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Abstract

This essay examines Bismarck's social legislation of the 1880s as a pivotal moment in the redefinition of the State's role in Imperial Germany. Focusing on contemporary public discourse as reflected in selected press sources, it explores how this transformation was perceived and narrated. The analysis reveals that liberal and Catholic commentators recognised the shift from a classical liberal to an interventionist state more acutely than socialists, who underestimated its long-term implications. The debate highlights a broader cultural and political reorientation in state-citizen relations. The essay emphasises the growing belief, particularly among certain intellectuals, that the state was responsible for its citizens' welfare, marking a historic turning point in German political consciousness.

Keywords: Germany, Kaiserreich, Bismarck's Social Legislation, Social Legislation.

1. Introduction: Characteristics of the Empire

For years it has been common practice among German and international historians to divide the political history of Germany into two periods. First comes the Bismarck era, when he was Chancellor of the Reich (1871-1890). This is followed by the Wilhelm era (1890-1914), the reign of Wilhelm II, though politically the cut-off point is marked by Bismarck's resignation¹. Even economically, the 1890s stand distinct from the previous decades. For, statistically, that phase can be seen as the moment when Germany entered the mass industrial era: between 1885 and 1895 industry took over the lead from agriculture in terms of employment numbers, investment of capital and value of the output². As a broad outline this period division has not been significantly revised; most scholars have also seen the 1880s as the beginning of certain political and cultural transformations that would markedly affect Germany in the decades to come³. There is particular reference to the new role of the State and a change in the State-citizenry relationship brought about by Bismarck's social legislation, consisting of three laws:

¹ See U. Herbert, *Geschichte Deutschlands im 20. Jahrhundert*, München, Beck, 2017, pp. 69-106; M. Fulbrook, *A Concise History of Germany*, Cambridge, Cambridge University Press, 2019, pp. 131-144.

² See M. Stürmer, *Das ruhelose Reich. Deutschland 1866-1918*, Berlin, Siedler, 1990, pp. 65-70.

³ See for example: G. Eley, J.L. Jenkins, T. Matysik (eds.), *German modernities from Wilhelm to Weimar. A contest of futures*, London, Bloomsbury Academic, 2016. For some thoughts on this political point: M.L.

1883 (health insurance); 1884 (industrial accident insurance); and 1889 (old-age and invalidity insurance)⁴. However, before we go deeper into the nature and effects of that transformation, we must take a brief look at certain key factors of the first German nation state.

The Kaiserreich founded in 1871 was a federation of 25 States: 22 including German princedoms and sovereign states, and the three Senates of three free towns⁵. Each State retained its own internal set-up. Bismarck had to make substantial concessions to the southern German states in terms of special rights. The two kingdoms of Bavaria and Württemberg maintained their own postal and railway administration; what is more, by a secret accord Bavaria even secured the right to be represented at peace negotiations. In other words, the German nation state in 1871 had a *sui generis* federal kind of institutional structure, quite different from the other two major nation states of continental Europe, France and the Kingdom of Italy.

All this considerably upset the profile of civil and political liberty. The best-known case is Prussia's – the State that covered most of the Second Empire, possessed over half the total population and influenced political life throughout the Kaiserreich. When it came to forming its own internal parliament, Prussia retained the deeply illiberal electoral system of three classes, as introduced in 1849⁶. The counterweight in the political set-up was formed by the federal parliament or Reichstag, with its legislative power and election by universal male suffrage. At the same time the Reichstag held limited power versus the Chancellor (or head of government), who was an imperial nominee and not subject to any vote of confidence⁷. During the Second Empire there was never any proper «national» government of the Reich, but a *Reichsleitung*, the ministries stemming from offices of the imperial Chancellery. The Chancellor's great powers were to some extent limited by a twofold tie of dependency: on the Emperor, who could appoint and

Anderson, *Practicing Democracy. Elections and Political Culture in Imperial Germany*, Princeton, Princeton University Press, 2000, pp. 242-260.

⁴ The literature on social reform would require more space than is available. Our sources include: V. Hentschel, *Geschichte der deutschen Sozialpolitik (1880-1980). Soziale Sicherung und kollektives Arbeitsrecht*, Frankfurt am Main, Suhrkamp, 1983; G. Steinmetz, *Regulating the Social. The Welfare State and Local Politics in Imperial Germany*, Princeton, Princeton University Press, 1993; G.A. Ritter, *Bismarck und die Entstehung der deutschen Sozialversicherung*, Pforzheim, Kulturamt, 1998; G. Metzler, *Der deutsche Sozialstaat: vom bismarckschen Erfolgsmodell zum Pflegefall*, Stuttgart, Verl.-Anst., 2003. See also: G.B. Clemens, *Lo sviluppo della storia sociale sul lungo Ottocento nella Germania occidentale*, in M.L. Berti, G. Bigatti (eds.), *Storia e storie dell'Ottocento nel lavoro di Franco Della Peruta*, Milano-Udine, Mimesis, 2024, pp. 103-122.

⁵ The federation included kingdoms, grand duchies, principalities and free cities such as Hamburg, Bremen and Lübeck. On the political repercussions of the Kaiserreich structure see for example C. Spagnolo, *Il voto apolitico. Il sogno tedesco della rappresentanza moderna (1815-1918)*, Bologna, Il Mulino, 2017, pp. 205-217.

⁶ See J. Rössel, *Soziale Mobilisierung und Demokratie. Die preußischen Wahlrechtskonflikte 1900 bis 1918*, Wiesbaden, Deutscher Universitäts-Verlag, 2000; E. Frie, *Das Deutsche Kaiserreich*, Darmstadt, WBG, 2004; A.G. Manca, *Costituzione e amministrazione della monarchia prussiana (1848-1870)*, Bologna, Il Mulino, 2017; A. Caruso, «Blut und Eisen auch im Innern». *Soziale Konflikte, Massenpolitik und Gewalt in Deutschland vor 1914*, Campus, Frankfurt a.M., 2021.

⁷ The Kaiserreich had a second chamber, the Bundesrat, which constituted a collegial body in which the members of the various states were differentially represented. According to Article 78 of the Imperial Constitution, constitutional amendments were subject to rejection in the event of 14 votes against. Since Prussia alone had 17 votes in the Bundesrat, one can well understand the asymmetry in the power relations between the various states of the Reich within this fundamental institution. See M. Rauh, *Föderalismus und Parlamentarismus im Wilhelminisches Reich*, Düsseldorf, Droste, 1973.

hence sack him, and to a lesser extent on the Reichstag. As we have said, that Parliament lacked the power to elect the Chancellor or express lack of confidence in him, but he still needed a parliamentary majority to get laws approved and especially the budget (the exception being the army budget). It was a contradictory position. The Chancellor's office was over-strong for a democratic parliamentary system, but too weak for a constitutional dictatorship⁸. Bismarck could also depend on support from two administering elites capable of playing a central role in the Empire's state machinery, as well as counting a great deal in the social hierarchy of that period: the ministerial functionaries or civil servants (the high bureaucracy) and the army officer corps. Lastly, the Kaiserreich party system rested on the existence of five relatively stable groups which would remain almost unchanged down to the advent of Nazism: conservatives, national and left-wing liberals, Catholics and social democrats⁹.

2. The Roots of Social Legislation

It is hard to decide with any exactitude who gave the first nudge towards a law on industrial accident insurance with which Bismarck's social legislation took off in 1883¹⁰. Seemingly, in 1878 President Hofmann of the Imperial Chancellery and Maybach, the Prussian Minister of Trade, first raised the issue. But the question was already in the air, for a series of reasons, such as the rise of the social-democrat movement and the growing extension of industrialization. Germany had a long history of insurance funds regulated on a local level, at times compulsory and, albeit in an uncoordinated way, the funds started spreading in the second half of the century. In 1870 there were 550,000 funds of that kind in Prussia (where towns had a right to compel employers to contribute). Again, most Bavarian towns had such institutes, such that two-thirds of all German workers may be reckoned to have enjoyed some form of cover¹¹. The guild tradition had likewise accustomed workers to set up mutual help funds (*freie Hilfskassen*). In 1860 more than 400,000 were enrolled in such funds in Prussia alone, 40% of them being industrial workers¹². And yet the degree of economic development in the new framework of the Empire made such local self-help structures inadequate to meet the impact of industrialization upon the worker class (exploitation of labour, high percentage of grave and/or mortal accidents, low wages and demise of the previous guild organization).

⁸ See Herbert, *Geschichte Deutschlands*, cit., p. 79.

⁹ The Conservatives were divided between *Deutschkonservative Partei* and *Freikonservative Partei*, the Liberals into *Nationalliberale Partei* and *Fortschritts-Partei* (the left-wing Liberals), the Catholics into *Zentrum* and the Socialists, from the Gotha Congress of 1875, into the *Sozialdemokratische Arbeitspartei* (Sap, Spd from 1891). See M.R. Lepsius, *Parteiensystem und Sozialstruktur. Zum Problem der Demokratisierung der deutschen Gesellschaft*, in M.R. Lepsius, *Demokratie in Deutschland*, Göttingen, Vandenhöck & Ruprecht, 1993, pp. 25-50; D. Dowe, J. Kocka and H.A. Winkler (eds.), *Parteien im Wandel. Vom Kaiserreich zur Weimarer Republik. Rekrutierung, Qualifizierung*, München, Oldenbourg, 1999; E. Frie, *Das Deutsche Kaiserreich*, Darmstadt, WBG, 2004, pp. 94-117.

¹⁰ See C. Henrich-Franke, *Wandlungen föderalen Regierens im Deutschen Kaiserreich. Die Entscheidungsfindung im Fall der Sozialgesetzgebung*, in «Historische Zeitschrift Band», 293, 2011, pp. 373-399.

¹¹ On this point see Anderson, *Practicing Democracy*, cit., pp. 270-272.

¹² *Ibidem*.

As Gerhard Ritter has shown, state social insurance was not just a response to a certain degree of economic development and ensuing problems; had that been so, the nations that started the industrial revolution, for instance Great Britain, would have had to create the first social insurance in Europe¹³. Most scholars agree in tracing the special features of the German case to its historical and ideological roots - the public law doctrine in Germany had often favoured the idea of the State as the prime developer of general welfare - and above all to the role of the country's elites. These last were bent on a policy of integration and stabilization with a view to legitimizing the existing political, economic and social order. Social reforms were thus, to Bismarck, the other (positive) face of antisocialist politics springing up in 1878. In other words, worker insurance was meant to weaken social democracy and win the working class over to the German Kaiserreich

In 1877 at the first Reichstag elections after the Congress of Gotha¹⁴, the social-democrats won some half million votes and twenty seats. Concerned at the rise of socialism, Chancellor Bismarck was quick to profit by two unsuccessful attempts on the Emperor's life to set in motion an antisocialist campaign, though no direct connection had been traced between the would-be assassins and the SDAP. In October 1878 Bismarck's antisocialist policy gave rise to a special law against that party, which would be renewed four times down to September 30, 1890. The law gave the authorities power to break up all meetings and associations, muzzle the press, ban public celebrations and marches «as being bent on upsetting the existing social and political order by social-democrat, socialist or communist action»¹⁵. Paradoxically, such antisocialist legislation allowed electoral campaigns for the Reichstag to be held and seats obtained in Parliament. The SDAP adroitly made play with that part of the law: they stood for each election and even turned their Reichstag representative's speeches into quite legitimate propaganda. Viewed in retrospect, Bismarck's antisocialist policy merely slowed down the growth of the party and its structures, though it did manage to ban the socialist press and organizations flanking the party like trade unions, cultural circles, worker mobile libraries, cooperatives and even, at times, various hostelrys known to be frequented by socialists¹⁶.

The end of the 1860s thus saw a pronounced swing in Reich domestic politics. Bismarck's antisocialist battle had been preceded by the demise of the Kulturkampf with a shift towards the Catholic Zentrum movement, together with a protectionist turn in economic policy which brought an end to liberalism¹⁷. Such events began to put a new face on the Kaiserreich government. It has been remarked that the Chancellor's office went from umpire to player. That was a major political change within the Empire, and shortly afterwards the relationship between

¹³ See G. Ritter, *Der Sozialstaat. Entstehung und Entwicklung im internationalen Vergleich*, München, Oldenbourg, 1990.

¹⁴ See T. Welskopp, *Das Banner der Brüderlichkeit. Die deutsche Sozialdemokratie vom Vormärz bis zum Sozialistengesetz*, Bonn, Dietz, 2000 and H. Potthoff, S. Miller, *Kleine Geschichte der Spd, 1848-2002*, Bonn, Dietz, 2002, pp. 31-53.

¹⁵ Welskopp, *Das Banner der Brüderlichkeit*, cit., pp. 478-482.

¹⁶ *Ibidem*.

¹⁷ See Herbert, *Geschichte Deutschlands*, cit., pp. 74-80 and M. Borutta, *Antikatholizismus. Deutschland und Italien im Zeitalter der europäischen Kulturkämpfe*, Göttingen, Vandenhoeck & Ruprecht, 2010.

State and citizenry changed definitively following the 1880s social legislation which formed part of Bismarck's antisocialist policy.

On a theoretical level Bismarck's new drive chimed with the programmes of so-called «professorial socialism» (*Kathedersozialismus*), meaning a group of German social scientists meeting at the *Verein für Sozialpolitik* founded at Eisenach in 1872¹⁸. Prominent among that circle were Gustav von Schmoller, Lujo Brentano and Adolph Wagner who all agreed that the *soziale Frage* (the social question deriving from industrialization) had by now become a problem that called for a prompt remedy. The heart of the Verein proposal ran clean counter to the principles upheld by circles closer to classical liberalism. The liberal view was that the State should intervene only indirectly in matters social, and above all confine itself to a supervisory role; in no case should it be seen to bestow loans in its own right¹⁹. By contrast, the professors saw the State not just as guarantor of the framework needed for each citizen to be ensured a living minimum, but also as playing a role inside the market so as to make a positive 'dent' on the social question²⁰. That way the workers' lot would improve, the wind be taken out of socialist sails, and the scope for expansion of social democracy be cramped. Such recipes caused classic liberals to stigmatize the Verein as advocates for *Kathedersozialismus* (socialism of the professorial desk). In actual fact, Schmoller, Brentano and Wagner were proponents of a conservative brand of State socialism, for unlike the social democrats they rejected political and social revolution, favoured vigorous nationalism, and greatly admired Bismarck. Their aim was to integrate the working class into the Empire and society as they then stood. It was against this background that there arose the first significant intellectual debate as to the powers of the executive and the role of the State as a tool for moulding society. As we shall see, then, the 1880s, more than the decade prior to foundation of the Kaiserreich, marked a hiatus, at least in the debate, for the various strands of German political culture.

3. Social Legislation and Germany's Historic Turning-Point

The law on health insurance introduced on June 21, 1883 obliged workers who did not belong to any voluntary self-help scheme to enrol with the local health mechanism. The workers were to bear two-thirds of the cost, the employers the other third. By the July 6, 1884 insurance law against industrial accident, the cost was to be borne by employers alone, organized into associations. Old-age and invalidity insurance – January 1, 1889 – shared the cost three ways: employers, workers and Empire. All in all, these laws ushered in the 'modern' social security system, creating a new relationship between State and society. Even in the short term the laws

¹⁸ As is well known, it was the liberal journalist Heinrich Oppenheim who in December 1871 published an article in the 'National Zeitung' in which he used the epithet *Kathedersozialisten* to apostrophize the group of young university professors who thought they could solve the social question through state intervention.

¹⁹ See Manca, *Costituzione e amministrazione della monarchia prussiana*, cit., p. 417.

²⁰ Regarding this matter, please see: J. Leonhard, *Liberalismus. Zur historischen Semantik eines europäischen Deutungsmusters*, München, Oldenbourg, 2001 and J. Leonhard, *Linguaggio ideologico e linguaggio politico: all'origine del termine «liberale» in Europa*, in «Ricerche di storia politica», 1, 2004, pp. 25-57.

proved more progressive in outcome than was Bismarck's original intention. In other words, the reforms provided the individual with a legitimate claim to social services. Society and the State were obligated: they were bound to intervene and remedy situations of need for which individual workers could not be held responsible nor possessed the means to cope²¹. Nonetheless – and this was the other face of the coin we must bear in mind – just when the Kaiserreich was becoming the pioneer of social security in Europe, the government clamped down on the workers' political rights by antisocialist legislation, while by way of economic policy it introduced protectionist customs dues, putting paid to economic liberalism.

When Bismarck announced this new departure in social legislation, he lacked a reliable political majority to ensure it was approved. Throughout the 1880s he thus had to move with caution and skill, often skipping parts of the programme if only to get the necessary parliamentary support. This inflated the importance of the contemporary debate in the press of the main political alignments which anticipated and voiced criticisms, attitudes of rejection or agreement with the Chancellor's proposals.

In July 1883, hard on approval of the law on health insurance, the Catholics were the first to query the deeper effects the reform was introducing. On July 1, jurist and opinion-maker Karl von Vogelsang wrote in the *Monatsschrift für christliche Social-Reform*, the Christian journal for social reform, that health insurance and protectionist tariffs provided a first curb to «the anarchy of market production»²². Whereas before the industrial revolution it was guilds and local authorities who organized and controlled production, now it fell above all «to the State». The social democrats took a quite different line: locked into a position of hostility to the government, in the early 1880s they failed initially to notice the transformation of the State that was occurring in Germany. Writing in the Zurich weekly of the socialists in exile, *Der Sozialdemokrat*, the movement's leader Wilhelm Liebknecht dismissed health insurance as so much «scrap paper»²³. The odd hint of appreciation greeted the industrial accident insurance when it became law in summer 1884. On July 31 the (socialist) metalworkers' newspaper – politically bland headlines were one way to get round censorship – noted with satisfaction that in this case the cost was to be borne by the employers²⁴. Nonetheless, the Bismarckian Reich remained an enemy to combat and reject outright: there was nothing worth saving²⁵.

²¹ See H.-A. Winkler, *Grande storia della Germania. Un lungo cammino verso Occidente. Vol. 1: Dalla fine del sacro Romano Impero al crollo della Repubblica di Weimar*, Roma, Donzelli, 2004, p. 274.

²² K.F. von Vogelsang, *Eine sozialpolitische Debatte*, in «Monatsschrift für christliche Social-Reform», 7 1883, pp. 337-361, in F. Tennstedt, H. Winter, W. Ayaß, K.-H. Nickel (eds.), *Quellensammlung zur Geschichte der deutschen Sozialpolitik 1867 bis 1914 (QGdS), II. Abteilung: Von der Kaiserlichen Sozialbotschaft bis zu den Februarerlassen Wilhelms II. (1881-1890) (II Abt.), Band (B.) 1, Nummer (Nr.) 38*, pp. 139-150. All translations from German are mine.

²³ See W. Liebknecht, *Zur Sozialreform des Fürsten Bismarck*, in «Der Sozialdemokrat», 08.11.1883, in QGdS, II Abt., B. 1, Nr. 41, pp. 161-163. See also A. Bebel, *Wie verhalten sich die Arbeiter gegenüber dem neuen Kranken-Versicherungsgesetz?*, in QGdS, II Abt., B. 5, Nr. 47, pp. 257-258.

²⁴ See *Das Unfallversicherungsgesetz*, in «Deutsche Metallarbeiter-Zeitung», 31.07.1884, in QGdS, II Abt., B. 1, Nr. 47, pp. 196-201.

²⁵ A similar reading also emerges from an article in the *Volkszeitung* of 10 December 1886. Here, however, it was noted how Bismarck's reforms had also contributed to politicising working-class women. See *Zur Arbeiterinnenbewegung*, in «Volks-Zeitung», 10.12.1886, in QGdS, II Abt., B. 4, Nr. 62, pp. 212-216.

More generally speaking, from the main socialist publications of the time one detects a marked underestimation of the transformations afoot within the system the party was ostensibly fighting. Such a mindset would only begin to change towards the end of the century; throughout the 1880s there was largely a blanket rejection of the measures being taken by Kaiserreich home policy. The advent and achievement of a socialist society was taken for granted. The splicing of social-democrat culture with Marxist tradition, with Darwin's theory of evolution, and with positivism, led to a projection of the future full of confidence in a progressive, socialist-style destiny of history. The collapse of capitalism and the take-over by socialist society were both inevitable, both events set in a future whose script was already written²⁶. Thus – at the risk of some overstatement – it was hardly necessary to analyse all that was going on within a State that was already bound for extinction.

The intellectual debate among the liberals was quite another matter. In those early years the liberals that were least convinced of Bismarck's change of tack in economic policy looked above all at the effects being produced among the worker movement. Could one note any waning of social democracy following the law on health insurance? In February 1884 the *Berliner Presse* published a long editorial on the issue²⁷. The conclusions were hardly reassuring. In the editor's opinion the law had contributed to ushering in a new phase of worker politicization even among those hitherto indifferent. The reform was driving «the workers to take part in meetings and consultations in the light of compulsory insurance», thus bolstering social democracy as the only relevant force in politics.

In July 1884 the liberal weekly *Die Nation* – founded in Berlin by Theodor Barth who was at this point still close to a classical liberal position – saw the new law as a symbol of liberalism's defeat in Germany²⁸. The most alarming feature – it went on – lay in the fact that «the State was letting itself in for intervention in areas where it ought not to be acting». A week or so later a new article in *Die Nation* signed by Karl Schrader complained that all the main political forces were by now considering it quite «normal» for the State to be the prime actor in social transformation²⁹. Conservatives, Catholics and socialists – he claimed – in their differing ways admitted «State intervention in everything», whereas the path of «true development» should «always eschew State creation and maintenance of any particular social order».

Via its main press organ *Germania*, the Zentrum, which had supported the law on industrial accident, not only defended the reforms, but reversed the liberal position, deeming it necessary for active State intervention «in certain circumstances, especially in light of today's

²⁶ See L. Hölscher, *Weltgericht oder Revolution. Protestantische und sozialistische Zukunftsverstellungen im deutschen Kaiserreich*, Stuttgart, Klett-Cotta, 1989 and Welskopp, *Das Banner der Brüderlichkeit*, cit., pp. 722-741.

²⁷ See *Zur Ausführung des Krankenkassengesetzes*, in «Berliner Presse», 21.02.1884, in QGdS, II Abt., B. 5, Nr. 52, pp. 275-278.

²⁸ See *Die Lösung der sozialen Frage*, «Die Nation», 26.07.1884, in QGdS, II Abt., B. 1, Nr. 49, pp. 214-219.

²⁹ See K. Schrader, *Die Stellung der politischen Parteien zur Sozialreform und zu der Arbeiterfrage*, in «Die Nation», 27.09.1884, in QGdS, II Abt., B. 1, Nr. 53, pp. 229-244.

atomized society»³⁰. The State also possessed a coercive right, given the need to get over certain entanglements created by industrial development. In other words, the liberals were not wrong in their diagnosis of the changes afoot within the State-citizen relationship; the point was that to the Catholics such changes were «positive» and indispensable if the social problems were to be solved.

The last jigsaw piece in Bismarck's social policy, the 1889 law on old-age and invalidity insurance, brought definitive rupture with classic liberalism. The State had now definitively embarked on the path to subjugation of society. The law envisaged giving a pension to workers on reaching 70 years of age. Unlike the insurance against accident and ill health, this scheme from the outset covered workers of industry, farmers, artisans and domestic service. In practice it included the whole gamut of labour sectors, while the State was directly in charge of implementing the law. This last fact was at once seen as a way of boosting State power, which forthwith drew opposition not just from the liberals, but also from the Catholics of the Zentrum, a majority of whom rejected the reforms. To the Catholic party, including farmers was an act of poaching, a bid by the Chancellor to erode Zentrum influence in what was one of the most important Catholic electoral catchment areas. But then, some scholars have claimed it was inherent in the federal structure of the Kaiserreich, as we have hinted, to highlight this centralizing feature of the law, increasing the sensation that State Socialism was being brought in³¹.

In February 1889 the Cologne Catholic newspaper aligned with the Zentrum, the *Kölnische Volkszeitung*, wrote that «the breach with the old idea of relations between State and society [was] now complete»³². The whole ten-year social legislation had «completely burst the banks as to the limits of what the State may do vis-à-vis society».

Although modern life may entail the State having the right to compel every employer to ensure his workers against the consequences of accidents, it by no means follows that the State has the further right to compel employers to insure themselves. But the objections to this unjustifiable increase in the State's coercive rights have gone unheard [...] now that we are on the slippery slope, people seem no longer to feel that we are sliding more and more towards State Socialism³³.

An interesting counterpart to these criticisms emerges from the widely repeated views of the more pro-governmental intellectuals. On June 19 the conservative newspaper *Conservative Correspondenz* carried a long editorial rebutting the gist of the Catholic and liberal

³⁰ See *Versammlung katholischer Sozialpolitiker*, in «Germania», 09.07.1885, in QGdS, II Abt., B. 1, Nr. 65, pp. 271-275.

³¹ See C. Henrich-Franke, *Wandlungen föderalen Regierens im Deutschen Kaiserreich. Die Entscheidungsfindung im Fall der Sozialgesetzgebung*, in «Historische Zeitschrift», 2, 2011, pp. 373-399.

³² G. von Hertling, *Eine ernste Entscheidung*, in «Kölnische Volkszeitung und Handelsblatt», 06.02.1889, in QGdS, II Abt., B. 6, Nr. 106, pp. 583-588.

³³ *Ibidem*. Similar assessments were made by the Liberals, see the *Einleitung*, in F. Tennstedt, H. Winter (eds.), *Grundfragen staatlicher Sozialpolitik. Die Diskussion der Arbeiterfrage auf Regierungsseite vom preussischen Verfassungskonflikt bis zur Reichstagswahl von 1881*, pp. XXI-LVIII, QGdS, II Abt., B. 1.

critique³⁴. Historical analysis, it argued, showed the new role of the State to be legitimate. Until a few years previously, «the ideas that any State intervention in economic life was an evil [...] prevailed almost unopposed. However, «such an idea [was] quite mistaken»».

It denies the first and most important duties of the State: every page of history should teach us so. Since the earliest formation of the State, with the first economic activities extending beyond the family circle, the State has been called upon to intervene even in economic life, in an organized and regulatory capacity³⁵.

In other words the development of history at that time showed State intervention to be necessary in order to preserve order and the appointed institutions. What, in point of fact, was the most important historical task facing Germany? To tackle the social question, which is to say the very real and irreducible conflict between workforce and owners. The purpose was to prevent that conflict taking a violent and revolutionary turn. For that reason the State had every interest in creating «a humane and economically safe existence for the classes that depend on their own manual labour» and hence «the creation of peaceful relations between employers and workers». Given that objective, the newspaper continued, the old recipe of the State obstructing development and welfare was «inappropriate». A challenge of that kind could only be met if «the State does not abstain from intervening in the individual's economic self-determination, wherever this is required to further the social functions and higher interests of the whole»³⁶. At the same time, it was «completely wrong» to regard any intervention measure as «a pernicious and dangerous step towards socialism». The new view of the State's role was the key to «preserving the basis of our empire and our social order [...] in harmony with genuine Christian principles and thinking»³⁷. Those who criticized such changes should remember that the real danger lay in social democracy urging that the issue be solved by «violent reorganization of society» on a new basis, not resting «on experience and history» but on theories drawn up on paper³⁸.

This was also the line taken by the principal government organ, the *Neue Preussische Zeitung*. On July 13, 1889 this carried a long article by Adolph Wagner, one of the leading lights of the *Verein für Sozialpolitik*³⁹. Wagner argued that worker protection and insurance were the two main areas where the modern State had begun «to pursue a positive social policy and break with the individualistic maxim of *laissez faire* in labour relations», the aim being to integrate the working class and avert social revolution. It was far from being a semi-socialist policy. Wagner likewise argued that historical analysis showed this new turn of events to be legitimate. The change in the State role had not occurred in a «Romance nation» (France) «which

³⁴ See *Sozialpolitische Zeit- und Streitfragen*, in «Conservative Correspondenz», 19.06.1889, in QGdS, II Abt., B. 1, Nr. 88, pp. 384-396.

³⁵ *Ibidem*.

³⁶ *Ibidem*.

³⁷ *Ibidem*.

³⁸ *Ibidem*.

³⁹ See A. Wagner, *Sozialpolitische Glossen*, in «Neue Preussische Zeitung», 13.07.1889, in QGdS, II Abt., B. 1, Nr. 89, pp. 396-400.

would tend to favour State interference more», but in Germany, which has traditionally been less prone to such views⁴⁰. «Why?» Because the government had taken on board «the experience of history» and realised that this was the only route to «evolution without breakdown»⁴¹. Wagner backed his argument with a somewhat forced citation of the emperor's speech on November 17, 1881 which heralded an ambitious programme of social legislation. As part of the policy of State preservation, Kaiser Wilhelm was quoted as saying, there was a duty to «take care of the unpropertied classes of the population and show them via appropriate legislation that the State was not an invention designed to protect the wealthier social classes» but an institution that served the needs of all⁴².

4. Conclusion

In March 1890 when the Chancellor who founded the Empire resigned from his post, many observers thought that one chapter had ended and a new page of history was about to unfold. Many things would indeed be changed, in both foreign and home policy, but not the new framework of State-citizen relations that had materialized in the last decade thanks to social legislation.

This essay was not the place for any philological reconstruction of how such a major historical turning-point came about in German political history. Rather, by some carefully chosen sampling of the press of the day, I have tried to bring to light the salient features of this historic transition with a view to generating discussion. It thus transpires that, in the case of Germany, the political and cultural volte-face in the role of the State took place in the 1880s rather than 1870s. The decade of social legislation appears to have been decisive. The public debate surrounding that legislations's long, slow gestation and promulgation provides an indispensable angle of observation from which to reflect on how State-citizen relations were perceived and narrated within the Kaiserreich. The historic transition from a classical liberalist to an interventionist conception of the State was more keenly noted by the liberals and Catholics than by the socialists. These last at the time underestimated the importance of a transformation that would mould the future of the State; by contrast the liberals and part of the Catholics criticized it, while the pro-Bismarckian conservatives upheld and promoted it.

Our attention has here, of course, been confined to the laws actually passed and the general historical import accorded to them. The technical aspects of that social reform entailed a range of subtler points that our analysis could not cover. It would have proceeded from reformers like Schmoller and Wagner's arguments as to the need for State intervention, to the paternalistic proposals of industrialists like Krupp; from the neo-corporative approach of Protestant theologians and reformers to the charitable ventures of Catholic reformers; from self-help schemes

⁴⁰ *Ibidem.*

⁴¹ *Ibidem.*

⁴² *Ibidem.*

to social-democratic social welfare organizations; from liberal social reform to social welfare assistance by bourgeois feminists⁴³.

By way of summing up, one may state that from the 1880s the idea that the Empire was responsible for its citizens' wellbeing and a certain degree of their social security gained ground in German minds and became a key feature of political thought. The impression that emerges from the media of the day is that contemporaries sensed that a profound historic and maybe irreversible political turning-point had been reached. In other words, to the more culturally and politically aware intellectuals it was a historic watershed, far deeper than any change at the helm of the Chancellery of the Reich.

Given the circumstances from which the Kaiserreich arose, it was no simple or obvious change. We have merely hinted at the resistance put up by the groups bent on keeping the status quo for fear of modernity and its effects; it took many forms and not just through public debate. Nonetheless, the Bismarck era concluded, despite the formal rules of the constitution, with a government endowed with extensive powers in economic sectors and the administration of all the States in the empire. To intellectuals in favour of social legislation the road to modernization called for a bolstering of the executive, and accordingly greater protagonist on the part of the central State. The objective was twofold: to preserve imperial Germany and circumvent the socialist recipe. It was not just a trick to get over the conflict present in society, but a bid to regulate it, providing a safe bulwark against the dynamics of conflict in the industrial epoch.

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⁴³ On these points see G. Steinmetz, *Worker and the Welfare State in Imperial Germany*, in «International Labor and Working-Class History», 40, 1991, pp. 18-46; J.-C. Kaiser, W. Loth (eds.), *Soziale Reform im Kaiserreich. Protestantismus, Katholizismus und Sozialpolitik*, Stuttgart, Kohlhammer, 1997; U. Sellier, *Die Arbeiterschutzgesetzgebung im 19. Jahrhundert. Das Ringen zwischen christlich-sozialer Ursprungsidee, politischen Widerständen und kaiserlicher Gesetzgebung*, Paderborn, Schöningh 1998; M. Stolleis, *Geschichte des Sozialrechts in Deutschland. Ein Grundriß*, Stuttgart, Lucius und Lucius, 2003.

