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The United Republics of Germany and Their Constitutions

Gustav Landauer

November 25, 1919

Blessed Pufendorf,¹ have asked for your forgiveness a long time ago, and I am doing it again. I was about fifteen years old when I bought your booklet on the constitution of the German Reich for twenty pfennig in a Reclams Universal-Bibliothek edition.² I was surprised and disappointed that it contained the description of a past document, rather than the actual constitution of the German Reich founded by Bismarck. Today, however, I have learned that a constitution is not a document with a number of paragraphs, but an actual social condition.

¹ Samuel Freiherr von Pufendorf (1632–1694), jurist and philosopher, formulated a critique of the Holy Roman Empire, centered on the Kingdom of Germany, in his 1667 treatise *De statu imperii Germanici* [On the State of the German Empire].

² The Universal-Bibliothek [Universal Library] has been edited by the Reclam publishing house, founded in 1828 in Leipzig, since 1867. With small and cheap volumes, the series consists of over two thousand titles today and remains hugely popular.

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All Power To The Councils!: A Documentary History of the
German Revolution of 1918-1919

Translated by Gabriel Kunh.

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Another German Reich has disappeared recently, and it will only live on in history as a temporary expression of violence. Bismarck, master of realpolitik, countered the ideas of 1848 with a union of fiefdoms that was both hammered together by war and crafted with shrewd diplomacy.³ This union has been smashed by the revolution. The German Reich of 1871-1918 is gone. It has collapsed in shame. That is always the case when an apparent power disappears like dust in the wind because no one is embracing and defending it.

Now we must face the new situation, both its being and becoming, and we must do what we can to understand it. The spook of the old regime burst because new forces appeared that used their energies and desires wonderfully—not only tearing down the old but building the new, right in the midst of upheaval. I speak of the movement of democratic soldiers and rebellious workers that began on the North Sea Coast and in western Germany, rapidly swept away all royal dynasties in Germany, and included the proclamation of republics in Austria and Bavaria.⁴

Things are in a stage of becoming; they are growing. New divisions and new alliances have appeared and will continue to appear. A glorious public spirit can be felt in all of Germany (occasional stupidities and excesses are, as a southern German idiom has it, as superfluous as a goiter) with one exception: it appears that the new spirit has not yet reached Berlin and parts of Brandenburg. However, this can be turned into a rather insignificant affair if we do what needs to be done.

In Berlin, death, disguised as life, still reigns. In Berlin, one attempts to uphold the legacy of the old Reich with its Prussian-Caesarian central government and its stifling party politics. In

³ Otto von Bismarck (1815–1898), minister president of Prussia from 1862 to 1890, was the driving force behind the unification of Germany in 1871 under Kaiser Wilhelm II.

⁴ In October–November 1919, the Austrian-Hungarian monarchy split into several different republics.

Berlin, one issues resolutions for the entire country, cooked up by a few random Berlinians—the revolution might be their mother, but Prince Max, the Kaiser, and Ludendorff are certainly their fathers. No one ever bothers asking the new autonomous republics whether they need these resolutions. Would it not be better right now if Brandenburg-Prussia was modest and focused on its own affairs, just like the other republics in Germany and Austria do? Is this not what nature demands? Does not everyone feel that this is the way, the only way, in which the new country can grow together beautifully and securely? I speak of Brandenburg-Prussia, because today's Prussia is a result of land theft and consists of territories that do not belong together. It will soon dissolve into its natural parts. Schleswig will leave. The regions of the North Sea Coast will leave. Hanover will leave. Rheinhessen, Kurhessen, Frankfurt, Nassau, the other Rhine provinces, Westphalia, and Lippe-Detmold will form a West German Republic. This is inevitable. These tribes work well together, while they will never work well with Prussia unless all German republics will form a union. If Prussia refuses, if it does not want to be a part among parts but to maintain the old Reich and to remain a privileged leader, then northwestern, western, southern Germany, and Austria will first form an independent union. This is the only organic development that will create an unconquerable entity.

Two concerns are being raised against this encouraging and comforting idea that understands, accepts, and demands with clarity the current state of being and becoming: 1. The fear of the Entente and its demand for a democratically elected government legitimized to negotiate in Germany's name. 2. The fear of the dictatorship of the proletariat, which exists both among wide parts of the German people and among the governments of the Entente. Both concerns are closely linked.

He who laughs last laughs best, and he who makes the political revolution last shall and must establish the best form of democracy. Democracy as selfdetermination of the people, and of indi-

vidual groups among the people, is something entirely different to the nonsense of elections, which means abdication of power by the people and governing of an oligarchy. Our revolution has already begun returning to the true democracy we can find in the medieval constitutions of municipalities and provinces, in Norway and in Switzerland, and especially in the meetings of the sections of the French Revolution.⁵ No longer shall there be atomized voters abdicating their power. Instead, there shall be municipalities, cooperatives, and associations determining their own destiny in big assemblies and through delegates; delegates who are in constant exchange with their constituencies, who can be recalled and replaced at any time. The principle of the imperative mandate will be crucial, not only in the fields of government and legislation but regarding all motions presented to the people by executive bodies. Atomizing, “direct” elections and, in particular, the detestable secret ballot do not contribute to a people determining its own destiny. Both electoral procedures belong to an era of disempowerment, of rape, of a Caesarian and demagogical betrayal of the people by men with privilege and their political parties. A republic is a public affair, a common body. This means that the people themselves take care of things, publicly, in their own bodies, with their own responsibility, and under their own control. Beware everyone, trying to put political or economic pressure on the people! The degrading times of the voting booth, of the secret ballot and its box must be gone forever!

We must return to the times when men put their tools into a corner, picked up their weapons and sticks, and went to the Thing. There they discussed whatever concerned the community and all of the energy left after work united to commonly take care of public affairs. The communities of villages and towns gathered that way, the delegates reported, new delegates were appointed, there were

⁵ The revolutionary sections of Paris were organizational bodies during the French Revolution.

lution and who carry it stand for the exact same that only isolated prophets stood for earlier: not for an instrumental, random majority of a still lingering past, but for the future, for becoming, for everything that moves the world forward and that contributes to happiness, for historical unity and community, and for a new humanity.

November, 25, 1919

Postscript, December 6: By now, the remains of the party system have won disdainful victories over the revolution; it appears as if the revolution was caught unaware, resting on its laurels and trying to catch some breath. This will prolong and complicate its course.⁹

⁹ Reference to the outcome of the General Congress of the Workers' and Soldiers' Councils of Germany, December 16–21, 1918.

against tyranny in the sixteenth century.⁸ The people no longer supported the parasites and no longer worked against their own interests but formed their own government while ignoring the individuals who took themselves for rulers. Once the rulers had lost the grace of the people, God's grace disappeared too.

The problem of revolution has occupied the minds of scholars and politicians for decades as the most complicated problem of all. Well, you clever and earnest philistines and professors: what else could have solved this problem in such an incredibly simple manner but the spirit?

The revolution is the victorious spirit that has finally, *finally*, realized itself. Now there are many who impatiently want to be part of it—since ignoring it is no longer possible. They demand a national assembly and desperately try to give their parties a new face. But they must understand that the spirit has no particular place that can be occupied by those who get there first. The spirit is time, filled by magic. I recommend those who were unprepared for the revolution to sit back, to be quiet, humble, and reflective, and to wait to catch up.

The old Reich is dead, its royal dynasties are gone. The government has crumbled. Also the old parties are dead, even if they still seem alive. In any case, when history shook everyone's conscience, when it was time to admit guilt and to repent, they acted dead. Now, they act alive in order to strangle the revolution and to transform the republic into a sham democracy of shrewdness. They know that the old comfort of the violent regime will not return. They demand elections and "their" national assembly, hoping for the support of those not affected by the revolution yet, which is the majority in the country. However, the spirit of the revolution always represents everyone. Those who have made the revo-

⁸ Etienne de la Boétie (1530–1563), French jurist, philosopher, and writer. Landauer played a leading role in the rediscovery of de la Boétie's work, mainly the *Discours sur la Servitude Volontaire* [Discourse on Voluntary Servitude] (1549), which Landauer is referring to here.

heated debates and anger and unity and resolutions, and it was all free and open—each individual proudly represented himself and worked for the common good.

There must be equality and freedom. There must be federative structures, and they must form from the bottom to the top. Furthermore, German freedom must be colorful and diverse. The municipality takes care of municipal affairs, independently and without anyone's interference. The same goes for the district, the region, the province, the autonomous republic, the union of German republics, and the union of all nations.

This is not about imitating the old society of estates in romantic nostalgia. Not everything has to be decided upon in personal meetings when electricity can spread information today from town to town, from country to country, across the world. People will trust their delegates and will not limit their ingenuity. The spirit of community will find its place among the people and it will spread wide and far. The people and their institutions will always be involved in determining their destiny.

This form of democracy is intrinsically linked to socialism. I will explain this in more detail in another text.⁶ We are speaking of democracy and socialism in which all people unite with their neighbors and colleagues, where there no longer will be isolated, secluded, and dispersed individuals. Democracy and socialism, with their institutional and communal bodies, will provide the conditions for individuals to grow, independent and original in soul and spirit.

The workers', peasants', and soldiers' councils that the revolution has brought us on the basis of both old revolutionary examples and the current developments in Russia are the best beginning for all this. Who is not a worker? The laborious housewife is one, the tradesman or factory owner involved in organizing the workplace is one, and so is the painter, the sculptor, the musician, the writer,

⁶ Due to the developments, Landauer never got to write this text.

and the public servant. The fact that this will change in the future, especially with respect to the dreadful nonsense and misfortune of the purely intellectual trades, does not change it now. Let us only state that there has never been anything like “non-intellectual” labor. In any case, there won’t be any such thing in the future. The shareholder who does not do anything but holding shares is no worker but a parasite. I am not going to elaborate on their future economic situation here, but since I have empathy for disabled men who are unable to change I propose that they shall receive welfare benefits just like everyone else in need. Politically, however, they cannot have any rights, because political rights will be reserved for those who are—in the widest sense—productive: workers, peasants, and soldiers. Only they can they join a trade organization or be accepted as observers.

Let me not be misunderstood, though: it is impossible that we will see councils of factory owners or shop owners as political bodies. They can form as private associations to represent their class interests, but in everything that concerns the common good, the factory owner has to be in the same body as his technical and commercial helpers and his workers. He must be one active part among many. This will benefit everyone. The same is true for a writer or an artist. The writer must unite with publishers, printers, booksellers, and newspaper agents. The priest with doctors and undertakers. The artistic painter with house painters. The minister with sewage workers and garbagemen. Together, they must nominate their delegates for a workers’ council. This will be a blessing for everyone and for the spirit of our people. Our intellectuals should not be afraid to meet the people who Jesus of Nazareth met. A spirit that is honest and communal will prevail everywhere. In many individual cases, the heart of a worker can come to a better conclusion than the mind of a scholar or the imagination of a poet.

Who does not acknowledge today that a new political structure of true democracy is developing? It grows organically from the bottom to the top, to a federal council that can certainly lead nego-

tiations and come to agreements with foreign powers, representing the will of the people. Who does really fear a dictatorship of the proletariat? If this was really a possibility, I would not only fear it, I would hate it and I would fight it like the plague. But it will not come. What will come is not the dictatorship of the proletariat but its abolition and the emergence of a new humanity.

Someone might still ask, “And the national assembly?” Well. Whoever poses that question will be in the same situation as I when I was searching in vain for the constitution of the Reich in Pufendorf’s book. I have outlined the national assembly here: assemblies of all German workers, male and female, organized according to trade, will elect responsible delegates for their provinces, and the provinces elect (publicly and responsibly) delegates for the federal council. What else do we need? Do we need an extra body that legitimizes the organic union of the new country? What for? We need organic growth. We are on the best way. All we must do is continue—in the spirit of the revolution.

My dear intellectuals, it was the spirit⁷ that crushed the old regime and that brought to life the new political structure that is developing—a beautiful structure like everything that is young and growing. There is no need to “bring” the spirit to the revolution now, after the fact, as you seem to foolishly and selfimportantly assume. The spirit prepared the revolution, executed it, and carried it. It filled the hands and, when it was necessary, the fists of our beautiful, tormented, and now liberated and joyous soldiers, of some workers and youths and of their leaders—determined freedom fighters of eternal youth who you dared call “utopians.”

By the way, fists were not necessary very often. In general, the revolution followed the excellent prescription of the youthful preceptor of all revolutionaries, Étienne de la Boétie, who wrote

⁷ “Spirit,” Geist in German, is a key term in Landauer’s philosophy, indicating a development of the soul and the mind as a necessary requirement for building socialism—see Gustav Landauer, *Revolution and Other Writings: A Political Reader*, edited by Gabriel Kuhn (Oakland: PM Press, 2010).