



**Hugo Preuss.** *Gesammelte Schriften: Volume 1, Politik und Gesellschaft im Kaiserreich.* Tübingen: Mohr Siebeck, 2007. x + 812 pp. EUR 89.00 (cloth), ISBN 978-3-16-149016-3.



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## The Scholarly Rediscovery of Hugo Preuss

The first question one must ask upon the appearance of the first volume of Hugo Preuss's collected writings is: why only now? Preuss was not only a distinguished legal and political theorist, he was also an active left-liberal politician and played a central role in Berlin's municipal government. And most important, Preuss—more than any other individual—deserves the title of author of the Weimar Constitution. After his death in 1926, the Republic itself collapsed, and the Nazis attempted to erase people like Preuss—not only a liberal democrat but also a Jew—from German history. Apart from a few, scattered works, the scholarly world has rediscovered Preuss only since 1990.

Christoph Möllner and Detlef Lehnert deserve great praise for organizing this project, both as a scholarly and as a financial endeavor. The complete, five-volume project will be edited in conjunction with scholars whose expertise makes them perfect contributors. The volume under review at present, treating Preuss's political writings from the German Empire, has been edited, introduced, and annotated by Lothar Albertin, the well-known historian of German liberalism and democracy

since 1890. The next two volumes on public law and the Weimar constitution will be edited by scholars whose eminent works span the fields of public law, democratic theory, and the history of political thought: Dian Schefold, Marcus Llanque, and Christoph SchÄ¶nberger. A fourth volume will be edited by Leher, whose work is indispensable to our understanding of debates about democracy in Weimar, will be followed by a fifth volume on communal politics edited by MÄ¶llner, himself both an engaged scholar of municipal self-administration and an expert on political thought in Germany. Just as MÄ¶llner's three-volume edition of Hermann Heller's writings from 1971 spurred important work on German legal and constitutional theory, the new edition of Preuss's works should promote further work on both Preuss and the German liberal-democratic tradition in law and politics.

The first volume of the project contains 53 articles and pamphlets, as well as a 65-page introduction by Albertin that expertly guides the reader through the political thicket that was left-liberalism in the German Empire. Preuss's style, unlike that of Max Weber, was flow-

ery and often sarcastic; his writings did not contribute to a general political sociology, but elaborated on the pressing political issues of the day. He did not, in short, write abstract political theory but rather engaged in concrete political thinking. It would be impossible to do justice to the wealth of materials presented here in the space of a short review. Instead, the following sketches out three general issues: Preuss's ambivalent relationship to Bismarck and imperial Germany (reflected in his simultaneous affirmation of national unity and parliamentarianism); his reaction to the changing political climate after 1893 (when left-liberalism fractured into competing factions and suffered a decisive defeat at the polls, facing a new mobilization of voters for the other parties); and his careful arguments for political change during World War I.

Preuss began publishing in the last half-decade of Bismarck's rule. Like other Prussian liberals, Preuss seemed torn between genuine admiration for the man who had unified Germany and concern about the effects of his rule. Bismarck's "onesidedness," Preuss stated, "made him into the savior, the father of his fatherland, and this onesidedness caused wounds to his fatherlands, which will certainly but only slowly scar over" (p. 72). For Bismarck was also one-sided and oriented toward power in normal times, with terrible effects for the country. His actions against the Jesuits and the Catholic Center Party had given the priests "the appearance of martyrdom"; denying citizens the right to claim the Church's role in marriage, birth, and death had artificially revived a political tendency that Preuss himself viewed only with scorn (pp. 78-79). Likewise, persecution of the Social Democratic Party had pushed its leaders and members to aim, not to realize their goals through the state, but to destroy the state itself, as Preuss argued in 1886 (p. 107). As he remarked after the end of the anti-socialist laws in 1891, the best remedy for Social Democracy was parliamentary democracy, which would force its leaders to take reasonable positions in order to get real results (pp. 176-177). Bismarck's authoritarian style also helped to undermine precisely those individuals in parliament who had the potential to lead the nation forward. Bismarck's attack on career politicians (*Berufspolitiker*), Preuss argued, helped nourish immature, unpolitical sentiment among the German people; it undermined political leadership in general (pp. 89-90). Nor was the system stable over the long run; three years before Bismarck's fall, Preuss asserted that the convoluted place of the chancellor in the imperial constitution was "only possible for the person and the authority granted by history of Bismarck" (p. 126).

Bismarck's legacy was thus, in Preuss's estimation, an immature nation. To Preuss's mind, Social Democracy was a utopian movement out of line with modernity; political Catholicism was little more than an atavism; and the increasingly vocal, chauvinistic nationalism of the Right amounted to a "brainless nationality swindle" (*gehirnloser Nationalitätsschwindel*), expressed in the form of nationalist hatred and Jew-baiting (p. 84). These were all positions one might agree with, but hardly positions that showed the way forward for a political liberalism that was losing popular support. Preuss's defense of a "natural aristocracy" against Social Democratic egalitarianism was also simply bad politics (p. 184). As Albertin explains in his introduction, the left-liberal defeat in 1893 involved more than a momentary defeat for parties advocating free trade; it involved a failure of the liberal vision of an ideal political community standing above class and fraction. The left-liberal claim to represent the general interest rang hollow (pp. 33-34). The problem was not just William II's personal regime. The German people themselves were politically immature and disengaged. Preuss found the source of the people's position in the old elite's repeated success in hampering political change: the Junker was the constant enemy of progress and modernity. In Preuss's analysis, a rational politics would align the forces of the modern world (liberalism and social democracy) against the forces of reaction (conservatives and the Catholic Center) (p. 360). This argument seems unrealistic in the context of the actual party relations in nationwide elections. But it may have made more sense in the light of politics in a city like Berlin, where socialists and liberals could work together on some matters.

Preuss's interpretation turned his age's notion of the *Sonderweg* on its head. The right defended Germany's special path, its combination of a strong administration separate from the legislative assembly with positive social measures; the special role of the military, they would argue, allowed Germany in World War One to respond well to what most Germans viewed as aggression from all sides. But in Preuss's account, the failure to implement municipal self-administration under Karl Freiherr vom Stein, the failure to introduce constitutionalism under Karl August von Hardenberg, and the failure to unify the German nation in 1848 had the effect not of strengthening but of weakening Germany, by depriving it of a politicized popular base. Preuss was loose with his definition of the "Junker," which makes his account unsatisfying as social history; as a history of political ideas, however, his interpretation is more compelling. Antisemitism, Preuss

noted, appeared as a political tool precisely when liberal political reform became possible. Friedrich August Ludwig von der Marwitz developed his critique of reform in ethnic terms, attacking the transformation of Prussia into “a new-fangled Jew-state,” in his famous phrase. Such references to Jews, Preuss noted, transformed the attack on liberals to an attack on a small and defenseless minority (pp. 218-219). Antisemitism remained part of the conservative critique of liberalism up to Preuss’s day; as Preuss wrote, only a person who has felt what it means to count as a foreigner in one’s own homeland—indeed to have grown up within an antisemitic culture from school age onward—could grasp what was at stake in the so-called Jewish Question (p. 289).

As Preuss noted in 1898, the antisemitic parties had succeeded in one crucial respect, even if their programs had failed: “for many years there has not been a Jew in the Prussian parliament, and he finds entry into the Reichstag only through Social Democracy” (p. 288). The populism of the 1890s had not enabled a natural aristocracy to appear, but did allow prejudice to affect all the parties—except for the Social Democrats. Preuss disagreed with many elements of their program, but by the late 1890s he was gaining more respect for them, especially as revisionism developed in both theory and practice. Preuss had always admired Ferdinand Lassalle for his straightforward advocacy of suffrage rights for workers (pp. 85-86; 178-179). The revisionists in Social Democracy seemed to fit into the Lassallean tradition.

Whatever his criticism of chauvinism, Preuss was a German nationalist, and his first published piece during the war was a mean-spirited attack on English culture, its hypocritical religiosity, and its Calvinist belief that the English were a “chosen people” like the people of Israel, when in fact they belonged to a nation with a huckster character (*Krämerart*) (pp. 534-535). His extreme rhetoric soon subsided, but throughout the war Preuss continued to defend Germany against charges that its militaristic traditions had started the war. Wartime censorship can only partially account for his defenses of Germany during the war.

But as early as 1915, Preuss began to develop a more critical view of the war. In his famous book, *The German Nation and Politics* (1915), reprinted in this edition, Preuss argued that Germany had in fact developed in a political

direction different from that of most of its peers. That direction had helped to create a clique of people, including military people, separate from the nation as a whole; this clique, far from consisting of militarists, in fact consisted of mediocrities without a political base. They were not leaders, and the German state had proven incapable of taking real political positions. Far from being bent on world domination, its leadership was passive and indecisive; and because the leaders of an increasingly powerful nation could not articulate clear goals in foreign policy, foreign lands imputed to them “incomprehensible, dark plans for world domination” (p. 391). Preuss’s disgust with the pathetic political leadership of the Reich would only grow over the course of the war. But that leadership, again, had its foundation in the German people themselves, who conceived of freedom only as a freedom from the state, a freedom of action apart from the state. The problem for Germany was how to bring *Volk* and *Staat* together, how to create a new *Volksstaat*. August 4, 1914, did not realize German unity; that real unity was only possible on the basis of democracy. By 1917 at the latest, Preuss had begun to hint at the need for a political end to the war, probably on the basis of a peace without annexations; but a political end required political leadership, thus the need for immediate political reform.

The final essays in the volume begin to lay out the challenges for any systematic reform of the German state. Change would require more than just revising a couple of articles on ministerial responsibility: it would require considering universal manhood suffrage for the German states, including Prussia, consideration of proportional voting, reorganization of federalism, and the politicization of the higher administration so that real politicians and not just civil service toadies could rise to the top. Even though Preuss himself did not expect or want revolution, he was prepared like no other for the issues that would shape the Weimar Constitution.

The edition is easy to use and well edited. The index is extensive and includes names and events as well as concepts and problems; it is a model of substantive scholarship that one seldom sees in German books. The editor has done a good job of providing contextual background on people and events that can guide the reader through the texts. All in all, the first volume of Preuss’s work is a solid, compelling work.

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