlein, *Region*, 290–339.

memories of the Holy Roman Empire and its Catholic Habsburg rulers, was objectionable. The counterpart to this Prussian particularism was resistance in south Germany to symbols that implied Prussian hegemony in the new state.²⁷

For these reasons, even the figure of Emperor Wilhelm I could not figure unambiguously during his own reign as a national, as opposed to a Prussian symbol.²⁸ Not only was he, by his own preference, first and foremost the Prussian king, but he also stood symbolically in the shadow of Bismarck, who had been the driving force in the events that had culminated in unification.²⁹ The debate over the colors of the imperial flag spoke to similar problems. An obvious precedent lay in the black, red, and gold of the flag that had flown atop the Paulskirche in 1848–9, as the Frankfurt parliament attempted to draft a democratic national constitution – a project that had collapsed when the Prussian king, Friedrich Wilhelm IV, refused to accept the imperial office. The same revolutionary associations made this tricolor odious to his brother, who had succeeded to the Prussian throne in 1861 as Wilhelm I. A resolution to the issue of the flag came in response to a practical problem, when the merchant marine of the new North German Confederation needed a new flag to fly on its vessels. Bismarck's response was to combine the black and white of the Prussian flag with the red and white of the Hanseatic cities. Despite the hopes of south Germans and many others who preferred the black, red, and gold, this new tricolor – black, white, and red – carried over onto the flag of the German Empire, which became official only in the 1890s.³⁰

Patriotic music was likewise burdened with troublesome associations. Officially there was no national hymn in Imperial Germany. Several songs vied instead for the distinction. The “Watch on the Rhine,” which Max von Schneckenburger had written in 1840 during a war scare with France, invoked German nationalism, the determination of all Germans to defend their nation against its foreign enemies. Despite the subversive undertones of popular nationalism in the age of Metternich, this song not only proved immensely popular among German soldiers who later fought in France in 1870, but it also helped turn the Rhine itself into a symbol of the nation. “*Heil Dir im Siegerkranz*” (“Hail to Thee in the Victor's Garland”) was a more traditional Prussian hymn and was sung after 1870

²⁷ Christa Berg, *Die Okkupation der Schule: Eine Studie zur Aufhellung gegenwärtiger Schulprobleme an der Volksschule Preußens (1872–1900)* (Heidelberg, 1973); Thomas Mergel, “Mapping Milieus Regionally: On the Spatial Rootedness of Collective Identities in the Nineteenth Century,” in James Retallack, ed., *Saxony in German History: Culture, Society, and Politics, 1830–1933* (Ann Arbor, MI, 2000), 94.

²⁸ Thomas Kroll, “Die Monarchie und das Aufkommen der Massendemokratie: Deutschland und Großbritannien im Vergleich (1871–1914),” *ZfG*, 61(2013), 316.

²⁹ Heinrich von Sybel's seven-volume history of German unification was entitled “The Foundation of the German Reich by Wilhelm I.” Critics quipped that the title should have been “The Foundation of the German Reich despite Wilhelm I.”

³⁰ Peter Reichel, *Glanz und Elend deutscher Selbstdarstellung: Nationalsymbole in Reich und Republik* (Göttingen, 2012), 99–113.

on occasions when the king/emperor was present. Its Prussian associations limited its utility, as did the fact that it was set to the tune of a foreign song, "God Save the King." A compromise of sorts emerged in the 1890s with the growing popularity of August Heinrich Hoffmann von Fallersleben's "*Deutschlandlied*," whose first stanza, "*Deutschland, Deutschland über alles*," reflected the song's origins in the same war scare that had inspired Schneckenburger's. It helped that this song was set to Haydn's "*Kaiserlied*."

Nor could the early monuments to national unity evade such complications.³¹ The era after 1870 witnessed an explosion of monuments, whose principal function was to display a distinct vision of the new nation-state.³² The most spectacular example was the Victory Column (*Siegessäule*) in Berlin, which was unveiled in 1873 to commemorate the three wars of German unification. The shifting configurations of allies and enemies during consecutive wars against Denmark, Austria, and France – the fact that German states were on opposite sides in the first two – posed obvious symbolic difficulties. The friezes at the base of the monument simply ignored the first two wars, portraying only the third, in which everyone finally turned up on the right side. At the top of the column stood the figure of Victoria, the goddess of victory. The fact that she carried the Prussian Iron Cross, had the name of the Prussian crown princess, and resembled the same woman physically all indicated Victoria's identity with Prussia. Other early national monuments, such as the Niederwald Monument near Rüdesheim on the Rhine, captured the same Prussian tie. They, too, recalled the war of 1870, depicting the Prussian king at the head of his army. Like the victory monument in Bielefeld (which was also in Prussia), many were modeled on the Victory Column in Berlin.³³ Monuments to the recent war against France were common outside Prussia as well, but their theme was usually the heroism of non-Prussian units, such as the Badenese soldiers who decorated the victory monument in Freiburg, which was unveiled in 1876 in the presence of both the Kaiser and the grand duke of Baden.³⁴

³¹ Reinhart Koselleck, "Kriegerdenkmale als Identitätsstiftungen der Überlebenden," in Odo Marquard and Karl-Heinz Stierle, eds., *Identität* (Munich, 1979), 253–76; Reinhart Koselleck and Michael Jeismann, eds., *Der politische Totenkult: Kriegerdenkmäler in der Moderne* (Munich, 1994); Reichel, *Glanz*, 221–4; Michael B. Klein, *Zwischen Reich und Region: Identitätsstrukturen im Deutschen Kaiserreich (1871–1918)* (Stuttgart, 2005), 189–244.

³² Thomas Nipperdey, "Nationalidee und Nationaldenkmal in Deutschland im 19. Jahrhundert," *HZ*, 206 (1968), 542; Reinhard Alings, *Monument und Nation: Das Bild vom Nationalstaat im Medium Denkmal. Zum Verhältnis von Nation und Staat im deutschen Kaiserreich 1871–1918* (Berlin, 1996).

³³ Kai Kruse and Wolfgang Kruse, "Kriegerdenkmäler in Bielefeld: Ein lokalhistorischer Beitrag zur Entwicklungsanalyse des deutschen Gefallenenkultes im 19. und 20. Jahrhundert," in Koselleck and Jeismann, eds., *Totenkult*, 100–3.

³⁴ Heiko Haumann and Hans Schadek, eds., *Geschichte der Stadt Freiburg im Breisgau*, 3 vols. (Stuttgart, 1992–6), vol. 3, 171.

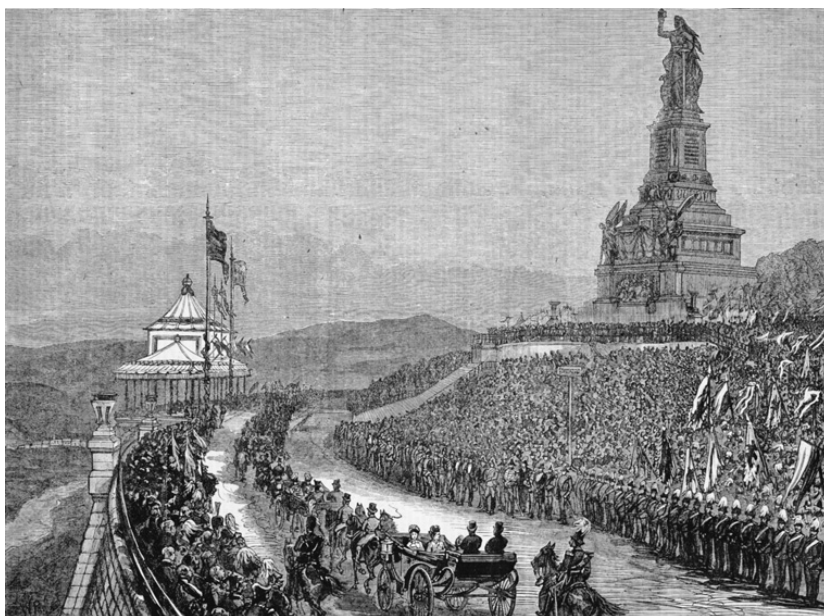


Figure 1.1 Niederwald Monument, Rüdesheim. Source: Getty Images.

The unveiling of the *Siegessäule* in Berlin in 1873 took place on September 2. The staging of the event on this day was significant, for it suggested tacit imperial approval for establishing the date, which in 1870 had seen the crushing defeat of French armies at the Battle of Sedan, as a national holiday.³⁵ The initiative for turning Sedan Day into a holiday had come, however, not from the imperial throne, but from a coalition of Protestant leaders, local elites in south German cities, and veterans' associations. The fact that some of these groups had opposed Prussian policies during the 1860s led the emperor to withhold official sanction for the holiday. In some parts of Germany, the date became a holiday nevertheless, the occasion for elaborate national celebrations amid speeches, parades, beflagged buildings, and popular festivals. On the other hand, Wilhelm's acceptance of the imperial title on January 18, as well as his birthday on March 22, were celebrated as holidays, particularly in Prussia, while the birthdays of other ruling princes, such as

³⁵ Hartmut Lehmann, "Friedrich von Bodelschwingh und das Sedanfest: Ein Beitrag zum nationalen Denken der politisch aktiven Richtung im deutschen Pietismus des 19. Jahrhunderts," *HZ*, 202 (1966), 542–73; Alon Confino, "Localities of a Nation: Celebrating Sedan-Day in the German Empire," *TAJbDG*, 26 (1997), 61–74; Claudia Lepp, "Protestanten feiern ihre Nation: Die kulturprotestantischen Ursprünge des Sedantages," *HJb*, 118 (1998), 201–22.

Grand Duke of Friedrich I of Baden on September 9, were similarly observed in their respective states.

Whatever the tensions in their gestation and initial presentation, the symbolic emphasis in these celebrations was military by design. The German Empire was born in a series of short, brilliant wars. War was the fact of life in the new state, and much of the early monumental symbolism also gestured to the likely enemy. Completed in 1875, a huge monument, the "*Hermannsdenkmal*," celebrated the German defeat of the Roman legions in the Battle of the Teutoburg Forest in 9 CE. It faced not toward Rome but west, toward France. So did the large figure of Germania atop the Niederwald monument in Rüdesheim, which opened in 1883. Patriotic verse also sang of the peril that lurked across the Rhine, awaiting revenge for its military humiliation at German hands in 1870–1. Military vigilance was thus a principal sign under which national unity was invoked, civic integration pursued, and national institutions built in Imperial Germany.

The National Milieu

"If we weigh recent experiences," wrote Treitschke early in 1871, "the hope does not appear too rash that our political life will in the future take on milder forms and that out of the clash of opinions, a foundation of national political sentiments will gradually take shape, which is shared by all German men of judgment."³⁶ This hopeful prediction was quickly put to a test. In early March 1871, elections took place for the first Reichstag of the imperial era. The primary concern of the elected delegates (one of whom was Treitschke himself) was formally to ratify the new imperial constitution. Before they could do so, a heated debate broke out over a motion brought forward by Catholic deputies. They proposed to complete the constitution with a national bill of rights, which would, among other things, guarantee freedom of speech, assembly, and religion. The motion failed, on the grounds that it would extend the purview of the central government into German cultural affairs, hence into the jurisdiction of the member states. In the end, all but seven delegates in the new Reichstag voted to accept the constitution as Bismarck had crafted it. Nonetheless, this early "clash of opinions" suggested that political conflict was not going to disappear in the new state but would follow patterns of the previous decade. The political forces that harbored the greatest reservations over Bismarck's settlement comprised Catholics, democrats (particularly from the south), representatives of the nascent labor movement, and delegates from areas, like Hanover, recently annexed to Prussia. Fears of Prussian hegemony in the new state bound most of these groups in defending the rights and prerogatives of the member states against the national government.

³⁶ Treitschke, "Parteien," 624.

The difficulty that these groups confronted – and the basis of Treitschke's hopes – was that during the next decade, they were in a minority in the Reichstag. As Bismarck's government mobilized a legislative offensive against particularism in the name of nation-building, it could rely on a large majority in this body. Liberals of several shades constituted its core. Although they had hardly vanished, the bitter disagreements that had divided these liberals from Bismarck in the 1860s had metamorphosized during the wars of national unification. No less than the democratically inclined Progressives, the National Liberals, who had made their peace with Bismarck in 1866, hoped to see their vision of a parliamentary monarchy realized in the new German nation-state. It was now, as one of them declared late in 1870, a matter "of continuing the great work" of unification and presenting the now unified Germany with "its last and highest consecration – the sound development of the German state's constitutional life in its entirety."³⁷ To the extent that it implied the national integration of military, commercial, monetary, and legal institutions, this "sound development" described the goals of Bismarck, too, as well as those of his leading advisor, Rudolf Delbrück, the bureaucratic chief of the chancellor's office – a man who soon became known as the "vice-Bismarck." While many liberals continued to regard Bismarck himself with a mixture of awe and loathing, they gave their enthusiastic endorsement to a nation-building project that appeared to fulfill many of their own most cherished designs. Because it also enjoyed the support of a faction of Conservatives who had supported Bismarck in the 1860s and now became known as the "Imperial Party" (*Reichspartei*) or "Free Conservatives," this project rested on a large and reliable parliamentary foundation.

The power and influence of liberals extended well beyond the Reichstag, so they were also able to promote nation-building in other forums. For most of the 1870s, they represented the largest contingents in the lower houses of parliaments of Prussia, Saxony, and many other member states, where restricted suffrage and low turnout rates among potential rivals continued to govern elections. Here, too, alliances among several groups of liberals and Free Conservatives undergirded solid majorities in favor of Bismarck's policies. Throughout the decade, liberals and their allies won over two-thirds of the seats to the lower houses of parliaments in Baden and Hessen-Darmstadt; and with but one exception, every member of the Badenese ministry until 1918 was a National Liberal. In cities throughout the country, where restricted suffrage also prevailed and urban affluence was the distinguishing features of German liberalism, the same pattern prevailed, although the party labels were fluid. Men who thought of themselves as liberals dominated the small contingents of eligible voters who were decisive in elections to city councils. This proposition held not only in Protestant cities like Berlin, Leipzig, and Stuttgart, but also in

³⁷ Lothar Gall, *Bismarck: Der weiße Revolutionär* (Frankfurt, 1980), 467.

Munich, Barmen, Elberfeld, and other cities of Catholic Germany, where business leaders who dominated the voting were often Protestant.³⁸

As it had before unification, the German national project thus continued to find its most powerful and committed protagonists in the urban Protestant bourgeoisie, from which German liberalism had traditionally drawn its support.³⁹ The liberals' power lay not in their numbers, for this social group constituted only about 4 percent of the thirty-nine million inhabitants of the new state. They owed their power and influence instead to the social and cultural capital they commanded, the property and educational credentials that underpinned their social position. They owned or managed the country's large commercial and industrial enterprises. They occupied high positions in state and municipal institutions, including the courts of law and the Protestant Churches. Because their numbers included the publishers and editors of leading newspapers and journals, as well as the writers who filled their pages, liberals were also the most reverberant voices in the public discourse. Moreover, they enjoyed immense cultural influence as the holders of professorial chairs in the nation's universities and as teachers in the elite humanistic secondary schools. From these positions, they educated the country's elites. Their power rested as well on the extended social and cultural networks in which they were linked. They gathered in voluntary associations of many varieties – university alumni groups, chambers of commerce, professional organizations, cultural and charitable societies, political associations both formal and informal. They organized the fundraising drives to build the great monuments to national unification, like those in the Niederwald and the Teutoburg Forest.⁴⁰ They knew one another as friends, colleagues, and members of the same parishes and clubs. Like members of the great bourgeois dynasty of Bassermanns in Mannheim, they married into the same milieu, adding a sense of family solidarity to the bases of what Lothar Gall has called a “common climate of life.”⁴¹ Thanks to their common socialization and

³⁸ Friedrich Lenger, “Städtisches Bürgertum und kommunale Selbstverwaltung im 19. Jahrhundert: Die größeren Städte der preußischen Westprovinzen und Bayerns im Vergleich,” in *Stadt Geschichten: Deutschland, Europa und die USA seit 1800* (Frankfurt, 2009), 137–73.

³⁹ Jan Palmowski, “The Politics of the ‘Unpolitical German’: Liberalism in German Local Government, 1860–1880,” *HJ*, 42 (1999), 675–704; Jan Palmowski, *Urban Liberalism: Frankfurt am Main, 1866–1914* (Oxford, 1999); James Sheehan, “Liberalism and the City in Nineteenth-Century Germany,” *PP*, 51 (1971), 116–37.

⁴⁰ Charlotte Tacke, *Denkmal im sozialen Raum: Nationale Symbole in Deutschland und Frankreich im 19. Jahrhundert* (Göttingen, 1995).

⁴¹ Lothar Gall, *Bürgertum in Deutschland* (Berlin, 1989), 400; Jürgen Kocka, ed., *Bürger und Bürgerlichkeit im 19. Jahrhundert* (Göttingen, 1987); Jürgen Kocka, ed., *Bürgertum im 19. Jahrhundert: Deutschland im europäischen Vergleich*, 3 vols. (Munich, 1988); Jonathan Sperber, “Bürger, Bürgertum, Bürgerlichkeit, Bürgerliche Gesellschaft: Studies of the German (Upper) Middle Class and Its Sociocultural World,” *JMH*, 69 (1997), 271–97.

lifestyles, they shared assumptions, social instincts, and values, whether these related to politics, the organization of society, morals, or questions of religion.⁴²

They also shared a sense of collective identity. It was rooted in common answers to basic questions about the functions and purposes of civic life. These answers revealed the extent to which a characteristic conception of the German national project had organized their social experience. The era of German unification had brought to fruition many of the German liberals' most basic social and political aspirations. The liberalization of economic and social institutions in the 1860s, the achievement of national unity on the battlefield, then the institutional nation-building of the early 1870s corresponded at nearly every turn to their designs.⁴³ These achievements affirmed the belief that they themselves constituted the "national class," that they had articulated the essential meaning of the nation even as they breathed institutional life into it, and that their interests and ideals corresponded to the highest aspirations of all Germans. In their eyes, the emerging institutions were thus to provide the proper framework for civic life in the nation. All Germans would henceforth be united in their basic convictions. The role of the nation-state was to keep Germans safe and free as autonomous individuals, to enable them to pursue their material well-being and to cultivate their intellectual and moral potential, unfettered by hereditary discrimination or bureaucratic interference. The state was to provide security and domestic order, and within this basic framework, all citizens would be free to work out their own destinies, guided alone by the forces of the free market and their own moral reason.

This was a high-minded, optimistic vision, whose practical benefits and moral force were self-evident to the men who espoused it. Most were men of generosity, cultivation, and civic responsibility, who believed deeply that their own ideals would, if accepted generally, bring benefit to the entire national community. This vision was beset, however, by troubling anomalies. The first related to the terms on which they had decided to cooperate with Bismarck, whose commitment to their ideals was never more than tactical. "We cannot go against Bismarck now," commented Hermann Baumgarten, one of the most reflective of the German liberals. "He has created the Reich, and we have to endure his imprint."⁴⁴ This "imprint" had initially limited the political power of liberals in the new state, for they did not occupy the leading national offices. Still, their goal remained what it had been in the 1860s. In the end, they believed, the national class should rule in the now unified Germany.

⁴² Manfred Hettling and Stefan-Ludwig Hoffmann, eds., *Der bürgerliche Wertehimmel: Innenansichten des 19. Jahrhunderts* (Göttingen, 2000).

⁴³ Dieter Langewiesche, ed., *Liberalismus im 19. Jahrhundert: Deutschland im europäischen Vergleich* (Göttingen, 1988), 85–132.

⁴⁴ Cited in Langewiesche, ed., *Liberalismus*, 166.

Bismarck's system should, they argued, develop along lines traced by the English constitution, so the parliamentary liberals would themselves eventually become Imperial Germany's governing party.⁴⁵ Liberal cooperation with Bismarck was thus calculated to persuade him to make the entire national executive, not just the chancellor, responsible – or, at the least, responsive – to a majority in the Reichstag, which the liberals themselves expected to command.⁴⁶

Even during the first years of the new regime, in which the passage of national reforms gave considerable grounds for optimism, other signals suggested that the liberals were indulging pious hopes and that Bismarck really did regard parliamentarism, as one of their leaders put it, as the “fifth wheel on the wagon.”⁴⁷ The chancellor's plans did not in fact extend to establishing a parliamentary monarchy like the one in England. He did not plan to share power with liberals or, for that matter, any parliamentary grouping.

Another anomaly not only aggravated the tension, but also spoke to more basic problems. Once the federal parliament had been founded on universal manhood suffrage, the glaring limits of German society's political emancipation became impossible to ignore – and increasingly difficult to justify. These limits were embodied in political inequalities that survived in systems of restricted suffrage throughout the country at the state and local levels. To some liberals, particularly to the more egalitarian Progressives, this situation represented an intolerable incongruity. Most liberals, however, appeared to accept it, because they recognized the political benefits of blocking, as one of them characterized it with no sense of generosity, “the mob's opposition to the judgment of their betters.”⁴⁸ Liberals could also reason that material improvement would systematically increase the number of the eligible (and responsible) voters in states and localities, perhaps turning political inequality someday into a relic, like feudalism.

Still, the same anomaly invited another, less flattering characterization of the liberals' understanding of civic life. In this light, their views looked less like high-minded beneficence than civic arrogance, partisanship, and hypocrisy – the self-righteous defense of class privilege and interest. That the liberal bourgeoisie embodied the quintessential national class, that it represented the interests and ideals of all Germans, was at once a premise and a prescription. It implied that whatever their social position, all Germans would recognize the civic entitlements that accrued properly to property and education in the German nation. All Germans would acknowledge the calling

⁴⁵ Mommsen, *Ringens*, 384.

⁴⁶ Sheehan, *Liberalism*, 133.

⁴⁷ Mommsen, *Ringens*, 359.

⁴⁸ Sheehan, *Liberalism*, 145.

of “independent men” to be custodians of the nation’s values, leaders who were qualified to interpret both the opportunities and obligations of these values.

These claims raised troubling practical questions even as the institutions of the new nation were taking form. What of the Germans who failed to observe the political, cultural, and moral tenets of the liberals’ vision or the obligations that were implicit in it? What if these Germans failed to deport themselves, as Treitschke lamented in another essay later in the decade, like “German men in the best sense,” in whom “good and noble features of the German spirit” were evident?⁴⁹ Treitschke’s question pointed, as paradoxical as the phrase sounds, to the roots of liberal intolerance.⁵⁰ Liberals called on all their fellow citizens to embrace interests and ideals that they themselves – men who regarded themselves as “German men in the best sense” – had defined as “national.” However, the social experience of these men, hence their interests and ideals, was anything but representative, if only because it was so grounded in property and education (to say nothing of the fact that it excluded all Germans who were not male). In this light, the survival of political inequality, the effective disenfranchisement of much of the electorate at the state and local levels, looked less like an anomaly than an essential attribute of German liberalism, the legal foundation of liberals’ power.

Nor were these problems academic. Evidence had already begun to accumulate that even on its new institutional foundations, the liberals’ vision of the nation did not organize the social experience of vast numbers of other Germans, whose lives and labor were set outside the genteel social realms of the urban Protestant *Bürgertum*. During the early decades of the German nation-state’s existence, dramatic economic and political transformations generated social and cultural pressures of unforeseen dimensions. As a consequence, liberals confronted a broad range of problems that challenged their core beliefs. Like their tolerance, the legitimacy and durability of their cherished values and institutions were put to the test.

⁴⁹ Heinrich von Treitschke, “Unsere Aussichten,” in Schiller, ed., *Aufsätze*, vol. 4, 479; James J. Sheehan, “Wie bürgerlich war der deutsche Liberalismus?” in Langewiesche, ed., *Liberalismus*, 28–44.

⁵⁰ Dieter Langewiesche, “Nationalismus als Pflicht zur Intoleranz,” in Aram Mattioli, Markus Ries, and Enno Rudolf, eds., *Intoleranz im Zeitalter der Revolutionen: Europa 1770–1848* (Zurich, 2004), 281–302.