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FEDERALISM IN CENTRAL AND EASTERN EUROPE

An historical study of the experiments made with Federal Constitutions in Germany, Austria and the U.S.S.R., with a thorough analysis of the social and political factors which fostered or thwarted the experiments. Dr. Schlesinger's findings are a challenge to those who discuss constitutional proposals in the abstract without reference to the social and historical setting in which they are expected to work.

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FEDERALISM IN CENTRAL AND EASTERN EUROPE

by

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PREFACE

At the eve of the war, during the last stages of which this book is being published, Federalism became highly fashionable among all kind of blue-printers, those who believed in the capacity of constitutional forms to solve all the fundamental issues of social life, as well as those who were on the look-out for new descriptions for rather old-fashioned political concepts. The second group of ideologists had their hey-day during the first stage of the war, as was very natural in the conditions in which it was started. They may be left to the criticism of historical experience. But in order to controvert what I believed to be the delusions of more progressively-minded blue-printers, I wrote, in the first months of 1940, an analysis of the general problems as well as of the experiments made with federal constitutions in Central and Eastern Europe. Part of this work was embodied in the book *Russia and Her Western Neighbours* which I published, in 1942, conjointly with Prof. G. W. Keeton.

In the autumn of 1941, Prof. Keeton and Dr. Schwarzenberger suggested me to make a more thorough study of the problems of Federalism in Central and Eastern Europe. By that time, interest in the various types of blue-prints had receded into the background. Once the U.S.S.R. had entered the war and, thus, the complete defeat of the " New Order " was secured, the inadequacy of the post-1919 patterns that had dominated most discussions on war-aims during the first phase of this war became obvious, and the real problems of the post-War order began to dominate the scene. What I have tried to contribute to the study of these problems is an analysis of the problems of democratic devolution arising from variety in social and cultural outlook, and of the limits within which such variety might be integrated by federal organisation. For an Austrian who has devoted much interest to the problems of the U.S.S.R. it was only natural that the problem of the multi-national state should occupy a central place in this study. I have restricted the detailed analysis—as distinct from the general discussion—to those countries in the political life of which I have had the opportunity to participate, and with the political experience and literature of which I have some acquaintance. It is for this reason that no special chapter is devoted to the problems of Yugoslavia, although that country

seems to be most likely to provide the next successful experiment in federal organisation.

History moves quickly in our days. When this book took its final shape, in the first days of this year, the " New Order " was still in existence whilst, on the other hand, some concepts of post-War organisation discussed in this country were not yet so obviously refuted by historical events as to make it seem useless to devote some chapters to their criticism. I feel that there is little sense in changing what I have written in 1942 and 1943, for there is no guarantee that a text " up to date " in December 1944 would cover the conditions prevalent when this book reaches the reader. I desired to analyse pre-War historical experience, and to estimate the relative strength and prospects of social forces which continued to work through this war and will continue to work after it is over. If I have given a right estimate, the reader will be able to apply my conclusions to such concrete historical facts as will obtain when he reads this book. The " New Order " has gone; but the forces that supported the Quislings remain, and are on the look-out for a new orientation. The question of the eventual structure of post-War Europe seems to have been answered pretty clearly in the sense of the spheres of influence-pattern discussed in Chapter XVII. But I prefer not to drop it, as various alternatives within that pattern are still open, and will remain so for some years to come. Some questions raised in connection with the Danubian countries may appear less topical when this book is published, than a few years later, when the nationalist atmosphere of war-propaganda will have settled down, but the problems remain.

I owe Dr. K. Mannheim and Dr. G. Schwarzenberger many valuable suggestions and criticisms. Mr. Allan Leach and Mr. G. I. Glover have thoroughly revised the style. The librarians of Chattam House and of the Society for Cultural Relations with the U.S.S.R. gave me every assistance in collecting the materials needed. I thank the Czech Refugee Trust Fund and the British Council, whose kind help gave me the material possibility of writing this book.

RUDOLF SCHLESINGER.

THE BUNGALOW, LODE, CAMBRIDGE,
December 1944.

PART I. INTRODUCTION

CHAPTER I

THE HISTORICAL BACKGROUND

(1) Federalism in the countries discussed in this book originated from the lack of correspondence in size between the historic political unit and the emerging new units which were the result of national unification. In Germany the historic political units were smaller than the unit integrated by national consciousness; in the Hapsburg and Romanov empires the historico-political framework comprised a plurality of nationalities.
(2) This disproportion between political and national integration had its root in the retarded economic development in these areas as compared with the West. From this backwardness of economic development it followed that modern nationalism, which is mainly a middle-class product, found when it arose a traditional political unit with pre-capitalist foundations already strongly entrenched. This unit it was obviously compelled to oppose.

(*a*) CONDITIONS AND TASKS OF EUROPEAN FEDERALISM

When, after the ebbing of the wave of reaction which followed 1815, Liberalism began to dominate Western Europe, there remained in the Centre and the East three military and autocratic monarchies which had formed the core of the Holy Alliance. These were Prussia, which was to take the lead in the unification of Germany; the Hapsburg monarchy; and the Tsarist empire. The last had been the backbone both of the resistance to Napoleon after 1812, and also of the reaction of 1815 and after. It likewise supported its two neighbours and partners on its Western borders when, in 1848, they were threatened by a revolutionary wave originating still further west. Tsarist Russia herself remained untouched by the 1848 revolution, and succeeded in avoiding similar events at home by carrying out the semblance of an emancipation of the serfs in 1861. In reality, though the external apparatus of serfdom had gone, the economic and social position of the big landlords was preserved even more securely than it had been after 1818 in Prussia. Russia was not to experience her first modern revolution until so late as 1905–6, but when it came the working classes played a leading part in it. It was defeated, and a mere sham constitutionalism resembling, or even more backward than, Prussia's, was left as its only apparent result. In 1917–18, as a consequence of the first World War, all three military-autocratic monarchies broke down.

Russia took the lead in revolution as before she had taken it in reaction.

It was in Russia that the ideas which the most radical of the German revolutionaries had developed immediately before 1848 were realised, and that by a party not much more working-class in its structure than was that Communist League for which Marx and Engels had written their Manifesto.[1] In Germany itself, as well as in Austria, a modified form of Marxism became the recognised creed of a legal Labour movement much like that in the West. Social Democracy, the product of this adaptation, was in 1918 to play a leading part in establishing democratic republics on the ruins of the shattered empires. Unlike the Russian Bolshevists, the Western Labour movement adopted a rather formalist attitude towards constitutional enactments based on liberal and democratic principles, even though that liberalism were developed at the expense of Socialism and even of Democracy.[2] After 14 years in Germany and fifteen in Austria,[3] the Liberal republican régimes were destroyed and replaced by Fascist dictatorships of various shades, which in their turn were eventually to be unified under the strongest of them, the régime of Hitler.

During these historical crises federalism was applied, or its application was attempted, in the territories of all three of the

[1] Both parts of this statement will probably be disputed by various struggling Marxist factions. But neither, I think, can be seriously attacked, the first if the immediate programme of the Communist Manifesto is compared with Soviet policies during their first years, the second if all the implications of Lenin's theory of the Bolshevist party as "the league of revolutionaries closely *linked with* the Labour movement" (in *What Is To Be Done?*, 1902) are taken into account. See A. Rosenberg, *A History of Bolshevism*, London, 1934.

[2] The extreme expression of this view, which in fact was generally held among Central European Liberals and right-wing Socialists, is the main argument for democracy put forward by Kelsen (in his books *Socialism and State*, 1920, and *The Problem of Democracy*, 1926, both in German, the latter also in French). It is there argued, from the point of view of a relativist philosophy, that if there is no absolute truth, and all men are regarded as equal, no man has the right to force his views upon others. Therefore majority rule involves the minimum of oppression. Against this point of view, it might be argued that to accept the equality of man and the avoidance of oppression as the characteristics most desirable in social organisation implies in itself the assumption of an "absolute truth". Besides, Kelsen's argument suffers from the evident lack of proof that every ephemeral majority vote (even if it be assumed that a wide suffrage always leads to the expression of the real views of the majority) is bound to result in the minimum of oppression of majorities in the future. But these theoretical shortcomings express very well the political shortcomings of Central European democracy.

[3] Czechoslovakia ought to be omitted from this comparison. For when, after twenty years, she broke down, it was a proof of the shortcomings of English and French rather than of Czechoslovak democracy. On the other hand, Czechoslovak democracy had an incomparably easier task to fulfil than that of Germany or even Austria. For amongst the Czechs nationalism worked indiscriminately in favour of democracy.

former monarchies, covering three-fifths of Europe's total 1914 population. It is remarkable that, save for Switzerland, these remained its only applications in Europe. This coincidence was no mere accident. Federalism,[1] in all three countries, started from a state of affairs unknown in Western Europe: the divergence between the traditional, and still semi-feudal, political unit on the one hand, and the units emphasised by nineteenth and twentieth century nationalism on the other. In Russia and Austria the historical unit was multi-national. If these units were to be preserved, and the national principle recognised at the same time, a federation of national units must be created. In Germany, since the end of the mediæval period, the national cultural unit had been broken up into a multitude of political units varying in size from a Great Power to an average market town. Only a federal organisation, therefore, could reconcile the traditional units with the spirit of nationalism.

Some of the legal forms of an earlier political unity had been preserved up to the beginning of the revolutionary period. Thus even in Germany federalism did not have to shape a new unit from formerly independent states, but only to reconstruct a traditional unit, political as well as ideological. In the U.S.S.R., as in the U.S.A., the short-lived independence of the units which entered the federation marked only a transitional, revolutionary stage. There is not the slightest evidence that, had it not been for their common historic background, any idea of federation would have grown up in either.[2]

Central and East European federalism was, in the first place, an attempt to solve the contradiction that arose in that part of the world between the historic political units and the desire of the modern national group for unity and self-government. Amongst the Anglo-Saxon prototypes of federation, excepting the borderline case of Switzerland, a similar state of affairs is to be found only in the relation between French-dominated Quebec and the other provinces of Canada. On the other hand, the student of Central and East European federalism seldom encounters the problem which dominates Anglo-Saxon federalism, namely, the desire for self-government of regions which, in spite of sharing a common civilisation, are geographically, economically and socially diverse.

[1] Or, in the case of Austria, the unsuccessful attempts at reconstruction of the traditional unit on federalist lines.

[2] See A. P. Newton, *Federal and Unified Constitutions*, London, 1923, p. 3.

In the present book we have to deal with only two such instances. After the overthrow of the dynasties in the German states, the traditional federalism of the country could not have continued but for the general conviction that the historic divisions, though an artificial product of dynastic policies, yet represented in some degree real distinctions between various parts of what was indisputably a single nation. What little life German federalism possessed after 1918 was essentially based on the fact that Saxony, Bavaria, and the rest had each its peculiar social and cultural needs, at least in the eyes of the majority of the respective electorates. So likewise federalism in republican Austria was essentially based on differences in social and cultural outlook between the Socialist workers of Vienna and the Catholic peasants of the Alpine provinces. It should be noticed that the highly important division of Vienna from the rest of Lower Austria was not traditional, but was due to the framers of the Republican Constitution.[1] German Democrats, likewise, have always been conscious of the fact, that German federalism was bound to fail unless it was prepared to neglect the purely historic boundaries between the units. In any case, Central and Eastern European federalism had to start from the fact that the traditional units did not satisfy the needs of modern life.

(*b*) Autocratic Monarchy and its Heritage

The States which military-autocratic monarchy had created were sometimes larger, sometimes smaller than the national units. Sometimes nations had been divided up " like pawns on a chessboard ", to use Wilson's phrase. The Central and East European monarchies had come into being about the same time as the States of the Tudors and Bourbons, between the end of the fifteenth century and the beginning of the eighteenth.[2] Hapsburgs and Romanovs cared no more than Tudors and Bourbons whether or not the territories they acquired were ethnographically homogeneous. But the Tudors and Bourbons—or rather the revolutions that followed them—had succeeded in creating out of dynastic conquests dictated by strategical needs and possibilities real economic and social units. Thus even Scots and Alsatians

[1] See below, Chapter X, p. 263.

[2] The Hapsburg empire developed into a modern absolutist State at the beginning of the sixteenth century : absolutism definitely triumphed there in 1620. In Russia Ivan IV fought the essential battles, although it was left to Peter the Great to consolidate the results. Prussia was unified, as against the Junker anarchy, only at the beginning of the eighteenth century, but centralisation had long been on the way.

were absorbed for all purposes of practical politics ; Hungarians and Volga Tartars were not. For the economic life that was developing in the Hapsburg and Romanov empires was not sufficiently advanced to draw the masses of the people into its orbit, or even to assimilate the local ruling classes.

At last, during the nineteenth century, such nations as the Czechs and the Ukrainians " awakened ". It became evident that even peoples which had been deprived for more than 200 years of any stratum of national leaders, though they had slept, had not been destroyed. In a feudal or semi-feudal society the leading ranks had been denationalised by the conqueror ; but, just because they were the leading ranks, they had bothered little what language was spoken by their serfs. When those serfs awoke and ceased to accept serfdom, their national civilisation awoke with them. The time had come when national civilisations had to be based upon the middle classes, and when only a government supported by those classes could successfully claim political allegiance. But it was obvious that of all the countries in question, Germany alone had a middle class of her own. It had grown up there in opposition to the historic conglomeration of dwarf States. In the Eastern empires the " historic " nationalities,[1] that is, those whose national nobility had been preserved as part of the ruling class of the multi-national empires, faced the unpleasant necessity of transforming part of their own upper class into intellectuals, merchants and industrialists—in so far as those functions were not left to the Jews, who are to-day bearing the burden of the doubtful privilege then bestowed upon them. In general, the new middle classes had to be created out of the peasantry, that is, in very large parts of these empires, out of the " unhistoric ", oppressed nationalities. Thus States about whose national outlook no one had hitherto cared—for in the seventeenth and eighteenth centuries no one had had any concern about nationality at all—turned out to be multi-national when nationalism became a predominant factor in modern political life. It then seemed obvious by the same standards that Germany's dismemberment was unreasonable.

The question arises : Why did the centralised, absolutist State develop in these countries in advance of those forces that supported it in Western Europe, namely, the first elements of modern capitalism ? The question must have separate answers for Central and for Eastern Europe.

[1] To use the term current in Austria. See below, Chapter VIII, p. 155.

At the end of the mediæval period, Germany west of the Elbe, Austria proper, and Bohemia, were among the most advanced parts of Europe. They were therefore among the first to develop the absolutist, monarchical State. They did so within the limits then fixed for non-seafaring peoples. Their scope was so restricted that to a later age they could not but seem "dwarf" states. But in sixteenth century Europe, Bavaria, Saxony, and Bohemia were Great Powers rather than dwarf states. If the marked economic development of Central Europe had continued, all these territorial monarchies would have played transitional parts in the development of a modern Great Power, like that which Burgundy played in the development of France. The Fuggers knew quite well what they were about when they supported Charles V with their gold in his attempts to extend Hapsburg absolutism over all Germany. But for reasons connected with the changes in international trade routes, for reasons, that is, which lay outside Central European development, the Hapsburg expansion in Germany stopped in the middle of the sixteenth century. This petrified state of things still confronted the awakening German middle classes three hundred years later.

In Eastern Europe absolutist power seemed to have outgrown its economic foundations. Defence against external aggression from the great Mongol empires in the heart of the Eurasian continent necessitated a centralisation of political power far in advance of the feudal organisation of society which seemed adequate for the economic conditions of the time. This word "defence" need not imply any judgment of value as regards European civilisation. No such judgment, indeed, is possible unless we are prepared to accept as valid certain irrational assumptions as to the respective merits of Islamic and Christian, Orthodox and Roman Catholic civilisation. Russia and Turkey, which looked on themselves as bulwarks against the Eastern barbarism of the Mongols, might themselves be looked on by the Austrians as barbaric empires. The essential fact is that under such conditions huge multi-national empires were bound to grow up, and that the failure of a nation to build such an empire involved the loss of its national independence to a more successful competitor.

Each of these empires was associated with a particular form of its own through which the civilisation of antiquity was transmitted to modern times—as are Roman Catholicism, Orthodoxy, and Islam—and, as a result, with essential features in the national

life of all the peoples within its boundaries, however these might differ from one another. It is no mere accident that the U.S.S.R. has closely consolidated, or seems likely to attract, those parts of the former Tsarist empire and its border nations which have a share in the Byzantine or the Islamic cultural tradition, i.e. in the main forms under which the Eastern, Hellenic wing of ancient culture influenced mediæval civilisation. Every enduring multi-national empire created a certain unity among a number of peoples which, though incorporated into it by force, shared within it certain common cultural experiences. If such an empire survived into modern times, with a really high degree of economic intercourse, it created strong links that were not likely to be broken when autocratic monarchy became obsolete in the eyes of the subject peoples. There are, for example, marked natural economic interests and transport facilities common to the Danubian countries, even in our own day when transport by water has lost its predominance. But their contribution to such unity among the Danubian peoples as still survives lies in the fact that when they were really of primary importance, they stimulated and furthered the incorporation of these territories into the Hapsburg empire, rather than in their actual value to-day. A railway system built to meet the strategic and economic needs of the old Dual Monarchy has certainly done more for the present-day cohesion, and far-reaching mutual interdependence of the Danubian countries than has all the river traffic of the Danube. Economic links created by incorporation into a multi-national empire are not necessarily the predominant factor in national decisions: they have to compete with the powerful forces of modern nationalism which may embody the strongest class antagonisms of our times. But by artificially uniting diverse peoples and at the same time creating real links between them, the military-autocratic monarchy in its attempt to reconcile national diversity with economic unity produced the conditions essential for the application of federalism.) It also produced the main obstacles to the success of such attempts.

Military-autocratic monarchy, having evolved far ahead of contemporary economic development in the countries where it operated, and having absorbed the bulk of their economic resources in building up a machinery of administration and defence much in advance of actual economic needs, bears the responsibility for the fact that federalism, in the Anglo-Saxon sense of regional self-government, has not been applied in modern

Central Europe. This conception of self-government is based upon a combination of feudal particularism with such economic and political unity as the mediæval town would demand. Of the former there was no lack in Eastern Europe : in Poland after the fifteenth century it remained powerful enough to prevent the development of the urban element and its economic functions. There were similar developments in Bohemia, between 1435 [1] and the catastrophe of the White Mountain in 1620. Russia, during the " Time of Troubles ", almost fell a prey to a nobility whose eyes were fixed on the Polish promised land of aristocratic anarchy. Save in Poland, whose destruction was the consequence, monarchical absolutism successfully overcame particularist opposition. But its victory was not won for the advantage of self-conscious cities.

Except in the more advanced parts of the Hapsburg empire, economic conditions were not sufficiently developed to support a regular money-economy, with a salaried army and civil service. Further, since military autocracy had its origin in the feudal strata, in all three empires the ruling classes supporting the monarchy once more took on the character of a landed aristocracy. The upper ranks of this aristocracy, which dominated the Court, were made up of the owners of *latifundia*. Below them stood a class of landed gentry, administering and defending the land on which it lived. But it was essentially a nobility of service, dependent on the whims of its autocratic head, and therefore unable to oppose that head with the demand for autonomy.

In Russia the two great revolutions from above, in the reigns of Ivan IV and Peter I, may be described as the replacement of one nobility by another, based upon service to the Court. So far centralism was successful. But when Peter tried to introduce Western capitalist industrial enterprise, his enlightened absolutism completely failed. The factories remained ; but the workers were turned into serfs, once the new service-nobility had established themselves firmly as the holders of political power. In Prussia the Hohenzollern Electors and Kings had acquired political control of their nobility, and the power to make practical use of it for all administrative and military purposes, by undermining the development of the towns, and especially of the peasantry, out of which a new middle class and a capitalist economy might have grown. It was essentially this system that

[1] The battle of Lipan, in which the aristocratic section of the Hussites defeated the more advanced urban wing.

proved bankrupt at and after Jena.[1] Later on the Prussian government learned this lesson, and began to rely upon middle-class support for the Junker-dominated State machine. Prussia lay so near to the West with its revolutionary troubles that the German middle classes proved docile.

Austria, during its half-century of enlightened absolutism (1740–90) enjoyed by far the most progressive government of all the three empires, and probably of all continental Europe. In Austria also, enlightened absolutism was based upon a service-nobility. For their services to the Hapsburg cause they had been rewarded by grants of land ranging in size up to huge *latifundia*, derived mainly from the confiscations in Bohemia after the battle of the White Mountain.[2] Thus Austrian monarchy, likewise, was based upon a high aristocracy, and the alliance was strengthened by the connection with the Roman Church, since both monarchy and aristocracy owed their very existence to the triumph of the Counter-Reformation. After the short period of enlightened absolutism, when the French Revolution began to threaten the *ancien régime* all over Europe, Austria led the forces of reaction, even opposing any kind of economic improvement as a possible source of revolutionary troubles.[3]

Military-autocratic monarchy made any tendencies towards local self-government in any class of socicty impossible. The higher ranks of the nobility served at Court, while the lower officered the army and administered the country in the service of a highly centralist régime. None of these groups could countenance local autonomy. The *latifundia*-owners, especially in Bohemia, Hungary, Silesia and the greater part of Russia, ruled over territories as large and as highly centralised as an average West or Central-German state. The lesser gentry ruled the villages in Prussia, Russia and Hungary, though not in Austria and Southern Germany, where the peasants were mostly free, and the lower nobility was of a purely service character. The middle classes, servile and wholly dependent on the whims of the monarchy and bureaucracy, could do no business except under the protection of

[1] See F. Mehring, *op. cit.*

[2] For this reason, the outstanding examples of *latifundia*-ownership in the Austrian empire (apart from semi-feudal Hungary) were to be found in Bohemia. The Schwarzenberg family, for example, before the land reform of republican Czecho-slovakia, owned 187 estates covering 493,000 acres (the head of the family alone possessed 420,000 acres); and conditions in this "kingdom of Schwarzenberg" were such that it made by far the largest contribution to Bohemian emigration to the U.S.A. There were, apart from the Church, four other aristocratic *latifundia* owners of more than 100,000 acres each.

[3] See below, Chapter VIII, p. 153.

the Crown. This was the case even before that protection was needed in the face of the rising working classes, and before the monarchy in Germany, by establishing a comprehensive national economic unit, satisfied the middle classes' main economic needs.

Except in gentry-dominated Prussia and Hungary, the greater part of the peasant population retained some kind of local self-government, with a reasonable degree of autonomy in Southern and Western Germany and Austria, and under the supervision of the landlords in Russia. Even in Russia enough was preserved to form a sound basis for the *Kolkhozy*. But nowhere could the peasant even dream of local self-government that went beyond the limits of his village. He was neither free, nor even sufficiently educated to think on such a scale. As regards the working classes, which were to provide the main opposition to the existing régimes, extreme centralist tendencies were made necessary by the centralisation of those régimes themselves. In fact it was only the Bolshevists, who, the nationalities question apart, were extreme centralists who proved successful in the long run. Those Central European dèmocrats who cherished ideas of political devolution became an easy prey to ultra-centralist reaction.

CHAPTER II

THE FORCES OF CENTRALISATION AND DECENTRALISATION

(1) The modern development of capitalist monopoly, and especially of High Finance in the countries under discussion, worked in the direction of centralisation. In Germany, where nationalism also moved towards centralism, the latter became extremely strong.

(2) In the two other monarchies resistance to centralism was developed by those nationalities which were excluded from the ruling stratum of the country, composed both of the old aristocracy and of the newly emerging High Finance. In this configuration Federalism could become an integral part of a democratic programme which admitted economic centralisation but at the same time was in favour of decentralising tendencies in other fields.

(3) The extremely strong centralisation of the régimes in all three empires compelled the democratic forces, especially the Labour movement, to become equally strongly centralised, a development which in itself was hardly in keeping with Federalism.

(a) The Economic Forces of Centralisation and the Federalist Compromise

Federalism is everywhere a compromise between centralising and decentralising forces. As we have seen, nationalism in Germany operated as a centralising force, but in the two multi-national monarchies as a decentralising or even disruptive one. Traditionalism in each case played an exactly opposite part. Economic forces operated mainly in the direction of centralisation. In Germany economic unity preceded political unity ; and of the contending political powers, the one which took the lead in establishing economic unity won thereby the support of the middle classes in the struggle for political leadership. The ground had been so thoroughly prepared for economic unity by the national railway system and the German Customs Union, that economic interests showed hardly any opposition to political centralisation, whatever its degree, that could not be sufficiently satisfied by retaining in Bismarck's empire the traditional local administration. In the two multi-national empires likewise it was economic interest that afforded centralisation a degree of strength which semi-feudal traditionalism could never of itself have preserved in the twentieth century. True, the struggles of the oppressed nationalities for emancipation had their economic background, which we shall study in Parts III and IV of this book. But this background was one of rising forces which had

not yet become established. In any case a demand for emancipation was not the same thing as a demand for separation. Separation, in Austria-Hungary, became the aim only when all attempts at achieving decentralisation had failed, and in the Russian empire it was merely a transitional stage to a new centralisation.

To comprehend the centralising tendency of continental economics, as well as the extreme decentralism, sometimes even separatism, of the less developed nationalities within the multinational empires, we must understand the part which banking capital played in Central and Eastern Europe. Since the development of capitalist industry in these regions began so late, it either did not start from, or very quickly passed, the stage in which a multitude of medium-sized capitalist enterprises owned by individual entrepreneurs competed with one another for business. Huge enterprises, whose need for capital could be satisfied only by the formation of joint-stock companies, took their place. As there was no large middle class to supply the capital, the placing of shares was centralised in the hands of a few big banks. These banks engrossed the savings of the country, and virtually controlled the industries whose shares they had placed; that is, virtually, all the large industries. This financial control of industry furthered the establishment of industrial monopolies —cartels and trusts.[1] In Russia, where there was not even a local rentier class of sufficient importance, the bulk of the capital was supplied from abroad. Thus the Bolshevist revolution can in part be explained as a national revolution of the predominant Great-Russian nation against foreign ownership of the factories in which the people worked. In Austria, where the ownership of banking capital was shared between Viennese High Finance and various competing foreign groups, the rule of "finance capital" (to borrow Hilferding's appropriate name for this state of things) over industrial enterprise made strongly in favour of autonomist, or even separatist, demands on the part of the middle classes of those nationalities which already owned industrial enterprises insofar as the individual entrepreneur, in bank-ruled Austria, owned "his" enterprise at all. From the side of the ruling classes, of course, financial centralisation was one of the strongest arguments for preserving political union. Even within the Labour movement, the fact that the ruling classes had built

[1] The classical treatment of the subject is in Hilferding, *op. cit.* See also, for example, Riesser, "The German Great Banks and their Concentration" (in *U.S.A. Senate, National Monetary Commission, Document 593*).

up the machinery for future planning was a strong argument in favour of preserving, or even strengthening, economic centralisation, and of reducing all political demands for national autonomy to a degree at which they would not affect economic centralisation.

Economic centralisation, with its political consequences, weakened the federalist aims of those who, like Palacky in mid-nineteenth-century Austria and the southern Liberals in mid-nineteenth-century Germany, aimed at decentralisation within a larger unity such as already existed in Austria and was later to be established in Germany. If unity were to be preserved, it seemed to call for ultra-centralisation, at least in the decisive economic field. If economic centralisation were to be fought, it could be fought most consistently by destroying the political unit dominated by centralised High Finance. Hungarian nationalism, though it never seriously aimed at complete dissolution of the already existing unity in foreign affairs, was certainly sincere in its demand for the erection of a customs barrier between the two halves of the Monarchy, to facilitate the rise of an independent Hungarian industrial system. In Germany there was hardly any particularism more serious than the defence of local administrative powers and offices by bureaucratic tradition. But such particularism, lacking any real foundation in modern life, was bound to appear purely negative to the defenders of modern centralisation. A compromise might, if necessary, be made with it, but it was not an essential element of the constitutional life of the day. From the point of view of the centralists, some unity existed—national in Germany, traditional in Austria-Hungary and Russia ; and it was to be regretted that there were obstacles to the realisation of a further degree of unity. But there were no intrinsic merits in federalism.

This attitude found expression also in legal theory. Triepel[1] regarded federalism as a mere *forma mixta* between unitarianism and confederation, or rather particularism. In his view there are no specifically federalist institutions, but only combinations of unitary and particularist institutions, whose co-existence enables a political system to be described as "federalist". Madison's description of the Constitution of the U.S.A. as "in strictness *neither* a national *nor* a federal constitution" is carried by Triepel to the point of considering dualism and the antagonism of the two tendencies as a characteristic of any federation, and of averring that the politician who acts within a federation can

[1] *op. cit.*, pp. 9 ff., and the concluding chapter.

follow no strictly federalist line at all. His only choice, according to Triepel, lies between increasing either the centralist and unitary, or the particularist—and in the last resort separatist—tendency within the system. Triepel illustrates his point of view by the fact that another fundamental German institution of his day, constitutional monarchy,[1] could not be conceived otherwise than as a balance and permanent struggle between two opposing political forces : parliamentary government, in its ultimate consequences democratic, and monarchical rule, in its ultimate consequences autocratic. The German politician must work to strengthen either democracy or monarchical rule ; and so, according to Triepel, he must consistently be either a centralist or a particularist.[2]

Triepel's analogy is merely superficial. It is, indeed, impossible to imagine an army obeying the orders of King and of Parliament at the same time, unless, as in England, care is taken that the constitutional orders of the King should be identical with those of Parliament, which Triepel would have regarded as republicanism. It is, indeed, very difficult to be satisfied with the conceptions of Central European nineteenth-century constitutionalism, according to which the exercise of a predominant influence by Parliament in making laws could be co-ordinated with the exercise by a semi-autocratic monarchy of virtually complete control over the execution of those laws. But there is nothing in itself contradictory, or *prima facie* unreasonable, in the assumption that one and the same people may be subjected for certain purposes, such as education, to a regional authority, and for others, such as defence, to a wider political unit. Contradiction exists only if it is assumed, as German right-wingers assume, that the autonomy of a political unit is characterised by its holding sway over the armed forces.

Whatever its economic and political foundations, federalism was certainly a very popular solution for the problems arising out of the antagonism between centralising and decentralising forces. In discussions within the Frankfurt National Assembly,[3] as well as within the Bolshevist party caucus of 1922–3,[4] people who (from the point of view, for example, of current American

[1] Triepel, of course, presupposes constitutional monarchy in the Central European sense, i.e. the division of power between Parliament and an autocratic monarchy of the kind described in the first chapter, as opposed, e.g., to the British conception of monarchy as a legal symbol for a state virtually governed by Parliament.

[2] It was no mere chance that Triepel sided with autocracy on the latter just as he did with centralism on the former issue.

[3] See below, Chapter IV, p. 60. [4] See below, Chapter XIII, pp. 359–60.

conceptions) tended to be opponents of federalism tried to state their arguments (in the former case confederalist, in the latter unitary) in terms of federalism, and to reproach their opponents with being respectively unitarians or advocates of mere confederacy. So also the Austrian Socialists tried to explain in terms of federalism [1] a programme that was centralist from an economic, and, therefore, to a Socialist party, decisive point of view. The only example we shall meet where men defended themselves against the reproach of being federalists is an *argumentum ad hominem*, which representatives of the oppressed nationalities put forward when approaching reactionary court circles.[2] So it seems that, with the masses, it was rather a recommendation to be a federalist, although it is true that few advocates of federalism agreed in the meaning they attributed to the term.

(*b*) Traditionalist and Democratic Nationalism

In Germany the nobility, centring round the dynastic courts, together with the bureaucracy of the states, formed a strong element in the particularist resistance to unification.[3] But they very soon ceased to be an independent political factor. Some of the higher nobility acquired the ownership of the Heavy industries, and thus amalgamated with the centralist financial interests already described.[4] On the other hand, the upper middle classes, especially the High Finance interest, faced by the Labour movement, turned towards an alliance with the big landlords. Even in the purely economic field, industrial capitalist monopoly joined with the landlords to demand a protective tariff, and to resist social reform. That cleavage between the rent interest and the industrial or agricultural profit-interest familiar in Great Britain has never arisen in Central Europe. There the big landlord, with his feudal traditions, is generally identical with the agricultural entrepreneur, and on the other hand the industrial entrepreneur has arisen among economic surroundings already

[1] See below, Chapter IX, pp. 210 and 241. [2] See below, Chapter IX, p. 226.

[3] Even in Prussia, the leading power in the process of unification, as Bismarck was to find.

[4] Characteristic of this tendency were the big Silesian *latifundia*-owners: the Prince of Pless, holding 75 estates of 130,000 acres; the Duke of Ujest, with 52 estates of 100,000 acres; the King of Saxony, holding in his private capacity 50 estates of 78,000 acres in near-by Silesia. They all controlled numerous mining and other industrial interests, apart from owning, between them, 5 per cent. of the total agricultural area of Silesia (the *latifundia*-owners of more than 12,500 acres each owned between them a quarter of the total Silesian agricultural area. See Kautsky, *The Agrarian Question* [in German], Berlin, 1895, p. 151). In the extreme west of Germany, on the Saar, Stumm owned his renowned "kingdom" *qua* landlord as well as *qua* industrialist.

dominated by the spirit of monopoly. Therefore, for all practical purposes, the big industrial and landlord interests might be regarded as united. At least until the establishment of Hitler's dictatorship these combined interests might be expected to compromise with vested interests in traditional state administration, without sacrificing any of the essentials of political and economic unity.

A very different position existed in the two multi-national empires, where the amalgamation of landlord and industrial interests never had time to proceed beyond the first stages. And the position in the two was not the same. The Hapsburgs, when establishing their empire, included among their aristocratic supporters the Hungarian, Polish, and Croatian large landowning class. Thus these nationalities became " historic ", in the sense that their ruling strata continued to rule both them and the other nationalities subjected to them within the Hapsburg monarchy, as they had done in the previously existing national states. These national aristocracies, in general, continued to support the dynasty and the unity of the multi-national State. But they were autonomists in relation to that degree of unity demanded by modern capitalism, inasmuch as they tried to preserve the semi-feudal provincial government which they dominated. In Russia, a similar state of things [1] was to be found only in the Central Asian dependencies acquired merely half a century before the revolution, and, to a lesser degree, in Transcaucasia. Most Russian nationalities, like those of Austria-Hungary other than the ones just mentioned, were oppressed in the sense that there was discrimination against their national civilisations as such, independent of their concrete class-structure. But again such discrimination had various degrees.

In Russia the non-privileged nationalities were not allowed any kind of national life of their own.[2] Russian nobles and bureaucrats ruled over non-Russian peasant and middle classes, subjecting them to a very strict régime of Russification. In the Hungarian half of the Hapsburg monarchy analogous conditions prevailed as against all who were neither Magyar nor Croat, and much the same was true in Austria as regards the relations of

[1] If we may speak of similarity in view of the colonial character of these territories, in which the Romanov monarchy applied indirect rule.

[2] At the time of the Revolution, most non-Russian peoples had only a religious literature ; and even in denominational matters strong pressure was brought to bear on non-Orthodox nationalities which might find an escape from the pressure of Russification in the forms of religion.

Germans and Italians with Slovenes, and of Polish landlords with Ukrainian peasants. But no similar degree of oppression was found in Bohemia, where the local aristocracy, although artificially imposed on the country after the national Czech nobility had been destroyed, had taken root deeply enough to defend a traditionalist interest in provincial and aristocratic self-government against the interference of a centralist bureaucracy inclined to think in terms of administrative and capitalist expediency. This regional autonomism, an analogue to which might be found in Croatia, had little in common with modern nationalism and the claim for national autonomy within a federalist organisation : autonomy was demanded for the historic Province independently of its ethnographical structure, and it was demanded rather to prevent the rise of any modern civilisation—Czech or German—than to give that civilisation a national character, as the nationalists desired. But the autonomist aristocrat was ready to express traditionalist, ecclesiastical and monarchical conceptions in the Czech or Croat language, if thereby his former serfs could understand his orders better and be brought nearer to him. He was ready to use fashionable federalist terms to describe the restricted autonomy he demanded. On the other hand, an alliance with such autonomists might induce the modern nationalists to express themselves in traditionalist language and to be more proud of the ancient " historic rights " of their people than of their present struggle for emancipation.

But such an attitude was not characteristic of modern nationalism. In Germany, nationalism was identical with modern middle-class ideology. Among the oppressed peoples striving for emancipation, it was Palacky, " father of the Czech people ", who first, and probably best, made out their case [1] for advocating federalism : the technical centralisation of the world would result in progressive external economic unity, but at the same time in internal cultural differentiation. Thus the value of nationality, for which Palacky even found a religious foundation, lay in its preserving variety amid the growing uniformity of the world. The Nation, thus conceived, is by no means identical with the State. Palacky, like all competent Austrian observers, knew quite well that, in this respect, Western and Eastern Europeans meant by nationality very different things. What Central and East Europeans have at various times understood by the term will be explained in this book : its meaning has changed with changes

[1] *op. cit.* (1865), pp. 12 ff. See also *Nationalism*, p. 35.

in the political methods men wished to apply for emancipating their nation.

In continental discussions on multi-national federation the word Nationality, as usually understood in England and America, namely as a complement of political allegiance, or at least of a desire to create a new sovereign State as an object of political allegiance,[1] has no meaning but that as a limiting factor, at the best, as a transitional ideology which cannot be ignored in framing constitutions. The problem there is whether some way can be found of combining allegiance to a politically sovereign multi-national State with the allegiance due to the autonomous national unit. The political allegiance to which "nationality", under such a system, corresponds, differs from the attitude of the citizen of the U.S.A., who, if asked his nationality, would reply "American" rather than "Iowan" or "Oregonese".

(*c*) Democracy and Socialism

We have already seen, at the end of Chapter I, why the forces working for decentralisation from a purely democratic point of view, apart from the national problem, were so weak. Liberalism in all three monarchies was ultra-centralist, and in the multi-national empires even oppressive towards the "unhistoric nationalities"—except, of course, for the Liberals among those nationalities themselves who were identical with the progressive nationalists, such as Palacky and Masaryk. Strong spiritual dependence on the French tradition of the "republic one and indivisible," and political dependence on bourgeois Liberalism, played their part in rendering the Labour movement strongly centralist, even more so than economic needs might demand.

It is true that to identify internationalism with absence of nationality was a radical Liberal or Anarchist rather than an original Marxist approach. At first glance the conception of history as the product of class struggle might induce men to consider all social antagonisms not based on class as merely secondary, and destined to be overcome by the fundamental class-division of society. But Marx and Engels were able enough, both as politicians and as theorists, to understand that even a secondary factor may be a real one. The phrase of the *Communist Manifesto* that "the proletarians have no fatherland, and they

[1] This, evidently, is the meaning of the definition given in *Nationalism*, p. 340, of the nation as the political unit, and of nationalism as the group symbol of the present stage of civilisation.

cannot be deprived of what they do not possess ", should be read in connection with the appeal which that same document makes to those proletarians to win political power and establish themselves as the national ruling class. Nationality was accepted by the founders of Marxism as a given fact, to be reckoned with and even to be emphasised if it should further the primarily social aims of the Labour movement.[1] Socialist internationalism for them, as for the Russian Communists to-day, was the co-operation of Socialist nations. The later misuse of Socialist internationalism in favour of the existing multi-national States, especially by members of the ruling nationalities, who might use internationalist phrases to cover national oppression,[2] was certainly not Marxist.

Classical Marxism does not attribute to the nation any value in itself. There is a direct link between the statement of the *Communist Manifesto* " the proletariat . . . must raise itself to the position of the national class, must constitute itself the nation ; in this sense it is itself national " and Lenin's statement : " We are filled with national pride because of the knowledge that the Great-Russian nation, too, has proved capable of giving humanity great examples of the struggle for freedom, for Socialism ",[3] and a further link with the most popular song in the U.S.S.R. to-day :

> My wide beloved fatherland,
> Land that carries all our hopes,
> For there is no other land on earth
> Where mankind can breathe so free . . .

The U.S.S.R. is a multi-national union, but it is not to the nationalism of any of its constituent parts that the emphasis laid on Soviet patriotism appeals. The kind of nationalism accepted and emphasised by Marxism is that of Western Europe : allegiance to the political unit in so far as it succeeds in realising certain standards, valid for all mankind. But this is not nationality in the sense in which Soviet policy regarding nationalities has to deal with it ; all that has been achieved in this regard has been achieved by progressing beyond the original Marxist doctrine.

[1] See below, pp. 157 and 326. [2] See below, pp. 221–4 and 238–9.

[3] " On the National Pride of the Great-Russians ", *Works* [Russian ed.], Vol. XVIII, p. 82. The article was written in 1915, when Lenin's main struggle was directed against the patriotic tendencies of right-wing Social Democrats.

CHAPTER III

SOME THEORETICAL CONCEPTIONS OF FEDERALISM

When trying to find a working concept of Federalism two pitfalls have to be avoided: (a) *We are not to adopt the definition of Federalism as developed in academic German constitutional theory, for this theory begged the question by making its concepts dependent on German reality, and had to give the name "federal" to solutions whose federal character is an object of our investigation.* (b) *Neither can we start from Kelsen's Pure Theory of Law, which, while avoiding the logical contradictions of the official theory, by its extreme formalism deprives its concepts of any sociological meaning.*

Our method will be definitely historico-empirical, that is to say, we shall approach the historical phenomena with a tentative definition of "Federalism" which does not superimpose a preconceived idea upon them. We shall rather start from those features which were in general practice identified with federalist constitutions, and shall not doubt their "true" federal character because they do not comply with requirements over and above the minimum needed in order to secure a working definition.

(*a*) Current Interpretations of Federalism in German Legal Theory

For the study of the historical experiences of Central and Eastern Europe in the field covered by this book we need a general theoretical framework that will help us to select the material relevant to a study of *federalism* from the various attempts at reorganisation. It will be best to start from definitions that have grown in the soil of our study itself, rather than, for example, from American theories that are not likely to reflect the conditions prevailing on the European continent, however much they may have influenced theoretical thought.[1] Unfortunately, we have to construct such a framework almost exclusively from the theoretical reflection of a single one among the practical studies in federalism that we are to investigate, and that not the most successful of them. Continental theory of federalism kept within the limits of legal analysis. In Imperial Austria federalism remained a mere political programme, never requiring detailed elaboration in legal theory. Soviet Russia considered essential the sociological rather than the legal interpretation of political forms. Many of her conceptions of Constitutional law were borrowed from abroad, especially from German theorists. The original contributions made by Austrian and Russian Marxists

[1] See below, pp. 23, 26 and 59.

lay in the field of sociological interpretation of nationality. Thus we have to select nearly all our material from Germany, where Bismarck's compromise between the "sovereign" princes and the new German federation, as well as the later political struggles within the Weimar Republic, produced a number of legal interpretations of both the Bismarckian and the Weimar constitutions.

From the critic's point of view such material is of very doubtful value as a starting-point. A theory of federalism elaborated by progressive Austrians would certainly have approached much more nearly to the realities of the federalism we are to consider in these pages. It was Palacky [1] who criticised any identification of inter-State law with the law that holds between peoples, the former being international law, the latter the law of the multi-national federation at which he aimed. Palacky clearly stated that such an identification was the mere consequence of the traditional identification of "State" with "nation", which would be overcome, he believed, by historical development, at least in Central and Eastern Europe. It appears to me quite evident that it was from such a starting-point that the problem of the multi-national federation had to be approached. Perhaps a bridge could have been constructed from a theoretical solution of this problem to an interpretation of federation between nationally homogeneous but socially and culturally heterogeneous units, as in republican Austria and Germany, if, for instance, the democratic revolution of 1848 had been successful in Austria and had produced theories corresponding to its achievements. But it did not.

On the other hand the very shortcomings of the current German theoretical approach to the problem gave it some fundamental interest, at least in applying experience of federalism in internal State organisation to international questions, where State sovereignty necessarily becomes a central problem. We may take for granted that all modern conceptions of sovereignty arose in connection with the struggle of the Prince, the ruler of a territorial state, against the restrictions set on his "sovereign" rule by the competing claims of feudal estates, and by the remnants of the mediæval conception of a supra-territorial authority, Papal or Imperial.[2] But in the federal states of Anglo-Saxon constitutional tradition, and in the U.S.S.R. and in the Austrian republic also, the origins of the concept of sovereignty had long been

[1] *op. cit.* (1865), p. 12. [2] See Lindsay, *op. cit.*, pp. 155 ff. and 213 ff.

overshadowed by its sublimation into an impersonal State-subject and its constitutional organs. In nineteenth-century Germany this was not so : there the members of the federation, as well as the federation itself, were still, in their socio-political as distinct from their socio-economic and legal structure,[1] monarchies of the type discussed in Chapter I of this book. Bismarck's empire was an alliance of princes as distinct from peoples and from " scraps of paper," as a Prussian king had called written constitutions. The main conservative force working within that empire was the traditional allegiance of the bureaucracy and the army to their prince. German constitutional theory, in defending this bulwark of the existing order, had to enhance State sovereignty, including such somewhat nonsensical conceptions as the " sovereignty " of states which were members of a federation. Gierke was certainly right in affirming [2] that the conception of the sovereign State, as historically developed in unitary states, had been provided by traditional legal theory with characteristics incompatible with the division of State authority characteristic of a federation. But the internal structure of the states which they explained and defended was the principal cause of the theoretical difficulties with which German constitutional lawyers, Gierke included,[3] found themselves confronted when they had to interpret Bismarck's constitution. It was for reasons of *internal* " sovereignty " that leading German political theorists regarded any definite division of State authority as impossible.[4] Even when German legal theory had reached the stage when a unit's character as a State was no longer conditional on its sovereignty [5] some characteristics of the " sovereign " had to be retained for the states which were non-sovereign members of the federation. From such a starting-point no reasonable interpretation of federalism could be achieved. But by dealing with the sham problems of the compatibility of member-state sovereignty with the authority of a strongly centralised federation, German legal theorists began to approach the real problems that would arise if an attempt were made to confront states in which sovereignty was something more than an ideology covering their internal structure, with some greater or world-wide organisation. On the other hand, the restriction of auto-

[1] Their socio-economic structure was distinctly capitalist, their legal structure that of constitutional, though not parliamentary, monarchies, the Empire being a combination of these.

[2] *op. cit.*, p. 1159.

[3] See below, pp. 27–8.

[4] See above, p. 14.

[5] See below, pp. 25–6.

nomy in practice by the fact of Prussian hegemony resulted in a quite insufficient consideration of what most people would look upon as the essential element in federalism: the exercise of a certain degree of autonomy by the constituent units.

From the very beginning there had been a particularist tendency in conservative German legal theory. The Bavarian, Seydel, affirmed that sovereignty was an essential characteristic of the State, that under the Bismarckian constitution the German states were acknowledged to be states and that it was impossible for both States and Federation to be sovereign at the same time. Hence, Seydel concluded, the German Empire was not a federation, but a mere confederation, in spite of the existence of a common parliament, a common army and diplomatic service, and some elements of a common direct administration! Less radical was the theory of G. Waitz, who, following the tradition of the *Federalist* and of Alexis de Tocqueville, regarded sovereignty as something that might be divided in its *extent*, although each party which shared in it could enjoy sovereignty undivided as to *content* in the spheres attributed to it.[1] Such a theory did not, like that of Seydel, imply a right on the part of the member states to nullify acts done by the federation acting within its proper powers, or to secede from it without more than a violation of international law. On the other hand, the theory of Waitz strenghtened state resistance to any extension of the field of federal powers, although Article 78 of the Imperial Constitution clearly allowed the federation to extend its powers by constitutional amendment, in which the individual member state had a right to participate but which it was not able to veto. Again, Article 3 of the Constitution clearly laid down the precedence of federal over State law. Evidently the German states were not sovereign even within the sphere of competence originally left to them.

It was Laband who drew from these facts the conclusion that sovereignty was not an essential characteristic of the state. In accordance with the traditional theoretical development, he defined sovereignty as supreme legal power, subordinate to no other authority. In this sense a federation and its members could not both be sovereign at the same time. Laband recognised sovereignty in the members of a confederation, bound together by mere international law, and with no political personality or legal will of its own distinct from the sum of the wills

[1] For a survey of these theories see Hänel, *op. cit.*, pp. 201 ff.

of its members); for, with Laband, international law is a mere emanation of the powers of the sovereign states. (But member-states of a federation such as Germany were bound together by constitutional law and had subordinated their legal power to the common authority. (They were therefore no longer sovereign.) Yet in Laband's sense they were still states, i.e. they retained an authority and will of their own in the exercise of state power.) They were distinguished from mere municipal units, which, if allowed to coerce citizens at all, could do so only under state law. However, the German states acted under very similar circumstances when exercising their police power to enforce federal law, perhaps contrary to their own political desires. Laband tried to avoid this difficulty by affirming that the (Empire, though no mere confederation but a real state with coercive powers against its members, was nevertheless a creation of the States themselves, and could directly exercise its coercive powers only against the States as such. Therefore they, and not individual Germans, were its subjects.[1])

Such an interpretation of federation contradicted not only current conceptions of federalism, but also the reality as it was even then evolving within the German empire.[2] But it had the immense political advantage that it could hold true whatever progress political centralisation should make within the Empire, so long as the local policeman swore allegiance to his local prince. If Hitler had succeeded in effecting his " revolution " with local monarchist support, as he at one time attempted to do,[3] the Third Reich, on Laband's theory, might still be interpreted as a federation. For reasons which we shall learn later,[4] Hitler would probably have been pleased with such a theory. (Laband's description of the German states as " masters towards the bottom and subjects towards the top "[5] expressed very neatly an attitude which was more fully described by a pen less loyal than that of the Imperial Privy Councillor, in Heinrich Mann's masterly novel *The Subject*, which depicts the loyal German conservative, who needs to have someone under his heel and someone else under whose heel he may cringe in turn.) (It does not describe those autonomous rights which most people expect when establishing a federation.)

The characteristic legal theory of German liberalism was elaborated by Jellinek. The monarch, traditional symbol of the German state, was no longer accepted simply as the source of

[1] *op. cit.*, pp. 25–6. [2] See below, Chapter V, p. 78.
[3] See below, p. 140. [4] See below, pp. 141 and 144. [5] *op. cit.*, p. 21.

theoretically unrestricted legal power—except that, with Laband, he might be subjected to another, equally unrestricted super-State. In Jellinek's conception, after having limited himself by accepting the Constitution, he was monarch and source of legal power only within the limits which the Constitution set to his competence. Sovereignty was no longer interpreted in terms of state omnipotence, but as a historical category, as a State's ability to determine for itself the legal limits of its powers and to establish a legal system of its own, subject to no higher legal rulings, as distinct from the practical dependence which exists in all social life. Only on the basis, and within the framework, of this legal order are the activities of the state relevant to Law, and the subject of legal theory.[1]

Jellinek believed that from such a starting-point he had discovered an approach to the problem of the non-sovereign state that was a member of a federation. Indeed, if the monarch could definitely restrict his "sovereignty" by compromise with Parliament without ceasing to be a "sovereign", why could not the state, by entering a federation, surrender its sovereignty without ceasing to be a state? The analogy holds in so far as, in either case, the procedure is open to an alternative interpretation: either the self-restriction has not been sincere, or "sovereignty" and "statehood" are confined to mere factors of *prestige*. A monarch who has really shared his power with Parliament is certainly no longer "sovereign" in the Austinian sense, and a state which has surrendered its "sovereignty" in its external relations is certainly not a state in the same sense as before. The question to be answered is: in exactly *what* respects can it still be regarded as a state, and in this direction Jellinek made no fundamental progress beyond Laband's position. Laband's original police-power was now transformed into the right of the state to organise and to rule itself autonomously. According to Jellinek, this was the characteristic of state, as distinct from mere municipal self-government.[2]

Whether the right of self-organisation is of great importance to the members of a federation, and of the German (Bismarck or Weimar) federation in particular, is a question we shall study later. Certainly it was an approach to reality when Jellinek interpreted the statehood of a member-state in a federation as that

[1] *op. cit.*, p. 438.

[2] *ibid.*, pp. 446 ff. For a survival of similar conceptions—although they are rejected by the majority of students—even in present Soviet legal theory, see Levin, *op. cit.* (quoted in Part IV), pp. 7 ff.

authority which it exercised within the competence left to its autonomy. In the sphere assigned to federal competence the member-States lost their State character and became mere organs of local self-government under a unitary state. (As with Laband, and with *The Federalist*, the participation of the member-states, as such, in forming the will of the federation is regarded as compensation for the loss of their original sovereignty.[1])

The worst shortcoming with which Jellinek's theory can be reproached in practice is that it affords no key to the understanding of autonomy in fields where State administration and even legislation is allowed within a framework of general rules set forth by the federation. (Laband, in accordance with reality as we shall see, had enumerated [2] three kinds of powers: those absorbed by the federation, those exercised by the States in accordance with federal rules and under federal supervision, the States functioning as mere organs of local self-government, and those left entirely to the component States.) Laband was certainly wrong in regarding the existence of powers of the second type, or even of those where state autonomy was much restricted by federal supervision, as sufficient to establish state autonomy; although we must agree that with any other approach it would have been difficult to find federalism in Bismarck's Germany. Jellinek went to the other extreme by affirming that without the third kind of autonomy there was no member-state, and therefore no federation. (We shall see that, according to this definition, there was no federation in Central Europe, and certainly none in Germany.) We must leave it to British and American scholars to study the question whether there is any federation in the world in which really and completely autonomous [3] State powers can be found. (Jellinek, in any case, had himself barred the way to an understanding of restricted autonomy by his legal formalism, which Kelsen was deliberately [4] to carry *ad absurdum*.)

(It is a characteristic feature of all these classical German theories that, when abandoning the theoretical "sovereignty" of the members of a federation, they could never get rid of it completely, whether it were Laband's police conception of the

[1] *op. cit.*, pp. 704 ff. The same theory is expressed by Gareis, § 41, *op. cit.*, p. 206. Compare *The Federalist*, p. 54.

[2] *op. cit.*, p. 30.

[3] By "complete autonomy" I understand not merely leaving certain fields of action outside the sphere of federal legislation, but the complete lack of any general principles, of fundamental rights to be interpreted by a Supreme Court, and similar federal rulings that virtually limit the sphere of state autonomy.

[4] See below, pp. 32–3.

supreme and original coercive power, or the Liberal conception of a legislative power autonomous in certain fields.) (It was Gierke [1] who reproached Laband with interpreting the State in terms of Civil Law and according to individualist principles and it was Kelsen who was to reproach Jellinek for having, by his legal State personality, merely replaced the Prince of flesh and blood by something that was no more comprehensible to legal theory from the mere fact that one could not see a *persona ficta* with one's physical eyes.) (Gierke suggested replacing all conceptions of a state-person by that of a corporation, which might be a reality, even an autonomous reality, while subject in some degree to the rulings of a superior corporation.) (Thus a theory of federalism on the lines of the pluralistic State could be arrived at.) (It would not have been difficult to avoid confusion with the pluralistic elements, in Prof. Laski's sense of the term,[2] in state and society in general by requiring certain, for example territorial, characteristics of such corporations as were to be accepted as states and, therefore, as federations or members of federations.)

Could such a theory have been evolved, its nearest starting-point would have been Gierke's *Genossenschaftsrecht* (co-operative conception of Law). (For Gierke, the State is a corporation like many others which function among men, and is not essentially different from the municipality or business corporation, although "the highest and most inclusive amongst those collective entities".[3]) (But Gierke could not get rid of the old-fashioned conception of sovereignty:) (his State is "sovereign" and differs

[1] *op. cit.*, p. 1128.

[2] (Prof. Laski himself (*op. cit.* (1937), pp. xi–xii) has subjected the theory of the pluralistic state to criticism on the ground that it does not sufficiently realise the nature of the state as an expression of class-relations, and its claim to an indivisible and irresponsible authority for its commands.) (The latter argument certainly holds true, but rather in the field of formal analysis of Law which Prof. Laski, in general, rejects (*ibid.*, pp. vi–vii).) (As regards the interpretation of the social origins of the State's commands, I can see no immanent contradiction between the statement that the State means the political power of a certain class exercised to preserve or create a certain system of economic relations corresponding to the interests of that class, and the possibility of more than one class-organisation sharing in the exercise of this power (apart from emergency situations which may demand extreme concentration of power).) (A state would not cease to be capitalist, or working-class, in the general definition of its policies merely because, say, peasants' co-operatives (of course, with emphasis in each case on another side of the peasants' interest) shared in its government.) (Even trade unions, with a reformist conception of the interests of the working classes, may participate in a government that should be characterised as capitalist because of the type of society which it protects.) It will call for undivided obedience to all its commands; but those commands may have originated in compromise, although only within the framework of a certain type of society.

[3] Lewis, *op. cit.*, p. 63.

'from all other collective persons in that it has no similar person above it"; it is "self-determined and becomes its own regulating force".[1] Evidently Gierke's position did not lead to the pluralistic state—a democratic integration of various associations administering different fields of social life [2]—but rather towards the Fascist "corporative state", with compulsory organisations of various types below it, as organs for controlling the people. For us the important thing is that Gierke's conception of sovereignty brought his corporative states into just the same theoretical difficulties as Laband's State-persons. It is true that Gierke avoided Laband's artificial construction of an over-State with 35 citizens, each of which constituted a State by itself; for Gierke, in a federation, "only the plurality of existing State-persons in their organic entity can be considered the subjects of State power, which is in substance indivisible". For him too, as for Laband, the State-character of the members of a federation is derived not from their own non-sovereign fields of competence, but only from their "sharing in the total sovereign powers of the federation" [3] In the language of German constitutional law, it is as "the allied Governments", and only as such, that the German States possess statehood. Should political power shift from them to a really federal government, as it had already begun to in Bismarck's Germany, Gierke's theory as well as Laband's would fail to recognise any elements of federalism, whatever powers were left to autonomous state governments. It is quite obvious that a theory which measured the federal character of the U.S.A. *merely* by the powers of the Senate and by those of a number of States, whether or not they represent a majority of the electorate, to prevent constitutional amendments, would fail to reflect the realities of American constitutional life.

After 1918 German legal theory, in spite of introducing much new terminology, added hardly any essentially new conception. Rather may it be said that, in consequence of the extreme right-wing political attitude which dominated the German universities, there was a certain tendency to return along the road by which German academic theory had proceeded from Seydel to Jellinek. Smend interpreted federation as an "integration" between the members and the union in the sense of the maximum compromise of the latter with the former.[4] This must be read

[1] Lewis, *op. cit.*, p. 64. [2] See Note 2, p. 27.
[3] Lewis, *op. cit.*, p. 81; Gierke, *op. cit.*, pp. 1168–9.
[4] *op. cit.*, pp. 171–3; see also Bilfinger's book.

in connection with his comparison between the Bismarckian constitution, which had expressed the determination of the political character of the union by its parts, including the institution of Prussian hegemony, and the Weimar Constitution, which "enforced" republican government upon the states.[1] A glance at the historical facts of November 1918 [2] is sufficient to prove that political bias alone could bring about such a judgement: evidently, for Smend the Princes are the parts, and the nation is the head "enforcing" its will.

Smend,[3] like Laband, saw the essentials of federalism, under the given conditions, in the control by the States of local administration and police, and in their taking a share in the formation of the political will of the Empire by the exercise of the right he assumed them to possess of enforcing political compromises, even outside the Federal Council, the constitutional organ for the exercise of such influence. Keeping within the framework of the law, it might also be said that Weimar Germany, in so far as it realised the will of the electorate, was not a federation.

Karl Schmitt, in his *Theory of the Constitution*, replaced the distinction between federation and confederation, which seemed to him artificial, by a common designation, *Bund*.[4] Avoiding the topical question whether the German *Länder* were still member-states of a federation or, as in Freytag-Loringhoven's eyes,[5] merely provinces endowed with a high degree of self-government, Schmitt preferred to ask what the members of a "Bund" *ought* to be. The essential characteristic of the "Bund", as distinct from the unitary sovereign State, was that the question of sovereignty was undecided, that the "Bund" as well as the member-states might claim it, and that the members possessed the rights of nullification and secession. So loose a league could be kept together only by internal homogeneity in the essential issues of political life, and could survive only so long as that homogeneity persisted. Schmitt was quite conscious of the fact that in the U.S.A., as well as in Germany, history had decided against the Bund, and in favour of what, to him, was a unitary state.[6] He found the explanation of this development in the democratic conception of a united and undivided people within a Union nationally homogeneous; such

[1] Smend, *op. cit.*, pp. 124 and 126.
[2] See below, Chapter V, pp. 82–3.
[3] *op. cit.*, pp. 168–9.
[4] An English equivalent is hard to find. "Union" would express just what Schmitt desired to avoid, while "League" would somewhat exaggerate his conception. The English terminology has been shaped by that very struggle between "federation" and "confederation" which Schmitt deemed of secondary importance.
[5] *op. cit.*, p. 44.
[6] *op. cit.*, pp. 373 ff.

a people would enforce complete unity.[1] The theory does not lack simplicity and evidence, within the framework of Schmitt's definitions: certainly, in the long run, democracy is incompatible with a "federation" so loose that any majority decision of the whole can be nullified by a local majority. But we have not to deal here with the question whether the utopias of the American Secessionists or of some Bavarian particularists can be realised in modern society—they certainly cannot; but whether and how the constitutional machinery commonly called federalism can work under given historical conditions.

(*b*) Kelsen's Criticism: Legal or Sociological Interpretation of the State?

At the end of the Weimar Republic, German right-wing theory stood exactly where it had done on the eve of Bismarck's constitution, asserting that democracy and federalism were incompatible. I suspect that such conclusions are due simply to the starting-point that is chosen—the traditional autocratic or semi-autocratic state which is legitimated by tradition alone, and therefore cannot possibly be interpreted in legal theory once the traditional conception of sovereignty has been dropped. It might be possible to reverse the whole argument, and instead of asking how much sovereignty a state must retain in order to continue to be accepted as such, to ask whether sovereign states exist at all. If they do not, the problem of how a state, whilst retaining the essential characteristics of statehood, can be a member of a federation, which itself is certainly a state, disappears. There remains the practical question: What degree of autonomy in the constituent parts of a larger unit is compatible with the social needs that have created that unit?

The English or American reader will be inclined to meet this question with Prof. Laski's argument:[2] there is nothing in social reality corresponding to Austinian conceptions of sovereignty, and the State no more exercises its free will than does anyone else. In practical political life, the State has to make many compromises with other social forces and organisations, and the decisions it makes express, to a very great degree, the will of those other forces. Why, it may be asked, should they not express a compromise with the will of territorial bodies within the federal State, just as the decisions of the component units prob-

[1] *ibid.*, p. 388. See also Calhoun, *op. cit.*, pp. 305 ff.
[2] *op. cit.* (1917), Appendix A, and *op. cit.* (1919), especially pp. 65 ff.

ably express compromises they have made with the requirements of the federation.)

This argument is not unknown in continental legal theory. (But, from the point of view of a purely legal analysis, it is regarded as irrelevant, or relevant only in so far as it forbids definitions of sovereignty which involve an imagined freedom on the States' part to do whatever it likes.[1]) (The legal freedom (" sovereignty ") of the State does not exclude extra-legal limitations on its freedom of decision.) (All arguments that deal with the latter, i.e. with the State as an historical-sociological phenomenon dependent on other such phenomena, are irrelevant for legal theory, which is concerned only with the *legal* freedom of the State when speaking of its sovereignty.)

At this point Kelsen's criticism of the classical German academic theory comes in. (What is meant, in legal theory, when we say that " the State " makes a law, or that it is free to make whatever laws it pleases? According to Kelsen, nothing at all. (For, in pure legal theory, the State cannot be defined otherwise than as the totality of the legal order, as a system of norms.) (All attempts to define a "State personality", an author of the Law distinct from the Law itself, are based upon logical mistakes of a materialising nature.) (The objective basis of these mistakes is either a reminiscence of the " sovereign " Prince, or the introduction into the realm of legal analysis of essentially sociological terms.[1]) In the social order, it is true, not only do living kings, M.P.'s, judges, and policemen really exist, but also, within the causal nexus of social reality, such people, apart from living their private lives, enter into certain relationships and act according to certain laws which social science can examine by the same methods as natural science.[2] Of the reasons which induce these people to act, respect for the legal order according to which they ought to act in order to fulfil their functions in the system of norms of their state [3] is only one, and that perhaps not the most important, factor. Certainly M.P.'s, when enacting a law, do not,

[1] This general and abstract side of Kelsen's theory is the only part accessible to the English reader (" The Pure Theory of Law ", *Law Quarterly Review*, Vols. L and LI). See also *op. cit.*, 1941.

[2] Kelsen recognised the legitimacy of the sociological approach; he states only that he, as legal theorist, is not concerned with this side of the problem. See *Law Quarterly Review*, Vol. L, pp. 480–1; *op. cit.* (194), p. 52, and *op. cit.* (1922). It is impossible to overlook, in this dualist approach of Kelsen, in a field where he is strictly monist, his Kantian, or rather neo-Kantian, origins.

[3] This is, in Kelsen's sense, a somewhat incorrect statement. There is no system of norms *of* the Austrian State, but only norms forming part of the system called, for simplicity's sake, " the Austrian State ".

from the viewpoint of social science, act with any imagined "freedom of will". They act under the influence of various social forces which sociology can examine. But in *legal* theory the only question of importance is whether or not the men and women who are called "M.P.'s" are properly elected and summoned, whether they follow the proper procedure, and whether they enact only such laws as are within the legislative competence of Parliament.

Sovereignty, in legal theory—and outside legal theory the term has no meaning at all—means that no norm forming part of a given legal system, i.e. of a State, is derived [1] from superior norms outside the system. England is "sovereign", because Acts duly passed at Westminster become the law of the country without reference to any legal norms outside the English legal system. Iowa is not "sovereign", because the conditions under which its legislators meet, and their resolutions become valid law, depend on an external legal order, namely that of the United States. This would hold quite independently of whether, to use the customary terms, Iowa enjoyed a very limited or an almost unlimited degree of autonomy. Kelsen, therefore, said that "federalism" is no more than a polite name for a system which grants more or less far-reaching powers of local self-government. The various political organisations, each of them in itself a system of norms, form a hierarchy, in the sense that each, in a greater or lesser degree, is derived from the superior forms. If a relatively large number of the concrete norms [2] originate within a system, it enjoys what we call autonomy; if it works as a mere channel for the transmission of superior norms (as Laband's "republic of States", for example, might do) there is no autonomy at all. In any case there is no distinction in principle between the derivation of the by-laws of an Iowa municipality from the Iowa legislature on the one hand, and on the other the relation between the constitution of Iowa and that of the U.S.A.

Kelsen's formal approach has one very serious shortcoming: it overreaches itself. By Kelsen's theory it can be proved that,

[1] We refer here only to legal not to moral derivation. The fact that a Roman Catholic majority in a parliament enacts a law "in accordance with the teaching of Holy Church" (Austrian Fascism came very near to this) is an extra-legal fact, even if mentioned in the text of the law, so long as the Church is not accepted as a super-State, and Canon Law as the supreme legal norm.

[2] This example shows the enormous difficulties of Kelsen's formalist approach. A merely numerical comparison between the norms valid in a certain system would teach us nothing as to the existence or non-existence of what is called autonomy, but the moment we attempt to consider their respective importance we leave the realm of formal analysis.

whatever the concrete terms of the Constitution, no sovereignty can inhere in a member of a federation, or even of a confederation, which allows of majority decisions or guarantees the internal order of its members.[1] But Kelsen also proved that there are no sovereign States at all. If international law is accepted as a valid norm, and if Kelsen's strictly monist approach is followed, there are only two ways of reconciling the co-existence of international and municipal law : one of them must be derived from the other. Chauvinistically minded people will derive international law from the norms of their own state ; their opponent, of course, can have his revenge by outlawing them from the point of view of *his* " international " law. If this conception be rejected, there remains only its opposite, the derivation of the legal order of the single states, i.e. according to Kelsen of those states themselves, from some assumed superior norm of international law which grants autonomy to each state.[2] Now this is certainly a conception towards which we may aspire in the interest of international peace and collaboration. But in the present state of things it is undoubtedly a mere utopia. To say that it is a reality in the same sense as the norms according to which I can prosecute someone who trespasses in my garden, is obviously mere formalism. Within the analysis of the " pure theory of Law ", the member state of a federation is subject to the central government just as a municipality within that state is subject to the legal order of the State—but also in the same sense as the federation (it may be the U.S.A. or the U.S.S.R.) is subject to international law. Evidently, in such an analysis, we are far from any social reality. Sovereignty may be a mere ideology. But if it corresponds to that point in Kelsen's " legal hierarchy " where actual political power is concentrated, i.e. at the present time to the national, or multi-national, state, it represents the essential realities of present international relations.

Even for analysing internal constitutional realities the purely formal approach is of very limited use. To give an obvious

[1] In Kelsen's conception, a confederation differs from a federation merely politically : it is easier for its parts to act illegally, as a confederation cannot directly influence the citizens of a member-state which violates its obligations. Thus there is a certain parallelism with the theories of Schmitt (see above, p. 29), who also denied that there was any fundamental difference between federation and confederation, though from the opposite, particularist point of view.

[2] " The principle of effectiveness ", *op. cit.* (1941), pp. 69–70. In *op. cit.* (1920) Kelsen tends to emphasise the importance of the rule *pacta sunt servanda* as the foundation of all individual norms in international law. But, evidently, the mere recognition of the legal personality of the partners in agreement supposes some supreme norm in international law by which they are recognised.

example : I do not share the opinion of many that the One-party system in the U.S.S.R. is incompatible with true federalism.[1] But the point raises a serious problem. Kelsen's view of states as pure systems of norms would prevent us from meeting this problem, at least before 1936. For the real constitution of the U.S.S.R. is contained in *two* systems of norms : the strictly federalist constitution of the state, and the centralist constitution of the monopolist party by which the state constitution is worked. Since 1936, these two systems of norms have been connected by Article 126 of the new Constitution, which recognises the Communist Party as the organisation of the leading citizens of the U.S.S.R., with the evident implication that that party is to judge how to interpret the clause in all the constitutional norms by which freedom of the press, of meeting and of association is granted " in accordance with the interests of the Socialist society ". If this is kept in mind many of the alleged contradictions between the formal and the real constitution of the U.S.S.R. disappear, for it becomes possible to interpret the constitution in such a way that it covers the reality as satisfactorily as do most constitutions.[2] But in the U.S.S.R., before 1936, there was no constitutional recognition of the Communist Party's leading rôle. The fact that amongst the political representatives of the workers and peasants that party succeeded in eliminating all competitors, and that within the Party itself strong centralisation had replaced the former competition of coexistent factions, became clear only gradually during the first decade after the enactment of the Constitution. But these virtually decisive elements in the actual constitution of the U.S.S.R. were not embodied in the written instrument that claimed to represent the system of norms by which the state worked. The same holds true of all those parliamentary republics which are in fact party-ruled, but do not mention the existence of parties in their written constitutions. In all these cases the " pure theory of Law " can produce nothing save very

[1] See below, Chapter XIV, pp. 409–10.

[2] For example, the right of a citizen to undertake propaganda on behalf of the secession of a Union Republic from the U.S.S.R.—i.e. to exercise its statutory right under Article 17 of the Constitution—can be exercised only " in the interests of the Socialist society " (Articles 123–125), and it is the Party which decides whether its members, who in the true meaning of Article 126 occupy the most influential posts in the State machinery, ought to accept the exercise of that right as according with the condition on which it is granted. Only in exceptional cases (for instance, if the U.S.S.R. should desire to strengthen a Socialist Balkan federation by allowing the Moldavian S.S.R. to join it) would the question be answered in the affirmative. But in the opposite (i.e. the normal) case the suppression of propaganda on behalf of secession would likewise correspond to the text and spirit of the 1936 Constitution.

formalist results that would not even explain the actual hierarchy, in Kelsen's sense, of the coexistent systems of norms.[1]

The main service rendered by Kelsen's " pure theory of Law " is that it helps us to get rid of all legal formalism, to understand that such an approach can provide only formal answers, and that in studying social and political reality we do better to avoid using terms like sovereignty, which are quite meaningless except within a formalist framework. Kelsen [2] would readily recognise the legitimacy of a purely sociological theory of political structure, completely independent of legal theory (or, better, with the legal characteristics entering into the description of the structure only in so far as they are social facts, real phenomena of society, and not mere ideologies). But it is quite evident that we have to pass beyond Kelsen's or any other legal theory to find the starting-point for the sociological analysis. It is from this point of view that we shall try to tackle the problem.

(*c*) Some Definitions of Federalism

In this book we propose to follow an inductive and historical approach. We shall not discuss what federation is or ought to be, but simply what kind of federations, or attempts to realise federalism, have developed during the period and in the countries of which we are speaking, and what theoretical conceptions have accompanied these political developments.[3] From the study of these facts various conclusions will be drawn as regards both the working and the suitability to various conditions of what is commonly called federalism, and also as regards the relation of current theoretical conceptions to the reality described.[4] But before entering on our analysis, in order to discern what kinds of facts are important for our study and what are not, and accord-

[1] For example, it would not be difficult to imagine the Austrian republic being ruled by a Socialist majority in Parliament, but the Socialist party caucus, under a somewhat decentralist constitution, being controlled by its strongest, Viennese, section. The latter itself might be dominated by the representatives leading the Vienna municipality. In such a case, the actual hierarchy within the Austrian federation would be the exact opposite of the formal.

[2] See note 2 on page 31.

[3] I am quite aware that such a theoretical approach involves certain sociological assumptions, mainly the consideration of ideologies as a by-product of social evolution. In the present study the term " ideology " is used in a purely objective sense, without connecting it with any criticism or discrimination, and without applying Mannheim's division of what I call ideologies into " ideologies " and " utopias ", according to their social function.

[4] Of course *only* to that described. No validity under, e.g., American conditions can be claimed for conclusions drawn from the study of Central and Eastern European federalism. The reverse is true also.

ing to what standards those facts should be grouped, we must begin with certain general definitions. In elaborating these definitions we use the results of current legal theory, in spite of our having criticised them above. For they are likely to reflect a certain reality. What they clearly include in the conception of " federalism " we too must include, even at the risk that this or that specific characteristic may prove of as little value in the sociological as it was in the legal analysis.

By federalism, then, we understand a political system under which every citizen is subordinated to at least [1] two state organisations, and is in immediate connection with each of them.[2] The mutual relation of these states is supposed to be one of subordination, so that the larger is made up of a number of units of the smaller type, which owe it political allegiance while contributing in some degree to the formation of its political life. We call the larger organisation the federation, and the smaller one the member-state of the federation. We speak of federation, as distinct from regional autonomy, only if the bulk of the larger unit [3] is made up of smaller ones enjoying those characteristics of autonomous members of the Union which are described below. Only in this case can the question whether and how far the collective policies of the union are an integration of the policies of the member-states be raised at all. By describing the lower unit as a " member *state* " we avoid all discussions of the controversial problem of the non-sovereign state—if only for the reason that, if its existence is denied, federalism as distinct from local self-government loses any specific meaning.

[1] Federations may be themselves subordinate, so that the citizen is subject perhaps to three political units—as with a citizen of an Autonomous Republic within a Union Republic of the U.S.S.R.

[2] Laband's theoretical conception of a federation approaching the individual citizen *merely* indirectly would not fit into our scheme. But even he did not deny that there were, even in the Imperial Germany of his time, direct federal organs based upon and influencing the individual citizen, and he used this fact to characterise Germany as a federation, as distinct from a mere confederation (*op. cit.*, pp. 23–4). Gierke (*op. cit.*, p. 1162) deemed that a *modern* federation (as distinct from, e.g., a mediæval-feudal one) supposed an immediate connection between the central power and the individual subject, for this was essential to the modern State. This problem seems to me to have nothing at all to do with federalism. The mediæval State did not approach its subjects (if the term can be used at all) directly. Therefore federalism, if it was to be found at all under feudal conditions, which I doubt (see Note 1, below, p. 42), must in any case be established by other arguments. Under modern conditions, where the alternative of direct approach of the federal power to the subject exists, federalism cannot be said to exist unless this approach is realised.

[3] For example in the U.S.A. when it was in part composed of territories not members of the federation, or in Imperial Germany as regards Alsace-Lorraine. But we would not include Czechoslovakia, where regional autonomy was promised only to one relatively small part of the country (Carpatho-Ukraine).

We require three characteristics only in a "State" for it to be a potential member of a federation, as distinguished from a mere unit of a pluralist state. It must be a political organisation, i.e. it must exercise compulsive powers in the enforcement of a given political order; it must be a territorial organisation, i.e. these compulsive powers must be regularly exercised over all the inhabitants of a given territory;[1] and it must enjoy some degree of political autonomy, i.e. its activity must not be completely circumscribed by orders handed down for execution from a superior unit. (A Church which exercises merely moral pressure —even in order to realise a political programme of its own— is not a state.) Nor is a party or a trade union, so long as it exercises pressure only on certain sections of the people, to enforce certain sectional interests, e.g. to prevent strike-breaking. Nor can a body of gangsters who terrorise and tax a whole district, or an army of occupation acting under the superior orders of the central government,[2] be described as a State. The Church, on our assumptions, does not exercise compulsion; the party or trade union does not exercise it over all the inhabitants of a territory or in order to enforce the whole existent political order;[3] the gangsters exercise compulsion, but not for political ends, and though the army does do this, it has, at least under normal political conditions, no autonomy that would allow of any division of powers between it and the central government.

The reader will see that we have not included among the characteristics of a state any kind of self-government: whether a certain degree of democracy is or is not a condition necessary for the success of federalism will become clear from our study, but cannot be taken into account in forming our definitions without begging the question.

The real difficulty lies in the conception of autonomy as a pre-condition for recognising a unit as a state, i.e. as a potential member of a federation. We shall see, when studying Austrian republican federalism, that many things that are usually done by legislation can be done equally well by administration. Thus it would be wrong to confine the degree of autonomy demanded

[1] In this book (see below, Chapter IX) attempts to realise cultural autonomy on a personal basis will be discussed, but only as an interesting alternative to federation.

[2] E.g. the military governors who administered the territory of the defeated Southern States between the end of the American Civil War and the establishment of new State administrations.

[3] If it should do so, for example if in a revolutionary period a party as such should seize power, we should regard it as a state. There are certainly transitional cases, especially in times of revolution, but the general distinction is clear enough.

to merely legislative competence. If State socialist, or even State capitalist, methods are applied, it may come about that purely "business" administration by public corporations formally acting as mere economic enterprises involves a very high degree of virtual political autonomy. In the present study we regard the Vienna municipality, a member of the Austrian federation, as a state in so far as a member of a federation of very wide powers can be called a state at all. We do so because Vienna, though subject to federal control in many matters, was able in others to develop a policy of its own, which went far beyond the mere election of local functionaries to carry out essentially federal policies. There is a certain degree of administrative autonomy, where the economic, social, and political aspects of local differ distinctly from those of the federal policy. Communal house-building, for example, may in itself be regarded as an activity of merely local government. But if, as in Vienna, it is undertaken with the intention and result of replacing private capitalist economy by municipal activity in a very important economic field, we are clearly entitled to speak of a separate Viennese policy in a matter of primary importance. That policy was in fact opposed by the parties which controlled the federation, and this opposition resulted in the destruction of the Constitution and in civil war. But so long as the democratic Austrian Constitution was in force, the citizen of Vienna was subjected to a Viennese State policy in certain matters, such as housing, and to federal policies in other matters, such as defence or Civil Law. We call democratic Austria a federation, because she allowed her member-states (Provinces) a not inconsiderable degree of autonomous authority. Obviously we should be quite wrong if we were to base such an interpretation on any formal characteristics (for example, on the extent of the legislative powers granted to the Austrian Provinces), instead of on what really mattered from the political point of view, namely, municipal taxation and the power of spending the money raised thereby for the purposes desired by the local electorate.

The extent of the autonomous powers granted, *de facto*, to the member-states of a federation seems the most important element to be considered when discussing the existence and extent of federalism. Democratic opinion in Central Europe has always stressed the point, although not always apart from formal considerations. Palacky[1] was inclined to distinguish between

[1] *op. cit.* (1865), pp. 43–4.

centralism and federalism by considering to which party the residuary powers, i.e. all those not attributed explicitly either to the member-states or to the federation, were left. Silent encroachment on local powers, or silent appropriation of newly-developed state functions by the central authority, were the main dangers against which he wished regional autonomy to be protected. But such an approach makes the character of a political union dependent on the drafting of its constitution : it is easy to imagine a constitution that left all residuary powers to the Union, but in spite of this was much more decentralist than that of the U.S.S.R., which follows the usual federalist pattern. Moreover, in Germany as in the U.S.A., the formal leaving of the " residuary powers " with the member-states was unable to prevent the continual extension of federal competence at their expense.[1]

The popularity of using the retention of the residuary powers by the States as a criterion of their continued state character can be explained only by the still current historical approach to the problem of federation. Many people are inclined to fall back upon the primitive idea that a state is something indestructible unless it be completely annihilated, and that the State remains a state, whatever powers are transferred more or less voluntarily to the federation, while a unit, however autonomous, " merely " created by superior laws does not become a state unless invested with certain current attributes of statehood. This theory is politically important because it is so widespread that reasonable people, when drafting a constitution which they desire shall be accepted as " federalist ", will tend to invest the autonomous units with all these current attributes of " statehood ". In most cases, by being broad-minded in such matters, the support of particularist-minded people can be purchased for a considerable degree of practical centralisation.

More suitable as a formal characteristic of the continued state character of the members of a federation would be what has been called competence—competence, i.e. the question whether the federation or the State is allowed to appropriate competences which had formerly been either left to the other, or were non-existent and had come into being in consequence of the evolution of new state functions hitherto unknown. If a federation allowed its members to decide what functions they

[1] See H. Triepel, *Die Kompetenzen des Bundesstaates und die geschriebene Verfassung*, in " Festgabe für P. Laband ", Vol. II, Tubingen (1907), pp. 254 ff. and 290 ff.

would transfer to the federation and what they would retain, or even resume, they would be states in any reasonable sense of the word. The only question is, whether a union of such states could be regarded as a federation at all. Certainly none such exists. In all existing federations the union enjoys the right of constitutional amendment, including the right to expand its powers at the expense of the member-states. If the federation, in exercising this right, should go to the extreme length of virtually absorbing *all* State competences, it would transform itself not only into a unitary state, but even into a highly centralised one ; [1] and this would be true whatever lip-service were paid to the " statehood " of the constituent parts of such a " federation ".

Laband was certainly right in his statement [2] that a theoretical possibility of the federation absorbing all State powers so far as it was yet unrealised, would not justify denying the character of states to the members of a federation. Otherwise a state's theoretical power to expropriate the holders of private property would justify the denial that any property rights existed. But it might be replied that this argument would hold true only if, under the given political and social conditions, expropriation of holders of private property were an occasional occurrence, as in overcoming unreasonable resistance to railway-building or town-planning. Such was, indeed, the state of things when Laband wrote. But under a government which entered on a consistent course of nationalising industry, and reserved to itself the right to proceed in this way so far as might be deemed expedient in the national interest, it would be unreasonable to deal with the rights of private property not yet expropriated [3] as with the foundations of the existing social and legal structure. Undoubtedly in all modern federations, and especially in that described by Laband, there has been and is a very strong trend towards centralisation. Thus the competence of the federation to encroach upon State autonomy cannot be regarded as merely theoretical, or as a merely auxiliary remedy for overcoming occasional obstructions within a system accepted in its essentials as permanent.

All existing federations have erected certain barriers against the encroachment of federal legislation upon State rights. These

[1] Preuss, *Reich und Länder*, p. 110. [2] *op. cit.*, p. 28.

[3] It had, for example, quite a number in the U.S.S.R. under the *régime* of the New Economic Policy, 1922–8.

barriers are very firm when they guarantee the continued existence and frontiers of the member-states, and their representation in the Federal Second Chamber which is a feature of all existing federal constitutions. The restrictions vary from absolute prohibition of interference in these matters without the consent of all the states concerned, to the erection of barriers against constitutional amendments of such a nature that, if not the threatened state itself, at any rate the particularist interest in general could effectively prevent any change by which it felt itself threatened.[1] Much less substantial barriers are erected against any considerable reduction of State autonomy by the extension of federal powers : in all the constitutions we are to study,[2] a two-thirds majority in Parliament, backed, as under a system of proportional representation it probably would be, by an absolute majority of the electorate in a plebiscite,[3] can overrule the particularist interest in any way desired, just as it can overrule the interests of labour, of private property, or of the churches. In a democratic conception of politics no case can be made out against such a state of things. Indeed, we shall meet in our study only a single instance of opposition to the federal competence in regulating the allocation of powers, and this on the part of avowedly anti-democratic forces.[4]

Apart from their autonomous powers, and some degree of guarantee of their survival, the constituent units of any federation are granted a certain share in the government of the federation. It has become necessary to emphasise this only in consequence of the recent developments discussed in Part V of this book. A combination of states in which the authority of the superior power

[1] The latter is true of nearly all the constitutions studied in this book : in Germany as regards the rulings of Article 18 of the Weimar Constitution (see below, Chapter VI, pp. 101-2), in Austria as regards the protection of the disproportionate representation of the smaller Provinces in the Federal Council (see below, Chapter X, pp. 258 and 273). In the U.S.S.R. complete protection is granted in theory to the rights of the member-republics. But if we take the actual policies of the ruling party into consideration, we arrive at a similar state of relative protection (see below, p. 407).

[2] In the U.S.S.R. the theoretical protection is even stronger, for a one-third minority of the Federal Chamber, if re-elected after a dissolution, can block any constitutional amendment indefinitely. If this minority is based upon the smaller republics, it may represent much less than a third of the whole electorate. But see the preceding note.

[3] In Germany they might also need to elect a President prepared to order the holding of the plebiscite despite particularist resistance. A two-thirds majority of the electorate, if sufficiently persistent, as on issues of national unity they might be expected to be, would certainly control the next President.

[4] The Bavarian demand, in 1922, that the Federal Government should disclaim all eventual use of its constitutional right to extend the federal powers. See below, Chapter VI, pp. 116.

emanates merely from one or from some of the constituent parts, is no federation at all, at least so far as the territories ruled by the external power are concerned, whatever degree of autonomy may be granted to them in certain fields.[1] If the citizens of all the member states participate in the political life of the federation (and otherwise it would not be a federation) and if, as in any really active federation, the constituent units command a certain degree of allegiance, the latter, through their internal political life, will influence the actions of their citizens *qua* citizens of the federation, and thus the political life of the federation itself. This would be so even if the federal constitution, apart from attributing certain powers to the constituent units, took no other notice of their existence.

But beyond this minimum involved in the very conception of a federation, the constituent units in all existing federations have been granted a certain degree of participation in the central government. We need not regard such participation as a compensation due to the member-states for the loss of their original sovereignty, as in accordance with *The Federalist*[2] did the whole right-wing school of German political theory, from Laband and Gierke to Smend and Bilfinger. Fundamental economic and political trends in modern life tend towards increasing centralisation. As we have just seen, the constitutional barriers against these trends usually erected in federations are of somewhat doubtful value. Thus a certain degree of autonomy for the constituent parts will be assured only on condition that they themselves, or rather the social forces supporting them, form part of that synthesis—or, to use Smend's expression, integration—that dominates the centre, and therewith the direction in which the historically inevitable centralisation will work. In this way the importance for truly federal government of direct participation by the member-states can be understood without ascribing to the former a kind of metaphysical "Statehood".

Usually in a federation a two-chamber system is established, with the smaller member states represented in a degree disproportionate to their population or to their influence in the democratically constituted Lower Chamber. Principles of democracy prevented such unequal units as those existing in

[1] This seems to exclude the application of the term federalism to most mediæval systems, where the overlordship of a ruler, dependent on the feudal system of one country, over other vassals who were autonomous in most of their domestic affairs, was a current phenomenon.

[2] P. 57.

Germany and Austria from having equal representation in the Second Chamber, as the theory of equal statehood would have required, but the special local and sectional interests they represented were recognised by giving a disproportionately strong representation to the smaller states.

In describing and examining federalist constitutions or attempts at federal organisation we shall start from the characteristics mentioned above : the amount of autonomous competence left to the constituent parts, the safeguards established for the preservation of their existence and rights, and the degree in which they, and the social interests they represent, could influence the development of federal policies. In doing so we shall stress the essentials of federal autonomy rather than its paraphernalia : the relative importance of those powers granted *de facto*, not *de jure*, to the constituent parts of a federation, and the degree to which the forces behind federalism were so deeply rooted in the general state of the body politic that federal policies were bound to form some kind of integration of tendencies prevailing in the constituent parts. We shall find that in no case do State autonomy and the integration of State policies cover between them the whole political life of a federation. In all cases there remains a certain, and generally a most important, sector of political life in which the federation must be regarded simply as a unitary state. Thus our judgement as to the relative development and strength of federalism will depend on the relative importance of that sector of political and social life whose regulation may be regarded as federalist. It may well turn out that a general answer to the question whether federalism, under the conditions studied, was a success or not, or whether it could have been made so by the removal of certain obstacles, depends on what problems we expect federalism to solve.

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It is impossible to mention even the most essential of the books that have contributed to the formation of my general views on fundamental problems, as discussed in the first two chapters of the Introduction. Moreover, it is unnecessary, for these chapters serve no other end than to delimit the viewpoint from which the subject is approached. So, as regards these chapters, I confine myself to some general suggestions.

As regards the history of the countries discussed, the current approach in Britain to German history—and the only one accessible to those who read neither German nor Russian—is in the works of Treitschke and his school. The one-sidedness of this approach, the monopoly of which in English has contributed to its identification with " the German approach " in general,

may be corrected by the works of F. Mehring, especially *Die Lessinglegende* (Stuttgart, 1893), *Deutsche Geschichte* (Stuttgart, 1912), *Jena und Tilsit* (Leipzig, 1906). As regards Austria no general history can be recommended; the reader will be able to form a general opinion from the introductory chapters to the works of Taylor, Bauer (1907), Charmatz (1911) and Redlich (1920) mentioned in the Bibliography to Part III. For Russia we have the classical work of Klyuchevsky, which has been translated into English. It ends with the eve of the 1917 Revolution.

In the economic field Hilferding's *Das Finanzkapital* (Vienna, 1911) is a most valuable monograph on the trends of Central European banking and industry, and will be helpful even to those who do not agree with the Marxist economic upon which it is based. On the problem of nationalism, the best summary of the approach to the subject current in Britain, and in the West in general, is the monograph *Nationalism*, published by the Royal Institute of International Affairs (1937). The first part of Macartney's book, *National States and National Minorities* (London, 1934), attempts to summarise the Central and Eastern European position. The classical continental expositions of the subject are Palacky (1865) and Otto Bauer (1907), mentioned in the Bibliography to Part III, and Stalin (1940) in the Bibliography to Part IV (this last in English). Taken together, these books will provide the background necessary for forming a general judgement, which would not necessarily gain in distinctness by being supplemented by the study of some dozens of national "cases".

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PART II. FEDERALISM IN MODERN GERMANY

CHAPTER IV

NINETEENTH-CENTURY GERMAN DEMOCRACY AND FEDERALISM

(1) Unwilling to give a lead to the revolutionary mass movements of 1848, the German middle class was bound to attempt to realise its aim, economic and political unity, with the help of the existing states. Prussia, which had taken the initiative in economic unification, was their obvious choice for leadership.

(2) There was very little correspondence between the existing states and the actual diversity in German economic and cultural life. Thus the opponents of Prussian hegemony in the Frankfurt Assembly were faced with a very unfortunate alternative. They had either to rely upon the support of the small and medium-sized states, which were unable to cope with the needs of modern life, or to propose a reorganisation of the national territory based on pure theory without any roots in actual political forces.

(3) The Assembly, operating on support from the states, restricted the federal powers envisaged in the Constitution, and reduced to almost nothing the guarantees provided for democracy in State government. But the state governments were unwilling to compromise with any popular movement. Therefore they rejected the Constitution, in spite of all the concessions offered them.

(4) After 1849 the Greater Prussian tendency won a complete victory amongst the German middle classes. At the same time Liberalism as a political tendency independent of the Prussian Court and Army was abandoned.

(5) The German Labour movement, initially divided between followers of the Greater Prussian tendency and of its lower middle class opponents who clung to the smaller states, could not develop any independent solution of the German constitutional problem.

(a) THE 1848 REVOLUTION AND ITS APPROACH TO NATIONAL UNITY

German liberalism tried to tackle the problem of federalism, like most other political problems, long before 1848, and some of these discussions were maintained on a higher level than the deliberations of the Frankfurt National Assembly. But, under the conditions of extreme reaction which prevailed in Germany between the end of the "Wars of Liberation" and the 1848 Revolution, they were either veiled in highly abstract and metaphysical language calculated to deceive not only the censorship but even most of those who took part in them,[1] or were

[1] This is a main reason for very widespread misunderstandings of Hegelian philosophy in the sense of only *one* of the two opposing tendencies which it embodied. See also *Nationalism*, *op. cit.*, p. 39. For a serious contemporary view, see Heine, *Zur Geschichte der Religion und Philosophie in Deutschland.*

restricted to very small circles of *émigrés* or readers of underground and *émigré* literature. The lack of any previous opportunity for political education among the German middle classes, which were called to take the lead in 1848, was largely responsible for some obvious shortcomings in the deliberations of the Assembly.

Later opinion has been much impressed by the contrast between the meagre success of the 1848–9 revolution from below and the later achievement of Bismarck. It has tended to disregard Frankfurt as " a byword for unreality and phrase-mongering ".[1] We have just discussed the basis of this latter shortcoming, which, in any case, was no more than was to be expected from people with no parliamentary experience. As regards unreality in practical politics, the men of Frankfurt were not utopians in the sense in which the Treitschke-Bismarck school of German history has reproached them for being so, i.e. for putting their trust in some imaginary power inherent in lofty political ideas which makes possible their realisation by popular action. Had they done so, they might have been defeated in the same way as was the first Russian revolution of 1905–6. There is no guarantee that ideas which command the support of the majority of a nation will also command the power necessary for them to be immediately realised. The men of Frankfurt were utopians in quite another, and—in the long run—much worse sense: it was not that they believed that progressive ideas could bring about the downfall of the powers that be, but that they imagined that these powers themselves could understand progressive ideas, even when those ideas denied the very foundations of their authority. The leaders of the Frankfurt majority imagined it possible to conceive of a German constitution that should be at once progressive and " realistic " in the sense that the authorities of the *ancien régime* would accept it. In consequence, they not only lost the initiative and had to enter the decisive struggle at the moment most suitable for their counter-revolutionary antagonists; they had also to take up this struggle on the platform least likely to mobilise the masses, who might overcome reaction either immediately or some years later, when the time for a revival was at hand. " Those who were in earnest about the Movement," a critical participant in the 1849 campaign later wrote, " were not in earnest about the Constitution; and those who were in earnest about the Constitution were not in earnest about

[1] *Nationalism*, p. 67.

the Movement".[1] From the point of view of political common sense it was foolish to wage civil war against the King of Prussia in order to compel him to become Emperor of the Germans!

German industry being as yet so little developed, and the Labour movement hardly born, it was certainly unreasonable for the middle classes to fear lest a thorough Liberal revolution should issue in triumphs for Socialism. But it is an indisputable fact [2] that they did fear such a development, mainly because of contemporary events in France, which they much exaggerated. The "Red Bogey" threw them into the arms of the German princes as the best protection against the imagined danger. But besides this argument, there were others more serious in favour of an alliance of the German middle classes with Prussia, the strongest of the German States save for Austria with her non-German majority.

In 1848 German nationalism was already much more than a revival of a common feeling of "German-ness" that had endured from the times of the old Empire. For a century German national unity had existed in the shape of a strong and progressive intellectual revival of the kind that since those days has preceded the political revival of any nation between the Rhine and the Pacific. This intellectual revival, probably the only field in which Germany's historical dismemberment had proved fruitful, had not, except in the case of Weimar, been connected with the existing German states. Least of all had it been connected with the Prussian state,[3] although, in the person of Hegel, one wing of the movement had made its peace with that state a generation before the political representatives of the same wing of the German middle classes were to make their Frankfurt compromises. The most favourable conditions for the German intellectual revival existed in the secondary centres of the larger states, such as Königsberg and Cologne in Prussia, Leipzig in Saxony, and in the similarly situated Free Cities such as Hamburg or Frankfurt,

[1] Engels as quoted by Mehring, *op. cit.*, Vol. II, p. 158. The same view was expressed by Vogt, April 25, 1849 (*Verhandlungen*, p. 6265).

[2] The part played by the "Red Republic" as a nightmare influencing the deliberations of the Frankfurt Assembly has been stressed in nearly all the literature on the subject, and is so evident at the first glance into the *Proceedings* that a random selection of quotations may suffice to illustrate the point: e.g. *Verhandlungen*, pp. 2764, 2779, 2794, 5864. On the "realities" behind this nightmare see Mehring, who, from his partisan point of view, was rather inclined to overrate the importance of what was only much later to become an influential factor in German politics.

[3] For a criticism of the myths which historians under Prussian influence tried to build up round this point, see Mehring, *op. cit.* (1893).

rather than in the narrow atmosphere of the dwarf states, or in too close dependence upon Court and Government in the major ones.[1] German intellectual tradition was, and still is, a unifying, but not a centralising, factor in the life of the nation.

In 1848 Germany had already developed another, and an even more important, element of national unity which required political unity as its most essential complement. Since 1834 the industrially important parts of Germany, apart from Austria, had formed a single customs union. The initiative in forming this union, the Zollverein, and the virtual monopoly of its leadership, had fallen to Prussia. This resulted in part from the fact that since 1815 Prussia had included representative elements of all the important factors in German economic life, the agricultural East and the industrial West, the grain-producing Junker as well as the cattle-breeding or vine-growing peasant. Therefore all the compromises which the Prussian state had to make in order to reconcile the various interests within its own boundaries, were likely to satisfy most non-Prussian German interests also. The Prussian customs tariff of 1818 certainly did so in a very high degree. Prussia's position was partly due to the fact that Austria, her only possible rival for hegemony, because of the fear caused by the French Revolution, had dropped the policy of industrialisation carried through by eighteenth-century enlightened absolutism.[2] In consequence, Austria was very eager to protect her delayed industrial development from the competition of more forward German states. In 1834 she did not even protest against that customs union between Prussia and the Southern German states which was to exclude her from German markets. In 1843 an express invitation to adhere to the union was rejected on the advice of Austrian industrialists, who thought that during the nine years since the foundation of the Zollverein Austria had

[1] Apart from Weimar, whose specific rôle became possible only in consequence of exceptionally favourable personal circumstances, a case against the statement in the text could be based on the rôle played by Vienna in music and by Munich in nineteenth-century formative arts. But, apart from the general backwardness of the Catholic parts of Germany in the literary and philosophical revival, the especially severe restrictions on intellectual freedom in Austria and Bavaria contributed to confine the intellectual revival in those states to artistic fields where the Mæcenas (in Austria *not* the Court) could play an important part. Fichte and Hegel could acquire an important position in Berlin only after dropping essential elements of their originally progressive position. The pioneers of the German literary revival were conscious that they owed nothing to the "rays of Princes' favour". See Schiller's poem, quoted by Otto Bauer, *op. cit.* (1907), p. 79.

[2] Gratz-Schüller, *Der wirtschaftliche Zusammenbruch Österreich-Ungarns*, Vienna, 1930, pp. 18–9. See also below, Chapter VIII, p. 153.

fallen so far back that she could no longer face North German competition.[1]

The only real choice before the men of Frankfurt was not between Austria and Prussia, but whether to achieve German unity with the aid of the governments or of the masses. Long after they had made their decision, and up to 1866, much bitter experience, especially of Austrian policies,[2] was needed to convince the German Liberals that the Prussian government alone was able to create a modern German state. After the event, as usual, it was the victorious party that wrote the records. Both from the point of view of those who, following the traditions of Treitschke, Bismarck, and Hitler, approve, as well as from that of those foreigners who disapprove of such a development, it seems evident, after the fact, that the Prussian method of achieving German national unity was the sole possible one, and that the only real line of German historical development is that which connects the battles of Frederick the Great and Blücher with 1834, 1866, 1871, and 1933; rejecting 1848 and 1918, as well as the greater part of the intellectual revival and of the German Labour movement, as mere delusions and sidetracks. Anyone who, in the days of James I, had written the history of the English Constitution, would have looked on many things as sidetracks that in fact were not so, and many things as really important that were to prove mere episodes in the life of the people. So we, in 1943, must be cautious in making "final" judgements. But we have to speak of the past, and not of the future; and the decisive fact in the days of Frankfurt was a general desire to achieve national unity combined with a tendency, already strong amongst the leading forces of the middle classes, to consider Prussia the only power likely to bring that unity about.

[1] In 1850, it is true, Austria tried to reverse that evolution (see below, pp. 61 and 188–9). But in fact the decision of the German middle classes had already been anticipated by the developments of the thirties.

[2] The progress of Austrian counter-revolution in October, 1848, and even more in March, 1849, exercised a rather stronger influence on the Frankfurt discussions than did the analogous events in Prussia. For, while the latter meant merely a change in the internal policies of the expected leader state, one not undesirable in the eyes of a strong section of the Frankfurt Assembly, the conquest of Austrian Liberalism by the largely non-German forces of the Hapsburg monarchy rendered the latter less acceptable from the purely national point of view. And the victory of centralism in Austria excluded the possibility of part only of the Hapsburg dominions entering a German federation. Thus the victory of Austrian reaction involved an anti-national interpretation of the "Greater Austrian" solution of the German problem.

(*b*) The Frankfurt Assembly and the German States

In any federal system the desire for unity forms one element; the other is the acknowledgement of the separate interests of the constituent units. The difficulty with German federalism was the fact that though, in view of the enormous diversity of the national life, hardly anyone [1] denied that its federal organisation was desirable, it was only too evident that the historic states did not correspond to that diversity. The historically minded romantic had to note that of the seven or eight tribal dukedoms of the ninth to the twelfth centuries, which corresponded to still surviving varieties of dialect and folklore, only Bavaria, apart from Austria, had survived as a mid-nineteenth-century German state. Even Bavaria had incorporated large parts of two other tribes, the Suabians and the Franconian. The bulk of three tribes—the Suabians, Hessians and Thuringians—was still divided among a number (in the case of the Thuringians over a dozen) of individual states, so that reunion by mere fusion of these dwarf states was possible, while the two most important tribes, Saxons and Franconians, were split into hopeless fragments. In fact the German states in the nineteenth century did not reflect the national past, which had been overlaid by the splitting-up of the old units during the late Middle Ages, and by the formation of new territorial units since the thirteenth century in the newly-colonised border regions. The nineteenth-century states merely reflected the success of some of the latter units (Austria, Prussia, Saxony) in becoming great or small European powers, and the comparative success or failure of the various middle-sized and smaller German states during the Napoleonic Wars in avoiding "mediatisation" and absorbing as much as possible of the territories of their less fortunate neighbours, especially the very small and the ecclesiastical states. Success in this competition had depended mainly on the adroitness of the rulers in changing sides to suit the interests of the victor of the moment: at first Napoleon, later the Holy Alliance. Bavaria had grown relatively strong by her cleverness in both periods, while Saxony had been compelled to pay for her excessive devotion to her first protector.

[1] See Hagen, *Verhandlungen*, p. 2756, the minority report of Blum-Wigand-Schüler on behalf of the left minority of the Constitutional Commission, *ibid.*, p. 2742, and the arguments in favour of the One-chamber system, pp. 3807 and 3810–11. There was only one, in principle, centralist argument (by Mohl, *op. cit.*, p. 3826) against applying federalism to Germany with her highly precarious external position. But Mohl, supported by the Left alone, moved only a very moderate amendment (*op. cit.*, p. 2748) directed only against the smallest states with less than half a million inhabitants.

Certainly no state in nineteenth-century Germany represented the realities of German history, except in so far as it had for a time formed an administrative unit and had somehow succeeded in creating some degree of dynastic allegiance. In some cases this allegiance was many centuries old ; in others, as in the Western provinces of Prussia, it had been growing up only for a generation. It need not necessarily be supposed that it was always firmest in the former cases : the inhabitants of Hesse-Nassau probably had little in common apart from the desire to get rid of a corrupt dynasty, while in the Western provinces of Prussia there was little sympathy for the new rulers, but much admiration for their efficiency. Thus the great majority of the German states did not represent that variety in the national life which the framers of the Constitution might desire to preserve for the sake of its own merits. But they did represent a strong political reality, which had to be taken into account in shaping the Constitution.

On the whole, allegiance to the traditional units and dynasties had survived the stress of the Revolution, as left-wing critics of that allegiance and of the irrationality of those historic " states " would not deny.[1] Only in the smallest states, as even conservative critics had to admit,[2] were there strong tendencies to surrender their " independence ", but only on condition that the larger states made the same sacrifice. According to the same source, republican sympathies in these territories were caused partly by " anarchic " tendencies and partly by the desire to diminish the intolerable financial burdens entailed by the maintenance of the dwarf states, with their separate dynasties, administrations, etc., or simply by the wish " to improve social conditions in general " —a wish which seems to have been regarded as a bugbear which could be counted on to impress the majority of that " revolutionary " assembly. To counter such tendencies the Conservatives in the provisional Imperial government proposed the voluntary fusion of dwarf states with larger ones. Such attempts failed because of the competition for leadership between the dynasties concerned.[3] On the other hand, the moderate majority of the Assembly tried to make out a case for the federal rights of the dwarf states, hoping that such a guarantee for their existence would bind those states or their dynasties to the cause of

[1] See *Verhandlungen*, p. 2744 (minority report of the Left), and Schüler, *ibid.*, p. 5897.
[2] *ibid.*, p. 3819 and, from the Left, pp. 3821 and 3824.
[3] Valentin, *op. cit.*, pp. 363–4.

federation, as opposed to the major states, especially Prussia and Austria, which might otherwise absorb them.[1]

In fact all the 28 smaller states accepted the Constitution as drafted by the Assembly. Apart from the two Great Powers (Prussia and Austria), only the four middle-sized states resisted, and even among these, Würtemberg after a while complied. In Prussia and Saxony, where the issue caused a short civil war, the Chambers insisted, in opposition to the governments, on accepting the Constitution. The adoption of a similar attitude by the Bavarian and Hanoverian Chambers was avoided only by preventing their session.[2] It seems therefore that the acceptance of the Constitution by the smaller states was due not to any greater interest on their part in federal unity, but simply to the fact that their weaker governments had less power to resist an all-national movement, even when it was already on the ebb, as the Revolution certainly was in April 1849.

For this reason the moderate Left demanded that Prussia, by far the strongest state, should be divided into a number of states, especially if her sovereign were to be offered the Imperial crown.[3] The proposal was a delusion. If the rights of the monarchy were not to be restricted, the Prussian king, as ruler of Prussia, would lose none of his power by having to nominate a Stattholder for each of the new states subject to his crown, while in the Federal Upper chamber a majority of Prussian-controlled states would have come into being. But even a left-winger such as Vogt [4] regarded the dividing-up of Prussia, though only as regards legislation, as a bait that might win his support for the proposal, provided such a plan could be realised. He did not think it could. The semi-absolutist King of Prussia, as constitutional Emperor of the Germans, would find support against the democratic Imperial Parliament in his Prussian Diet, dominated by capitalists and landlords. Thus, prophesied Vogt, the Prussian Diet would become the centre of gravity of German politics, and Germany would be absorbed by Prussia.

There were already many outspoken advocates of such a development in the Centre of the Assembly. Wydenbruck, a Weimar deputy, opposed any division of Prussia as merely

[1] *Verhandlungen*, p. 3804. [2] Mehring, *op. cit.* (1906), Vol. II, p. 160.

[3] Schüler-Wigand Minority report on the second reading (*Verhandlungen*, p. 5795), and amendment of an Austrian deputy (*ibid.*, p. 5835) for forming four federal States out of Prussia: Prussia proper, Silesia, Pomerania-Brandenburg, Western Provinces, with a Stattholder at the head of each to represent the Prussian crown.

[4] *Verhandlungen*, p. 5821.

increasing the dismemberment of Germany.[1] Riesser, of Hamburg, bluntly stated that a good German patriot might not even hope for the slightest weakening of Prussian power until German unity was definitely consolidated. For that power was the only instrument able to create a united Germany. Only after this had been achieved, he hoped, might Prussia by her own free and voluntary decision be merged into Germany.[2] This was exactly the point of view that the Prussian right-wing Social Democrats were to take after 1919, and was a kind of prophecy of Hitlerite things to come. Riesser, though a Liberal, was, like most German Liberals, unable to imagine a Germany that was not created by Prussian power. Besides, Riesser, like most sincere Nazis to-day, was not a *mere* Great-Prussian : he declared that his city would refuse as long as possible to make the sacrifices involved in entering a Prussian Customs Union, whereas it would willingly enter a united *Germany*.[3] These people did not see that the distinction they made was a purely artificial one, and that their way of envisaging the coming of national unity implied that the Germany of the future would be merely a Greater Prussia. Besides, the Prussian King was not prepared to accept from Liberals a crown " emitting the wretched odour of Revolution " : if he accepted Greater Prussia, it would be as a gift from his armies, not from the Frankfurt M.P.s.

But there were men at Frankfurt who believed in a non-Prussian Germany, and were not afraid to appeal to popular forces against the existing states. They felt that federalism was necessary in view of the diversity in German national life. As the existing state units were from that point of view clearly irrational, these men envisaged a new division of the national territory. Some openly said that without such a new division, i.e. as long as the overwhelming power of some of the German states survived as it was, no true federalism was possible, and proposed the formation of entirely new States which must come into existence of themselves.[4] Other representatives of the Left, though in principle adherents of federalism, concluded, in view of the admittedly deep roots which the monarchical states still had in the national life, and from their fear of " an alliance of the united princes against the divided peoples ", that the powers of

[1] *Verhandlungen*, p. 5830. [2] *ibid.*, p. 5907.
[3] *ibid.*, pp. 5904 ff. Moreover, Hamburg did not resign its customs autonomy until 1888.
[4] *ibid.*, p. 2747, Schaffrath-Hagen Amendment.

the federation ought to be made as strong as possible, to form a democratic counterweight to the conservative States.[1] Most critics proposed very moderate palliatives, such as assigning the representation in the federal Upper Chamber to more equal units, created *ad hoc* and on national principles rather than to the historic states, which should have only a third of the seats in the Second Chamber.[2] One amendment to Article 95 of the Constitution proposed that in large States with provincial representation (i.e. in effect in Prussia), the half of the Second Chamber which was to be chosen by the State Parliaments[3] should be elected by the Provincial, instead of by the State, Diets. This amendment was among the very few that were accepted.[4] We shall see[5] that later, at Weimar, it became part of an accepted constitution, but that its results in action were hardly democratic. In 1849, under such a provision, the Second Chamber might have been thrown open to representatives of semi-mediæval estates instead of to those of modern, if undemocratic, parliaments.

In fact, there was hardly any satisfactory *via media* between working with the existing states as they stood, and attempting a completely new division of the national territory based on economic, social, and cultural, rather than on historic differences. Those who proposed such a new division understood this quite well : there was little historic reason for setting up exactly 21, or 13, new States. But the romantic tradition was strong : when so distinguished a left-winger as Hagen tried to base his proposals on " the special characteristics of the tribes "[6] he proved how confused was either he himself or the public with which he felt it necessary to reckon. The majority of the Assembly preferred to leave such questions to be decided within the future Empire, and to have the Constitution accepted as soon, and as easily, as possible.[7] In the voting after the first reading a simple resolution was accepted, inviting the Central Government to mediate in cases where the peoples of dwarf States desired fusion, but difficulties, especially on the part of the dynasties, had to be overcome.[8] Except that the dynasties survived, the result was just the same as that achieved 70 years later at Weimar.

[1] *Verhandlungen*, pp. 2742 ff. [2] *ibid.*, pp. 3844–5, Höffken Amendment.
[3] The other half was to be nominated by the governments.
[4] *Verhandlungen*, p. 6027. [5] Below, Chapter VI, pp. 107–8.
[6] *Verhandlungen*, p. 2756. [7] *ibid.*, pp. 3858–9.
[8] *ibid.*, p. 3841. The matter became topical at some time during the short life of the Provisional Government. See Gagern's answer to the interpellation by Nauwerck, on the Anhalt case (167th Session, February 9, 1849).

(c) The Conception of Federalism and the Distribution of Powers under the 1849 Constitution

There was no disagreement at Frankfurt as to the necessity for basing the German constitution on federalist principles. The report of the Constitutional Commission,[1] in the light of American experience, clearly advocated federation as opposed either to the hitherto existing confederation of German states, or to centralisation in accordance with the French model. The minority report of the Left [2] also supported federalism : " We do not want such centralisation as would suppress the independent life of the separate parts of Germany, prevent the development of the particular genius of the individual tribes, or regulate everything from above and deprive the separate parts, individuals, communities and states of self-determination in their internal affairs." The Left wished to include all possible guarantees for democratic self-government for the autonomous units. The Right, in " defending state autonomy ",[3] went so far as to defend the right of the member states to have estates of the mediæval type and to carry out anti-parliamentary coups by princely authority. In fact they had their way even in this last respect, although by a doubtful majority.[4] The section dealing with Fundamental Rights, as passed at the second reading on February 14, 1849,[5] demanded that in any member state there should be some form of popular representation after an amendment expressly excluding such an interpretation of " popular representation " as would cover the mediæval estates had been rejected.[6] The Assembly also rejected amendments from the Left demanding manhood suffrage for the State Parliaments, a merely suspensive veto for the monarchs (as was provided for the Emperor in the Imperial Constitution), and a legal procedure of constitutional amendment by which monarchy in the States could be replaced by republican government, if desired. But the majority demanded that the " popular representations ", however constituted, should be granted the usual parliamentary rights of decisive co-operation in legislation and taxation, initiative in legislation and periodic public meeting. They were also to be granted the right to impeach ministers. This rather vague formula replaced a more definite clause in the first draft, which had interpreted ministerial

[1] *Verhandlungen*, p. 2722. [2] *ibid.*, p. 2742. [3] *ibid.*, p. 5184.

[4] In view of the explanations attached to some of the votes it was rather a minority (see *Proceedings* of the 170th session).

[5] *Verhandlungen*, pp. 5187 ff. Articles 45 and 46 of the Fundamental Rights became, later, Articles 186 and 187 of the Constitution.

[6] Such estates survived in Mecklenburg up to 1918.

responsibility in a sense more akin to true parliamentary government.[1]

In the Law on the provisional Central government [2] the Assembly had first defined the powers claimed for the central authority. They were vague, wide, and elastic. But, if desired, they might also be interpreted to mean almost nothing, especially as regards the armed power of the States. By doing nothing, the Assembly in fact decided that the power the Federation claimed in military matters was to be understood as the mere right, in the event of war, to use allied forces organised by the separate governments. This negative attitude was, of course, quite enough to render the Assembly virtually impotent and to defeat the whole revolution. When, in the autumn of 1848, the relative paragraphs of the definitive Constitution were discussed,[3] the Committee report used the very naïve argument that " the autonomy of the separate states, so far as their armies are concerned, must have some limits ".[4] In the formula finally accepted the military powers of the Federation were restricted to disposing of the armed forces organised by the States. The amendments of the Left to make " legislation concerning, and organisation of, the armed forces " a function of the Federation were rejected.

The Assembly was rather more practical in defining the economic functions of the Federation : the Customs Union was to be secured by federal control of all taxes on production and consumption, so far as the repeal of internal customs made it necessary. There was a centralist minority amendment asking for general federal authority to tax consumption and production, and a confederalist one to deny the Federation all competence in such matters.[5] At the first reading a more centralist formula was accepted ; one that, nevertheless, did not go beyond what was to be the practice in Bismarck's empire. But on the second reading, in March 1849, under pressure of protests by the states, all federal competence in matters of taxation, except in emergencies, was abolished. In normal times the federal finances were to be provided by a share in customs and taxes on consumption and, if necessary, by contributions which the member states were to make

[1] There has been great ambiguity in Central European conceptions of " ministerial responsibility ", an ambiguity not altogether unknown to its earlier developments in Britain. Constitutions granted " from above " tended to reduce it to impeachment in the case of crime, while the constitutionalists tried to obtain real parliamentary government by means of the same formula, though generally without understanding what preconditions that involved.

[2] Of June 27, 1848, *Verhandlungen*, pp. 621–2.

[3] *No. 100*, October 20, 1848. [4] *Verhandlungen*, p. 2729. [5] *ibid.*, p. 2741.

out of their undependent budgets.[1] As regards communications, posts, etc., the Federation claimed only supervisory powers. So, as with the concessions made to the particularist interest in regard to actual armed power, where the majority of the Assembly desired to appease the states as the bulwark against the revolutionary masses, it came about that the bourgeois majority had also to sacrifice a very important part of that economic unity whose achievement, from its point of view, was the only legitimate purpose of the movement.

While very modest in fixing the concrete powers of the Federation, the Assembly believed that it had left room for future development by making those powers somewhat elastic. Article 6 of the Constitution retained for the individual States all the powers not *expressis verbis* transferred to the Federation. Amendments proposing that ordinary federal legislation, as distinct from federal constitutional amendments, should overrule State powers, were rejected.[2] Throughout all the proceedings on the Constitution discussions took place on Article 58, by which the Federation was allowed to extend its powers by simple legislation " in all cases where the common interest renders this *necessary* ". Amendments providing that the establishment of new measures or institutions was to be justified merely by their *expediency* were rejected. The *rapporteur* interpreted the formula as meaning that the future Supreme Court, as in the U.S.A., would have to decide whether a particular federal law extending federal powers was really necessary.[3] Thus, it seems, a much contested point of the American Constitution had made a very strong impression on people who did not understand the necessity for establishing a federal army and administration. At the second reading, they made it possible to extend the federal powers, even in case of necessity, only by the normal method of constitutional amendment (by a two-thirds majority). This change either rendered the whole article a superfluous truism, or made even constitutional amendments creating new federal powers insecure, in that the Supreme Court would have had to decide whether or not there was any real necessity for the extension.

[1] *Verhandlungen*, pp. 5740 ff.

[2] *ibid.*, pp. 2978 ff. The amendment, if accepted, would have enacted the principle of the later Weimar Constitution that " federal law overrides State law " —a principle which, indeed, could hardly be realised at the 1848 stage of development.

[3] *ibid.*, pp. 2727 and 2983. The centralist amendments laid it down (*ibid.*, p. 2783) that any future extension of federal rights must apply to all members of the Federation equally. Piecemeal absorption of the autonomy of individual States was thus excluded.

The critical remarks of the state governments on the draft Constitution which resulted from the first reading [1] accused it of being virtually unitary, not federalist. The state governments argued, from what they claimed was a federalist point of view, against the Federation possessing any competence in military matters, except in time of war and in nominating joint commanders for larger units made up of troops from different states, and against any provision for the future extension of federal powers. The only interesting point in the argument is that its authors, who were clearly confederalists, by calling themselves "federalists" recognised how popular federalism had become in Germany. The majority of the Assembly, in drafting the text for the second reading, answered this criticism by concessions. But such concessions were to find their limits where a weakening of the central power would thwart the very purpose of federation.[2]

The criticisms of the North German governments centred round the argument that any kind of immediate federal administration [3] would "contradict the monarchical constitutions and the political conditions of Germany as shaped by traditional state independence". It would, indeed, unless the Federation were to be organised, as it was later by Bismarck, and as the Frankfurt Left already feared, as "an alliance of the united princes against the divided peoples".[4] Riesser, speaking for the "Little German" Centre, used a similar argument [5] to make constitutional monarchy acceptable to the moderate Left, as the only form of federal power to which the individual states, with their confessedly monarchical character, might submit. Indeed, this was an argument in favour of monarchical, though not of constitutional, power; the semi-absolutist German princes were hardly more likely to subordinate themselves to a constitutional Emperor with a merely suspensive veto, and dependent upon a Parliament elected by manhood suffrage, as the Frankfurt Constitution provided,[6] than to do so to an elected President.

[1] *Verhandlungen*, pp. 5449 ff., for the joint declaration of the Prussian, both the Hessian, the Mecklenburg, Brunswick, Hanseatic, and most smaller North German governments, and pp. 5453 ff. for the remarks of the Saxon government, where the reproach that the Constitution was centralist, not federalist, is specially emphasised.

[2] In the reasons given for the concessions made, on the second reading, to the government criticisms, *Verhandlungen*, pp. 5740–1.

[3] i.e., the very thing most modern theoreticians regard as characterising a federation as distinct from a confederation!

[4] See note 7 on page 56.

[5] *Verhandlungen*, p. 5906. The argument generally played a very important part.

[6] This, and not the concrete formulations of the Constitution, was the decisive point. Certainly Mehring (*op. cit.* (1906), Vol. II, pp. 155 ff.) was right in stating that the Frankfurt Emperor would have possessed even more constitutional rights

Eventually the Princes would accept subordination to the leadership of one of their own number who succeeded in winning supremacy as the representative of the forces for which they stood. But either the Princes, or the Assembly and all that it stood for, had to go. The Assembly disappeared ; for it had not understood the alternative.

(*d*) Governments and Middle Classes after the Defeat of the 1848 Revolution

As Austria's preoccupation with the Hungarian crisis in 1849 left Prussia a free hand in Germany, Prussia by her own free decision not only rejected the Frankfurt Assembly's offer of German hegemony, but contributed decisively to the defeat of the movement that had offered her so great an opportunity. Though Prussia sacrificed such political opportunities for considerations of monarchical solidarity, she did not compromise her economic leadership in Germany. During the following year she strove successfully to keep Austria out of the German Customs Union. This was virtually completed in 1852 by the absorption of the " North-West German Customs Union " (*Steuerverein*). The Southern states and Saxony, confronted with the plain alternative of being expelled from the Customs Union, had to make their definitive choice for economic unity with Prussia, instead of with Austria.[1] It was mainly the relative inclination of Prussian commercial policy towards free trade in opposition to the protectionism which Austria had imposed upon herself by her internal economic policies, that won for Prussia the sympathies of the German middle classes.[2] On the other hand, the very fact that political dismemberment had retarded German economic development for so long, enabled German industries, once this dismemberment was overcome by the Customs Union, to select sites for their newly-founded enterprises with considerable freedom and without causing that manufacturing congestion which the pre-railway transport conditions of the early nineteenth century would have rendered unavoidable.[3] Thus German economic unity was not bound to mean economic centralisation round the capital of the leader-state.

than the Bismarckian was to enjoy. But this would have meant an increased power, not for the actual king, but for the " Crown " in the British sense. The Frankfurt Reichstag would have been much more powerful than Bismarck's " free gift " was to be.

[1] Conrady, *op. cit.*, pp. 13–14.

[2] See above, pp. 50-1.

[3] See Clapham, *op. cit.*, p. 287.

Such conditions furthered the German bourgeoisie's decision in favour of " Little German " political unity under Prussian supremacy, to the exclusion of Austria. Any other alternative had been virtually excluded by the defeat of their 1848–9 attempt to build their state themselves, as well as by the obvious inability of Austria to cater for the needs of the German middle classes. In view of Austria's internal structure, German federation under Austrian hegemony could evidently not be achieved. The half-way house that Austria proposed to the Princes' Congress of 1862 could hardly satisfy the German middle classes. As " the Liberal masses " could not be satisfied by the Austrian proposals, and thus no serious consolidation of their internal position could be effected, the Princes were not ready to make even such very moderate sacrifices of their " sovereign rights " as these proposals expected of them.[1] There were already some princes who advocated Prussian hegemony.[2] The Prussian king himself, however, desired to go to the Frankfurt Princes' Congress and, by accepting Austrian leadership, win the support necessary for further internal reaction in Prussia. Bismarck had considerable trouble to prevent his king from upsetting his policy in this way.[3]

The German middle classes had already made their choice. The *Nationalverein*, formed in 1859, was in essence a reorganisation of the Frankfurt party that had advocated the " Little German " solution of the German question. From 1862 to 1866 Prussian Liberalism strove to achieve as constitutional a Germany as possible, against Bismarck's attempt to consolidate the Prussian Army as a stronghold of the anti-constitutional forces within Prussia, forces whose pan-German inclinations the Liberals had good reason to doubt.[4] It proved impossible to force constitutionalism upon Bismarck without destroying the power that was expected by the Liberals themselves to establish Prussian hegemony in Germany and to realise German unity. So the Liberal opposition to the autocratic methods of Bismarck's Army Reform remained mere lip-service to constitutional principles. It was dropped once Bismarck had made it clear by action that he was to realise the Little German programme. The day had come for the representative of North German Liberalism to say : " For me, the Prussian state is no longer *a* German state ; it is *the* German state ".[5] Prussian Liberals could no longer oppose it.

[1] Hohenlohe-Schillingsfürst, *op. cit.*, Vol. I, p. 131. [2] *ibid.*, p. 133.
[3] Conrady, *op. cit.*, p. 22.
[4] See Preuss, *op. cit.* (1923), pp. 32 ff. ; also Waldecker, *op. cit.*, pp. 170–3.
[5] Twesten in the Prussian Chamber of Deputies, Dec. 20, 1866.

Nor could South German Liberals resist any longer. The Bavarian Chambers, under the immediate impression of Prussia's victory over Austria in 1866, resolved that it was desirable " to pursue, in close connection with Prussia, the only path that under the given conditions is able to lead us to the desired goal, a Germany unified with the collaboration of a national Parliament, freely elected and provided with the necessary powers ".[1] Prince Hohenlohe thought it desirable, in view of the special position of the Bavarian people and dynasty, to join the North German Federation immediately, while it was still in the stage of being organised. He believed that the Prussian aversion to immediate federation with the Southerners was restricted to the Conservatives, to whom Southern constitutionalism was anathema, and he could not imagine the Prussian government sharing this aversion.[2] Even on September 1, 1866, Hohenlohe thought that " public opinion in Bavaria, in all parts of the country and among all classes " was in favour of joining with Prussia, and that the opposition came only from the Court, the ministers and the ultramontane party. But even this last did not propose joining Austria, and nobody even dared to speak of other " independent " alternatives under French protection.[3] A few days later Hohenlohe had to retreat to the proposal of a mere alliance. For Prussia herself did not want Bavaria to join the federation immediately, and insisted on conditions which implied her total absorption by Prussia.[4]

In fact, Hohenlohe had been wrong in his original judgement of the attitude not only of the Prussian Government, but even of the Prussian so-called " Liberals ". Prussian reaction had become sacrosanct for those who saw in it the only power able to establish what they called " German unity ", i.e. the Great Prussian Empire in which there was good business to be done. The ideas of German enlightenment and of the 1849 revolution had been dropped by those who aimed at " preserving Liberalism " by " waiving certain Liberal doctrines ".[5] A new moderate " Liberal " party, these people thought, ought to include enough Conservatives to make it acceptable to what they regarded, even for the future, as the most important factors in Prussian political life : the Court, the Bureaucracy, and of course the Army.[6] These Liberals had become such good Prussians

[1] Hohenlohe-Schillingsfürst, *op. cit.*, p. 171.
[2] *ibid.*, p. 173. [3] *ibid.*, pp. 174–5. [4] *ibid.*, p. 184.
[5] Duncker to Treitschke, in *Deutscher Liberalismus*, p. 385.
[6] Roggenbach to Ötker, *ibid.*, p. 408.

that even German unity, the original basis of their Prussianism, was to be judged from the point of view of the interest of the Prussian state. Their position was not far from that which the avowedly reactionary William I adopted, to Bismarck's great anger. So-called Liberals feared that the German South, where the ideas of 1848 had retained more influence, might " precipitately " enter the North German Federation, and thus endanger the traditional Prussian outlook ; the conservative North had to be consolidated, and all its members imbued with the Prussian State-idea, before the unreliable Southerners could be admitted.[1] The people of Baden, who had little understanding of such an attitude, were reproached for lacking the necessary " piety and reverence for the nucleus of the German state ". The very admission of some middle states to the Union would destroy the essential foundation of the North German Union, the hegemony of Prussia over weaker states.[2] And there was the problem of the Southern " rabble," the electorate. " Just imagine, for a moment, co-operation, in a federal parliament, between the Southerners and our (Northern) left-wing Liberals, when discussing military questions "—this, to one of Treitschke's " liberal " friends, was a very strong argument against the " premature " realisation of the aims of 1848.[2] In fact his fears had little real foundation. During the 47 years Bismarck's empire was to exist, and those that followed, consistent Liberalism proved unable to play any important part in German politics, or even to prove that it was more than a tendency among a small minority of the intelligentsia. No serious attempt at federal integration of the varieties of German life could be expected from the German bourgeoisie which followed the Great-Prussian way.

(*e*) The Labour Movement and the Prussian Solution of the German Question

The democratic part of the 1848 tradition could be preserved only by the young Labour movement which developed during the middle sixties in connection with that last dispute between Prussian Liberalism and Bismarck's realisation of the Great Prussian conception. The original antagonism among the German ruling classes split the Labour movement itself almost from the beginning. One wing very clearly imitated the bourgeois capitulations of 1849 and 1866 and anticipated those major ones

[1] Freytag to v. Normann, *Deutscher Liberalismus*, p. 408.
[2] Wehrpfennig to Treitschke, *ibid.*, pp. 415 ff.

of its own which were to come in 1918 and 1933. The other anti-Lassallean and anti-Bismarckian wing of the German Labour movement was, in the autumn of 1866, still only in the first stages of its transformation from a left-wing Liberal to a Socialist group. But as its further development affected the social and economic rather than the purely political planks of its platform, the declarations of the " Saxon Democratic Assembly " may be considered as fairly typical of the attitude of the group out of which the bulk of the anti-Prussian wing of German Socialism was to develop. They resolved, on August 19, 1866, to take part in the elections to the Parliament of the newly created North German Union, but only in order " to fight without compromise against the conditions created by the issue of the War, to defend the Great German democratic programme for national unity, and to aim at an all-German Constituent Assembly " (including German Austria).[1] Thus they opposed Prussian hegemony and army rule, those forces by which official Prussian and Liberal policies submerged any hope of a realisation of the federalist tendencies of Frankfurt. It was another, and still open, question whether the German Left, if victorious, would have been able to complement democracy by decentralisation.

The attitude of the Lassallean wing of the German Labour movement was described in an article by Schweitzer [2] on the participation of the workers in the elections to the new Parliament. Bismarck's warlike methods were criticised, but Berlin was recognised as " the centre of power that must be influenced in order to create an all-German Union, including German Austria." Not a federal but a united state was necessary. For a federation with one member more powerful than all the others put together was dangerous from the democratic point of view : all power would be concentrated in the hands of the leader-state, but all the resisting popular forces would be divided. The argument was not new ; but it was at least original to draw from it the consequence that the Prussian government must be supported against all particularist tendencies. The conception of a Germany which, though federal, was based on other than the traditional units, was evidently strange to Schweitzer. What he and his like might desire was some degree of democratisation within Greater Prussia. But unitarians they were, even more than Bismarck, who compromised with princely particularism.

With Bismarck organising the Reich in accordance with his

[1] Quoted by Mehring, *op. cit.* (1906), Vol. III, p. 260. [2] *ibid.*, pp. 259–60.

views, the question of German federal organisation lost its practical importance for the Labour movement. When, mainly for this reason, the split in the Labour movement had been overcome in 1874, nobody dared seriously to raise the point. In 1865 Engels had simply stated that the interest of the German working classes lay in winning a much wider field of activity than the existing individual states could provide, and that they were completely uninterested in the various attempts and methods of the ruling classes to " unify " Germany, especially in the Prussian method.[1] But once this had succeeded the accomplished fact had to be recognised.[2] Hardly any political task remained save to work for the most thorough-going democratisation of all the organs of political power, including the State governments.

Hardly anyone discussed the question how to organise Germany when it had been eventually conquered by the Labour movement—for the simple reason that practically no one thought there was a real chance of conquering Germany. To the reformist wing of the Labour movement the essentials of Marxism remained so vague that Bernstein [3] could identify the anti-centralist and federalist tendencies of Marx and Proudhon, describing them as " Liberalism " in opposition to the classical French revolutionary centralism that still remained axiomatic with most of those left-wingers who bothered about such problems. The only clear elaboration of the point in classical Marxist writings is that of Engels.[4] He defended the " republic one and indivisible," but not as a general solution applicable to all countries,[5] and with strong criticism of the unitary centralism practised in the contemporary French Republic, " which is neither more nor less than the Empire established in 1798 without the Emperor ". " Local self-government . . . without a bureaucracy " was advocated, and the models cited, apart from the French Jacobin Constitution of 1793 with its departmental and municipal autonomy, were the U.S.A., Canada, Australia, " and the other self-governing British Dominions ". Most of these examples are generally accepted to-day as typical federations.

[1] Engels, *op. cit.* (1865), p. 38.

[2] Marx-Engels, *Correspondence*, Vol. III, pp. 349 ff.

[3] *Evolutionary Socialism* (Engl. ed.), pp. 156 ff. In order to judge such misunderstandings it has to be remembered that the same book (pp. 176 ff.) contains a defence of German colonial expansion !

[4] In his critique of the Erfurt Programme, written in 1881, and published in *Die Neue Zeit*, Vol. 20 (1901).

[5] Especially he admitted the advantages of a federal solution of the Irish, Scottish and Welsh questions in Britain. This, of course, must be taken in connection with the contemporary " Home Rule " campaign.

Evidently Engels meant by the term he criticised, not federalism as generally understood, but (apart from the use, or rather misuse, of the term by anarchists like Proudhon) the special traditionalist variety of federalism. He opposed it in Germany " as a mere transition from mediæval dismemberment to modern unity ", and in Switzerland, where, " it is true, the Canton is very independent of the Federation, but is independent also of the District and the Commune ". As a plank for the Socialist platform, Engels suggested " complete self-government for the Provinces, Districts, and communes through officials elected by universal suffrage, and the abolition of all local and provincial authorities appointed by the Central Government ". For the solution of the Irish problem in Britain Engels explicitly advocated federalism.[1] So he seems to have been not very far from the present application of the term in the U.S.S.R., in dealing with the problems of the multi-national state, while he preferred to describe administrative devolution within a homogeneous nation as " mere " local self-government. His programme for Germany, in connection with his rejection of traditionalist German federalism, would thus be identical with what German progressives in 1848–9, as well as in 1919, called " the decentralised unitary state ", based on autonomous units to be organised on rational rather than on traditional principles.

[1] *ibid.*

CHAPTER V

BISMARCK'S EMPIRE AND THE 1918 REVOLUTION

(1) Bismarck's solution of the German problem amounted to a revolution from above. It imposed upon the traditional forces as well as the Liberal middle classes a régime which was made tolerable to them inasmuch as it allowed the former group to continue to dominate the state machinery, and the latter to satisfy their economic needs.
(2) In order to strengthen and coördinate the traditionalist forces whose roots were in the German states, a comparatively high degree of autonomy was granted to the latter, especially to those which enjoyed special privileges under the Bismarck Constitution. The actual exercise of that autonomy remained, of course, under Prussian hegemony and control. To this was added the integrating effect of centralisation enforced by increased economic progress.
(3) The survival of the German states after 1866 and 1871 caused the maintenance of some splits amongst the democratic groups, but this hardly amounted to more than a secondary differentiation within the all-national parties. Except in Bavaria the federal structure of Bismarck's Empire hardly influenced the course of events in November, 1918.
(4) The very unequal economic and social development of the States helped to preserve them during the 1918–19 revolution, especially as they were the seats of an unhappy alliance between the new rulers and the old bureaucracy.

(a) Political Foundations of Bismarck's Empire

The German bourgeoisie having failed at Frankfurt to bring about the democratic solution of the German problem, and Austria's subsequent internal development having turned her into a distinctly multi-national state, no other possible solution of the German question remained than the Little German one, under Prussian leadership, towards which the majority at Frankfurt had already inclined. Any able director of Prussian policy, with the outstanding instrument of the Prussian army at his disposal, could have won those initial successes that would have rallied round him and Prussia the overwhelming weight of German public opinion certain to support anyone who proved able to satisfy Germany's desire for political unity. There seemed to be some possibility that in the political contests of the early sixties the Prussian Liberals would have won control of their State, or that Bismarck would use his temporary dictatorship for a gradual transfer of political power to the bourgeoisie, transforming such part of Prussian Junkerdom as could manage to survive under modern conditions into a kind of " ornamental coping-stone of the bourgeoisie " after the English pattern. The latter, thought

Engels, was the rational method for Bismarck to follow.[1] If either of the developments just mentioned had taken place, the Little German conception of German unity, with Prussia as its centre of gravity, would have been realised just as much as it was in the actual course of events. But the old Prussia would have died. Another great Western European bourgeois nation would have evolved alongside the French and the English national states, and Prussian Junkerdom as well as the traditional Prussian state would have been subjected to the test of how much, or how little, they were able to satisfy nineteenth-century economic and political needs. It was Bismarck's outstanding achievement, if we choose to think it such, that he succeeded in preventing such a development. Instead of merging Prussia into a greater Germany brought into being with Prussian support, he succeeded in absorbing Germany in Prussia.[2]

Two obvious obstacles had to be overcome. Within Prussia herself the traditional ruling group, based upon an alliance of the Junker-controlled army with a centralist bureaucracy, was confronted by a bourgeoisie which, strengthened by continuous economic progress, had not yet abandoned all hope of obtaining at least an important share in real political power. The fact that the traditional ruling group, in and after 1849, seemed unwilling to realise the essential political aim of the bourgeoisie, a united and powerful German state, gave increased political weight to the bourgeois opposition. The Junkers, on their part, were hardly willing to stake their state upon the hazards of a war for German supremacy. Such a war, if unsuccessful, might involve the loss of everything that had been won since the days of Frederick the Great; while if it succeeded, it might mean the merging of the old Prussia into a greater unit dominated by the industrial and commercial middle classes. As regards the external situation, it was evident that Austria would not finally abandon her position in Germany unless forced to do so: and as against the Prussian Junker alternative, a more or less progressive Austria was quite likely to dally not only with Catholic and particularist, but even

[1] See Engels, *op. cit.* (1920), pp. 126 ff. We may doubt the legitimacy of a criticism of Bismarck's policies from a point of view evidently different from that for which Bismarck stood for, with all his theoretical respect for England, Bismarck wanted to prevent the merging of traditional Junkerdom into a bourgeois-landlord upper class. But Engels sought to criticise Bismarck not from the latter's personal point of view, or even from that of the section of the ruling class to which he belonged, but from the point of view of the possible duration of Bismarck's immediate political achievement, a strong modern German state. In this regard he was certainly right.

[2] The problem has been put in this way even by such a distinct right-winger as Triepel, *op. cit.* (1907), pp. 106 ff., and *op. cit.* (1938), pp. 552 ff.

with liberal feelings in the Southern states. Such attempts give us the key to certain internal developments in Austria, during the sixties, that we shall discuss later.[1]

Bismarck solved the problems by combining his attack on both the internal and external obstacles. By defeating Austria, he proved to the bourgeoisie that his Prussia was able to solve the German question in a manner that satisfied their economic needs. By defeating the political resistance of the Liberal party during the middle sixties, he proved to the Junkers, and especially to his king, that the new German Reich would be merely an enlarged Prussia.[2] On both fronts Bismarck ended the struggle with a compromise that, instead of destroying, or at least embittering, the defeated party, turned it into a willing tool of Prussian militarism. The German bourgeoisie, in return for forsaking its liberal ideals and aspirations to real political power, gained the realisation of all its economic aims under the strong protection of a highly efficient state. The Austro-Hungarian monarchy, as it was to become in consequence of its defeat, received partial compensation for waiving its German claims by being installed as the main agency of the new German imperialism in South-Eastern Europe.[3] The power of imperialist Germany was to defend the Hapsburg monarchy against the logical results of the struggle of the non-Germanic peoples for political independence, whose first stages had rendered possible Prussia's victory over Austria.

The problem how to organise the new Prusso-German state remained. Bismarck believed in no real powers other than the traditional military-bureaucratic machinery controlled by the princes and dynasties. If he had, he would not have been willing to coöperate beyond using such measured and respectful pressure as " educated public opinion " might bring to bear upon

[1] Chapter IX, pp. 185 and 188–9. [2] Preuss, *op. cit.* (1923), pp. 33–4.

[3] Such a description of the rôle of the Hapsburg Monarchy might be controverted, for example from the point of view that it displayed a distinct initiative in precipitating the 1914 War, by Germany giving Austria *carte blanche* (see G. P. Gooch, *Studies in Diplomacy and Statecraft*, London, 1942, pp. 80 and 84–5). To me, the point seems irrelevant in the general characterisation of Austria-Hungary's rôle: a political agency may enjoy quite a lot of autonomy in representing its masters' interests within its own specific sphere, and will certainly do so within any system of hegemony somewhat less crude than, say, Hitler's New Order. If the leading German politicians before 1914 are not to be described as fools, the giving of *carte blanche* to an ally notorious for its internal convulsions, complicating all its external relations, can be understood only on the assumption that the existence and strength of this ally were regarded as an essential element of German political power. From the economic point of view the dominating rôle of German finance-capital in Austro-Hungarian expansion is indisputable.

resisting rulers.[1] So he had to organise the new Empire as an alliance of the dynasties against the new forces, as the Frankfurt Left had foretold. This, indeed, was the only possible way to graft the Prussian dynasty and Government, without any essential change, on to the new Empire as the head of all its rulers and governments.[2] In forcing what he found necessary in their own interest upon the traditionally stubborn dynasties, especially that of Prussia, Bismarck was helped by his high degree of realism, and by his freedom from most of the prejudices to which the world in which he lived traditionally paid lip-service. Especially was he free from any illusions about divine or traditional rights. He knew, as did everyone, and he even found it expedient to write, that the particular " rights " of all the Princely Houses, including the Electoral House of Brandenburg, had little in common with the real living forces and urgent needs of the German nation, and that they were merely historical facts of which the best use must be made in favour of what he called sometimes the national, sometimes the Prussian cause.[3] As regards his fundamental views on the internal policies of any state, Bismarck was much less interested in the legitimacy or illegitimacy of the origin of power than in the fact that that power was not exercised according to the will of the masses.[4] This immunity from legitimist scruples enabled him to enforce the annexation of three additional middle German states against the inclinations of his royal master,[5] and so to secure for Prussia that overwhelming superiority as against her " allies " without which the desired degree of Prussian hegemony within the so-called federation could not be achieved.[6] On the other hand, Bismarck's contempt for German Liberals, in itself something that might be understood as a natural result of his Frankfurt

[1] See his *Memoirs*, Vol. I, Engl. ed., p. 314.

[2] Preuss, *op. cit.* (1926), pp. 369–70.

[3] *Memoirs*, *op. cit.*, pp. 320 ff. (Germ. ed., pp. 293 ff.) and 317 (Germ. ed., pp. 290–1). Bismarck's letter to Roon (*Works*, Vol. VIb, p. 134) emphasises the rule of the King of Prussia over Germany. Bismarck knew how to vary his approach according to whether the addressee were the " educated " German middle classes or a Prussian general.

[4] See his letter to H. v. Gerlach, May 30, 1857.

[5] Bismarck, *Memoirs*, Vol. I, p. 323 (Germ. ed., p. 296), Vol. II, p. 79 (Germ. ed., pp. 71–2), and Zwieckusch, *op. cit.*, Vol. I, p. 188. Bismarck's *Memoirs* must be considered as a political rather than a historical document, but in this case the contradictions may be only apparent. It is quite possible that the King, greedy for conquest, but bound by his legitimist principles not to destroy completely any legitimate rule, preferred to confine as many North German princes as possible to scraps of territory merely sufficient to maintain their princely status, while Bismarck might have preferred indirect rule, leaving the direct rulers, in so far as they were preserved, as satisfied as possible.

[6] Bismarck, *Memoirs*, Vol. II, p. 79 (Germ. ed., p. 71), for an argument of Bismarck himself in favour of greater " domestic power " for the hegemonic prince.

experiences, led him manifestly to undervalue the forces of German national consciousness, which he thought insignificant in comparison with dynastic patriotism, the only political allegiance whose existence he recognised, far as he was from cherishing it.[1]

Bismarck's establishment of a " mutual assurance association for the Princes and dynasties opposed to the rising wave of democracy " was described by the Conservative ex-minister, Delbrück, in the deliberations of the Weimar National Assembly, when all was over, in just the same words as by the revolutionary Socialist, Liebknecht, in the days when Bismarck's empire was being established.[2] But, according to Delbrück's explanation, there was a second foundation-stone in Bismarck's building which Liebknecht would never have admitted : universal suffrage for the Imperial Parliament. Bismarck, indeed, would have declined to regard it as a foundation-stone of his Empire ; as he was later to write, he had put universal suffrage into the pot as the most powerful ingredient known at that time to liberty-mongers, and was eager to abolish it as soon as possible or, even better, by introducing the open ballot, to render it an instrument which the Prussian Junkers could use to round up their labourers like electoral cattle against the progressive elements in the towns.[3] But what Bismarck, in many respects still a very narrow-minded Junker, desired is not so important as what resulted from his actions : and the introduction of universal suffrage for a national parliament with decisive powers in economic, social and defence matters resulted in a concentration of interest on this parliament on the part of the working classes. It even distracted their attention from the highly important position which reaction maintained in the Diets of the individual states.[4] All the allegiance which the new Empire was to win amongst the masses, it won at the expense of the individual States, however important the latter, especially the strongest amongst them, might remain as elements within the Bismarckian structure.

Both foundation-stones, that which he trusted and that which he despised, were used by Bismarck in setting up a régime where

[1] Bismarck, *Memoirs*, Vol. I, p. 320 (Germ. ed., p. 293).

[2] Liebknecht in Bezold, *op. cit.*, Vol. III, p. 338 (speech in the North German Parliament, December 9, 1870) ; Delbrück in *Proceedings* of the Weimar Constituent Assembly, February 24, 1919, Vol. 326, pp. 385 ff.

[3] Bismarck, *Memoirs*, Vol. II, pp. 63–4 (Germ. ed., p. 58). The distrust in left-wing circles of a demagogic use of general suffrage found expression even in Engels, *op. cit.* (1865).

[4] *Proceedings of the Mannheim Socialist Congress*, p. 234 (Bebel), and also Kautsky, *op. cit.*, pp. 249–50.

the Princes had to rule in accordance with the liberal bourgeoisie's interest in national unity. In so far as Bismarck did not simply buy up princes like Ludwig II of Bavaria, by methods similar to those applied later towards the Hindenburgs by other dictatorial promoters of German unity, he used towards the princes the political argument that it was desirable from the conservative point of view that they should take the initiative in conferring the Imperial Crown, as the only alternative to parliamentary initiative and the consequent position of Parliament within the new Empire. Prussia was ready to pay for the princely action she desired by granting special privileges to Bavaria.[1] In Bavaria there were even Conservatives who were Germans and federalists before they were Bavarian royalists, and who therefore opposed tactics designed to secure the reservation of some particular rights to Bavaria rather than to increase her political weight in the councils of the Federation.[2] On the other hand, radical Great Prussians [3] thought the Bavarian reserved rights harmless because they were certain to wither away, while they objected to what they considered the excessive degree of federalism in Bismarck's Constitution.

Bismarck was ready to use universal suffrage against these and other " Liberals " as a weapon to frighten them into the desired degree of subjection.[4] The representatives of the young Socialist party certainly exaggerated the part they had played when they believed that their pressure had somehow contributed to force universal suffrage on Bismarck.[4] But it was even more remarkable that the Liberals, who had not the same excuse for such overstatements as a young and self-conscious party, strongly believed in the " Red Bogey " whenever Bismarck found it necessary to conjure it up. " On the one hand," said the Liberal leader, Twesten, on March 30, 1867, discussing the Constitution of the North German Union," we find the military power stronger and more concentrated than at any earlier time, in the hands of the Supreme War Lord. On the other hand we have equal universal suffrage. It is by just these means that a Cæsarian dictatorship has been built up in France ". Bismarck knew his

[1] Conrady, *op. cit.*, pp. 47 and 51–2.
[2] Hohenlohe's speech of December 30, 1870, in *Memoirs*, Vol. II, p. 39.
[3] Miquel in the North German Parliament, Bezold, *op. cit.*, Vol. III, pp. 207 ff.
[4] Forty years later, Bebel (Mannheim *Proceedings*, p. 234) had still to fight a party legend that interpreted the rôle of Lassalle in Bismarck's suffrage policies—from the point of view of the Labour movement rather a treacherous one, as the publication of the Lassalle-Bismarck correspondence in 1927 has shown—in the sense of such a " pressure ".

Twestens ; he knew that such people were not afraid of the Supreme War Lord, but only of universal suffrage. He therefore used it to frighten them into the desired compromise : acceptance of Junker rule, provided the Junkers united Germany. But Bismarck did not know the German workers, who were to use the bribe he had offered them as a means of organising themselves against him. In the late seventies Bismarck turned aside from the way by which he had won Liberal support. Unitarianism now seemed a menace, as it might increase parliamentary influence.[1] In such circumstances, in order to preserve the position of the Crowns, he returned to the only kind of decentralisation he understood and accepted ; he strengthened the position of the individual states at the expense of a federal Parliament in which Democracy might have its say.[2] In 1879 the Empire's former share in the proceeds of indirect taxation was transferred to the States, so that the federal budget became completely dependent on the contributions of the member states.[3]

The analogy between the political system of Bismarck and the " Cæsarian dictatorship " of Napoleon III, whom Bismarck was to defeat, was very commonly remarked upon in those days.[4] Engels [5] drew it even more sharply than Twesten. Certainly there was a distinct difference between Bismarck's policies and those of an ordinary Conservative Junker, however gifted, and Bismarck played with forces which no contemporary Conservative [6] would have dared to touch. To the end, Bismarck regarded his political aims as somewhat distinct from traditional monarchy, and was not quite so far from modern conceptions of reactionary dictatorship as the language natural to a servant of the Prussian Crown might suggest. But, unlike Napoleon III, and like Francis Joseph I of Austria, Bismarck based his régime on the landlord class, however often he might find it necessary to enforce his will on them. He saved them against their will for a new century, but he was quite aware that it was the *Junkers* he was saving. With others he merely played, even if, in doing so, he worked as an unwilling instrument of

[1] See Triepel, *op. cit.* (1907), pp. 98–9 ; *op. cit.* (1925), p. 208.
[2] Oncken in Harms, *op. cit.*, p. 56, and also Waldecker, *op. cit.*, pp. 211 ff.
[3] Triepel, *op. cit.* (1907), pp. 48 ff.
[4] See also Treitschke, *op. cit.*, Vol. I, pp. 165 (August 20, 1866) and 226–7.
[5] See note 1 on page 69.
[6] Comparison with Disraeli is hardly possible in view of the total difference between English and Prussian conditions. Disraeli won control of his party after it had ceased to be essentially a party of the landlords. To speak of a Prussian as a Conservative means to interpret his actions from the point of view of the landlord interest.

historical forces that were stronger than he. In his later days [1] Bismarck returned to the pious hope that the forces with which he had played would be destroyed by those he had helped to uproot. " Only soldiers prevail against democrats " : this was his catchword in the days of his fall,[2] as it had been that of his later royal master Wilhelm I in the days of Frankfurt. Bismarck, and his posthumous admirers, had little reason to accuse Wilhelm II and Ludendorff of bringing his Empire whither it was bound to go. Bismarck succeeded in shaping the state of the German middle class without allowing that class to share in political responsibility. It is on him, therefore, that the responsibility must rest for the irresponsible adventures both of that state and of that middle class.

(*b*) Constitutional Structure of the Empire

Preuss [3] has described Bismarck's empire as " a peculiar combination of Prussian hegemony with federalist disguises ". From the other side, Triepel [4] has stated that Prussia managed to reconcile the need for German unity with her own survival in her traditional form, by establishing that unity under Prussian hegemony. So the relations between that hegemony and German sham-federalism may be regarded as uncontroversial. Prussian hegemony—or, to speak more explicitly, the hegemony of the Prussian Army-Junker combination, to which heavy industry later acceded as junior partner—was already assured by the overwhelming weight of that state, which comprised three-fifths both of the territory and of the population of the Reich. It was six times stronger than Bavaria, the next most powerful State, and nearly a hundred times stronger than some of the smallest of its " allies ". The king of Prussia was supreme commander of the army, the most essential institution in Bismarck's Germany, and the Prussian Prime Minister was the supreme and only deciding official of the Reich. True, the Chancellor was hardly responsible to Parliament in either of his capacities. The Prussian Diet, elected as it was by the " three-class suffrage ", would scarcely bring pressure to bear upon him as Chancellor of the Reich. Ministerial responsibility in the Reich had been

[1] *Memoirs*, Vol. II, pp. 63–4 (Germ. ed., p. 58).
[2] *ibid.*, Vol. III, p. 34 (Germ. ed., p. 20).
[3] *op. cit.* (1928), p. 255. This judgement has been accepted in its essentials by right-wing authors such as Freytag-Loringhoven and Triepel (*op. cit.* (1938), pp. 545 ff.).
[4] *op. cit.* (1907), p. 107.

emphatically rejected by Bismarck, who was not afraid to use the particularist argument that any increase in the powers of the democratically elected federal Parliament was possible only at the expense of the powers of the " Allied Governments " which jointly ruled the Reich. Therefore it ought to be rejected as ultra-centralist ! [1] In fact, there was ultra-centralism, although it was not constitutional, not of a kind that the " Allied Governments " could share in : Prussia meant a well-organised, military-bureaucratic machine able and ready to destroy any " scraps of paper ", should the Imperial Parliament dare to act in opposition to what the controllers of this machinery deemed necessary " in the national interest ". No unitarian had invented any remedy which would counteract the Prussian Government's serious resistance to any federal measure.[2]

With this real power behind her, Prussia could afford to be moderate in formulating the concrete conditions of that alliance of dynasties and governments upon which the Imperial Constitution was based. The Emperor-King as such had no personal veto,[3] and Prussia had only 17 of the 58 votes in the Federal Council, which exercised the supreme power, including the right to veto any legislation even before it was introduced into Parliament. As distinct from the Frankfurt constitution, which, if it had come into operation, would have given the middle classes the lead in the Second Chamber,[4] Bismarck's Federal Council was a body composed simply of representatives of the governments ; a collective sovereign rather than a true Second Chamber. It represented the alliance of the dynasties, as opposed to the Parliament. In general the Federal Council acted unanimously.

[1] Triepel, *op. cit.* (1907), pp. 98–9. [2] *ibid.*, p. 110.

[3] Such a veto might be exercised in an indirect way. The King-Emperor, on the responsibility of the Reichschancellor, i.e. the Prussian Prime Minister in his other capacity, might decline to introduce into Parliament a measure accepted by the Federal Council against the Prussian vote. As the Federal Parliament had no direct connection with the Federal Council, such a refusal by the Prussian-controlled government of the Reich to act as intermediary between the two " supreme " powers in the Federation was likely to operate as a veto. In 1880, indeed, a precedent was created for such a procedure, though on an issue where not only Prussia, but Bavaria and Saxony also, had voted with the minority in the Federal Council. Thus no direct issue between Prussia and the rest of the federation as a whole arose, and it was a silent though illegal assumption in Bismarck's Germany that federalism was not impaired so long as Bavaria and the rest retained their say. The precedent remained an isolated one, but Triepel (*op. cit.* (1907), pp. 70–1) was probably right in connecting it with the comment : " If the Emperor desires to have a veto, he has one."

[4] For, as shown above (p. 54) a strong movement amongst the middle classes, while commanding most of the votes of the parliamentary representatives, would have been most likely to influence the attitude of the Government representatives of at least the smaller States.

In addition to the semi-legal veto which Prussia might usurp against undesirable resolutions of the Federal Council,[1] her overwhelming economic power could enforce the "unanimous" vote.[2] The Federation had no right to interfere with the internal constitutions of its members, except to mediate in cases of internal constitutional conflict.[3] Indeed the Mecklenburg estates survived until 1918. But in any state where the danger of a socialist majority arose, especially in Saxony in 1896, an electoral qualification resembling the national was replaced by an unequal one, and theories were even constructed to explain the new inequalities as being made necessary by the specific structure of the individual states.[4]

Bismarck had been generous, in the autumn of 1870, in granting the Southern states "special rights", which meant special spheres where the state was sure of securing "jobs" for its nationals, in spite of the common Reich citizenship created by the Federation. Bavaria, by far the strongest Southern state, and with the strongest particularist tradition, secured the maximum of such reserved rights: control of the army organisation in peace-time, of railways, postal services, and of the right to tax alcoholic drinks. The last-mentioned two rights were enjoyed also by Würtemberg, the last one by Baden. Hamburg and Bremen were even allowed to remain outside the customs union, and did so until 1888, when they entered it except in respect of small "free docks". All this implied rather less unity than had been asked for at Frankfurt. But it must not be forgotten that it is always the real, not the formal position that matters. There was no Reich monopoly in railways, and in theory they were left to free competition. But in fact State ownership, under the overwhelming influence of the Prussian State railways, secured to these a virtual monopoly, save for the separate rights of Bavaria, which in this regard had some justification. The "special rights" of certain States meant their exemption from some forms of Prussian (not federal) rule that otherwise could hardly have been avoided, and thus they might be regarded as a counterpoise against the virtually hegemonic character of the "federation".

In theory, the powers left to the individual states were protected by the ruling [5] that no constitutional amendment could

[1] See note 3 on p. 76.
[2] See Jellinek, in Harms, Vol. I, pp. 133 and 140–1.
[3] Article 76 of the Imperial Constitution. [4] See Fabian, *op. cit.*, p. 16.
[5] Article 78 of the Constitution.

be enacted against 14 dissenting votes in the Federal Council. Not only Prussia, but the middle-sized or smaller States, and also Southern Germany, could muster such a quorum separately. So each of these groups possessed a veto against any general extension of the federal powers that might threaten its own interests. To abolish the special rights granted to a certain State, the consent of that State itself was required. But unitary development might proceed without constitutional amendments, and has in fact done so in consequence not only of general trends in modern economic development, but also of imperialist expansion. The " struggle for a place in the sun " demanded the highest military, political and economic centralisation.[1]

In the Bismarckian as well as in the original text of the Frankfurt Constitution the finances of the Federation were based upon customs, taxes on consumption, and later on transport, i.e. merely on indirect taxation. As mentioned above,[2] in the course of the anti-parliamentary and anti-centralist reaction of Bismarck's later years even these financial rights of the Federation were transformed into a share in State taxation. To tax income or property was regarded as a privilege of the individual states, and such an authority as Laband [3] believed that the right to levy a federal income tax, leaving the separate states merely a right to raise local surtaxes, would reduce them to the position of mere autonomous aggregations of municipalities. But the field of property taxation was invaded by the extraordinary federal army budget of 1912 with its " defence contribution ", i.e. capital levy. In 1904 the " Franckenstein clause " which in 1879 had deprived the Federation of its share in indirect taxation, was repealed.[4] There can be little doubt that in due course the mere evolution of economic and social life, without revolution, would have rendered both German finance and German legislation much more centralist than they had been in 1871.[5] In most important fields of modern life, such as social insurance, the decisive advances were made by federal legislation. In spite of some spheres of activity in these respects accorded to State administration, the real importance of the Federation, and the public interest in its affairs as compared with those of the States, increased and was likely to increase still further.[6]

[1] Triepel, *op. cit.* (1907), p. 80.
[2] P. 74.
[3] Quoted by Eheberg, *op. cit.*
[4] Triepel, *op. cit.* (1907), pp. 53 ff.
[5] Triepel, *op. cit.* (1925), pp. 200 ff.
[6] See note 4 on p. 72.

(*c*) THE FORCES OF DEMOCRACY AND THE GERMAN STATES

The Frankfurt Left had already foretold in 1848 [1] that, if German Unity were based on an alliance of the Princes, State autonomy, while hardly able to secure real local self-government, would wreck the attempts of the masses to achieve democracy under the federation. In view of its peculiar structure, democracy could not be achieved in Bismarck's empire without the democratisation of Prussia. South German Social Democrats might be expected to understand this in theory,[2] but it was quite evident that a political strike to enforce democratisation on Prussia could not count on more than their somewhat theoretical sympathies.[3] Bebel could even remark [4] that the different political structure had revived the line of the Main, this time as a boundary between those parts of Germany where all citizens enjoyed fairly equal political rights, and those were the Junkers ruled as autocrats. But the real difficulty was that the Junkers also ruled Southern Germany, although indirectly and through the medium of a more civilised system, and that Southern parliamentarism tended to act as an instrument to split the forces that might end Junker rule all over Germany. Thus Social Democracy proved unable seriously to oppose the abolition of universal suffrage in some smaller states (Saxony 1896, Hamburg and Lübeck 1905). On the other hand Prussian Conservatives, when resisting the demand for universal suffrage in Prussia, tried to win Southern sympathies by declaring what was in fact an all-national issue, the inequality of suffrage, to be a "special right of the Prussian state".[5]

It would be wrong, however, to consider State policies as unimportant or even as merely secondary questions. Often they were, but the powers of the individual States, especially in everyday administration, were wide enough to create a connection between the governments of the States and the plain conditions of the average citizen's everyday life. There was a connection between the rule of mediæval estates in Mecklenburg and the fact that the labourers there were treated like cattle.[6] And the Prussian Junker, when resisting adult suffrage in Prussia, thought not

[1] See note 1 on p. 56.
[2] Kolb on the Mannheim Congress, *Proceedings*, p. 264.
[3] Bebel, *ibid.*, pp. 232–3.
[4] *ibid.*, p. 32 (Report of the National Committee).
[5] *Documents of the German Revolution*, No. 490, Vol. II, p. 433.
[6] *ibid.*, Vol. I, p. 148.

only of his influence on Imperial policy, but also of the fact that in Prussia as it was, local administration was left to the lord of the manor. In the Southern, and especially the South-western states, on the other hand, there was a certain democratic tradition, and virtually parliamentary government. The attitude of the Social Democrats in these states towards the bourgeois parties, and even the dynasties, differed widely from that of their Northern comrades, although the latter, as subsequent events were to show, were not necessarily more radical. In fact, before 1914, they merely lacked the opportunity of collaboration. But the difference in actual conditions was large enough to bring the Social Democratic Party, between 1898 and 1907, very near to a split virtually between North and South—although in such an event the Northern right-wing trade unionists would have joined the Southerners. To such a degree could varying political conditions in the different states still influence the fate of one of the strongest centralising forces in pre-1914 Germany.

On the other hand, the example just quoted shows that State conditions, however influential, were not sufficient in themselves to produce strong social reactions : they could only strengthen or weaken tendencies already existing (in the example we have given, the right-wing, revisionist tendency in German Socialism). There was an obvious connection between the special features we have just mentioned in the political life of, for example, Baden, based upon the liberal traditions of that state, and the traditionally moderating influence of representatives of the Baden dynasty on imperial politics. But the Baden princes as well as the Baden right-wing Socialists merely expressed, within their respective fields of action, certain tendencies in all-German political life. During the war the Southern states used their autonomy to protect their interests as cattle-breeders by regulating the cattle trade in a way opposed to the interests of Prussia and other Northern consumer-states.[1] In Bavaria, the opposition of the agricultural population to the federal war economy, and to the heavy casualties to which this part of the population was exposed, contributed more than anything else to the strong anti-War movement [2] and to the outbreak of Revolution independent of, though parellel to, the Northern movement. But in Bavaria, as in the North, it was the left-wing Socialist workers, people totally apart from the peasants, who expressed such anti-militarist feelings as the

[1] *Documents of the German Revolution*, Vol. I, p. 148.
[2] *Untersuchungsausschuss*, Vol. IV, pp. 126–9.

latter had. Germany had become so much of a unit since 1871 that whatever special features survived in the States served merely as points of concentration and expression for sectional tendencies within the whole nation.

The question arises: in what degree could the federal structure of Bismarck's empire influence the course of the 1918 revolution and contribute to the survival of the states in Republican Germany? Preuss, one of the very few representatives of 1848 left-Liberal conceptions who retained influence in the Germany of 1918-19, deemed that that contribution was decisive. "As distinct from the revolutions in more solid national states," he wrote, "the German 1918 revolution was not accomplished at the centre, radiating from there to the peripheries. Rather it followed the opposite course, from the peripheries to the centre. In any case it was a highly decentralised revolution: 25 individual miniature revolutions corresponded to the traditional existence of 25 individual states, and thus the existence of these states was transferred into the new order of things. Everywhere the new rulers settled down first of all in the State governments, and such *de facto* possession is of the highest importance, especially in revolutionary times. The new *jure revolutionis* state governments immediately considered themselves, in relation to the Federation, as the legal successors of their *jure divino* predecessors, and their attitude was supported by considerable sections of the local population".[1]

It is worth while dwelling somewhat critically on this judgment by the framer of the Weimar Constitution on the historical conditions of his task. The first part of the statement just quoted, regarding the decentralised character of the 1918 German revolution, is beyond discussion, although Preuss's critical attitude towards this fact would hardly be shared by most German democrats. Engels, whose opinions about French centralisation we have already seen, would have found in the very fact that there was a plurality of revolutionary centres, and that the periphery acted without waiting for the permission of the centre, a proof of the democratic strength of the movement. So certainly did most of those German left-wingers who, in underground publications during the war, had put forward the slogan "one Great German Republic",[2] as the strongest expression of their opposition to the existing dynastic state of things. But the desire to

[1] *op. cit.*, 1928, p. 158.
[2] See the documents reprinted in Drahn-Leonhardt, also R. Luxemburg, *op. cit.*

overcome such a traditionalist variety of decentralisation does not necessarily imply a desire for full centralisation.

Less defensible, in view of the historical facts, is Preuss's second statement, if it was intended as more than a truism, that there were 25 state revolutions corresponding to the traditional states. Of course, as German administration had been based upon the States, and as the 1918 revolution did not destroy the defeated administrative machinery, the new rulers had to instal themselves in the State administrations. But in the course of the Revolution itself, i.e. of the downfall of the *ancien régime*, there was, apart from Bavaria, no observable connection between the traditional State organisation and the development of the revolutionary movement. In the latter, five different stages can be discerned: (*a*) the Kiel fleet mutiny (beginning on October 29–30; political power in the city passed into the hands of the Workers' and Soldiers' Council on November 4); (*b*) the rising in those German ports where the movement was led by the revolutionary sailors (Lübeck and Brunsbüttel on November 5; Hamburg, Altona, Cuxhaven on November 6; Emden, Wilhelmshaven, Heligoland on November 7); (*c*) the Munich revolution, November 7; (*d*) the north-west German cities where the arrival of the revolutionary sailors, in no case numbering more than a few hundred, merely stimulated the decisive movement amongst the local workers and soldiers, or where there was no direct influence from the fleet rebellion at all (Brunswick, Oldenburg, Osnabrück, Düsseldorf, Cologne, Magdeburg, Halle, Leipzig, Dresden, Frankfurt, all on November 8), and (*e*) the Berlin revolution on November 9, resulting from obviously local initiative. For reasons connected with the lack of any strong guiding force within the revolutionary movement, but in no way with the federal structure of the Empire, the Berlin local leaders had postponed action from day to day until, in consequence of the developments in Germany west of the Elbe, there was nothing left to be decided by events in Berlin but the competition between the Socialist parties for influence on the movement which none of them had begun. The Berlin revolution and the abdication of the Kaiser were followed by similar, but quite unresisted, events in all those state capitals where the revolution had not already taken place.[1]

Amongst these various stages the centralist element is represented not by Berlin, but by the Rebellion of the fleet. During

[1] *Untersuchungsausschuss*, Vol. IV, pp. 32–3.

the war, political power had shifted into the hands of the High Command, to such a degree that even the Kaiser, the nominal head of Prussian Junkerdom, Army, and Bureaucracy, could hardly be regarded during those decisive years as more than a figurehead. After the military catastrophe political power, at least in theory, was transferred to the leaders of the parliamentary majority, but the naval part of the High Command, by what so conservative a critic as Delbrück has called a " political mutiny ", tried to establish its independence of the political lead of the government, which was then negotiating for an armistice.[1] It was against this separate and war-prolonging policy of the Naval Command that the sailors immediately rebelled.[2] So their rebellion, with all its consequences, may be regarded as the necessary opposition to the one essential centralising element in Bismarckian Germany, the military dictatorship in its highest Ludendorffian forms.

The decentralising element, in so far as it was expressed in State autonomy, can be found only in the Bavarian revolution. For this was the only one which emerged from forces that had evolved within a single state. Among the towns mentioned above, under (*b*) and (*d*), there were several state capitals, for the simple reason that a considerable number of the larger German towns were state capitals. But they participated only in the same way as did other towns, some of them more important, and the order of their participation was dictated not by their position within the Bismarckian constitutional system, but by geography and social structure. Lübeck came first, not as being a free city, but as being nearest to Kiel (which itself was a Prussian Provincial centre) ; Oldenburg was less, not more, important than Düsseldorf and Cologne ; Dresden was certainly no more important than Leipzig.

From the course of the revolutionary events we may learn that German life was highly decentralised, and called for centralisation, but no argument can be drawn concerning any specific part played by the former States in this decentralisation, especially after the dynasties which had been the essential *raison d'être* of those States had been abolished. The fact that the new adminis-

[1] *ibid.*, Vol. IV, pp. 162–3. Rosenberg, *op. cit.* (1931), pp. 265 ff., gives a less sharp criticism of the German Admiralty as merely unable to understand the psychology of the sailors. To us, it is decisive that the latter were bound to understand the order for attack in the sense explained in the text, i.e. as a prolongation of the Ludendorff policy. If the admirals were capable of any political thinking they could not have had any other intentions.

[2] See, e.g., Noske, *op. cit.*, and *Untersuchungsausschuss*, Vol. IV, pp. 105–6.

tration was in some measure tied up with the former one, and that representatives of the new government had to take the places vacated by their predecessors, was unavoidable. But this did not necessarily imply more than a short transitional stage. It would be difficult to prove that the representatives of the Frankfurt Workers' and Soldiers' Council, who had to take over a "mere" Prussian Provincial administration, claimed for themselves more or fewer powers than the Stuttgarters who had to rule a "state". The real problem of German federalism after 1918 begins when we try to answer the question why those functions of transitional revolutionary "state rulers" which were established when power was taken over from the former régime were able to turn into something more stable and definitive. The Bismarckian Empire had been established as a league of dynasties, in order to carry them over into the new order of things. But what reason had people, whose only clear and successful aim had been to get rid of the dynasties, to preserve the traditional dynastic states? Were there any real social forces behind those states that could survive the downfall of the dynasties?

(*d*) Background of Particularism and Federalism in 1918–19

In trying to answer these questions from the historical evidence [1] we are confronted with very distinct types of development. The only State where the Revolution was supported by definitely local forces was Bavaria. In the first proclamation of the revolutionary government there was not a shadow of separatism: Bavaria wanted to prepare *Germany* for the League of Nations; she felt she had the moral power to bring about a peace which would preserve *Germany* from final disaster, and it was evidently with a view to Germany as a whole that the Bavarian Socialists proclaimed the internal factional strife within the Labour movement at an end.[2] But it is quite evident from every word of the proclamation that *Bavaria* claimed to do these and other things, and that she demanded self-determination for the *Bavarian* people, as a living social unit, in the matter of her future constitution. In a document dated on the first day, addressed, characteristically, to the peasants, Bavaria claimed for herself not only the right to bring pressure to bear in favour of a certain German policy, but even the initiative in peace negotia-

[1] See especially Bernstein, *op. cit.*, who provides almost contemporary evidence.
[2] Proclamation of November 7, 1918, Bernstein, *op. cit.*, pp. 53–4.

tions.[1] This attitude is the more striking in that it was preserved, in a somewhat modified form, even after the Revolution had been successful all over Germany,[2] in spite of the fact that from the very beginning Bavaria took a political line absolutely identical with that of the Berlin moderate Social Democrats [3] though, later, the reaction forced the Bavarian workers into a position where the defence of a very moderate democratic policy could be interpreted as "Bolshevist insurrection".[4] On November 10, 1918, there were hardly any differences in social and political outlook between the Berlin and the Munich governments. Under such circumstances the highly independent attitude of Munich can be taken as proof that the Bavarian Government felt that it was the representative of a real and distinct unity within German national life that was undoubtedly destined to survive.

The opposite attitude is to be found in the North German medium-sized and small industrial states. Under the dominating influence of the independent Socialists, the Saxon provisional government, on November 14, announced an outspoken Socialist programme. This programme declared it to be the main task of the Saxon republican government to liquidate the separate Saxon state, and to help to realise the United German Socialist republic.[5] But in spite of such declarations, which were repeated during the discussion of the Saxon Constitution in the following year by very moderate Social Democrats,[6] there had to be a Saxon Constitution and a Saxon administration until Germany's reorganisation could be achieved. Saxon revolutionary Socialists, whatever their sympathies for a united Germany which should

[1] Eisner-Ganghover proclamation to the peasants, *ibid.*

[2] See below, p. 86.

[3] See the speech of Eisner, November 8, 1918 (Bernstein, *op. cit.*, pp. 54 ff.), with its emphasis on the equal treatment of all political groups, and on the participation of "bourgeois specialists" (the formula used the next day in Berlin for a veiled coalition with the non-Socialist majority parties of the former Reichstag) in the Government.

[4] Eisner was murdered by people in collaboration with forces representing virtually all the non-Socialist parties (for the participation of the "Democrats" in building up armed anti-Socialist organisations, see e.g. their proud declaration in Erkelenz, *op. cit.*, p. 184). So there remained for the Socialist parties—especially the more moderate ones—unless they were ready simply to capitulate, hardly any way but to attempt to continue their government under the purely formal authority of the Workers' Councils. The result was civil war, with the federal Reichswehr intervening against the Munich government. In the last stage of this struggle the Communists assumed power in Munich without any hope save of avoiding in the inevitable defeat the final ignominy of capitulating without a struggle. This last stage had very little to do with the origin and early character of the Bavarian movement—any more than the Paris Commune had with the Franco-Prussian War.

[5] Bernstein, *op. cit.*, p. 59.

[6] Sindermann, quoted by Fabian, *op. cit.*, p. 50, on the "merely provisional autonomy of Saxony".

realise their programme, at the same time found good reasons for protesting against the agreement which the Berlin " Socialist " government had made with Hindenburg to preserve the commanding power of the officers of the Army.[1] More radical Socialists from smaller Northern states (Gotha and Brunswick) used their position in the first Imperial Conference of the State governments, on November 25, 1918, to plead for immediate socialist measures, and for delaying the elections to the Constituent Assembly until the new order could be reasonably consolidated.[2] They met with resistance not only from the (right wing) Majority Socialists, but also from most Independent Socialist leaders. For us, the important point is that they had something to protest about. The Bavarian leader, Eisner, without sharing radical socialist views,[3] rejected, from a purely pacifist standpoint, the Federal Government's policy of negotiating the armistice with the assistance of politicians deeply compromised by their former collaboration with Ludendorff.

Thus in various States there were different reasons for opposing Berlin : either it was " too red ", or " too conservative ". States which had no complaint in either direction—such as, for example, the South-Western States—automatically preserved their existence as embodied in a long local parliamentary tradition which fitted well into the liberal-reformist ideology of Weimar Germany. Nearly all the States, especially the agrarian states of the South and of the North-west, had to complain of the activities of the war-economic organisations centred in Berlin.[4] So there was no lack of social forces that might work towards the prolongation of the life of the individual states, unless an immediate revolutionary act were to abolish them. With a combination of right-wing Social Democrats and Prussian generals ruling in Berlin, even the most ardent revolutionaries felt little desire to concentrate upon the task of unifying Germany.

But the most important reason for the survival of the traditional states was the alliance of the new rulers with the old military and bureaucratic forces. The central government, after Novem-

[1] Protest of the Workers' and Soldiers' Councils of the three principal Saxon towns of November 14, Bernstein, *op. cit.*, p. 59.

[2] *ibid.*, p. 67.

[3] During all his political life Eisner had been a moderate Socialist of the revisionist wing. Like Bernstein, the leader of this wing, he had become a member of the Independent Social Democratic Party only in opposition to the pro-war policies of the Majority Social Democrats.

[4] *Proceedings* of the Weimar Constituent Assembly, Vol. 326, pp. 394 and 463 ff. ; *Untersuchungsausschuss*, Vol. IV, pp. 126 ff. ; and also Zahn in *Handbuch der Politik*, p. 28.

ber 10, coöperated with the Army, the chief centralising force in Bismarckian Germany. The Army, at least in pre-Hitlerite days, was clever enough not to break with the mass of traditional Conservatism in the German lower middle classes. It pressed for the necessary degree of unification, as did the employers as well as the trade unionists, but it avoided violating the traditional state loyalties. On the other hand the union of the new rulers, the moderate Left of the Imperial Parliament,[1] with the captured administrative machinery, meant the preservation of the latter in the separate states. The dynasty, as formal head of the State, had functioned as the embodiment of specialised traditions and connections in the Civil Service (and in Bavaria of the Army also), whose independence had been the essential of State autonomy in Bismarckian Germany. To take over the existing administrations, which right-wing Socialists believed to be the only alternative to anarchy, meant to take over, even without the dynasties, the distinct administrative traditions of the individual states,[2] although the economic and social realities behind them had disappeared for a century. The traditional justification of the existing states had passed away with the overthrow of the dynasties. But behind the Socialist ministers stood the inertia of the Civil Service of Baden, Hesse, and the rest, just as it had stood behind their predecessors, the Grand Dukes—with this difference, that the latter had been under no obligation to give rational explanations for merely traditional institutions that had grown still more irrational since the Revolution. And the inertia of a Diet, even if it was called "the democratic tradition of our state", was not necessarily more rational than that of a Civil Service. The Socialist Prime Minister of Prussia had behind him no democratic tradition of a Diet, but apart from the territorial Civil Service he had also the unbroken tradition of the Officer corps of the Prussian army, who could not but wait for the moment to jump into the seat which the "revolutionaries" were kind enough to keep warm for them.

So the main weakness of German republican federalism

[1] For this interpretation see Rosenberg, *op. cit.* (1931), and Jäckh, *op. cit.* The latter (p. 28) avoids Rosenberg's mistake in calling the sailors' mutiny a mere "misunderstanding". With all these writers the real transfer of power, which they call the German Revolution, happened in October, 1918, as an emancipation of the civil from the military elements in the German Empire. For our problem it is of little importance whether the use of the term "revolution" in this connection is justified: the revolution we are speaking of is the mass-movement initiated by the sailors' mutiny, whether it succeeded or not.

[2] See Braun, *op. cit.*, p. 14.

was born with the Revolution, although not of it, as Preuss erroneously believed. It survived in consequence of the lack of a real and thorough revolution which would have broken the old military and bureaucratic machinery, a measure whose necessity Preuss understood even less than the men he criticised. Because it did not break the old administrative machinery, the Republic was burdened with the traditional states, and amongst them the strongest of all, Prussia. Burdened with these States which had lost all real vitality, the Republic could not organise new ones which might have a better chance of surviving the ultra-centralist attacks to come. It was an empty shell which Bismarck had preserved for coming generations. It was the Republic's lot to see that shell broken, and to be broken with it.

CHAPTER VI

STRUGGLE OF CENTRALIST AND FEDERALIST FORCES IN THE ESTABLISHMENT AND OPERATION OF THE WEIMAR CONSTITUTION

(1) By 1919 all important economic and political forces worked in favour of centralisation. Its development was furthered by the Peace Treaty as well as by the internal victory of political reaction, resulting in the re-emergence of the Prussian army.
(2) Within the framework of the intensified centralisation generally agreed upon, most of the democratic forces advocated some degree of administrative devolution. Amongst them only the Catholic Centre avowedly wished to make the existing states the organs of that devolution. Eventually no reorganisation could be achieved, as the new régime depended too much on the conservative forces, which could not possibly abandon the States, the main strongholds of their power.
(3) Thus the States, having lost all connection with the actual differentiation in national life, were unable to serve as organs of decentralised self-government. Just as the Federal Second Chamber served the only function to be used by the moderate Right in all-national issues, the States in their sham existence had no other purpose but to support those national parties which happened to hold the seat of power in them.
(4) In the actual working of the post-revolutionary German Government even those autonomous powers which had been granted by the Constitution to the States were checked as soon as there was an attempt to use them against the reactionary forces. Even the autonomy of Bavaria became a stronghold of all-national issues in the case of a civil war rather than an organ of regional self-government.

(*a*) Centralist and Decentralist Forces at Weimar

We have seen what an enormous part was played by economic interests both in establishing German unity and in determining the form which it took under Prussian leadership. In post-1918 Germany the economic necessity of preserving German unity was no longer in doubt. Even Bavaria, whose political escapades were to cause considerable trouble during the first years of German republican federalism, had not the slightest chance of economic survival outside a united Germany.[1] In general, economic unification had made enormous progress with the advent of monopolist capitalism, in which Germany, together with her Austro-Hungarian dependency, was leading in Europe, and to a degree comparable only with the U.S.A. As distinct from the latter country, the Trust, the fusion of hitherto competing enterprises into a single one, was not as yet highly developed in

[1] See Zahn, in *Handbuch der Politik*, pp. 32–3.

Germany. Monopoly still proceeded mainly by the creation of syndicates of formally independent enterprises, and by the subordination of whole industries to the financial control of a few Berlin banks.[1] The "kingdoms" of Stinnes and Thyssen still competed merely for the control of Western coal and iron,[2] while Rathenau's General Electricity Company fought the Siemens group for control of the Berlin electro-technical industries. Even the Badische Anilin Company, the nucleus of the future Chemical Trust, had become an enterprise of really national dimensions only during the war. The German monopolies which existed in 1919, the syndicates, and especially the power of the "Big Four", the Berlin D-banks, behind them, did not need absolute administrative uniformity, however strictly bound they were to German economic unity in all essentials, and to a central political control dominated by themselves. There was no reason in the years following the war why Big Business should be over-centralist, should political conditions make some degree of federalism expedient as a measure against socialism or any policy inimical to Big Business interests. A certain degree of centralising influence from *die Wirtschaft*,[3] i.e. from the big industrialists, and from the trade unionists, was generally taken for granted. The leading Conservative representative in the Weimar Assembly, Delbrück, might find it convenient to form the Second Chamber, whose powers he tended to increase, only in part by the system of State representation, and in part corporatively, in order to counteract particularist tendencies. For "economic life, in Germany, will always be unitary".[4]

Even agricultural interests, in those peasant parts of Germany which formed the bulwark of federalism, apart from their momentary antagonism against the Berlin war-economy organisations, tended towards decentralisation only so far as the peasants' natural conservatism might be rallied against attempts at unification. But in spite of the difficulties which the Nazis were later to meet with in attempting to extend their *Erbhofbauer* system all over Germany, it may be doubted whether Beyerle [5] was advocating a permanent agricultural interest in choosing the agricultural Law of Inheritance as an example of those fields of

[1] See, e.g., Riesser, *op. cit.* [2] *ibid.*, pp. 740 ff.

[3] To translate this simply as "economics" would not give the term the social and political meaning it acquired in post-1918 Germany, where it represented the claims of Big Business to political leadership.

[4] *Proceedings* of the Weimar Constituent Assembly, Vol. 326, p. 388.

[5] *ibid.*, p. 468.

social life which called for decentralisation. This was hardly a case for traditional State autonomy, as the greatest differences in agricultural organisation are to be found within Prussia. Beyerle's case was stronger as regards cultural policies, especially in the matter of the denominational divisions. But here again the difficulty was that the greatest possible degree of cultural autonomy in the separate states could not overcome the main sources of denominational friction within the historic German states, the Rhineland question within Prussia and the Franconian within Bavaria. Even in fields where it might be presumed that a common administrative tradition would have produced a common outlook, the traditional units, or at least the larger of them, had failed to develop such an outlook. The twenty-nine distinct systems of higher education in Germany [1] might constitute a case either for or against decentralisation, according as variety or uniformity were preferred, but they were no argument for the survival of 16 states whose boundaries coincided only in part with those of the systems in question. So also the Prussians maintained three separately organised Protestant established Churches, which corresponded to Provincial traditions, besides the church of the Catholic minority which was in a majority in most of the western Provinces. There were many arguments in favour of German federalism, but hardly any rational grounds for basing that federalism on the conglomeration of states which Bismarck had preserved.

As we said in the last chapter, the real difficulty arose from the fact that the Revolution had been unable to cast down the main bulwarks of the Bismarck organisation. So the discussion of federal reorganisation was to centre not on administrative needs, but on the relation of the traditional political organisation to the question whether Germany was to become a progressive republic dominated by the working classes,[2] or a kind of pro-

[1] Koch in Erkelenz, *op. cit.*, p. 68.

[2] This statement of the alternative will be objected to by most of those who have been impressed by the current assertion that the alternative, in 1919, was either democracy or proletarian dictatorship. Independent of the merits or demerits of the latter solution in comparison with what was actually to come in Germany, it seems clear that there was no real possibility of a Bolshevist or even semi-Bolshevist régime, for the simple reason that no influential party aimed at it. The Spartacus League (later the Communist Party) was an uninfluential sect that was not even able to bring its leaders, Karl Liebknecht and Rosa Luxemburg, into the First Congress of the Workers' and Soldiers' Councils, in spite of their enormous personal prestige with the German workers in consequence of their anti-war struggle. The Independent Socialist Party, also a distinct minority in comparison with the Majority Socialist Party, aimed simply at a combination of the parliamentary system with effective representation for the working classes, industrial democracy, and the

longation of Bismarck's empire with the Prussian army as the real stronghold of power, and Big Business, with the Junkers as junior partner, dominating the country—as against the former position, where the Junkers were the senior partner, and Big Business the junior. The right-wing Social Democratic leaders and the liberally inclined representatives of the lower middle classes were to play the part of mere puppets in this decisive struggle. Their delusions about establishing the state dreamed of by the men of Frankfurt merely concealed the real fact that, from the very first day of their " power ", they were in alliance with the Prussian generals, who did the shooting, while the " Left " politicians provided the phrases which gave verbal justification to the march of the Prussian army, already defeated in foreign war, against one working-class centre after another. By this very fact the Army won enormous political influence as a centralist power, no matter what the constitutional phraseology that covered its action. Even Bavarian Catholic particularists were influenced by the argument that only the Imperial Army, sent by the " Socialist " Ebert but commanded by the old Prussian generals, officers, and non-commissioned officers, had been able to do the work they had failed to do themselves.[1]

Whatever the intentions of the authors of the Peace Treaty, the reduction of the army to a small professional force, helped not only to centralise it, but to make it an even more centralist and anti-democratic factor in German politics. Such attempts as that made by the Baden provisional Government to organise a territorial State militia were bound to fade away once the structure of the Reichswehr was settled by the Versailles Treaty. Reparations worked in the same direction : from the very beginning they formed an essential argument for financial centralisation.[2] Long after they had ceased, because of the Dawes Plan, to be the central item in German financial policy, the position that plan created for a representative of international High Finance was avowedly used for supporting the protests of German Big Business against the social " extravagances " that State

replacement of the old army by a new one, based upon the Socialist workers—in short, much the same programme as was realised in republican Austria in 1919. It was this programme—and not any imaginary " proletarian dictatorship "—that was defeated in 1918–19. Only in consequence of and long after this experience did an influential part of the German working classes move towards Communism, which was not to win over the majority of the Independent Socialists, and thus build a mass-party, until the summer of 1920.

[1] See Zahn, in *Handbuch der Politik*, p. 36, and above, note 4, p. 85.

[2] See Zahn, *ibid.*, and Preuss, *op. cit.* (1923), p. 52.

autonomy might produce.[1] We shall learn below of the effect the French attempts to dismember Germany had on the tendency to replace Great Prussia by a plurality of States *within* Germany.

Thus the conditions of the counter-revolution and of the Peace of Versailles produced a degree of centralisation far beyond what was desired even by those revolutionaries who were in principle unitarians. We must not forget that Engels had described the position of the German working-classes as " anti-Prussian, for national reasons as well as for those of general policy ".[2] To the representative of the Independent Socialist Party in the discussion of the Weimar Constitution,[3] the unified state meant " neither unification of minds, nor abolition of the particular features of the separate tribes ". The Liberal Preuss, the author of the Constitution, took up essentially the same position when stating his principles : the Nation, uninterested in the traditional states since they had originated in dynastic strife, ought to abolish them and replace them by a new organisation based upon the organic diversity of the national life, especially in cultural fields, granting effective self-government to the municipalities as well as to the autonomous Provinces which were to be created.[4] Preuss criticised the Revolution, not for having failed to produce doctrinaire blue prints for a " unified state ", but for having failed " to remove, along with the dynasties, all the obstacles that prevent a suitable territorial redistribution of the Reich, based upon natural living bonds ".[5] The worst of these obstacles, to him as to the other " democratic unitarians ", was Prussia, " that incomplete realisation of German unity ". He believed its survival incompatible with a republican constitution for Germany.[6] For a member-state to comprise four-sevenths of the national territory and population without its acquiring hegemony was inconceivable. Once this hegemony had been overcome, as Preuss believed it had been in 1918, a unified Prussia was bound permanently to struggle with the federation, and either destroy it, or re-establish its own hegemony, with all the other institutions on which that hegemony had been based.[7]

[1] Report of the Reparations Agent, Parker Gilbert, December 10, 1927.
[2] *op. cit.* (1920), p. 136.
[3] *Proceedings*, Vol. 326, p. 404.
[4] *op. cit.* (1926), pp. 370 ff.
[5] *op. cit.* (1923), p. 49.
[6] See Ziegler, *op. cit.*, p. 101, and Preuss, *op. cit.* (1928), p. 167.
[7] *op. cit.* (1926), p. 375. Later on Braun (*op. cit.*, p. 31) alleged that Preuss had changed his view in favour of preserving Prussia as a nucleus of the future decentralised unitary state. It is hard to prove whether this contention is right or wrong : as a writer Preuss has spoken his last word in the posthumous work *Reich und Länder*,

Preuss's mistake was that he saw the surface rather than the essentials, Prussia, the territorial unit, rather than the reality, the Prussian Army. So he, together with right-wingers like Delbrück and Stresemann, helped to strengthen the powers of the President of the Reich.[1] But these very powers, based as they were on the surviving Prussian army, were to re-establish Prussian rule over Germany. In this regard Preuss, the supporter of democratic decentralised unitarianism, was as wrong, from the democratic point of view, as those democratically-minded " Great Prussians " who hoped, by preserving a strong Prussia under democratic control, to create a counterweight to the forces of reaction established in the Reich.[2] None of these methods could prevail against the essential force of German counter-revolution, the alliance of the Junker-led army with Big Business : and Preuss as well as Braun, by supporting the counter-revolution against the working-classes, helped to shape one or the other elements of the reaction that was to overthrow the Weimar Republic itself.

(*b*) Federalism and the Political Parties at Weimar

In the Weimar Constituent Assembly there was, in theory, a unitarian majority, extending from moderate Liberals to radical Socialists.[3] But this majority was split on the questions of real power. The German People's Party (the former National Liberals), the Democrats (save for a few ideologues like Preuss), and the right, most influential wing of the Prussian Social Democrats, though unitarian in theory, aimed, however " provisionally ", at preserving a strong Prussia.[4] In this they differed only in ideology from the outspoken Conservatives, who, while aiming at Prussian centralisation, paid some lip-service to the traditional

which exactly follows the line described in the text. There can be little doubt that Preuss, like any other progressive German, preferred the rule of Otto Braun to that of Hindenburg, once the alternative was put in this way, and that he therefore supported Prussia against the Reich in the middle twenties. This may have led Braun into the error of believing that Preuss had changed his fundamental views in favour of Great-Prussianism.

[1] See Preuss, *op. cit.* (1926), pp. 387–8.

[2] Characteristic is Braun, *op. cit.*

[3] *ibid.*, p. 14.

[4] *Proceedings* of the Weimar Constituent Assembly, Vol. 326, Heinze (p. 397), Koch (p. 394) and Heine (p. 457). The obviously centralist atmosphere of those years is further proved by the fact that, on December 12, 1919, the Prussian coalition parties, before drawing up the definitive State constitution, made another theoretical move in favour of the " Unitary German State "—without any illusions about its chances. Otherwise the Catholic Centre would hardly have participated in the demonstration.

allegiances of the non-Prussian states.[1] On the decisive question whether or not to "dismember" Prussia, the Conservatives voted with the right wing of the unitarians, while the latter helped to create the central power that was to restore Prussian rule in Germany. Strong tendencies within the Social Democratic Party—apart, of course, from the Independent Socialist Party—opposed the powerful president of the Reich [2] as well as the overwhelmingly strong Prussian state. It was no mere chance that the Bavarian Social Democrat, Vogel, expressed the aversion of his fellows to the survival of Prussian hegemony as well as to any excessive autonomy for the individual states: before long his party was to be suppressed by Bavarian reaction. Like Preuss, he desired a restriction of the rights of individual states, though only in favour of a united Germany and not of a greater Prussia.[3] But Heine, the Prussian Social Democratic minister, opposed any "dismemberment of Prussia" by arguments which any right-wing monarchist might have used with much greater consistency.[4] The Right-wing supported Heine against the protests of most of his own fellow-partisans when he stated, on the third reading of the Constitution, that the only choice lay between preserving traditional Prussia and supporting Clemenceau, who was seeking to dismember Germany.[5] Many even of Heine's fellow-partisans in the West Prussian Provinces disagreed at this point. But it must be conceded that Clemenceau, by giving his support to the separatists, rendered hopeless the position of the advocates of greater decentralisation within a united Germany, and thus strengthened the forces of that Prussian militarism which was eventually to destroy the power of France.

As distinct from all the parties which at least professed uni-

[1] For the National Conservatives Düringer, *Proceedings*, p. 472, and the following virtually identical arguments of the National Liberal, Stresemann. The same outlook is expressed in contemporary Conservative pamphlets, for example *Deutschnationale Politik*, book 10, p. 13. Only much later (e.g. in Freytag-Loringhoven, *op. cit.* (1928), p. 145) is more stress laid, for evident political reasons, on the nationalist sympathy with some very restricted degree of State autonomy. But see also the National Liberal Heinze, on the third reading of the Weimar Constitution, July 3 (*Proceedings*, Vol. 327, pp. 2093–4).

[2] See Scheidemann, *op. cit.*

[3] *Proceedings*, Vol. 326, p. 463, and on the second reading Vol. 327, p. 1246. The unitarian point of view of official Social Democracy—as distinct from the Great Prussian one—was expressed also by Fischer, the main speaker on the first reading (February 28, Vol. 326, p. 372), who was a North German.

[4] See Preuss, *op. cit.* (1928), pp. 156–7.

[5] July 31, 1919. *Proceedings*, Vol. 329, pp. 2151 ff. See also Preuss, *op. cit.*, 1928, pp. 181 ff.

tarian principles, the Catholic Centre was the only open advocate of federalism in the Weimar Assembly. From its very beginnings in the early nineteenth century this party had been anti-centralist and in favour of the autonomy of the traditional states.[1] But for that very reason it was not prepared in 1918–19 to support federalism on any but a traditional basis. On June 30, 1918, when every serious politician was bound to foresee the approach of the decisive crisis, a declaration by the Centre emphasised the preservation of monarchy rather than the introduction of democratic reforms, and in the special field of federalism, only the traditional separate rights of the States, including their autonomy in financial matters.[2] The programme of November 20, 1918,[3] while accepting the given basis of the Republic, demanded the " preservation of the federal character of the Empire for the sake of protecting the particular features of the various branches of the German people ". Yet in its practical policies the Centre continuously defended the traditional boundaries of the non-Prussian German states, even in cases so absurd, from the point of view of cultural traditions as well as of economic expediency, as that of the Bavarian Palatinate. But as regards the distribution of powers the programme restricted its demands to mere truisms that neither reasonable centralists nor reasonable particularists would contest : defence and foreign affairs for the Federation, ecclesiastical and educational matters for the States. Erzberger, a leader of the Centre, was to introduce those financial reforms that destroyed what competent observers of the Bismarckian Empire,[4] and his own party in its programme of November 20, 1918, had regarded as the essentials of State autonomy.

We must not, then, be surprised that it was a very moderate variety of federalism that was represented by the Centre in the Weimar Assembly. The " federative character of the German people " was stressed in favour of the traditional States. The eventual dismemberment of Prussia was advocated, with the alternative of her preservation deprived of state autonomy and under the direct control of the Reich-president.[5] So it seems that Spahn, who made this point, was more interested in preventing any future left majority in Prussia from exercising political power

[1] See Bergsträsser, *op. cit.*, 1921, and, for the position of Windhorst in discussing the 1871 Constitution, Bezold, Vol. III, pp. 1078 ff. and 1182.
[2] Pfeiffer in *Handbuch der Politik*, Vol. III, p. 82.
[3] *ibid.*, p. 84.
[4] See above, p. 78.
[5] *Proceedings*, Vol. 326, pp. 377 ff.

than in protecting the special local characteristics of the Prussians of the Western Provinces.

By far the most competent representative of the federalist or particularist tendencies in the Weimar Assembly was the Southern Catholic, Beyerle.[1] He was inclined to advocate the separation of the Rhineland and Hanover from Prussia,[2] but in general he was in favour of the traditional allegiances. While making out a good case for federalism from the peasant and Catholic point of view, Beyerle, like all traditional German federalists, was inconsistent in describing the units within whose framework federal autonomy was to be exercised. Why should traditional Bavarian allegiance, including that of the local Protestant majorities in the northern and western parts, be a more essential factor in the future life of the nation than the inclusion in Prussia of Hanover, or even of the Rhineland, which (apart from the short Napoleonic episode) had never been a separate state? There was a case, as regards administrative traditions, for the historic states, and there was a case for the federalism based on diversity in, for example, the conditions of peasant life or denominational divisions. But it was difficult to argue successfully for both at once. Just as German decentralised unitarianism undermined its own foundations by its alliance with the traditional reactionary forces of Prussia, so German federalism deprived itself of all chance of survival by allying itself with the similar forces outside Prussia. Federalism even made the worst mistake of all: while the Prussian army did at least prove efficient in bringing about some degree of external unity, the forces on which Catholic federalism was based were to prove quite unable to prevent even the worst excesses of Nazi centralism.

Long before such developments took place, the Catholic party had to pay for the contradiction in its fundamental positions by a schism that was never healed, whether the Party's politics in the Federation were democratic, as during the first years of the Republic, or semi-Fascist, as under Brüning. While Bavarian political Catholicism indulged in the adventures that we shall discuss below, the authority of the Federation and the democratic Constitution had to be preserved by governments led by the Centre Party. It was in this period that the Centre Party, opposed to the Bavarian anti-constitutional adventures, declared its policy.[3] A strict distinction was to be made between the question of organising the Reich territory, which the Party was

[1] *ibid.*, pp. 465 ff. [2] *ibid.*, p. 469. [3] Fortmann, *op. cit.*, p. 27.

inclined to answer in the decentralist sense, and that of the division of powers between the federation and its member-states. In the latter regard, the Centre advocated a strong central power, to be based on the federation, not on Prussia, and to be exercised by the federation in its own right and not only to such an extent as the individual states might allow. The Centre was ready to grant to the States as much decentralisation as seemed desirable, especially in cultural and economic matters. Little was new in this declaration of 1921 except the fact that it had to be made in direct opposition to the policies of the Bavarian Catholics, who, as we have just seen, had supported very similar views during the discussion of the Constitution.

(*c*) The Constitutional Compromise at Weimar

On November 14, 1918, under pressure from the new State governments, the Federal Council of the former Constitution was restored, though naturally with a changed political personnel. From the very beginning there could be no doubt that the Central Government would have to compromise in all matters, including the drafting of the new constitution, with the governing bodies that had been formed in the individual states. Preuss, one of the very few left-wing Liberals who still played a part in what was called the Progressive-Liberal or Democratic Party,[1] tried to follow as strictly as possible the traditions of the Frankfurt Left, the only pattern hitherto set for a progressive, but not socialist, German policy and constitution. But under the conditions that prevailed in the autumn of 1918, failure was as inevitable as the attempt was logical. There was an obvious discrepancy between the unitary traditions of German democracy, both Liberal and Socialist, and the central rôle that the traditional State administrations played in the defence of what was called the new order, but was essentially the old social system, with a shift in political power to the parliamentary parties. In his first draft, of January 3, 1919, Preuss tried to compromise with the anti-centralist feeling, especially in Southern Germany, by linking the increased powers that must inevitably be granted to the Federation with a redistribution of the federal territory. Prussian leadership was to be replaced by an association of 16 States at least approxi-

[1] This was formed, immediately after the Revolution, by a fusion of the very small Progressive-Liberal Party with the bulk of the National Liberals (only the right wing of which was to form the "German People's Party"). In the Constituent Assembly it played the part of a bourgeois concentration.

mately comparable in strength.[1] The representatives of these States, elected, as in the drafts of the Frankfurt Left or in the present U.S.A. or Swiss constitutions, by their respective peoples, were to form the Second Chamber, the *Staatenhaus*, and Preuss found it possible to grant to such a chamber more than the mere suspensive veto that the Reichsrat (nominated merely by the Governments) was to be given by the constitution.[2] It was very doubtful whether the particularist interest would obtain any effective representation in a Second Chamber elected directly by the people ; the centralisation of the whole national life, including especially the great sectional organisations that formed the foundations of the political parties, had advanced sufficiently to render the *Staatenhaus*, as Preuss envisaged it, a mere reflection of the Lower Chamber. But this issue did never actually arise. In the 1919 discussions, the main and sharpest criticism of the State governments was directed against the infringement of the traditional boundaries, in spite of the fact that Preuss had carefully preserved the existing limits of all the Southern states, apart from the proposed transfer of the Bavarian Palatinate to Baden, and in spite of the very careful way in which the reorganisation was to be introduced, as a mere distribution of the constituencies for electing the Second Chamber. This distribution was merely to serve as a guide for the respective populations in organising the future units of self-government, if such a change were desired by a majority in a plebiscite.[3] It was certainly an achievement of democratic decentralisation, but not just a compensation for the infringement of traditional State rights, when the same Article 11 of Preuss's draft granted

[1] *op. cit.* (1928), pp. 163–4. The units envisaged by Preuss had two to eight million inhabitants each : Prussia proper, Silesia, the rest of the East-Elbian territories, Saxony (with her pre-1813 boundaries), Thuringia, Lower Saxony (Hanover-Brunswick-Oldenburg), the Rhineland, Westphalia, the two Hesses, and the traditional South German States, only the Bavarian Palatinate being separated, and joining Baden. Apart from the Hanse cities, Berlin (and in the event of *Anschluss* Vienna) were to have the rights of States. The interesting analogies in the 1848–9 Frankfurt discussions are the motions of Schaffrath-Hagen (*Proceedings*, p. 2747) and Höffker (*ibid.*, pp. 3844). The latter, as Preuss was to do eighty years later, introduced the rearrangement as a plan for delimiting the constituencies for electing the Second Chamber. Schaffrath-Hagen provided for 21, Höffker for 13 units much more alike in size than those envisaged by Preuss, who was rather conservative as regards the traditional State boundaries, preferring wherever possible to amalgamate former smaller and medium states, with the inclusion of such Prussian territories as were obviously needed to link them up. A new tendency with Preuss was the preservation of autonomous city-states, and even the creation of new ones. Very naturally Preuss, with all his consideration for traditional connections, had much more regard for economic links than had any of his predecessors.

[2] See Preuss's speech, March 3, 1919. *Proceedings*, Vol. 326, p. 453.

[3] Article 11 of the Draft. See Preuss, *op. cit.* (1928), pp. 160 ff.

the municipalities a distinct minimum of democratic self-government. For the organisation, or limitation, of municipal self-government had formed, and was to continue to form, a main element in State autonomy.

So Preuss's draft, and especially the paragraph on the redistribution of the national territory, met with " the unconditional and united resistance of all the middle and major State governments under the lead of Prussia ". It had to be abandoned, as, with German affairs as they were, the Central Government dared not meet the National Assembly while in open conflict with the State governments. The Bavarian nobles who represented the Eisner government declared that the new revolutionary Germany was bound by Article 78 of Bismarck's Constitution, by which the privileges of individual States could not be abolished without their own consent.[1] Eisner even demanded, in the name of all the major non-Prussian states, that the new Constitution be framed with the consent of the Federal Council, in which 14 votes, according to the Bismarck Constitution, could veto any point, and his representatives did not refrain from using even arguments from International Law in an intra-German constitutional dispute. The Central Government would not yield so much. But it included in the Provisional Constitution, as adopted by the National Assembly on February 10, 1919, an article according to which the traditional territories of the member states, though not their traditional powers, were protected against any change to which they had not themselves consented. A provisional body representing the States was to collaborate with the Assembly in drawing up the Constitution, but was not to exercise a veto.

So far the Central Government yielded. But it left the self-conscious State governments to confront the real concentration of political trends as represented in the National Assembly.[2] Preuss even introduced a new draft, which the State representatives had amended, and which included the preservation of the " special rights " of individual states under the Bismarck Constitution. Of course, he was not at all annoyed at the almost unanimous protest of the Assembly which forced moderation upon the particularists, as the protest of these last had forced him

[1] See Preuss, *op. cit.* (1928), p. 119.

[2] For this interpretation of the proceedings as the deliberate tactics of the Government, and of Preuss, see the latter, *op. cit.* (1928), pp. 118–19. Preuss also made this point in the discussions of the Assembly with remarkable outspokenness, when attacked for having abandoned his original position by introducing the compromise.

to drop his plans of territorial readjustment. After confronting the Assembly, the particularists retreated in drafting the Constitution for the Second Reading. Apart from a bargain over the conditions under which a future readjustment of territory was to take place, there was hardly any important resistance to the increased centralisation embodied in the Weimar Constitution. This result was due to the consolidation of the power of the National Government and its diminishing dependence on the support of the State administrations, as well as to the fact that in the deliberations of the Assembly the big sectional and cultural issues began to preponderate over contests concerned with mere organisation. The Centre, while fighting strongly in order to insert in the articles on education as many privileges as possible for denominational schools, could hardly concentrate on transferring all authority in educational issues to the individual States, some of which had distinctly left-wing majorities. The defence of the traditional State boundaries, unrepresentative as they were of the real differences in national life, now revenged itself by rendering the particularists unable to identify the social interests they had to represent with State autonomy. Thus Germany retained the traditional State system by depriving it of most of the powers that had been left to it by Bismarck.

(*d*) Delimitation of the German States

The point that caused most dissent in the Weimar discussions, though later it proved of little practical importance, was the ruling on the eventual formation of new member states by the joining-up of smaller states, or the secession of parts of larger ones. Article 18 of the Constitution, in its definitive form, allowed the protest of a State against such an impairment of its former position to be overruled either by constitutional amendment, or by a normal Federal law supported by at least three-fifths of the voters in a plebiscite, in which not less than half the electorate of the region concerned took part. The latter condition was not likely to be fulfilled except where there was an overwhelming popular movement in the area in question, and unless it were fulfilled, an overwhelming popular movement in the whole Federation would be needed to provide the requirements for a constitutional amendment, a two-thirds majority in Parliament and an absolute majority in the plebiscite which the Federal Council would certainly enforce. So the article was applied only to uncontested issues, the fusion of the small Thurin-

gian states into one larger unit, and the absorption of the most southerly of them, Coburg, by Bavaria. Even in this case, as the critics in the National Assembly had foretold,[1] the ruling of Article 18 prevented the inclusion of such small parts of Prussian territory as were needed to link up the territories of the new middle State. The promises the Prussian government had given during the discussion of Article 18, that it would meet demands of this kind in an accommodating spirit, were forgotten once the Constitution had been enacted. The preservation of Prussia's integrity was now put forward, in the minds of her rulers, as the main condition of future national unity.

Other projects aiming at the promotion of Prussian Provinces to the status of member states of the Federation were defeated from the very beginning. Clemenceau, and later Poincaré, did most of their work for the Great Prussians by defeating the originally strong movement in the Rhineland. It was, indeed, hardly possible for any serious German politician to continue efforts that might bring him into contact with corrupt and politically quite uninfluential adventurers like Dorten and the other Rhenish separatists.[2] The Hanoverian issue did not involve the same danger of the misuse of intra-German decentralist movements by foreign imperialists, with aims different from those of their German supporters. The Brunswick Diet, with a clear left-wing majority, had taken precautions against such a movement being interpreted as a Guelph dynastic movement by unanimously resolving to join a new Lower Saxon federal unit, provided it was a distinct member-republic of the Federation and not a mere Prussian Province. In consequence of Prussian protests the opportunity of basing a Lower Saxon federal unit on broader sentiments than those of the Guelph traditionalists was lost. In 1923 the latter made a very natural move by withdrawing the motion for a plebiscite on the basis of Article 18, in view of Poincaré's invasion of the Ruhr. When the motion was renewed in the following year in a more peaceful atmosphere, it was defeated by an enormous majority.[3] The same occurred in Upper Silesia, where alone there was no strong official discouragement of the particularist movement. On this issue, too, the Prussians

[1] *Proceedings*, Vol. 329, pp. 2143 ff.

[2] Hanoverian and Rhineland members of the Weimar Assembly remarked that any unreasonable complication of the constitutional method of forming new federal units within Germany might only further the interests of separatist (Rhineland), or reactionary (Guelph) tendencies. See Preuss, *op. cit.* (1928), p. 191.

[3] Freytag-Loringhoven, *op. cit.* (1924), p. 42.

had offered resistance at Weimar, but later on, when the plebiscite between Germany and Poland drew near, the Federal Government found it desirable to offer the Catholic and partly Polish population some alternative within Germany to the Prussian system. A Constitutional amendment was enacted ordering a special Upper-Silesian plebiscite to decide, after the international status of the region had been settled, whether its inhabitants preferred to remain within Prussia or to form a separate federal unit. The plebiscite in the regions allotted to Germany by the international decision resulted in a 90 per cent. majority in favour of remaining with Prussia.[1] It remains an open question whether, if Upper Silesia had remained undivided, the Polish parts would not have preferred to form an autonomous unit within the Federation. In general, the traditional German states turned out to be highly stable ; even such a very moderate reform as the union of the two small Mecklenburg states proved too utopian when confronted with the traditional allegiances.[2]

(*e*) Legislative and Administrative Powers of the German States

The Weimar Constitution created a clear and reasonable distinction between the various fields of jurisdiction. The minimum powers usual in all federations—Foreign Affairs, Defence, Customs, Posts and Telegraphs—were left exclusively to federal competence (Article 6). For those issues which formed the basis of the still surviving particularist tendencies, such as educational and ecclesiastical policy, agricultural, estate, and urban housing law, and conditions of employment for the local Civil Service, the Federation had merely to set forth general principles, leaving more detailed legislation to the member states (Article 10). The bulk of public affairs, particularly all economic matters except those concerning agriculture, were fields for complementary legislation by both the Federation and the member states (Article 7), subject to the general ruling that the former might overrule measures adopted by the latter (Article 13). In some matters, such as welfare and internal security, the Federation might assume competence only " in so far as there is need for unified direction " (Article 9). But it was in these very matters that State autonomy was finally to be broken.[3]

[1] Preuss, *op. cit.* (1928), pp. 219–20.
[2] Möller in Erkelenz, *op. cit.*, p. 233 ; see also O. Braun, *op. cit.*, p. 21.
[3] See below, pp. 133–5.

Apart from their irrational boundaries, which rendered them unable to represent the various sides of the national life, the main obstacle to a reasonable use by the States of the functions left to them was the inability of the particularist forces to recognise State rights when they were exercised in a direction contrary to their own political interests. There had been a serious struggle in the National Assembly over the question of the federal power to "socialise" certain industries;[1] but nothing came of all the demands for "socialisation".[1] Such growth of public enterprise as actually took place furthered the influence of the States in the spheres which they dominated: coal-mining, electricity, water-power, and so on. On the other hand, if there was any case at all for federalism in Germany, it might certainly have been based on the difficulty of devising a school system that would satisfy at the same time Catholics, Protestants, and the rationalist-minded majority of the industrial population. The history of Saxon legislation on the subject is an interesting illustration of how far German state autonomy could work in this field.

As the Independent Socialists desired to proclaim their principles in education, the Socialist majority of the Saxon Diet, by an enactment of July 22, 1919, put religious education on a purely voluntary basis. The denominational bodies were allowed to provide religious instruction for those children whose parents desired it, in rooms which the local educational authorities were recommended to put at their disposal. The school as such was not connected in any way with the activities of the religious bodies. As the Majority Socialists had expected, the Federal Supreme Court ruled this law incompatible with the Weimar Constitution.[2] Both Socialist parties now enacted an amendment making religious education obligatory, but for no more than two lessons a week. The denominational bodies had no control over the teaching, and no teacher was obliged to give religious instruction unless he so desired. To avoid social

[1] The term "nationalisation", as current in Great Britain (and also in the U.S.S.R.), was deliberately avoided by German Socialist literature and propaganda in order to prevent its being misunderstood in the sense of Bismarckian "State Socialism", i.e. bureaucratic management by the traditional state. "Socialisation" might also be interpreted in the sense of Guild Socialism, or even Syndicalism.

[2] See Mattern, *op. cit.* (1928), pp. 258 ff. Similar cases against left-wing governments, for alleged contravention of the Weimar educational compromise, formed the bulk of the jurisdiction of the Supreme Federal Court under Article 13, § 2, of the Constitution. The one interesting case of another political complexion is that (quoted *op. cit.*, p. 257) against Bavaria, for having interfered with the constitutional rights of married women by dismissing married teachers.

pressure being brought to bear against children whose parents did not wish them to be given religious instruction, the Independent Socialist Minister of Education directed, by administrative order, that those children whose parents wished them to receive it must bring to school a parental declaration to that effect. Thus the law was kept within the framework of the Weimar educational compromise. Certainly it stressed to the utmost the progressive side of that compromise, just as Bavarian educational legislation and administration stressed the opposite or Catholic side to at least the same degree.

Even more important than the legislative rights left to the State governments by the Weimar Constitution was the fact that the States controlled almost the whole administration and executed most of the federal legislation. Unlike the Bismarck Constitution, under which federal administration affected only military and postal matters, with exemptions even here for some privileged Southern states, that of Weimar Germany created, without any " special rights ", federal administrations for the railways,[1] for part of the finances and, in due course, for labour. But the bulk of the administration was still State-controlled, with federal power restricted to a general right of supervision. The Federal Court was to settle disputes (Article 13). Even the Civil Servants employed in direct federal administration were normally to be nationals of the State within which they worked (Article 16).

There was a strong case for the exercise by the States of so great a degree of influence over the execution of laws which the Constitution had reserved to the federal power. Even the best friends of national unity, wrote Preuss, emphatically rejected the possibility of a Prussian Landrat being sent to Bavaria as a district administrator. Only decentralisation which created strong local governments within a unitary administration might, at a later date, dispense with a scheme for protecting each part of the Federation from administrators who had grown up under totally different conditions.[2] It may be doubted whether the framework of a unitary administration was necessary to achieve this aim ; strictly democratic self-government within the States would have sufficed to allow the Bavarian peasants or town-dwellers to decide whether this or that particular person with

[1] Bavaria retained the right to a special administrative unit to be formed on Bavarian lines within the Federal system, implying some degree of influence by the Bavarian government in matters of personnel, etc.

[2] *op. cit.* (1928), pp. 53 ff.

Prussian administrative experience was a desirable administrator for their district or not. Under such a system, the average Bavarian county district or industrial town would probably have answered the question in accordance with its own needs, after considering the special qualifications of, say, Prussian-born candidates proposed by its political leaders to the local electorate. The only difficulty was that traditional State autonomy was interpreted in a very high degree as the right to *prevent* municipal and local self-government, i.e. to continue that specifically centralised administrative tradition that had indeed formed the basis for the survival of the states under modern conditions.

There was in every German State a special tradition of municipal self-government. In Bavaria and Baden, typical peasant countries, this tradition was democratic. In Prussia there were many such traditions, the least democratic (apart from the rule of the lord of the manor in the East) being in the Rhineland, where the Napoleonic traditions of administration met the Prussian need to keep the most democratic portion of the German people in its proper place. Self-government was realised even less in the higher organs of administration, the districts and Provinces, which formed the links between State and municipality and were the immediate supervisors of the latter.[1] The Bavarian peasant was, moreover, less interested in these " higher spheres ", and left their control to the bureaucracy with its centralist traditions which owed much to French influence. The Prussian " district Diets ", meetings of municipal representatives, assembled, at least in rural districts, only once or twice a year, and were mere shadows of the Landrat whom they had to " check."

The Prussian republican Government attempted to grant at least a certain degree of self-government to the Provinces, as the natural self-governing units in the future Great-Prussian unitary German State. But it failed in this attempt in consequence of the opposition of the Provinces controlled by the right wing.[2] So the only serious achievement in many years of democratic Prussian administration was the abolition of that typical feudal survival, the " manorial district ", where the landlord exercised the functions elsewhere reserved for municipal self-government. Even this mediæval relic, which Bismarck

[1] For the various traditions see the articles by Bohl and Leyden in Harms, *op. cit.*
[2] Freytag-Loringhoven, *op. cit.* (1924), p. 43.

had preserved, was not abolished until the tenth year of the Republic.[1]

In Saxony the Socialist-Communist coalition, in July 1923, introduced a law on municipal self-government embodying the conceptions of the German Left on the subject: strictly democratic self-government under a one-chamber system, with the borough committee reduced to an executive organ of the borough council, and the magistrates to temporarily elected organs of the council. If the higher administrative units vetoed decisions of the self-governing municipalities, an appeal lay to a "municipal chamber", elected by the State Diet and composed of people with experience in municipal government. Even this law, which meant no more than the emancipation of local self-government from bureaucratic control, was described by the speaker for the National Conservatives as "the establishment of proletarian dictatorship".[2] After the dissolution of the left-wing coalition had been effected by federal executive action, the new bourgeois right-wing Social democratic majority replaced this law, in 1925, by a new one providing for a two-chamber system, with a mayor elected for life and not subject to recall by the majority of the Council, and granting the State authorities an unlimited right to "supervise" municipal self-government.

(*f*) Participation of the States in Federal Government

Everyone realised in 1919 that the rights of states so unequal as those in Germany must be strictly limited, if they were not to become incompatible with majority rule. In the shaping of federal policy their influence was confined to consultative collaboration with the Federal Government and a suspensive veto on federal legislation. Both rights were exercised by the Second Chamber, the *Reichsrat*,[3] composed of representatives of the separate State governments. The Prussian representation was restricted to two-fifths of the total vote, as well as by the ruling that half of the 26 Prussian representatives, as distinct from those of all the other German states, were to be nominated not by the

[1] For Bismarck's delay see Waldecker, *op. cit.*, pp. 233–4. The fact that the Republic did not abolish such a feudal relic before 1927 was due to the Prussian government's waiting for a long time, but without result, for the opportunity to agree upon a general law on rural self-government.

[2] Fabian, *op. cit.*, p. 140.

[3] The translation "Federal Council" would be the most correct, and has been used in the present book when confusion with Bismarck's "Bundesrat" is impossible. "Imperial Council" would suggest a political nuance which was not aimed at by the authors of the Weimar Constitution when replacing the "Bundesrat" by the "Reichsrat", with no other implication than that of federation versus confederation.

State government, but by the Diets of the 13 Prussian Provinces. This ruling had been intended, by Preuss and others, as a first step towards a reorganisation of Prussia as a plurality of member states closer in size to the non-Prussian units.[1] Prussia remained united, but by formally equalising all the Prussian Provinces her representation in the Federal Council was made very different from the political structure of the Prussian electorate. Among the representatives of the Prussian Provinces in this Chamber in 1927, the largest party in the electorate, the Social Democrats, had merely 7·7 per cent. of the representation, as against 25 per cent. in the electorate, and was completely overshadowed by the National Conservatives with 30·8 per cent. of the representation as against 23·7 per cent. in the electorate, and even more by the Catholic Centre, with 46·2 per cent. of the Provincial representation as against a mere 17·2 per cent. of the electorate. The considerable minorities (9·6 and 5·9 per cent.) which the Communists and the Democrats mustered in the electorate were totally unrepresented in the Second Chamber, since they were unable to control a Provincial majority.[2] Preuss had expected that, with parliamentary régimes ruling in the member states, their representation in the federal Second Chamber would reflect public opinion in the respective States. But quite apart from the case of Prussia, this proved very doubtful, because coalition régimes in various States might differ from the combination of similarly distributed electoral forces in the Federation. Quite apart from this natural implication of the system, the Federal Council faced internal factional rather than regional issues. It was a place where, for example, the somewhat democratically minded Catholic members of the Prussian government were confronted with their extremely reactionary "fellow-partisans" from the Southern states or the Prussian Provinces, and the very moderate Prussian Social Democrats with their more advanced Saxon comrades, rather than one where the political trends of Catholic, Protestant, or more rationalist-minded sections of the nation could meet and compromise on, say, cultural matters. The veto of the Federal Council was exercised, if at all, for reasons of difference in political complexion, not in order to defend any specific particularist or regional interests.

Such a state of things merely reflected the general position in German politics, where all-national political issues preponderated

[1] Preuss, *op. cit.*, 1923, p. 59.

[2] Braun, *op. cit.*, pp. 19–20.

over particularist ones. But the framers of the Constitution had furthered the performance of such a non-federalist function by the Second Chamber by making its veto effective only when it had the support of a distinctly centralist factor, the President of the Reich. He it was who had to decide whether to have the controversy settled by plebiscite, or to let the veto of the Federal Council become definitive unless, as was highly improbable, it should be overruled by a two-thirds majority of Parliament. In fact there was no plebiscite on controversies between the two Chambers (or between the Chambers and the President of the Reich) : the mere expectation that a veto based on particularist motives might provoke both centralist factors to coöperate was bound to discourage any use of the Second Chamber for the purpose for which it had originally been shaped, namely for opposing ultra-centralism. But the veto of the Second Chamber was applied in all cases where its majority was backed by the President.[1] It is easy to see that this veto was likely to be exercised for reasons of national, not regional, political importance, and that it was more likely than not to be used in favour of the Right.

The main importance of the Federal Council lay in its exercise of a rather unconstitutional, or at least extra-constitutional, function. Being the meeting-place of government representatives who, in spite of the theoretically parliamentary structure of the State governments, tended to represent the local bureaucracy, it made possible a very high degree of collaboration between the various branches of German administration, national and federal, and certainly a high degree of compromise between them. As the States still controlled by far the larger part of administration,[2] the smooth working of the state machinery would hardly have been possible without such regular intercourse. But a very bureaucratic, although typically German-traditionalist, interpretation of " state autonomy " was needed for the essence of this autonomy to be regarded as a duty on the part of the Reich not to interfere unnecessarily with the demands of the local bureaucracies.[3]

(*g*) Constitutional and Political Autonomy of the States

Although it did not satisfy the demands of the right-wingers that it should allow local monarchical restorations, or at least " authoritarian " dictatorships, the Weimar Constitution left the

[1] See Bilfinger, *op. cit.*, p. 133.
[2] See below, p. 128.
[3] See Bilfinger, *op. cit.*, p. 67.

States considerable scope for self-organisation. They were bound, by its seventeenth Article, to be democratic republics, based on equal adult suffrage, and their State governments must possess the confidence of the Diet. But in interpreting the last point right-wingers might quote such an authority as Preuss to prove that it did not necessarily imply parliamentary government in the sense that the State government could continue in office only so long as it retained the support of a parliamentary majority.[1] The point was of little practical importance; Prussia, which had clearly enacted the principle of parliamentary government, was for a long period governed "provisionally" by Cabinets *in statu demissionis*, for the simple reason that no alternative Cabinet could command a majority to replace them.

Even less important were the various attempts to introduce the office of President into the State constitutions, a step sometimes advocated, especially in Bavaria, as a back-door approach to monarchical restoration. Any State could undoubtedly establish such an office if it so desired, but nowhere was it done, for, from the purely administrative point of view, it would have meant an additional and expensive complication. The monarchist intentions of some of the promoters of such plans would have been compromised by the subjection of their candidates to a keen electoral struggle for an office in which, if elected, they would have lost much of their traditional halo in consequence of the very restricted powers that were left to the States in Weimar Germany. So these tendencies were hardly of greater political importance than the purely demonstrative demands made at Weimar by the National Conservatives and Populists (National Liberals), and later by Bavarian particularists, for local monarchical restorations.[2] Such attempts, whatever their form, would simply have implied an attack upon German unity, which was firmly enough rooted, even in the promoters of such plans, to forbid any monarchist action beyond mere demonstrations, so long as it could not form part of an all-German restoration.

On the other hand, in spite of all that has been said in defence of the Federal executive action against "red" Saxony and Thuringia,[3] there was no attempt, while the Weimar Constitu-

[1] See Popitz, in *Recht und Staat*, pp. 156 ff., and Preuss, *op. cit.* (1928), on Article 17 of the Weimar Constitution.

[2] Kahl in *Proceedings* of the Weimar Assembly, Vol. 327, p. 1255, and Rauch (Bavarian Catholic) quoted in Erkelenz, *op. cit.*, p. 62.

[3] As to the misunderstandings created abroad on this point, see Mattern, *op. cit.* (1928), pp. 229–30.

tion lasted, to establish anything like a Soviet system in any of the States that were governed for a shorter or longer time by left-wing majorities. It must not be forgotten that in 1919 the most radical German working-class party with any considerable mass-influence, the Independent Socialists, did not go further than the demand for the inclusion in a parliamentary democracy of certain elements of direct working-class representation, and especially of working-class control of the bureaucracy and the armed forces, such as at that time existed in Austria. Only the failure to realise such a programme moved left-wing working-class opinion towards Communism. Even the Communist Party throughout the crisis of 1923 kept to the resolutions of their Leipzig Congress, to aim at a Workers' and Peasants' Government " as an attempt by the working classes to realise their aims within the framework and by the means of Parliamentary Democracy ". Only after the failure of this attempt, brought about by Federal action against Saxony and Thuringia, was the " bolshevisation of the Communist Parties ", as it was later called, achieved.[1] But quite apart from the fact that during the period we are discussing,[2] the Communists did not aim at a Soviet dictatorship in the States which they controlled, it is further true that in none of the " red " States of North Germany did the Communists, or, in an earlier stage, the left-wing Independent Socialists, adopt any other rôle than that of junior partner in a coalition with more moderate Socialists. So the programmes of such governments had to reflect the views of the latter, however much the more advanced partners might have influenced the energy with which all working-class demands were defended. In 1919, the Independent Socialists enacted a measure in Gotha,[3] and a similar one in Brunswick, obliging Parliament to collaborate with a Central Workers' Council, as a kind of Second Chamber. But the rights of this Chamber were restricted to introducing bills, or appealing by a plebiscite against enactments of the First Chamber as the working-class parties, in view of their electoral strength, could do already. Much more moderate was the Saxon proposal, in October 1923, for a " Workers' Chamber " as a

[1] See the *Proceedings* of the German Communist Party Congresses of 1923 (Leipzig) and 1924 (Frankfurt), and the articles published on tactical problems, e.g., in the *Internationale* (Berlin), the theoretical organ of the Party, in 1923–4.

[2] And also later in so far as the impossibility of realising a radical programme within a single middle-sized State was evident. State policies could play any important part in Communist policy only so long as its aims were fairly moderate.

[3] See Cohn, M.P., in the Weimar National Assembly, July 3, 1919, *Proceedings*, Vol. 327, p. 1261.

purely consultative professional representative body similar to the existing Commercial and Agricultural Chambers, and to the Workers' Chamber which functioned during the whole existence of the Austrian Republic (apart from the fact that such a Chamber had been provided for in Article 165 of the Weimar Constitution which never came into force). All this was "Bolshevism" to the forces that controlled Weimar Germany. It was no mere chance that all the German State governments we have just mentioned were brought to an end by federal executive action, although on other pretexts. The Saxon law just referred to was introduced immediately before the Reichswehr entered Saxony, but never came into operation.[1]

The real restrictions on State autonomy in Weimar Germany did not lie in the articles of the Constitution directly concerned with such relations. Those articles granted quite a reasonable degree of self-expression to views ranging from Conservatism, whether Catholic or Protestant, to radical Socialism. In so far as the real restrictions on German State autonomy and on German democracy in general could be expressed in legal terms, they were embodied not in the articles dealing with the powers of the States, but in Article 48, on "emergency measures". During the discussions at Weimar not even the Independent Socialists [2] fully realised the dangerous character of this article, which at a later period was to become the only real constitution of the Reich. Most attention in this connection has been devoted to § 2, the evident misuse of which proved a suitable pretext for Brüning and Hindenburg to replace parliamentary by "emergency" legislation. In this book we are interested rather in § 1, which permitted Federal intervention (and finally armed "Federal action") against a State government which did not fulfil its duties, and in § 4, which allowed a State government to take adequate measures in a state of emergency. In view of the actual distribution of power and of the political complexion of the judiciary, there was no chance of any of these rulings being applied except in the interests, and with the support, of the armed forces of reaction. Paragraph 4 meant the dictatorship of a reactionary State government, as in Bavaria. The left-wing Saxon government, after the murder of Rathenau, restricted itself to a normal enactment preventing Civil Servants [3] "while

[1] Fabian, *op. cit.*, pp. 149 ff. [2] See Weimar, *Proceedings*, Vol. 327, pp. 1323–6.

[3] German Civil Servants, and those of Central European countries generally, enjoyed ordinary civic rights when out of office, and were, indeed, very often M.P.'s or active members of some political party.

in office and by misuse of their official position ", from slighting the Republican Constitution, or in their private activities advocating monarchism " in a spiteful or provocative way ".[1] Even such an enactment, which allowed officials, outside their official capacity, to advocate monarchism in fair political polemics, was used by the bourgeois parties to justify their description of the Saxon government as " Bolshevist ".

In Bavaria, after April 1920, a government was in power that had been installed by the more successful Southern counterpart of the abortive Kapp putsch. The Catholic majority in the Bavarian Diet, under pressure from outside armed forces, legalised the authority of the new government. After Kapp's defeat in the North, Federal executive action, based on Article 48, § 1, was taken not against the pro-Kapp Kahr dictatorship in Bavaria, but against the parliamentary left-wing governments in Coburg and Thuringia. Ebert gave the Federal Commissioners who accompanied the Reichswehr, power not only to remove and replace the State governments, but also to dissolve the State parliaments. So began the period during which Article 48, § 4, served to legalise right-wing dictatorship in Bavaria, whilst Article 48, § 1, served to prevent left-wing government, however parliamentary, in other States. By negotiations with Bavaria and by executive action against left-wing governments, the Federal Government tried to keep the development of German affairs within the limits of a fairly moderate reaction. It did not wish for a conflict with Bavaria which, if successful, was bound to render German politics much more progressive than the rulers desired, while defeat of the Central Government in such a struggle might endanger national unity.

(*h*) Bavaria and the Crisis of German Republican Federalism

After the establishment of Kahr's dictatorship, Bavaria, making some use of traditional conceptions of " state rights ", functioned as the centre of reactionary activities all over Germany. It was a witches' cauldron [2] in which was mingled every imaginable political trend, provided only that it was anti-democratic and described itself as nationalist—though that did not exclude acceptance of French money.[3] Here were to be found Bavarian particularism and monarchism (a tendency with which Kahr personally sympathised), separatism,[3] and pan-German Fascist

[1] Fabian, *op. cit.*, pp. 142–3.
[2] For an illustration see K. Heiden, *op. cit.*
[3] *ibid.*, pp. 145 ff.

reaction which used the feelings of the Bavarian particularists as a mere screen for obtaining a " legal " base for its activities. The Bavarian peasants, however opposed they were to " red " rule, were not interested, when the danger of such a development seemed remote, in championing the Catholic-separatist ideologies offered them, and were even less inclined to exert themselves on behalf of any group of Prussians who should use Bavaria as a base for their conflict with other Prussians. Thus a few thousand adventurers, forming the pan-German Fascist armed bodies, proved the real and essential stronghold of Bavarian reaction, and gained an importance within the whole system quite disproportionate to the political influence which Hitlerism was at that time able to secure amongst the lower middle classes of the Bavarian towns. In spite of all the particularist phraseology used, pan-German Fascist reaction proved to be the real essence of Bavarian " particularism " during those years. The services then rendered to pan-Germanism by the Bavarian " nucleus of order " as " a stronghold of the national idea ", were always recognised by Prussian Conservatives, who failed to give any consideration at all to non-Prussian particularities and self-government.[1] From their point of view they were right, and those who believed it possible to preserve the special peculiarities of the Bavarian people with the help of North German armed adventurers were in the long run wrong, in spite of their immediate successes in 1923–4. But it was indeed a peculiar kind of German " national unity " that was propagated in 1920–3 from the Bavarian " nucleus of order ".

Special " People's Courts " administered political justice, it is true, form the point of view of pan-German reaction, to which the 1918 revolution was a crime, rather than from that of any special " Bavarian interests ", the protection of which was declared, and with success, to be the justification for continuing such obviously illegal procedure.[2] An armed gang killed the left-wing Catholic Federal minister, Erzberger, whom the pan-Germans had charged with responsibility for the " stab in the

[1] See Freytag-Loringhoven, *op. cit.* (1928), p. 148. In *op. cit.* (1924), pp. 45 ff., he dwells on the 1921 and 1922 conflicts, but is rather silent about 1923.

[2] See *Der Fall Fechenbach vor dem Münchener Volksgericht*, ed. Dr. Hirschberg, Berlin 1922. It is evident also from the judgement, that what was to be guarded against " treasonable " publications was German reaction in general, not its special Bavarian variety. For the atmosphere is characteristic, e.g. pp. 31–2, where the President of the Court rules that the pogrom campaigns of the Nazis were a " disgrace to German culture ", but that, for that very reason, it must be damaging to German interests to let the fact of this propaganda be known abroad.

back" (*Dolchstoss*). Their work done, the assassins retired to their Bavarian refuge, to be transferred in due course to Horthy's Hungary. The emergency measures proclaimed by the Federal government after the murder were applied by Kahr against the Left, and he failed to execute the Federal decrees against Fascist newspapers published in Bavaria and their incitements to new murders. At last, in September 1921, the Federal government made a compromise with Bavaria: the Catholic party dropped Kahr and his pan-German minister Roth, and replaced them by the Catholic Count Lerchenfeld. But the Federal government had beaten a retreat on the fundamental constitutional issue; only after the Federal emergency measures had been amended "with due regard to Bavarian state rights", i.e. after the executive power had been transferred to Bavarian state organs, were the quite illegal Bavarian emergency decrees withdrawn.

In the following year the Fascists killed another democratic minister, Rathenau. The Federal government enacted a special "Law for the Protection of the Republic" in the due form of a constitutional amendment. This law, however ambiguous, might in some cases have been applied against the people who still formed the main support of the Bavarian "constitutional" régime and might have brought these people before the Federal Supreme Court. The Bavarians again enacted a special "Law for the Protection of the Republic", with their "People's Courts" as guarantors that it would be applied in what they considered the right direction, i.e. against the enemies of the assassins. Again, the Federation chose the way of negotiation with people whose "law",[1] based upon the alleged danger to Bavarian public order caused by the Federal law, had prohibited "non-Bavarian police organisations . . . from executing independent functions in Bavarian territory". A personal letter from the Reichs-president, Ebert, on August 28, assured the Bavarians that "the execution of the provisions of the law . . . shall and can in no way detract from the State character of the Länder,[2] founded on the National Constitution". More important than the acceptance of such highly theoretical formulas dear to Bavarian particularist pride was the fact that the actual compromise, of August 11, restricted prosecutions by the Federal

[1] Article 5. See Mattern, *op. cit.* (1923).

[2] In the present connection we cannot translate the original German term, which was left ambiguous for the very purpose of avoiding the theoretical issue whether or not the Länder were states proper.

courts to cases of general national interest. The others, i.e. those of victimisation of Bavarian left-wingers, were to be left to the local courts. The "People's Court" did not fail to accompany the trial of the murderers of Rathenau by the trial of Fechenbach, secretary of the former Bavarian Prime Minister, Eisner, and to punish him, for publications which did not please the Pan-Germans,[1] with the same term of penal servitude as had been given in the wicked North to those immediately implicated in the murder. According to the compromise of August 11 the central police were to act only with the consent and support of the local authorities, who had allowed the murderers of Erzberger to escape. In composing the Federal courts that had to deal with offences in any State, the interests of that State were to be considered. Yet the Nazis, those good Pan-Germans, found that, in agreeing even to such a compromise, Lerchenfeld had sacrificed Bavarian state sovereignty. Under their pressure an additional agreement was reached on August 19, providing for a special South German Senate in the Federal Supreme Court. By the same agreement the proud Bavarians were assured that the powers left at Weimar to the Länder would never be absorbed by constitutional amendment; once in power, indeed, the Nazis were to take a much less complicated course.[2] The Federal government further promised not to make use of powers which the Reich possessed by law, but had not hitherto applied, except in extreme emergency. Most important, Lerchenfeld, as an insufficiently reliable defender of Bavarian state interests, was overthrown, and replaced by a moderate Pan-German, Knilling.

During the next year, when the Ruhr conflict took place, the Bavarian witches' cauldron at last reached boiling-point. On September 26, 1923, Kahr was again made dictator, and a Bavarian Emergency Decree again countered a federal one. This time the demand was not for additional Bavarian internal administrative powers, but for a transfer of political power in the North to the Right. The Nazis acted not as the radical opposition behind the Bavarian reactionary front, but simply as its advance-guard. When General Seeckt, to whom Ebert had transferred executive power, made an order on October 20 prohibiting the publication of the Nazi organ, the *Völkischer Beobachter*, the Bavarian government, as in 1921, refused to execute the order. On this occasion, the Federal orders were resisted not only by a civilian Bavarian government, but by the pan-

[1] See note 2, p. 114.

[2] See below, pp. 193 ff.

German commander-in-chief of the Bavarian Reichswehr division, acting in accordance with the directions of the Bavarian dictator. Seeckt could no longer avoid dismissing the insubordinate general, Lossow. Bavaria reacted with open mutiny: the Bavarian troops had to take the oath to Bavaria, with due regard to the interests of a future "National Government" in the Reich, and Lossow was directed to continue in command against the orders of the Federal Government.

Ebert and Seeckt now ordered their troops to march—not against Bavaria, but against Saxony and Thuringia, where left-wing governments were in office. The constitutional character of these governments and their support by a parliamentary majority were beyond doubt. As regards the Communist participation in these governments, later bourgeois criticism had to concentrate on the facts that Böttcher, the Saxon Finance Minister, spoke in favour of opposing the threatened, and totally illegal, Federal executive action, and that he had anticipated parliamentary authorisation in spending public money on emergency measures for the unemployed.[1] Of rather more importance as a motive for Federal intervention was the fact that Zeigner, the left-wing Social Democratic Prime Minister, in a public speech on July 12, some months before the Communists entered the government, had attacked the "Black Reichswehr" which the Federal government was illegally organising, partly as a means of evading the Versailles Treaty, but mainly with a view to the attack it was planning against the German Left.[2] Since that day, relations between Zeigner and the local Reichswehr commander had been extremely tense. It was only logical for the "Socialist" Ebert to send 60,000 men, mostly "Black Reichswehr", against Saxony, with Heinze, the

[1] Seyfret in Erkelenz, *op. cit.*, p. 189. This Communist Minister, Böttcher, during the factional strife which followed on the failure of the Saxon coalition policy, was nicknamed the "Carp Minister", for amongst the most radical measures which this good German official dared to introduce was one allowing the hungry unemployed to take fish from the State-owned ponds. Another common reproach against the Saxon Left government was that they had organised the workers in "hundreds". But for the purely defensive and unarmed character of this organisation see Zeigner's speech, on April 10, 1923, quoted in Fabian, *op. cit.*, pp. 132 ff.

[2] The speech is quoted in Fabian, *op. cit.*, pp. 156 ff. The strictly constitutional attitude of the government is stressed in this speech, and also in the directions agreed upon, in October, between the Zeigner government and the Communists on the occasion of the entry of these last into the government. The concrete political points include the republicanisation of the State police, and a demand for republicanisation of the Reichswehr by the Federal Government. The "proletarian hundreds" were to be *organised* as instruments for the defence of the Republic, whilst their *employment* for the defence of the Republic against actual dangers was to be *prepared for*. See Fabian, *op. cit.*, pp. 165–6.

head of the bourgeois opposition, as civil commissary, and armed with the order, given on October 28, to remove the left-wing government and replace it with a more conservative one. This Heinze did. An exactly parallel action, even less justified by previous political conflicts, took place in Thuringia.

In invading Saxony and Thuringia, Ebert and Seeckt were strongly influenced by the Bavarian position. It was not merely that, in order to appease the non-Saxon workers, they pretended that the Reichswehr was entering Saxony in order to prepare an attack on mutinous Bavaria : the Prime Minister, Stresemann, described the real position of the Federal government when a month later, on November 22, he declared in Parliament that in Bavaria (but evidently not in Saxony and Thuringia) they had had " to support the constitutional State-government, whatever its attitude towards us ". This support presupposed a certain degree of political agreement between the Reich and Bavaria. After the removal of the Central German left-wing governments, and when the Social Democratic Party had been forced by the pressure of working-class opinion to leave the Federal Government, a certain homogeneity was created between Federal politics and those of the more moderate wing of Bavarian reaction. This homogeneity was promoted by the competition between Kahr and the Nazis, who deeply distrusted one another, and desired collaboration with the Northern Reichswehr as well as with the representatives of Northern heavy industry as a preparation for their great coup. Hitler was lucky, or foolish, enough to make the first move, on November 9, 1923, and to be defeated by his less adventurous allies. In consequence, he at least won a certain position as an agitator amongst the German lower-middle classes. His opponents lost their political power when the trial of Hitler and Ludendorff elucidated Kahr's position and his treason against the Reich as well as his treachery towards his allies in the coup they had planned together. So political power within Bavaria was regained by the Catholic Conservatives of the Count Lerchenfeld pattern. The Seeckt-Stresemann dictatorship found it easy to agree with them.

The Homburg Agreement of February 19, 1924, secured to Bavaria, as the price for dropping Lossow and ending the military mutiny, the right to control the recruitment and the commanding staff of the Bavarian division. Taken together with the 1921 and 1922 compromises on the police and judicial questions, this meant, from the Bavarian point of view, a revival of the most

important " special rights ". From the point of view of national unity these rights were now much more dangerous than those granted by Bismarck. For these new " special rights " did not deal merely with improved conditions of promotion for Bavarian civil servants or officers : they implied real and extra-constitutional powers for the forces in actual control of Bavaria. These powers had evidently been asked for and granted with a view to the relation of forces in a possible civil war. On the other hand, for this very reason, there was little more danger of separatism. The officers of the Bavarian division who, on October 22, 1923, had taken the anti-constitutional oath as ordered by the Bavarian government, had acted not as Bavarian separatists, but as pan-German Fascist rebels. And the Bavarian Conservatives who agreed at Homburg with Ebert, Seeckt and Stresemann evidently asked for no more than a certain share in administering the new reactionary Germany.

An essential condition of the agreement was the overthrow of most of such democratic self-government as still survived after the defeats the German revolution had sustained in 1919 and 1920. It was a rather childish illusion to imagine that a Germany controlled by Big Business would in the long run show more regard for the conflicting interests of the Bavarian peasants than it had done for those of the Central German workers. Perhaps Cardinal Faulhaber and similar people, when taking their decisions during these years, were already thinking less of the Bavarian peasants than of the rôle political Catholicism was to play in establishing a semi-Fascist German régime. If such were the motivation of their policy, it was successful for a few years longer.

The action of Ebert and Stresemann, both in appeasing the Bavarian mutiny and in removing the Central German Socialist state governments, cannot stand up to serious examination under German constitutional law. Preuss, whose sympathies were by no means with the left-wingers, rather understated the case when he remarked that, by not intervening in Bavaria, the Federal Government had forfeited its right to take action against the much less serious offences of some members of the Saxon government. For the equality of all member-states in their relations with the Federation was an obvious principle of the Constitution.[1] This being taken for granted, it ought to be

[1] Article, " Sachsen, Preussen, und das Reich ", in *Um die Reichsverfassung von Weimar*, Berlin, 1924, p. 40.

stated that, apart from defending itself against an illegal attack, the Saxon government kept completely within the scope of what had been promised the German workers in 1919 by Preuss and the other framers of the Constitution, as a democratic alternative to proletarian dictatorship. On the other hand all the activities of the Bavarian government in 1920–23 were such as might legitimately warrant the intervention of the Federal executive under Article 48, § 1. If there was to be no intervention against Bavaria, there might just as well be no Article 48, § 1 at all. But if the Federal government had acted in accordance with its obligations, it would not thereby have gained the right to intervene against a government that instituted a Workers' Chamber and democratic municipal self-government, or organised education and unemployment benefit on lines other than those considered right by the majority of the Federal government. At the root of Preuss's attitude lay the assumption that there was an inherent right in the parties of the Centre to rule Germany and all the German states, and that the exclusion of Communists from participation in government was legitimate, provided only that the same measures of exclusion were applied against Fascists. But this fundamental assumption, though corresponding to the political constellation of Weimar, was completely alien to the Weimar Constitution and to the arguments put forward in its favour in public discussion. To the German working classes especially, but to the German monarchists also, the formal democracy of the Weimar Constitution had been recommended as a way of realising, without civil war, any purposes for which they might win the support of the majority of the electorate. "Ballots for bullets", not the permanent rule of the moderate bourgeois parties, had been the basic argument in defending the Weimar Constitution.

It may be wrong to discuss the actions of Ebert, Seeckt and Stresemann from the point of view of the Constitution. Their illegalities went beyond the point at which they might still be called mere infringements of the law. In fact, they shaped a new *de facto* constitution, although not to the same degree as their successors, Hindenburg and Brüning, were to do. It was an established fact in Germany in 1924 that political power, though in theory emanating from the people, lay with the restored Prussian army, supported by such political parties as the army leaders and the men of Big Business behind them considered suitable, and in the established right of the army to assume, if

necessary, immediate political power in the form of " emergency " dictatorship. It was further established that all conservative forces, without undue centralism, had a right to share in administrative power under the control just described, but that the " misuse " of State autonomy for other than conservative aims was an offence to be punished by federal executive action. Whatever local autonomy existed involved merely the right to nominate the executive organs of a policy determined by the virtual rulers. It was quite a logical system. The question was merely whether it could command the popular support necessary if it were to survive the first serious crisis.

CHAPTER VII

THE WORKING AND THE END OF WEIMAR FEDERALISM

(1) After the political consolidation of the post-1923 régime the States could hardly represent more than different political shades in the administration of national policy. Even so, their dependence on the local electorate, and their practical importance in administration, was enough to produce a centralist reaction, supported mainly by the forces of Big Business.
(2) The final blow came from the Great Depression. It deprived the States of most of their actual autonomy and reduced them to mere executive organs of the dictatorial national government. Hitler did at first what all his right-wing predecessors had done: he appealed to the traditionalist forces in the German states. But meanwhile he abolished the last vestiges of their state autonomy, and used the empty shells as administrative units, delegating all real power to the nominees of the Central government.
(3) In deciding whether Germany before Hitler was a real Federation, a clear distinction must be drawn between the political ideology of the Weimar Constitution and the actual development of German political life, especially after 1923. In theory the defenders of the 1919 Constitution thought federalism compatible with national homogeneity and a highly centralised economics in the style of a Western and Central European state. In practice the democratic constitution served merely as a screen for the rule of military forces and Big Business, and Federalism as an excuse to deflect attention from the rapid progress in extreme centralisation.

(a) General Political Conditions during the Last Years of the Parliamentary Republic

After the transitional period from 1919 to 1924 the German Republic was to enjoy only five years of normal constitutional life. This period opens with the abolition of the State of Emergency, and with the Dawes Agreement in 1924, and ends with the introduction of the Young Plan, when Schacht, President of the Reichsbank, compelled the removal of a federal Minister of Finance who, though supported by the government and a parliamentary majority, was unwelcome to the big financiers. The period was characterised, in international policy, by the name of Stresemann, and was associated with wishful thinking about a thoroughly conservative and bourgeois, but at the same time peaceful and non-imperialist, Germany. It is not the task of this book to deal with the highly complicated problem of the "other Germany". But as that issue is strongly contested in Britain, and as any investigation of the internal conditions of a country is bound to have certain implications for the interpretation of its international policies, it might be remarked that, in

my own opinion, the interpretation of Stresemann's Germany has little to do with the question of the " other Germany ". The latter had already been overthrown and destroyed in the persons of Rosa Luxemburg, Liebknecht, Haase, Eisner and Zeigner, perhaps also Rathenau and Wirth. After German democracy had been defeated, the conquerors were bound to adopt imperialist policies at home and abroad. But this has nothing to do with the other question whether, given more favourable conditions at home and abroad, that defeat might have been avoided, and whether the policies of the *real* other Germany would have formed an alternative to the imperialism of the predecessors and successors of the Weimar Republic.

Federal policy for nearly four of these five years was dominated by a disguised bloc of all the bourgeois parties.[1] All power was exercised by a small group of " permanent ministers " such as Stresemann, Luther and Marx, backed by the President, the Army, and, last but not least, Big Business. These ministers were connected only formally with the bourgeois parties of the centre. A theoretical mouthpiece of the German Employers' Association [2] dealt with such matters as the real constitution of the Republic and distinguished between " stable " (*tragfähigen*) governments that, as a necessary condition of governing, enjoyed the confidence of *Die Wirtschaft* (Big Business), although not necessarily that of the electorate, and other combinations, possible in theory, that were supported " merely " by the electorate, and opposed by " the essential strongholds of national life ". According to this theory, it was the duty of the Reichs-president to exercise his prerogative, on the basis of a very accommodating interpretation of the Constitution, to prevent the formation of governments which represented merely " naked one-sided interests " that were likely to emanate from adult suffrage, and to grant his support to " stable " governments. Such an analysis fairly described not the constitutional, but the actual relation of forces. The last year of the parliamentary period of the German Republic, the only year when the administration was not a

[1] To those who took part in these manœuvres, to call the period simply the " rule of the bourgeois bloc " would have appeared an undue simplification. Most important to them seemed the various vacillations on the question whether to have a minority " Government of the Centre " (Catholic and Liberal parties), supported from outside by the Social Democrats or by the National Conservatives, or to have a confessedly " *bourgeois bloc* " government. For this atmosphere see, e.g., Spiecker, *Ein Jahr Marx*, Berlin, 1925—an official Catholic publication.

[2] H. Heerfahrdt, *Die Kabinettsbildung nach der Weimarer Verfassung unter dem Einfluss der politischen Praxis*, Berlin, 1927. It should be remarked that Heerfahrdt's opinions were rejected by authoritative German legal theoreticians.

" bourgeois bloc " government, proved how precarious was the power of any government that did not comply with the conditions described. It began with Hindenburg and Müller, the Social Democratic Chancellor,[1] jointly preventing the Catholic Centre from being represented by Wirth, an avowed Democrat, and with the enforcement on the Social Democratic Party of the humiliation of introducing the bill for building pocket-battleships, opposition to which had been one of the main planks of their platform in the preceding electoral struggle. In December of the same year the Government was forced to alter, in the employers' favour, the terms of a decision of the Wages Tribunal, because they had declined to submit and had locked out the workers, although the Government had declared the award legally binding.[2] On May 1, the Social Democratic Police President of Berlin was to prohibit the traditional celebrations and to shoot the demonstrating workers, a measure which the bourgeois bloc had cleverly avoided when in power. In December 1929 an ultimatum of Schacht, speaking in the name of high finance, removed Hilferding, the Finance Minister, against the expressed will of the parliamentary majority. This was the prelude to the ultimatum that in the following spring forced upon the Social Democrats the choice between opposing the Trade Unions on the question of unemployment benefit and leaving the " reins of government " to the right-wing Catholic, Brüning, and his master Hindenburg. But later the Social Democrats supported Brüning and Hindenburg as " lesser evils " in comparison with Hindenburg's later nominee, Hitler.

State policy towards such federal developments had lost much of the sharp antagonism characteristic of the years 1920–3,[3] although there was quite a remarkable difference between the complexions of the various State governments. In Prussia, Baden, Hesse, and the Hanse cities there were, during virtually the whole period, governments of the " Great " Coalition, ranging from right-wing Social Democrats to right-wing National Liberals. It was the same combination that had governed the

[1] See Stampfer, *op. cit.*, p. 472.

[2] Stampfer (*op. cit.*, p. 490), a defender of these policies, describes the atmosphere very interestingly when he declares that the alternative was " to go the way of Revolution " by transferring the North-Western steel industries (where the conflict arose) to the state.

[3] In 1919, with the exception of a few Northern left-wing governments, political coincidence had been the general rule, and in most of the States, as in the Federation, the " Weimar Coalition " (right-wing Socialists, Catholics, Democrats) was at the helm.

Reich during the second half of 1923 and was to govern it again during the 1928–30 period. No serious conflicts were to be expected between such governments and the federal governments of the bourgeois bloc, dominated by the Reichswehr : Zeigner, in Saxony, brought about his own and his government's downfall in 1923 by criticising the Federal government's connection with illegal ultra-nationalist organisations, and the toleration of the Fememorde [1] which arose in this connection. But Severing, in Prussia, simply participated in all these matters so far as they were directed against the external, as distinct from the internal, enemy. The case for right-wing " Socialist " policies was that there had to be collaboration with the Reichswehr, which, partly because of these " Socialists," controlled Germany, in order to bring about some social reforms. It is true, the 1928 Steel conflict already mentioned demonstrated what these reforms were worth if the employers should seriously resist them.

Consent in essentials did not preclude dissent in many particular matters concerned with internal policy. Prussia might allow Russian or anti-War films which the Federal authorities preferred to ban. Or she might prohibit the illegal arming of Fascist organisations which the Federal government preferred to further, including the *Stahlhelm*, of which Hindenburg was the honorary President, and might even, on occasion, dissolve such organisations until Hindenburg enforced their re-establishment. The Reichswehr, on the other hand, might defend an illegal Fascist store of arms by claiming it as part of the illegal German rearmament which the Prussian government had to respect, and might even find " legal " pretexts for preventing the Republican flag from being hoisted on Prussian State buildings with which it had some connection.[2] In all matters of this kind the Prussian government had sooner or later to retreat. The only field of political activity left to it was the introduction of as many Republicans as possible into the Prussian police, which might some day be called to counter high treason committed by the Federal government. But such introductions must not be too numerous, for a similar policy had been one of the reasons for the Reichswehr invasion of Saxony. The day was, indeed, to come.

[1] i.e., murders committed by a kind of secret, and, of course, illegal tribunal of that illegal organisation in order to prevent, or if already committed to punish, the giving of information about illegal rearmament either to the Allied Disarmament Commission or to the " internal enemy ", whichever it was against which the illegal annex of the Reichswehr was preparing warfare. See above, p. 117.

[2] Braun, *op. cit.*, pp. 26 ff.

But, after all we have seen, it is not surprising that a Prussian administration, founded upon such a policy, would not fight.[1]

While the relations between Prussia and the Federal government were dominated principally by general problems of federal policy, the real issues of State autonomy were likely to arise with governments which agreed with the Federal government in political complexion. Bavaria, indeed, with her traditional right-wing government, remained the advocate of State rights ; while the Prussians supported the central authority in order to smooth their own political relations with the Federal government, or to provide for the day when they would control it. No one thought of interfering with Catholic schools or with Bavarian agricultural policy. On the other hand, the Bavarians, free from political friction with the Federal government, proved unable to discover new fields for State autonomy. Thus almost all the friction arose in financial matters. Later, indeed, Brüning was able to win Bavarian and Würtemberg support for his dictatorship, which was a serious menace to State autonomy, by granting them some millions of marks from the receipts of the tax on beer. The Prussians proved sufficiently good unitarians, or bad politicians, to help Brüning in his political work by opposing the financial concessions he made to " particularism ".[2]

In the Central German states, after the federal intervention, right-wing had replaced left-wing governments. Uninfluential and but little interested in particularism as these states were, they supplied few problems, until new issues of " high policy " arose. For the Nazis were to come on a scene cleared by the deep disappointment of the working classes in democratic reform, as well as by the systematic incitement of the anti-working-class feelings of the lower middle classes. During the first post-1923 period these states, as well as Würtemberg and Mecklenburg, in both of which the right-wingers had won majorities in the spring of 1924, might be considered reliable supporters of a moderate right-wing Federal government. Such governments had also little difficulty in winning, according to what the actual issue might be, either Bavarian (and right-wing Prussian Provincial),[3] or official Prussian support. So their position in the Federal Council was rather stronger than that of their predecessors, which, though supported by like-minded governments in the huge majority of the States, had been faced with strong opposition

[1] See below, p. 142.
[2] See Braun, *op. cit.* (1940), pp. 260 ff.
[3] See above, pp. 108.

from the few dissenters on the right or left. So the Federal Council, after having been for some years the scene of difficult compromises, became an important consultative and supporting organ for governments which had rather unstable foundations because of the various manœuvres between their " supporters ".[1]

The rôle of federalism in post-1923 Germany can hardly be interpreted in a wider sense than as the coöperation of a naturally very bureaucratic régime with the traditional bureaucratic forces entrenched in the State administrations. The legislative activity of the States in the fields allotted to them was rather meagre in comparison with the continuous attempts to use, or misuse, the state machinery for solving Federal issues. It was not in accordance with the normal powers of the German states for Hamburg, Mecklenburg-Strelitz and Hesse to try (and in consequence of a judgment of the Federal Supreme Court to fail) to oppose the dispersal of votes between a number of dwarf parties, by making it more difficult for new parties to participate in elections. Nor was it a really local issue when in the spring of 1931 nearly every North German state held, or attempted to hold, a plebiscite on what were in fact Federal issues. On the other hand Federal legislation, in times of relatively normal constitutional life, interfered with the exercise of State autonomy in its most legitimate fields. Thus, for example, the Weimar Constitution, in order to promote social equality, had provided for the abolition of preparatory schools, due compensation being paid to the owners of them. But the right-wing majority in the 1924 Federal Parliament declined to pass federal legislation governing the rates of compensation, and prohibited the States which had already prepared such laws from enacting them. The desired result was obtained; State parliaments and governments which desired to comply with the demand expressed in the Constitution, by action in a field in which all thought State autonomy appropriate, were prevented from so doing [2] by a majority in the Federal Parliament that could not even dream of amending the Constitution.

(*b*) Administrative and Financial Position of the German States

The administrative powers of the State governments also remained very wide under the Weimar Constitution. At the time of Hitler's accession to power, out of two million people

[1] See note 1 on p. 123.

[2] Braun, *op. cit.*, pp. 25 ff.

employed by public corporations, only 160,000 were in the immediate service of the Federation (together with 900,000 in railway, postal and telegraph services), against 450,000 in the States and a like number in the municipalities, or unions of these.[1] If the officials alone are counted and most of those employed in non-administrative services (e.g. street cleaning, etc.) omitted, there were 90,000 Reich officials as against 350,000 in State and 200,000 in municipal administration. If, as is justified from the point of view of the control of the positions, the whole number of the officials in the Hansa city-states be added to that of the other State officials, just half the total were to be considered as employed by the States, as against 12 per cent. by the Reich and 38 per cent. by the municipalities and corporations under the control of the States. The vast economic activities of the Central European state, of which the most important, railways and postal services, were federal functions, modified this ratio to a certain degree. But quite apart from the huge rôle of the municipalities, which in Germany usually controlled all public utilities, tramways, etc., there was also a huge amount of public ownership in fields where the States operated. In 1925, 10 per cent. of the coal production, 40 per cent. of that of salt, 76·8 per cent. of that of electricity, and two-thirds of the forests were controlled by the " public hand ", or, in the case of electricity, by corporations at least half of whose capital was supplied by the States.[2] Such a position must be considered as more than sufficient to render State government one of the most important levers in German public life.

After Erzberger's financial reforms which had accompanied the Weimar Constitution, the States, with all their administrative influence, held a rather precarious position in the distribution of the public revenue. The actual distribution did not differ much from pre-War standards, certainly not so much [3] as was expected by Erzberger, who was influenced partly by the general unitarian attitude of 1919, and partly by current expectations about the burden of reparations. The total public revenue in 1928 amounted to 13,000 million marks, out of which 5,600 million, i.e. 43 per cent., was allotted to the Federation, and the rest to the States and municipalities. In 1913, out of the total public

[1] These numbers are obtained by including half the employees of the Hansa city States (which fulfilled at the same time the functions of municipalities and of member states of the federation) in the State total, and the other half in the total of municipal employees.

[2] Naphtali, *op. cit.*, p. 59.

[3] Erzberger, *op. cit.*, p. 112.

income of 4,000 million, the Federation had been allotted 1,600 million, i.e. 40 per cent.[1] The essential difference in political relations was that, while Bismarck's Germany had envisaged the payment of " membership-fees " by the States to the Federation, in Weimar Germany the Central government administered by far the most important taxes, those on income, which yielded 3,450 million marks in 1928. The States and municipalities took 75 per cent. of this revenue, and 30 per cent. of the Federal turnover tax. They were left with the autonomous administration, and, of course, the whole proceeds, of taxation on land or industrial revenue, which yielded about 1,500 million, and they had to administer the general tax on house rents, under federal rulings which bound them to spend most of the proceeds on house construction. If the enormous income of the Reich from its economic activities is taken into consideration, the States had increased their taxation to a rather less degree than had the former.[2] On the other hand, federal legislation virtually decided how the States should spend their income : one reform of the rulings on the salaries of public employees cost them some 600 to 700 million marks, i.e. nearly half the proceeds of their principal self-administered source of income, the land and industrial tax.

In assigning public revenue there was no tendency to reduce the importance of the fields left to State administration. A comparison of the total public expenditure in 1913 and in 1925[3] shows, in the federal budget of the latter year, 2,703 million marks for post-War expenses, including reparations, and on the other hand a diminution of the cost of defence by 1,114 million. The typical fields of State, or State-controlled municipal, administration had gained in financial importance.

Purpose	*Expenditure (in million Marks)* 1913	1925
Social Welfare (including unemployment benefit, housing, etc.)	571	2844
Education (all kinds)	1122	2065
Police	198	652[4]

Apart from the diminished purchasing power of money,[5] such an increase in expenditure expressed the decisive change

[1] Popitz, in Harms, *op. cit.*, p. 220.

[2] Höpker-Aschoff in Erkelenz, pp. 442 ff., especially 449. [3] *ibid.*, p. 447.

[4] 200 millions of the State expenditure on Police was refunded by the Federation. This formed one of the latter's main instruments for controlling State police administration.

[5] For the first post-inflationary years, we are now speaking of, this diminution may be roughly estimated as a third, so that only increases in expenditure over 150 per cent. of the pre-War figures are to be considered as real.

in the functions of the state, together with the transition to democracy and the increased influence of the masses on the way public money was spent. This influence was strongest in the municipalities, and least in the Federation, where the Army and the group of "permanent ministers" restrained Parliament, which was itself controlled to a very high degree by Big Business.[1] The States, the organs expected to supervise municipal self-government, played rather an intermediate rôle. Their administration was strongly bureaucratic, but on the other hand local parliamentarians were more dependent on public opinion and were afraid to interfere too much with what was being done in the municipalities by the partisans of the State government. The share of the States and municipalities in public revenue rose automatically as economic conditions improved. But the demand of public opinion for social improvements rose equally, and this provided a permanent object for right-wing attacks on the "prodigality" of social and educational reform. When the States and municipalities showed some tendency to participate, though to an inconsiderable extent,[2] in the general tendency of German economy to finance investment by additional foreign credits, big business men, who regarded themselves as the only legitimate receivers of such credits, became more indignant about "social prodigality". Parker Gilbert, the Reparations Agent, did not fail to express the feelings of orthodox Wall Street economists in New York as well as in Berlin. He did so probably without devoting much thought to the question of what America might have to pay in money and lives as a result of preventing German democracy from taking root . . .

[1] See, e.g., Sonter, *op. cit.*, p. 50, for interesting data, especially on the rôle of such men as Luther, Curtius and Köhler in the supervisory councils of the biggest German trusts. In many cases an M.P.'s membership of supervisory councils might form quite a legitimate part of his political activities, as most parties were connected with co-operatives, etc. But such an explanation cannot cover, e.g., the 17 Populist M.P.s (a third of the total strength of the parliamentary party) holding, between them, 75 seats in supervisory councils, nor the 14 (of a total of 32) Democrats with 90 such seats. In a comparison with English conditions it must not be forgotten that most German joint-stock companies were controlled, and the supervisory councils nominated, by a few big banks: so that the participation of M.P.s of "antagonist" parties in a supervisory council, or even in various councils controlled by the same bank, meant that the latter influenced to a high degree the mutual relations of parties which were formally in opposition to each other on the political platform.

[2] In the total external debt of Germany, which was 4,250 million marks at the end of 1927, private enterprise's share was 2,380 million, that of publicly owned (economic) enterprise 670 million, while the States had borrowed 550 million (Prussia amongst them 200 million), and the municipalities 580 million (360 million of this the Prussian municipalities). Less attention was devoted by the critics to 100 million borrowed abroad by the churches.

(c) Theoretical Discussions on Unitary Reform

The conditions of public finance described above, and the social politics involved, formed the basis of all discussions on federalism during the late twenties. The positions taken up in these discussions by the various parties were determined more by their attitude to those social issues than by anything else. A leading National Conservative [1] found no contradiction in professing the usual right-wing consideration for traditional State rights, while supporting the demand of Big Business for an Imperial " Economic Dictator " to control the State finances. Leading Democrats [2] found it consistent with the title of their party to reject parliamentary government in the States, or to threaten that State governments would be replaced by direct federal rule, unless they consented to invest the Federation with the power to control State administration. On the other hand the Communists, probably to judge from their programme the most unitarian of all German parties, found it advisable [3] to move in Parliament for securing additional revenue for the States and especially for the municipalities. The original issue of Federalism was merged in the practical question whether those public bodies, over which the electorate might exercise strong pressure, should be allowed to spend money for social and cultural purposes as the electorate desired.

The right-wingers were not satisfied with such an unpopular presentation of their case. After using traditional State allegiances as a means of defeating the German revolution during the critical years, they found little difficulty in appealing to the moral influence exerted by the slogan of " German unity ". In 1927, under the leadership of Luther, the " League for the Renovation of the Empire " was founded by 200 leading representatives of Big Business, with a unitary programme. With Hindenburg as Reichs-president and a virtually Conservative Federal government apparently assured, it was quite natural to raise not only the general issue of the Federation versus the States, but also that of the removal of the existing dualism between the Federal and Prussian governments. Everyone regarded Prussia as a rather more progressive alternative to the Federal authority. It is very interesting that, with the exceptions of the

[1] Freytag-Loringhoven, *op. cit.* (1928), p. 153.
[2] Koch-Weser in Erkelenz, *op. cit.*, pp. 65–6 and 75.
[3] See *Die K.P.D. im Reichstag, 1924–8*, Manual of the Communist Parliamentary Party, Berlin, 1928, p. 298.

Bavarian and possibly some other Catholics on the moderate Right, and the Communists and some left-wing Saxon Social Democrats on the Left, there was now almost complete agreement on the vital question of promoting German unity by preserving Prussia and uniting her government with that of the Federation. Disputes were restricted to the parts which the two central governments were to play in the unification. Democratic members of the Prussian government [1] might advocate the absorption of Prussia by the direct federal administration, disagreeing only on details, if at all, with the National Conservative argument [2] in favour of " uniting leadership in the Empire and in Prussia " in the person of the Reichs-president. Otto Braun,[3] the Prussian Prime Minister, would protest in a formal manner against such a solution and in favour of the Prussian citizen's right to enjoy democratic self-government. But, if there were no alternative, he would prefer that solution to the existing dualism, provided that the lesser North German, and later the Southern, states were to be absorbed by the Federal-Prussian unit. This measure has certainly been realised by Hitler. Although Braun recognised the efficiency of federalism in very wealthy states, like the U.S.A., which could afford such a luxury, he rejected emphatically the idea both of building German federalism on the traditional States and of redistributing Prussian territory. As to Riesser at Frankfurt,[4] to whom he referred, Prussia was to this peculiar Socialist the only foundation upon which German national life could be built. On this point Braun did not differ from General von Seeckt, head of the Reichswehr, who asked that Prussia should develop further in accordance with her historical and natural mission, that her influence on Imperial policy should correspond with the importance of that mission, and that an end should be put to all friction between the Empire and Prussia.[5] Seeckt, as well as Braun and Koch, envisaged the absorption of the smaller North German states by Prussia. As regards the middle-sized States, especially in the South, he continued to share the original Conservative policy of

[1] Höpker-Aschoff in his study *Deutscher Einheitsstaat* (1928). Koch, the parliamentary leader of the Democratic party, rejected such proposals, for he believed an autonomous Prussia necessary for the survival of German democracy as long as the Southern States survived, and also doubted whether mere absorption of the minor States could result in anything but a bureaucratic (as opposed to the decentralised) unitary state. See Erkelenz, *op. cit.*, pp. 89 and 95–6.

[2] Freytag-Loringhoven, *op. cit.* (1928), p. 152. Triepel (*op. cit.* (1925), pp. 238 ff.) quotes Koch and Höpker-Aschoff with approval.

[3] *op. cit.*, p. 18, and *op. cit.* (1940), p. 360.

[4] See above, p. 85.

[5] Seeckt, *op. cit.*, p. 10.

winning their support by extending their autonomy. This Prussian general may therefore be regarded as the last advocate of Bismarck's policies to be found in the new Germany. But the trend of the discussion had already reduced it to the question of how to distribute political power in the coming unitary state.

(*d*) Practical Progress of Centralisation

In the last years of the Republic important progress was made by federal, as compared with State, administration. This progress was connected with the new social tasks taken upon itself by the post-revolutionary government.

During the reorganisation of German administration that marked the victory of the counter-revolutionary forces in the winter of 1923–4, and especially in the "Third Emergency Decree on Taxation" of February 14, 1924,[1] the Federal government abandoned, in favour of the States, the right and the duty of rendering the financial support hitherto provided for municipal Social Welfare Administration. This was partly connected with the general tendency of the 1923–4 reaction to rely on particularist, and especially on Bavarian, support. So far, it might rightly be called the post-War return from unitary to federalist ways of government. Like that of Bismarck in 1878, it was connected with a violent reaction against parliamentary democracy.[2] But it was also an expression of the need to restore the balance of federal finance, and was connected with the hope that the States, when burdened with the obligation to support the municipalities, would take care to prevent the "prodigalities" of these latter. In some degree they did, but there was still enough of German democracy left to make welfare activities a competitive issue. Very soon the States had also to protest against federal measures supplementing their welfare activities, as involving the "danger" of the establishment of new branches of independent and immediate federal administration.[3] The States protested especially against the federal legislation on housing. Such protests might, in part, represent the mere desire of the States to dispose of the housing tax, which the Central government had empowered and ordered them to raise, for their own administrative needs

[1] The general importance of these decrees, which formally dealt with financial measures necessary for economy, was enormous, for they involved not only a complete reorganisation of administration, but also, for example, the abolition of juries. Even Triepel (*op. cit.* (1925), p. 214) regarded the concessions there made to particularism as unconstitutional.

[2] Driessen, *op. cit.*, p. 191, and Triepel (1925), pp. 209 ff.

[3] Driessen, *op. cit.*, p. 197.

instead of for house-building, and in part the fear, felt rightly or wrongly, that whatever autonomy was still left them in these matters was now in danger.[1] Strong protests were also made by the States against federal transgression of the limits set by legislation to Central official activities, by the establishment of virtually federal-controlled building companies which, supported by federal funds, might compete as " private *entrepreneurs* " with the States, or with similar semi-public companies founded by them.

Further centralisation was brought about by the organisation of unemployment benefit. During the years of monetary inflation there had been a relatively small amount of unemployment. In accordance with the unitary and democratic principles of that period, the Federation had contributed to the costs, preserving for itself considerable powers of supervision, parallel with those of the States.[2] In the 1919–24 period the Federation had paid half the cost of supporting the unemployed, while a third had been contributed by the State concerned, and only the remaining sixth by the municipality which was to support them. To guard against the " prodigalities " of democratic municipalities, after February 16, 1924, eight-ninths of the cost had to be raised by the employers and employees themselves, whilst the municipality was to pay the remaining ninth. But now larger regional units were needed in order to meet the risks, if some crisis in a locally important industry was not to lead to a breakdown of local unemployment relief. Very soon this need was to be stressed by the rise of continuous mass-unemployment, which persisted until the Republic broke down. At first the attempt was made to let the States establish the necessary inter-regional connection in their own ways. But the irrational and complex territories of the German States proved unsuited to the needs. In January 1926 the Federation took the task on itself, after having made enormous contributions to the State budgets since 1924.[3] The Law of 1927 established a centralised administration to be worked by employers and employees, who had

[1] Driessen, *op. cit.*, pp. 247–8. There was still much autonomy left to the States on questions of dwelling-house rents, e.g., on the distribution of the various parts of the rent between the private income of the landlords and reconstruction of the houses (see the monographs published in *Schriften des Vereins für Sozialpolitik*, Vol. 177, I and II). The student must not forget that agricultural, not urban, ground-rent problems were a normal field of activity for German State legislation, and that in some cases too great diversity in such legislation was bound to result in a muddle, e.g., wherever (in, e.g., Hamburg-Altona), a virtually united urban area was divided between various States.

[2] Driessen, *op. cit.*, p. 68.

[3] *ibid.*

also to bear the burden. The protest of the States alone secured a certain degree of decentralisation.[1] In times of normal employment the Federation surrendered the task of " balancing risks ".[2] But times of " normal employment ", with the Federation in the background and the States supporting self-governing industries, were never to come ; what came in reality was the economic crisis with the Federation spending thousands of millions which the States could not raise, and regulating the last details of social administration by the Emergency Decrees of Brüning's dictatorship. It was the economic crisis, together with the obvious shortcomings of the traditional German States as administrative units, that assured the definitive triumph of centralism.

(*e*) The Problem of German Federalism

Was the Weimar republic a federation at all ? Our answer to this question depends largely on definitions. In opening the Second Reading of the Constitution at Weimar,[3] the *rapporteur* said that a decisive step had been taken, with the support of all parties, towards a unitary state. The spokesman of the National Conservatives supported this assertion, merely uttering a warning against precipitating such a development, however desirable it might be.[4] Preuss's own opinion was that the relations between the Federation and the states had been regulated in such a way that the doctrinal dispute over a unitary or Federal state might be dropped. For in Germany even the unitary state, which Preuss personally desired, was practicable only in a highly decentralised form.[5] He thought complete unity already secured by the right of the Federation to assume new powers by constitutional amendment without interference from the states. Actually to take over such powers implied, in Preuss's opinion, not only a unitary state, but even a *centralised* unitary state, to which he was strongly opposed.[6] We have seen above [7] that the Federal government in its disputes with the Bavarian reactionaries appeased Bavarian particularism by a theoretical recognition of the " State character of the Länder ", and by declaring that it

[1] It must be kept in mind that in consequence of the greatly varying sizes of the German states decentralisation only incidentally created units coinciding with a member state of the Federation.

[2] Driessen, *op. cit.*, p. 119.

[3] July 2, 1919, *Proceedings*, Vol. 327, p. 1203 B.

[4] Delbrück, *ibid.*, p. 1219 D.

[5] *ibid.*, p. 2093.

[6] *op. cit.* (1928), p. 110.

[7] P. 184.

had no desire eventually to introduce constitutional amendments that would be undesirable from the particularist point of view. Such declarations, of course, could bind only the government that made them. All this lip-service to particularist theory was among the least risky of the concessions made to appease the Right : the only pity was that the relative success of this policy of appeasement endangered not only the verbal concessions but also the necessary decentralisation in German life. For it must be kept in mind that with German right-wingers particularism was merely a tactical method of winning support for the restoration of an ultracentralist, military dictatorship. It is impossible to consider seriously a thesis such as that of Freytag-Loringhoven,[1] who denied the federal character of Germany essentially for the reason that the Länder lacked autonomy in defence and the right to establish whatever constitution they wanted. The chief theorist of the National Conservative Party knew quite well that no federation in the world denied its central government the power of defence and left its members complete freedom in the choice of constitutional forms. And he equally well knew that he desired a Bavarian army and a Bavarian monarchical restoration not as ends in themselves but merely as means to a coup in the Reich.

Even to right-wing theoreticians who were less party-minded it was obvious that democracy was incompatible with the state-character of the constituent units of the Reich.[2] The official academic theories evolved in the Bismarckian Empire [3] had paved the way for such a conception, and there was nothing inconsistent in the declaration by a disciple of Laband [4] that, as the Republican Reich was no longer based upon the Länder but upon the German people, the Länder were merely the autonomous provinces of the decentralised unitarian State. But Laband's conception of the " republic of states " [5] had been very artificial even in Bismarck's empire ; was there, indeed, no other federal autonomy than that of princes, or, at the least, of regional State bureaucracies based upon monarchical traditions ?

To say that German right-wing theorists could conceive of federalism only in such terms is simply another way of saying that they did not understand what other people understand by federalism, nor its most successful examples all over the world.

[1] *op. cit.* (1924), pp. 38 ff.
[2] See above, Chapter III, pp. 29–30.
[3] *ibid.*, pp. 23 ff.
[4] Giese, *cf.* Mattern, *op. cit.* (1928), pp. 341 ff.
[5] See above, p. 29.

But it would be wrong to reproach the framers of the Weimar Constitution with such a misunderstanding. They discussed the issue of federalism *versus* the decentralised unitary state on the basis then accepted, that of popular sovereignty, and in terms of popular sovereignty. They decided quite deliberately [1] to answer the question of the origin of national power and of the national constitution with reference, not to the historic states, but to the fact that the character of the German people demands decentralisation. The preamble to the Weimar Constitution speaks of " the German people, united in all its branches " as the origin of the constitution. No less deliberately [2] did they decide that all political power was derived from " the people " ; not from " the *German* people ", as the unitarians would have desired, nor from the people of the States as such. The only possible explanation of their attitude, and the only legitimate interpretation of the Weimar Constitution, is that they desired (*a*) to establish popular sovereignty, (*b*) to derive political organisation in Germany from the will of the governed, within the framework of that organisation, and (*c*) that they deliberately [3] left undecided the question whether the subordination of the lower to the highest units of popular government ought to be described as " federalism " or merely as " decentralisation ". They did so not only because they were unable to agree upon the issue, but also because the unitary-minded among them regarded it as a purely formal one [3] that would not justify endangering national unity. Preuss [4] saw no fundamental difference between a federation and a decentralised unitary state.

Such an approach on the part of a framer of the Constitution might suggest that he did not recognise, or disapprove of, certain specific characteristics of federation as distinct from highly-developed municipal or provincial self-government. But in spite of the personal and theoretical convictions of men like Preuss, it cannot be denied that his own proposals, though destroying the traditional basis of German federalism, granted to the new units all the powers usually associated with a federal constitution, and gave a decisive veto to the Federal Second Chamber.[5] The definitive shape of the Weimar Constitution, as it was accepted between 1919 and 1923,[6] shows all the charac-

[1] See Mattern, *op. cit.* (1928), pp. 157 ff.
[2] *ibid.*, pp. 171 ff.
[3] See above, p. 135.
[4] *op. cit.* (1923), p. 40.
[5] See above, p. 99.
[6] Of course, we leave aside clearly unconstitutional phenomena, such as the Bavarian " Emergency Measures ".

teristics of a federal system, with the member states enjoying a very considerable degree of autonomy in certain important fields of government, and taking a part in the formation of the constitutional will of the union. The real problem arises not in classifying the Weimar Constitution, but in explaining its deformation by the actual relations of political forces in Germany. As we decided at the beginning [1] to deal not with the formal but with the real constitutions of the countries discussed, it is impossible to regard the joint dictatorship of Army and Big Business, as established after the winter crisis of 1923–4, as anything but sham federalism. Certainly State governments remained important and exercised a considerable influence on the general policy of the federation. But they were no longer allowed to embody any essential variety in the national outlook. What they could embody, and strive for, was merely distinct conceptions of the way in which the centralisation of real power could be transformed into constitutional centralism.

(*f*) The End of German Federalism

Before the Great Depression vast economic forces were already working in the direction of centralism. After the stabilisation of the Mark the somewhat ephemeral industrial combinations of the Stinnes type broke down and were replaced by stable trusts, whose relative importance in their respective industries surpassed that of their American models.[2] The largest of these were the Steel Trust and the Chemical Trust, the *I. G. Farben*, each with a capital of 800 million Marks. Two of the " Big Four " banks had joined up to form the D.D. Bank, which controlled nearly half of German industry. The Saxon middle factory-owner and the Bavarian well-to-do peasant, with their rather emotional aversion to the " Reds ", were no longer the typical representatives of vested interests in Germany ; Thyssen, Klöckner, Schacht and Duisburg were the masters—and proud of it. The economic crisis, which was bound to render the administrative and financial position of the Federation difficult, faced these leaders of Big Business with the question " to be or not to be ". Beginning with the Danat-bank, in the summer of 1931 the great banks and combines, with the exception of the *I. G. Farben*,[3] broke down one after another, and had to be taken

[1] See above, Part I, p. 43.
[2] See Sonter, *op. cit.*, p. 22, and *Frankfurter Zeitung*, 1926, No. 578.
[3] Very characteristically, this trust, in contrast to those which were economically less successful, was to play no important part in putting Hitler into power.

over by the Reich in order to avoid open bankruptcy. Private enterprise could no longer be independent of the State. For " private enterprise " was now formally controlled by the Reich, and could never hope to regain its independence unless the owners of the trusts became the rulers of the State. There was nothing miraculous in the way a group of bankrupt business men put a group of demagogues and gangsters at the head of a great state, nor even in the fact that they got only part of the booty they hoped for. The only remarkable fact is that, apart from those immediately interested, there were other people at home and abroad who called the procedure a " national revolution ". What in fact happened in September 1930 and afterwards was simply the repetition, with more fateful results, of what had been the standard procedure of German reaction since Bismarck's anti-Socialist law : the lower middle classes, which were in normal times indifferent, and, in revolutionary periods, occasionally even mutinous, were mobilised in support of nationalist slogans against the working classes. The really new fact was that these lower middle classes, instead of merely supporting the traditional Conservative parties, were called upon to replace them by a new organisation, inspired by the same economic interests that had formerly supported Conservatism. On the other hand this new totalitarian organisation, in spite of all its anti-capitalist demagogy, has done the work of totalitarian war-economics so thoroughly, that it may eventually prove difficult to repeat the well-tried procedure, its main instrument, the " independent small man ", having, unhappily, withered away under the rule of his " representatives ".

" In the electoral struggle of September 14, 1930, Hitler defeated neither Brüning, Wels, nor Thälmann. But he defeated Hugenberg and Scholz [1] very thoroughly by definitely winning the lead of the nationalist Right. The same masses were active that dominated the field in the anti-Socialist elections of 1907, that rejoiced in August 1914 whenever another state declared war on Germany, that believed for four years that Germany was invincible, and continued to venerate the military leaders even after defeat. . . . The same masses that had enthusiastically supported the dictatorship of Wilhelm II, and later of Ludendorff, and had made the Imperial Field-Marshal President of the

[1] Brüning, the leader of the Catholic Centre, Wels of the Social Democrats, Thälmann of the Communists, Hugenberg of the National Conservatives, and Scholz of the Populists (the former National Liberals).

Republic now, being disappointed with Hindenburg, looked for a new dictator. The bulk of them were poor devils, impoverished peasants and lower middle class people who envied the workers their social achievements. But there were also some dregs of the industrial workers who had remained " yellow ". These masses have always been the instruments of the big agrarians in the East, and of the heavy industrialists in the West. It had never been difficult to deal with them. They never desired anything but to be led, without having to ask where they were going, and they were satisfied with a little bread and a supply of patriotic plays. On September 14, 1930, Adolf Hitler definitely took command of these masses, and German Fascism replaced National Conservatism ".[1]

Most remarkable, in connection with our present study, is the fact that, after all the ideological preparation we have remarked, National Socialism made no attempt to propagate unitary slogans. The unitary German State had a certain importance in the ideologies of outsiders, like Möller von der Bruck,[2] but the official declarations of the National Socialist Party, and its early policies, as we have seen above,[3] show the features distinctive of any German right-wing party. It paid lip-service to particularist ideas, especially those of the Bavarian supporters of German reaction, without binding itself to favour those particularist aims once victory was achieved. Although point 25 of the party programme of 1920 culminates in the slogan " Greater Germany ", it nevertheless speaks of a " true federalism " and of " economic-cultural decentralisation ", and it attacks " pseudo-federalists " who undermined Germany's international position which was a necessary condition of " true federalism". Hitler found it convenient to play with Bavarian monarchism and even to address as " Your Majesty " an ex-heir-presumptive [4] whose actual accession to the Bavarian throne would have meant the end of German national unity. Even after the particular Bavarian situation had passed, he maintained the federalist demagogy in the second volume of *Mein Kampf*, for the same reasons and with much the same arguments as

[1] Stampfer, *op. cit.*, p. 529. The passage quoted is also remarkable for a sound statement—made long before the current discussions over the opinions of Lord Vansittart on the extent to which there is continuity in the German military-chauvinist attitude. Stampfer's statement is made no less reasonable by the fact that he is virtually impeaching himself and the policies of his own party during and after the first World War.

[2] *op. cit.*, p. 256. [3] Pp. 114–18.

[4] Heiden, *op. cit.*, pp. 136, 157 ff. and 169–70.

contemporary National Conservatives: although he recognised an historical tendency towards increasing the federal powers, he criticised the Weimar Republic for having unnecessarily infringed State competences. Hitler was evidently appealing to a still federalist-minded public. He merely warned it that the rights of the individual States had to be protected not for their own sake, as the particularists maintained, but in the national interest. As usual with Hitlerite statements, the question whether the "national interest", once victorious, would demand a reformed federation or a unitary state was left to the reader's interpretation.[1] There was little that was original in the idea of supporting particularist movements so long as they were directed against a democratic republic, but the demand for the Federation of dictatorial powers in the economic and other fields once it was controlled by the right-wingers.[2]

Whether Brüning and Papen were sincere federalists or not cannot be established, and from our point of view is irrelevant. Whatever Brüning wanted, the policy forced upon a man of his political views by the economic crisis implied the absorption by the Federal dictatorship of all the powers hitherto left to the States. Certainly he tried to exercise this dictatorship in collaboration with the Federal Council, and he gave some compensation to Bavaria in the form of beer tax concessions [3] for the enormous interference in former spheres of State autonomy implied by the Emergency Decrees. Eventually the Bavarians realised the position, and on November 13, 1931, while the Catholic, Brüning, was still in power, their government protested against the continous undermining of State autonomy by federal "Emergency Decrees". Brüning's successor, Papen, in his first official declaration reproached the Weimar Republic with having been "a kind of institution for promoting social welfare". People who thought as he did could not find in their political ideology any place for institutions whose only justification was the promotion of welfare.

Brüning's Emergency Decrees, which cut down all social services to a minimum strictly imposed from above, rendered State autonomy an empty shell which hardly anyone could be

[1] German ed. of 1933, pp. 633 ff. In using *Mein Kampf* the student must not forget that at least Vol. II, from which these quotations are taken, is not a personal document, but a very thoroughly considered product of the Nazi party's "brains trust".

[2] See note 1 on p. 131.

[3] *Zentrum und Reichspolitik*, political manual for the 1930 elections, ed. Dr. Schreiber, p. 87. For the Prussian critical attitude see Braun (*op. cit.*, 1940), pp. 260 ff.

expected to defend. The last and decisive step in establishing the dictatorship of the men organised in the "Herrenklub"[1] was the destruction of the dualism in national leadership represented by the continued co-existence of the Federal and Prussian governments. On July 20, 1932, Papen struck. Although it would be far beyond the scope of our study to give an analysis of all the reasons that prevented Otto Braun and his Prussian government from resisting, I hope the reader will understand why Papen was taking no unreasonable risk in putting before that Great-Prussian the alternative of resisting the Prussian army, or yielding to a Greater Prussia ruled by people of different political complexion. But even if Braun had resisted, or if others had forced a decisive fight over his head, the struggle would not have been one between centralism and federalism. Two different conceptions of a unitary German state would have opposed each other. Long after the Princes had gone, the Bismarckian conception of Germany rendered to German reaction the last service of dividing the peoples.[2] It was only necessary to leave the Southerners undisturbed for the moment, in order to conquer Prussia without their interference. The tactics of "one by one" came into being before Hitler took the helm, and they were applied within Germany long before they were used against the outside world.

The Federal Supreme Court, asked by the deposed Prussian government to intervene, issued a judgment of Solomon which revealed what a sham the Weimar Constitution had become. It was recognised that no fault in the Prussian government had justified the Federal executive action on the basis of Article 48, § 4, as Papen contended. But he was recognised as the final judge whether or not the general difficulties of the situation made it necessary to unite the Prussian with the Federal administration, on the basis of Article 48, § 2, which was thus recognised as overriding the whole constitutional structure of the Republic. In consequence, Braun was left certain honorary but empty rights, such as that of nominating the Prussian representatives to the Federal Council, and Papen was denied the right to style himself Prussian Prime Minister, as Bismarck and his successors had done. But he was given exclusive control of the whole Prussian administration, including, of course, the Prussian police.

[1] The club of avowed diehard landlords and industrialists as the representative of which Papen had taken power. The term is intentionally ambiguous: it can be read either as "Gentlemen's Club", or "Club of the Masters".

[2] See above, pp. 55 and 79.

When nominated Federal Chancellor, Hitler even called another person, Göring, to assume supreme control of Prussia, as neither Papen nor Schleicher had done. But the burning of the Reichstag on February 27, 1933, and the subsequent wave of terror can hardly be described as a specifically Prussian policy. Any real difference between Prussian and Imperial policies had disappeared after July 20, 1932.

A last task lay before the conquerors of the North : that of extending their full and undivided power over the major Southern states, and especially Bavaria. Now that the dualism between the Reich and Prussia had been abolished, Preuss's dictum that a united Prussia was incompatible with the German Republic became a reality : Bavaria and the Reich could only meet in a struggle for supreme political power the outcome of which was already decided. Northern left-wingers, during the period between January 30, 1933, and the burning of the Reichstag, might dream of finding in Bavaria a base for opposing Northern Fascism, as the Fascists in 1920–3 had found in that same Bavaria a base for opposing Northern democracy. But the difference was that, while the latter had enjoyed the coöperation of the Northern Reichswehr, a democratically-minded Bavarian opposition would have had to appeal to the terrorised working classes against all the official powers of Northern Germany. The Bavarian Catholics would never do that, though there was no alternative but submission. On February 20, 1933, Held, the Bavarian Prime Minister, announced that any invasion of Bavaria by the Northern Reichswehr would be met by armed resistance. Such resistance could only become a struggle, in alliance with the Northern left-wingers, for the control of Germany, or a Bavarian attempt to secede from the union. The elections of March 4 proved that the majority of the Bavarian lower middle classes, and even a very great part of the Bavarian peasants, were unwilling to follow either course ; whether they liked or disliked Nazism, they preferred it to the alternatives. The next day, Hitler began his Munich coup, and though a majority of the Bavarian people, Catholics and Left-wingers alike, were still opposed to Hitler, Held capitulated as Braun had done ten months before. The Bavarian Nazis, not the Northern Reichswehr, took control of the state.

German federalism had run its course. Many years before, in Weimar, Preuss had warned the Bavarian and other monarchical particularists that German unity was so firmly established

that, even if the Republic were to fall, it would be replaced by a unitary monarchy and not by a plurality of dynasties on the Bismarckian pattern. Preuss, like most republicans of those days, had been wrong in conceiving of reaction only in the form of a monarchical restoration—although it must not be forgotten that he spoke three years before Mussolini's access to power—but he had been right in stating that German federalism could have no future beyond the democratic republic. The men who had protected the murderers of Erzberger and Rathenau had, in the long run, destroyed their beloved Bavaria.

The most curious thing is that even when master of all Germany Hitler did not attempt to appeal to such sympathies as the final accomplishment of German unity might command. He left nothing in the shells of State's rights, pursuing to the end the course his predecessors had adopted. But he did not dare to throw the empty shells away. Was he still the ideological prisoner of his Munich days? Or did he simply believe in the indolence of the German official, who would follow the Civil Service traditions of the various States, with due respect for their new masters, so long as the names Bavaria, Prussia, etc., continued in use?

The first "Law for the Unification of the Empire", of March 31, 1933, in paragraph 4, ordered the State Diets to be nominated from representatives of the political parties in proportion to the votes cast in the Federal elections of March 4, the Communist vote being regarded as invalid. This alone was sufficient to ensure a Nazi majority in all the Diets, but as the Social Democratic and the Democratic votes were soon to be invalidated, the majority became overwhelming even before July 1933, when the Nazi party alone received legal recognition. There still remained the possibility of future conflict between the local Nazi caucuses and the central Nazi authorities controlling the Reich. Provision was made against such possibilities by the Second Unification Law, or "Law on the Imperial Lieutenants-General" (April 7, 1933), which transferred to these officials virtually dictatorial powers as regards what was still called, and even defended as "State autonomy" in legislative and administrative matters.[1] The "Law for the Reconstruction of the Reich", of January 1934, formally transferred the

[1] For this attitude see official Nazi publications, e.g., Krieger, *op. cit.*, pp. 44–5, where Hitler's speech of March 23, 1933, and the above-discussed statements in *Mein Kampf*, are quoted.

" sovereignty " of the States to the Reich and abolished both their constitutional autonomy and what had still been called popular representation. After being in power one year the Nazi government had a unitary programme, but its administrative practice was still only moderately unitary. As the organs of administrative devolution were identical with the highly centralised Nazi bureaucracy, the leaders of which were nominated *Reichsstatthalter* (Lieutenants-General), there was little concern about the rationality or irrationality of the administrative boundaries. A certain degree of rationalisation was effected, by nominating only one Lieutenant-General for a group of minor states, and by coördinating the position of Prussian provincial governor—who was also the local Nazi District Boss—with that of Lieutenant-General in a non-Prussian state. But the worst administrative nonsense surviving from the mediæval princedoms was attacked only with the greatest caution : it was not until January 1, 1939, that the two Mecklenburgs were united. At the centre, the dualism of Prussia and the Empire was continued, and Göring even surrounded himself by a special consultative " State Council " dominated by high officials and Big Business men such as Thyssen. After every appearance of federalism had gone, this dualism seemed destined to remain. The amalgamation of the new demagogic élite with the old Prussian army and bureaucracy, and the social forces behind them, was a slow process ; but both parties agreed to let no one else enjoy any political rights in any part of Germany.

The Nazis proceeded much more rapidly in abolishing such elements of cultural and social autonomy as had been at least partly protected by the former State autonomy. The *Erbhofbauer* law, in order to strengthen the well-to-do farmers who were the main supporters of Nazism in the countryside, enforced all over Germany certain regulations governing inheritance and rural property which had been customary in parts of North-West Germany, but which contradicted the traditions of most other German tribes. The Nazi practice in ecclesiastical and educational matters angered the Bavarian Catholics, but hardly more so than it did their Rhenish fellow-believers or even the old-Prussian Protestants. A thorough examination of the Catholic resistance movements reveals not the slightest particularist trend, apart, perhaps, from the personal allegiances of men like Cardinal Faulhaber. Nor, during the first ten years of Nazi rule, could any specific particularist activity be observed amongst the

working classes in such regions as had formerly enjoyed State autonomy. Nazism will be overthrown, but no matter what follows, it seems most unlikely that the traditional German states will play any part in events, or that any federalism of the future will be connected with that which was overcome in the period extending from Bismarckian to Weimar Germany. It can hardly be said that Hitler has buried the past: that had been done before he came to power. There was no place in the twentieth century for survivals from the eighteenth.

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PART III

THE FORMER AUSTRIAN TERRITORIES

CHAPTER VIII

ATTEMPTS AT FEDERATION DURING THE 1848–9 REVOLUTION

(1) The Hapsburg monarchy was originally a product of mere dynastic acquisitiveness, but was later instrumental in the economic development of the Danubian countries. After the French revolution, the aristocratic and bureaucratic ruling class of the monarchy became an obstacle to all economic and cultural development, regarding it as a threat to the continuance of their rule. In consequence, at the time of the 1848 revolution, they were opposed by the middle classes of all nationalities of the monarchy.

(2) But this opposition was divided by reason of the very different positions in the social and political structure of the monarchy which the various nationalities held. The so-called "historic nationalities"—Germans, Magyars, Poles and Italians—had shared in the formation of the ruling class of the monarchy, and their middle classes developed in connection with, though in opposition to, that aristocracy. The so-called "non-historical nationalities", most of them Slavs, had been deprived of their national upper strata and reduced to a position of serfdom, out of which a new middle class had just begun to develop. While the middle classes—and to some extent, as in Hungary, the aristocracy—of the "historic nationalities" merely opposed Hapsburg absolutism, the "non-historic nationalities" opposed their privileges also.

(3) In Hungary the Magyars' intransigent defence of their privileged position drove the Slavs and Rumanians into the Hapsburg camp. In the Austrian half of the monarchy, however, in 1848–9, common opposition to Hapsburg absolutism was strong enough to make possible a compromise solution in the Kremsier deliberations of the Constituent Assembly, supported by the Liberals of all nationalities. But this compromise had become possible only at the last hour, in view of the growth of absolutist reaction. The military victory of that reaction destroyed Austrian constitutionalism, and the compromise with it.

(4) By the Kremsier compromise, national self-government was to have been based upon counties delimited according to national structure. Such self-government, though granted on a territorial basis, would have covered cultural rather than economic issues. Whether it would have proved sufficient to satisfy the aspirations of the Austrian nationalities depended upon whether, in the event of a victory of the revolutionary movement, parliamentary democracy would have made possible economic development within the larger unit, but without national discrimination.

(a) AUSTRIA BEFORE 1848

The Hapsburg, or, more correctly, the Austro-Hungarian-

Bohemian monarchy [1] had its origin in one of the more successful attempts in the eastern colonial parts of the "Holy Roman Empire of the German Nation", to build up that domestic dynastic power necessary for winning imperial hegemony. Brandenburg-Prussia, the later and more successful competitor of the Hapsburgs for German hegemony, originated in another such attempt. The Hapsburg monarchy itself gained European importance only in consequence of the fact that, apart from the relatively weak foundations of the historic Austrian (i.e. Alpine) territories, it was able to build on the ruins of another and for a time more successful dynastic power which the Luxemburg dynasty had formed round Bohemia. This power broke down, mainly for the reason that the imperial policy of the Luxemburg rulers and the alliance it involved with the Roman Catholic Church brought them into conflict with the national upheaval of the Czech people and led to the first continental anti-feudal revolution, which culminated in the Hussite wars.

During the two hundred and fifty years preceding the final taking shape of the Danubian monarchy,[2] more than one attempt was made to assemble a Bohemian-Austro-Hungarian bloc, with a view to the dominating influence the rulers of such a bloc might exercise in Germany as well as in Eastern Europe. Each of the constituent parts had more than once taken the initiative. Bohemia led the way under Przemysl Ottokar II in the years 1250–76, to be followed by Hungary under Matthias Corvinus (1485) after the Luxemburg agreements for settling those claims of inheritance which were to form the legal basis of Hapsburg rule. Hapsburg Austria came to the fore under Albrecht I in 1307 and Albrecht II in 1438. The pertinacity of these attempts indicates the existence of certain economic links between these countries throughout the Middle Ages. But the failure of all efforts before 1526 proves the impossibility of solving the problem, in its feudal form, on the basis of comparatively equal, autonomous constituent units.

The Turkish victory at Mohacs (1526) resulted not only in

[1] The nineteenth to twentieth-century Hapsburg monarchy, of which we are speaking, included, in spite of expansion in some directions, only a part of the Austrian-Burgundian-Spanish heritage of the fifteenth to the seventeenth century Hapsburg dynasty. But the formation of the Danubian monarchy would have been quite impossible but for the economic resources of Burgundy and Spain.

[2] Since the first formation of a Bohemian state in the seventh century there had been periodical attempts to unite Bohemia and Austria. We can neglect them here as they evidently lacked any common economic foundation and hardly influenced later developments.

giving the Hapsburgs a juridical claim, but also in removing the military strength of Hungary, which had formerly acted as a counterweight protecting Bohemian independence. The Turkish threat created a common interest in defence against an external danger, and the Hapsburgs, with the resources of Spain, the Indies, and Burgundy behind them, seemed most likely to be able to provide for this need.

Apart from the defensive struggle against the Turks and the part of the Hungarian nobility which supported them, the Hapsburgs, like all European dynasts of their time, fought the battle for princely absolutism against the decentralisation embodied in the mediæval estates. Because of their special position, the Hapsburgs had to take up this struggle on three distinct fronts—in their own hereditary dominions, i.e. in Austria; in newly-acquired Bohemia and Hungary; and within the German Empire. They had to fight in close association with the Roman Catholic Church, while their opponents, in general, supported Protestantism.[1] So the struggle of the Austrian Hapsburgs, supported by the Church and by the Spanish power, was part of the European Counter-reformation. Its culmination, in the first period of the Thirty Years' War,[2] was to determine the result of the Counter-reformation in Central Europe. It meant complete victory for territorial princedom, i.e. a victory for the Counter-reformation and Hapsburg absolutism over the Austrian as well as the Bohemian and Hungarian estates, and the defeat of the Hapsburgs on the German Imperial stage, where they were opposed by territorial princedom and its foreign supporters. The Hapsburg monarchy, thus restricted and consolidated, gained the strength necessary to defeat the Turks and so to perform the task to which it owed its existence. The dynasty, not linked to any nationality, and supported by a new aristocracy of adventurers who had replaced the upper strata of the national societies, and by an army of mercenaries, had now become an anachronism, doomed to fall unless it could find a new function to fulfil.

[1] The matter was even more complicated since there were two different Protestant trends: one plebeian, supported by the peasants and the urban middle classes, and one aristocratic and anti-centralist, as described in the text. The battle of the White Mountain and the corresponding decisions in the struggle for Hapsburg absolutism were essentially fought against the latter trend, the former having been defeated long before.

[2] In 1635 the Hapsburgs, by compromise with their German allies, definitely dropped their claims for Imperial centralisation. So their position during the later phases of the war was very similar to that of the other European powers.

The fifty years of enlightened absolutism during the reigns of Maria Theresa and Joseph II, from 1740 to 1790, formed the culmination of the life of the Danubian monarchy. An advanced economic and social policy furthered the emancipation of the serfs, and encouraged the development of industry and commerce. A real economic unit was created where previously there had been little more than a common bureaucracy. Active educational policies and restrictions on the influence of the Church created the necessary conditions for a cultural revival among the nations of the Monarchy, after the Counter-reformation had destroyed most of the achievements of the preceding national cultural developments, and almost all the independent life of the constituent nationalities.[1] Bureaucratic centralisation, and active State interference in economic and cultural matters, entailed destroying the last vestiges of the autonomy of the provincial Estates and reducing the power of the local nobility. Enlightened absolutism was undoubtedly cosmopolitan, but it is difficult for the modern mind to understand what harm was done to the Magyar national culture when German replaced Latin as the administrative language. The legislation of Enlightened Absolutism which interfered with the right of the national nobles to exploit their serfs freely constituted a major grievance, especially of the Hungarian nobility.[2] It was normally the more progressive trends in eighteenth-century absolutist policies which inspired the local nobility to support the national revival, as a traditionalist answer to advanced " German " policies,[3] which were German in language, but cosmopolitan in spirit. The centralist traditions of the German-speaking bureaucracy were later to form the main obstacle in the way of the " young " nationalities seeking a new life, but the national traditions of these nationalities have done some injustice to the period, in which they saw only the German language of the central administration, and not the establishment of elementary schools in which all teaching was in the national tongue.[4] Between the time when the scythe of the Counter-reformation had destroyed the independent life of the Danubian nations, and that when new seeds were to grow in the old soil, and to contend with each other for living room, there was necessarily an intermediate period when the plough was driven across the stubble and the field was fertilised.

[1] For a description of the consequences of the White Mountain catastrophe by a democratically minded German, see Bauer, *op. cit.*, pp. 204 ff. The subject forms a central issue in all Czech historical literature.

[2] Bauer, *op. cit.*, pp. 406 ff. [3] Redlich, *op. cit.*, p. 38. [4] *ibid.*, pp. 135–6.

But enlightened absolutism did not get time to fulfil its preparatory mission. When it was faced by the resistance of the local nobility, as well as by the dangers of the French Revolution, the enlightenment was dropped, and the absolutism remained. Before the eighteenth century was over, enlightened rule from above was replaced by the gallows, which was used for hanging intellectuals influenced by Western ideas and called "Jacobins". Physiocratic support of economic progress was replaced by the deliberate repression of any development which might result in industrialisation, urbanisation and the spread of "undesirable ideas". The establishment of new factories in the towns and the importation of machinery were prohibited until 1811, and a deliberate attempt was made, though with little success, to prevent a further increase in the population of the capital. Even the customs union of the Hapsburg territories, an outstanding achievement of the preceding period, was abolished: in 1793 that between Austria and Hungary came to an end, and in 1798 even that between the Austrian Provinces. The last of these internal customs-barriers was abolished as late as 1826.[1] Dubious and short-lived as all these achievements of reaction were, they had one very far-reaching consequence.

As a result of the deliberate restriction of their economic development, the Hapsburg Provinces lost the economic leadership which they had enjoyed during the eighteenth century, and which had made possible Austria's relatively strong and powerful stand against the Napoleonic danger. They became backward in comparison with the neighbouring German territories.[2] In 1843 the Austrian industrialists urged the rejection of an invitation to join the German Customs Union, and even of the offer of a mere commercial treaty. The fear of German competition, and the cultural provincialism which the reactionary government had fostered, proved a powerful argument with the Austrian Germans in favour of remaining within the only framework in which they could play a leading part. With the non-German members of the Hapsburg State, whose numbers had been increased by the absorption of parts of the Turkish and Polish empires, fear of Prussian or Russian aggression was to replace, in a certain degree, that of the Turk, who had ceased to be a danger. On the other hand the awakening of the self-consciousness of the lower social strata of the non-German nationalities, which was an inevitable though delayed consequence of industrial and economic progress,

[1] Gratz-Schüller (German), *op. cit.*, pp. 18–19. [2] See above, Part II, p. 50.

brought national antagonism to the fore : " all social conflicts in Austria are bound to appear national, as the ruling classes have so long been Germanised ".[1]

The ruling groups, Court and bureaucracy, were hardly more than a machinery for police oppression, with the privileges of the nobility based on the fact that it was the only social class on which the Court could rely.[2] The multi-national empire tried to justify its existence as a bulwark of legitimacy and of the Holy Alliance, or as a Catholic institution essential for opposing the rationalist West and the Protestant North.[3] Defence against Tsarist Russia, the only function as to the need of which all the nationalities had been ready to agree, was hardly, and only unwillingly accorded by Imperial Austria. Francis Joseph was even to appeal to the Tsar for military support against the Hungarian rebels as well as for diplomatic support in the European arena.

There was no tendency amongst the nationalities represented in the Austrian Parliament of 1848 to organise a Conservative Party,[4] as there was in Prussia. Among German and Czech Liberals, i.e. among virtually all the representative of both nationalities there was complete unity at least on two negative issues : they were equally opposed to the bureaucratic-centralist State and to the feudalism still surviving in agriculture.[5] The latter, indeed, was bound to collapse, as it could find no more supporters. The fate of the former, and with it the political future of all the nationalities concerned, depended on whether they could preserve a united front for their common aims during the revolutionary struggle. The *rapporteur* of the Committee for preparing the constitution, Mayer, a German, expressed the common aspirations when he said that hitherto the German had been master merely in the sense that a German-speaking government had enslaved the subject population, whether Slav or German, and that both peoples must strive together to get rid of their common oppressors.[6] But it was no longer a question of nice phrases : the real problem was whether or not the democratic nationalist forces would be able to keep together peoples who had hitherto been united only by an external power.[7]

[1] Bauer, *op. cit.*, p. 230.
[2] Redlich, *op. cit.*, pp. 65 ff.
[3] Springer, *op. cit.* (1906), pp. 23 ff. ; see also Palacky, *op. cit.*, p. 6.
[4] Redlich, *op. cit.*, p. 235.
[5] *ibid.*, pp. 168–9. For the struggle against bureaucratic centralism as a fundamental driving force of the movement, see also p. 81. For a Nazi acknowledgement of the virtual parallelism and unity of Czech and German progressivism until 1848, see Krebs, *op. cit.*, pp. 16–18. See also Redlich, *op. cit.*, p. 137.
[6] *Proceedings*, p. 42.
[7] Redlich, *op. cit.*, pp. 98–9.

(*b*) The "Historic Nations" of the Hapsburg Monarchy in the Crisis of 1848–9

Otto Bauer, in 1907, described "the awakening of the unhistoric nationalities" as the fundamental fact of the last period of the Hapsburg monarchy. Hardly anyone would now dispute such a statement. An "unhistoric nationality" is not a nationality without an eventful past.[1] On the contrary, most of the Austrian nationalities destined to be "reborn" in the nineteenth century preserved the tradition of their long-past but unforgotten glories. Even less does it imply that such nationalities had no historic future. The process of awakening was itself the creation of the conditions necessary for their shaping such a future of their own. An "unhistoric nationality", in Bauer's sense, is one that in consequence of the formation of a supernational Empire (such as the Hapsburg monarchy and the Polish, Hungarian and Turkish empires which preceded it in various parts of its territories) was deprived of those leading social strata of its own which might have been able to shape a national history in the late Middle Ages and following period. So the process of national awakening meant for each nationality the rebuilding of its leading social strata and a cultural tradition of its own. In the nineteenth century this meant not the creation of a national nobility, as in the Middle Ages, but of a national middle class and intelligentsia.

In this form, Bauer's statement describes one of the fundamental facts of modern history, without understanding which it is impossible to understand our own times. But the immediate results of the Austrian crisis of 1848–9 and of most subsequent Austro-Hungarian crises up to 1914 were decided by the position taken up by a few undeniably "historic" nationalities, those which, within the framework of the Hapsburg monarchy, had preserved their own leading social strata and had enjoyed some share in official political life, though this was naturally restricted by the absolutist structure of the State. These nationalities were the Germans, the Austrian Poles, the Italians, the Magyars, and in a lesser degree the Croats. An account of the mutual relations of these nationalities might suffice as a superficial description of the events of 1848 in Austria-Hungary. Apart from the Italians, the Austro-Germans alone had formed a national bourgeoisie,

[1] Bauer, *op. cit.*, p. 191.

while the leading strata of the other "historic nationalities" were aristocratic. So their predominance on the historical scene corresponded to a level of social development dominated by the bourgeoisie and aristocracy, with the masses of the peasants and workers still in the background.

The Austro-Germans, as the only nationality that had escaped national oppression, were the only one in the Empire that entered on the 1848 Revolution with a clearly defined political and social programme. In Vienna especially, where knowledge of the non-German peoples of the monarchy was lacking, the Austro-German revolutionaries failed to develop any distinct attitude towards the national issues.[1] Later, as a result of German events, a strong pan-German attitude and sympathy for the Frankfurt Assembly arose, although there was little sympathy among the Austro-Germans with the tendencies of the Frankfurt majority towards Prussian hegemony in a regenerated Germany. The Austrian Left, which was the most influential party among the Austro-Germans, aimed at a republican solution and the abolition of all dynasties, or at least at such a degree of constitutionalism that the Princes, including the Austrian Emperor, would be reduced to some kind of dignified nobility. Conservative Austro-Germans hoped that the Austrian Emperor might become German Emperor, as he had been before 1806.[2]

Very soon, as a reaction against the national aspirations of the Czechs, the original indifference towards national issues and the collaboration between German and Czech liberals in Bohemia gave way to a grossly chauvinist attitude, especially among the Sudeten-Germans.[3] This attitude subsequently grew into indifference to the main social issues of the Austrian revolution. It was a Sudeten-German representative, Reitter, who in the Frankfurt Assembly,[4] condemned the Austrian democratic suffrage for bringing about the election mainly of Slav, peasant M.P.s "instead of educated people". The peasants, he declared, were "interested only in the abolition of feudal burdens and not in political matters". He seems not to have noticed that the abolition of feudal burdens was the main issue of the 1848 revolution.

The other "historic nationalities" were under distinctly

[1] Redlich, *op. cit.*, p. 104. [2] Helffert, *op. cit.*, Vol. I, pp. 411–13.
[3] Redlich, *op. cit.*, notes 30, 42, and 45, and also pp. 157–8. The term "Sudeten-Germans" was, of course, not then in use; it is here used only for the reader's convenience.
[4] Frankfurt, *Verhandlungen*, p. 2782.

aristocratic leadership.[1] Following the fashion of the time, they presented the demands of the nobility for autonomy, and ultimately for independence, in the terms of current liberal nationalism. In fact, they were highly successful in influencing the opinion of foreigners, of men like Marx and Engels as well as English Liberals. The Marxists were misled by their expectation of immediate European Revolution, and counted as " revolutionary " realities those national movements which had political and military importance because of their aristocratic character, long before the smaller Slavonic peoples had succeeded in developing a modern political life.[2]

The Greater Magyar " national " state was, in fact, only a transformation of the traditional oligarchic rule which had been oppressive to the non-Magyar nationalities as well as to the peasant majority of the Magyar nation itself.[3] The old oppression was now justified as " modern " nationalism by two rather formal changes: Latin, hitherto the official administrative language, which the nobles had successfully defended against the centralising reforms of Joseph II, was replaced by Magyar; and the term " parliamentary self-government " was now applied to the quasi-parliamentary structure of estates in which the Magyars were pleased to see features similar to those of the system underlying the English Magna Carta. The whole " progressive " constitutional movement in Hungary, in and after 1848, was dominated by the ghost of the " Avar Constitution " which had lasted, with certain changes in the meaning of its formulas, for a thousand years. The Magyar claim in 1848 for mere " personal union " with the other Hapsburg possessions meant something very different from what it had done under the semi-absolutist régime of 1526 or 1740. Then it had implied autonomy within the very restricted sphere left to the mediæval estates by the

[1] This is true in essence even as regards the Austrian Italians, whose middle classes were much more developed in the intellectual than in the social sphere, which was still dominated by the local nobility.

[2] See Bauer, *op. cit.*, p. 272. For Engels's 1848–9 position see *Germany, Revolution and Counter-revolution*, Engl. ed., London, 1933, pp. 57 ff. Bauer's interpretation of this attitude, which I have accepted in the text, is corroborated by the fact that Engels in various letters of his last years took a distinctly pro-Slav attitude in discussing Austrian problems. In his posthumous *Gewalt und Ökonomie bei der Gründung des Deutschen Reiches*, Engels argued that to break up Austria before the victory of revolution in Russia would be disastrous from the democratic point of view, and that after that victory it would become superfluous; for Austria, having lost her *raison d'être*, would automatically disintegrate. This position of Engels was not far from that which Palacky had taken up in 1848 and 1869. See below, p. 169, and Bauer, *op. cit.*, p. 445.

[3] Cf. Renner, *op. cit.* (1906), p. 21, and Helffert, *op. cit.*, Vol. I, pp. 28 ff.

monarchical government. In 1848 it meant virtual independence for the Magyar oligarchy, though not necessarily for the whole Magyar people, and the very opposite of independence for the non-Magyar nations.[1] The replacement, in 1840, of Latin by Magyar as the official language implied an attempt to oppress and Magyarise even the Croats, who were an " historic nationality " and had enjoyed traditional oligarchic autonomy. The first independent acts of Magyar constitutionalism in 1848 were a decisive factor in bringing the mass of the Croats under the leadership of their aristocracy, and of the Hapsburgs. Wherever an " historic " nationality, though itself oppressed within the Hapsburg monarchy, met with opposition from a " non-historic " people, the result was even more disastrous : the Poles, for example, denied the very existence of the Galician Ukrainians,[2] and the Italians were equally unjust towards the Slav majority of the Dalmatian population. The fact that a nationalist movement was hailed in the West as " democratic "—as, for example, were those of the Poles, Italians, and Magyars—by no means prevented such movements from being extremely anti-democratic and oppressive wherever their own " historic " claims to oppress other peoples were concerned.

(*c*) The Czech Position on the Eve of the Crisis

The history of the Czech national revival has always been accepted, for good reasons, as the most typical illustration of the process by which so many of the peoples of Eastern Europe were reborn after centuries of oppression.

It is a sober history, and a much less exciting one than that of the struggles which the Polish, Magyar or Italian gentry waged against the foreign oppressors who had robbed them of the countries which they believed they had a legitimate right to rule. In the imagination of posterity the splendours of the past veiled all those shortcomings which had been obvious to contemporaries of the independent states. The story of the awakening of the Czechs, as of so many other small East European nationalities, is not a story of heroic fighters and conspirators who died on the battlefield or the gallows. It is rather one of the endless, and

[1] For the constitutional issues, see Redlich, *op. cit.*, pp. 116 ff.

[2] See Helffert, *op. cit.*, Vol. I, pp. 24 ff., and Vol. II, pp. 266–7, for the interesting fact that at the Prague Slav Congress the Polish (left wing) delegates agreed with the Ukrainian on the basis of equal rights for both Galician peoples. See also *Proceedings* of the Constitutional Committee, pp. 24 ff., and Popovič, *op. cit.*, pp. 131–2.

at first apparently fruitless, efforts of young intellectuals who sacrificed promising careers in the service of the rulers for the sake of their people. It is the story of a long day-by-day struggle to win the necessary material support for the newly-established national culture. This story of a people content with very modest aims until they could aim at larger ends is full of compromises with parts of the oppressing system : when a secondary school using the national tongue was considered a major success, and a national university a decisive victory, other tactics could be applied than when nothing short of political independence was accepted as worthy of the people's efforts. These tactics were not always very dignified, especially from the democratic point of view. But, on the other hand, the story of these nationalities lacks the stains common in the heroic enterprises of revolutionary aristocrat-nationalists which, in Russian Poland as well as in Hungary, always faced defeat when the oppressor dared to appeal to the real interests of the peasant majority of the nation in whose name the gentry had risen. Certainly, the story of the awakening of an " unhistoric people "—that is, of a people so completely suppressed that it had to begin by re-creating the very foundations of national life—is not likely to be so popular as that of a " land of heroes ". Such a nation is less useful as a pawn in the diplomatic game of the major powers, and is much more likely to be sacrificed as " a country most of us have never heard of ".

This far from complicated picture is obscured by the propagandist attempts of the " new " people itself. As the young nation, dominated at first by men of the lower middle class with that class's narrow psychological outlook, grows up in a world of stark reality and appeals to powerful sympathies within the ruling strata, it usually tends to hide under some heroic myth [1] the simple fact that a people of peasants and labourers is struggling for its share in modern civilisation. So a traditional outlook is created quite artificially, even where, except in folklore, no connection with the nation's past has survived. The present is explained in terms of the past. Such an approach is not likely to favour clarity and lucidity in explaining or elaborating the real issues at stake.

[1] Such " myths " need not necessarily be historically false, although nationalism of the kind described is likely to encourage falsifications and to attack men who, like Masaryk, desire to link up the struggle for the emancipation of their people with the defence of historical truth : it is a myth constructed to give so-called " explanations " which are really intended to influence the future rather than to explain past history.

The Czechs, who in 1848 were politically the most advanced of the Slavonic peoples in the Austrian Empire, kept nationalism, traditionalism and racialism, the diseases which beset " unhistoric nationalities " in their infancy, within reasonable limits. Traditionalism was restricted to certain compromises with the nobility towards which Palacky, unlike Havliček and Brünner, was especially inclined.[1] He seldom went beyond what was compatible with the general anti-feudal tasks of the revolutionary movement, and all his aristocratic connections did not prevent him from putting forward plainly anti-traditionalist proposals for a federal reorganisation of the Monarchy. Czech nationalism was rendered immune against racialism in its most dangerous, pan-Slav form by its distinctly progressive outlook. The experiences of 1812 had inspired pan-Slav feelings among the Czechs,[2] but the same experiences had created liberal tendencies in the Russian army and amongst the younger nobility, culminating in the abortive Decembrists' revolt of 1825 ; the subsequent strengthening of Tsarist absolutism was one of the main factors which repelled the younger generation of the Czech intelligentsia from romanticism and pan-Slavism, and reserved for the Russian Left those feelings of Slav solidarity which they cherished. Havliček spoke in 1848 of " knout-Russia ", and long before then he had taken a strictly anti-Tsarist line, declaring : " If Russia were a free and constitutional country we Western Slavs might be able to long for union with it. But Russia is a despotism ; and unfortunately we other Slavs must shun our own brother as our greatest foe ".[3] Towards the close of his life, when disillusioned over Austria and convinced that the Czechs, as they had preceded Austria, would also survive her, Palacky wrote : " If we should once have to cease to be Czechs, it would be quite indifferent to us whether we became Germans, Italians, Magyars or Russians ".[4] For Palacky, and later for Masaryk, as for progressive Russian thinkers from Radichev to Lenin, no racial unit was to be interposed between the nation and humanity as a whole. When Palacky spoke of " Slavdom " he, no less than Havliček, simply meant Democracy as opposed to the " historic " rule of the leading

[1] For a criticism of this attitude see Denis, *op. cit.*, p. 198, and also p. 327 (vote of most Czech members of the National Assembly in favour of paying compensation for the abolition of former feudal rights), and Masaryk, *op. cit.* (1898), especially pp. 50–1 and 58 ff. See also Palacky, *op. cit.* (1872), pp. 19 ff. and 25, and also p. 41. On Brunner and the abolition of feudal burdens see below, p. 163.

[2] Charmatz, *op. cit.*, pp. 54–5.

[3] Quoted in *On the Cross-Roads of Europe*, Prague, 1938, p. 263.

[4] Masaryk, *op. cit.* (1898). See also Palacky, *op. cit.* (1872), pp. 28 ff.

nations of the Monarchy.[1] He might explain such a confusion of ideas by that current among his antagonists, the Pan-Germans who, then as now, described the Slavs on the basis of a peculiar etymology as born to be slaves. So, for friend and foe, the case for democracy, for the emancipation of the former serfs, was ethnographically a case for the emancipation of the Slavs. Palacky's generation and the modern Czech democrats differed from the romantic tendency of Kollař that preceded, and the "Young Czech" movement that followed, the generation of 1848. Havliček in 1848 reproached the Poles for their romantic dream of reconstructing their historic kingdom from the Baltic to the Black Sea. In the dominant part played by the leisured nobility within the Polish, as distinct from the Czech, national movement, Havliček found the explanation of their romantic attitude as distinct from the more practical one preferred by the Czech leaders, men who are used to struggle for life in its other aspects.[2]

The Czechs therefore did not approach their problems in 1848 with a pan-Slav tendency. Rieger, speaking in the Constitutional Committee of the Kremsier Assembly in favour of the Ukrainians and against the Polish nobility, who—like the Tsar himself and for exactly the same reasons—denied the very existence of a Ukrainian nation, touched the crucial point when arguing that the time had gone by when the educated classes, as opposed to the masses of the people, could determine the national outlook of a territory. Rieger declared that Poles as well as Ukrainians had his sympathy as Slav brethren. He hoped that freedom of the press and of cultural development would serve to expose Tsarism, the backbone of European reaction, to the revolutionary tide, by winning the millions of Ukrainians in Russia for the cause of progress.[3] So he attempted to appeal to an interest common to all the nationalities of the Austrian monarchy, or at least to the progressive trends within each of them. However utopian were he and his contemporaries as regards a possible transformation of the Hapsburg monarchy, it can hardly be denied that he saw the consequences which the awakening of the "unhistoric nationalities" was ultimately bound to bring about, in Russia as well as in Austria.[4]

[1] Palacky, *op. cit.* (1872), pp. 31 ff.; Denis, *op. cit.*, p. 198, and also Wizkeman, *op. cit.*, pp. 16–17.

[2] *On the Cross-Roads of Europe*, p. 265. [3] *Proceedings*, pp. 30–1.

[4] For the great development of the press of all the nationalities during 1848–9, see Helffert, *op. cit.* (1870), pp. 269 ff.

(*d*) Political Attitude of the Slavs during the Spring Crisis of 1848

Within all the more developed Slav nationalities there was a distinct political differentiation before and during the 1848 Revolution. Among the Poles, the higher nobility supported the Imperial government during the whole crisis, while the lower gentry sided with the German opposition in the debates of the Constituent Assembly at Vienna. Among the Croat intelligentsia, peasants, and lesser clergy there was the rather democratic trend of Yugoslav [1] nationalism, or "Illyrism" as it was then called, in memory of a short-lived episode in the Napoleonic period. This was opposed to the traditional "Croat State rights" advocated, with a pro-Hapsburg tendency, by the nobles, gentry and bureaucracy.[2] While the former tendency still prevailed in the first Diet, the foolishness of Magyar [1] centralising policies later gave the lead to the second tendency and made Ban Jellačic the main tool of Hapsburg reaction, especially against the Hungarian revolution.

Among the Czechs the two parallel tendencies were developed from the very beginning.[3] The feudal nobility was mainly interested in securing increased autonomy for the Provincial estates which it dominated, even when it was ready to accept a certain degree of middle class and even peasant participation.[4] Its political programme was therefore to obtain the maximum autonomy for the Bohemia of history and for all the historic provinces of the Bohemian Crown. The liberal group which led the intellectual revival, immediately after hearing of the February revolution in Paris, moved the resolution carried at the Wenzelsbath Meeting on March 11, 1848, two days before the revolution in Vienna. This, and all subsequent steps until May, kept within the bounds of a peaceful demand for reform. Only in connection with the successive victories of the Viennese revolution did the Committee elected by the Wenzelsbath meeting gain a

[1] I use the term "Yugoslav", i.e. "Southern Slav", in the mother tongue of all the peoples concerned, simply in order to denote movements emphasising their desire for unity, quite apart from the special meaning the term has received in recent years as a description of a distinct method of achieving that unity. Similarly, Magyar means here always the ruling nationality of the Hungarian state, as described in their mother tongue, as distinct from this state itself, which (except from the Trianon Treaty to the Munich settlement) was always multi-national, although the ruling nationality did not recognise this fact, and used the same name for state and nation.

[2] See Redlich, *op. cit.*, pp. 209 and 213.

[3] Denis, *op. cit.*, pp. 239–40.

[4] See Helffert, *op. cit.*, Vol. I, p. 424.

position very close to that of a Provincial provisional government. The meeting made the usual liberal demands for freedom of the press, freedom of religion, the arming of the people, and political autonomy for the territories of the Bohemian Crown with full equality of rights for both nationalities.[1] Characteristic of the isolation of the Czech, as well as the contemporary German,[2] intelligentsia from the immediate needs of the mass of the nation was the fact that Brunner had to add the demand for the abolition of feudal burdens to the prepared draft of the Wenzelsbath resolution.[3] When such was the indifference of the intelligentsia towards their essential claims, we need hardly wonder that the Czech peasants, interested only in abolishing feudalism, did not interfere with the suppression of the Prague insurrection of June by the Imperial army.[4]

In the petitions of March 23 and 29, the Czechs demanded equality of rights for Czechs and Germans, a Bohemian Provincial Diet elected on as wide a suffrage as possible, a responsible Provincial government and a common autonomous and responsible government for the three historic Provinces of the Bohemian Crown, Bohemia, Moravia, and the Austrian part of Silesia. These were demands for "Bohemian state-rights" in analogy with the Hungarian. On April 8, the Imperial government granted the first three demands, deferring its decision on the last, and from the point of view of the future structure of the monarchy most decisive, to the all-Austrian National Assembly which the Government had been forced to concede by the pressure of the Viennese insurrection.

Very soon developments in Vienna contributed further to the intermingling of the two tendencies which had interfered with each other from the very beginnings of the Prague movement. While the Prague democrats expressed their sympathies with the Vienna insurrection of May 15,[5] the Czech aristocracy took the opposite course. The Wenzelsbath Committee, as the virtually revolutionary National Committee (*Narodny Vybor*) constituted on April 11, was recognised on May 29 by the Court and the aristocracy as the Provincial provisional government. The intention was evidently to make it a counterweight to the Central provisional government set up by the Viennese revolution.

[1] The formula applied, "Czech and German one body" (see Helffert, *op. cit.*, Vol. I, pp. 236–7), expresses the real opportunity for a democratic coördination of the Danubian nations.

[2] See above, p. 156.

[3] See note 3 on p. 162.

[4] Redlich, *op. cit.*, p. 119.

[5] Helffert, *op. cit.*, Vol. II, pp. 272–3.

Rieger negotiated with the Court the draft of an agreement to satisfy the Bohemian demand for traditional state rights within the framework of an all-Austrian federal constitution to be agreed upon between the various units, of which the Bohemian countries would be one.[1] But just when the traditionalist results of a revolutionary movement had been almost secured, all chances of agreement with the Court were destroyed by the real revolutionary struggles to which an originally somewhat traditionalist movement gave rise.

The original parallelism between Czech and German liberalism in Bohemia had been broken by the summoning of the Frankfurt National Assembly, which claimed to represent all the territories of the former German League, including Bohemia-Moravia.[2] When the Frankfurt Preparatory Committee invited the Czechs to elect their delegates,[3] Palacky answered [4] that Austria was necessary for the protection of the independence of the small Slav nationalities of the Danube basin, not necessarily against Germany,[5] but apart from her, and against Tsarist Russia. Hitherto Austria had failed to grant equal rights to all nationalities and thus to fulfil her main *raison d'être*. But the opportunity was now at hand to make up for lost time. The Czechs therefore, instead of taking part in the building up of a German federation, would employ all their forces to make the Austrian Empire a separate federation, allied to,[5] but independent of, Germany.

In consequence of this Czech attitude the Sudeten Germans made the elections to Frankfurt a main issue. It was essential that Bohemia should remain within a German-dominated Empire if they were to preserve their privileged economic and social position in spite of being a local minority. So they elected delegates to the Frankfurt Assembly in defiance of the Czech boycott. The Czechs declared they would not regard the assembly as a constituent political body in so far as the Bohemian countries were concerned, but simply as a meeting of Germans from Bohemia with other Germans from beyond the border and

[1] Texts published *ibid.*, pp. 355 ff. Whether an agreement had already been reached between Rieger and the Court, or the documents represent the results of preliminary negotiations only, is an open question.

[2] See Helffert, Vol. II, pp. 61–2.

[3] It ought to be mentioned that, in 1848, the Pan-Germans combined their invitation to the Czechs with a promise of full equality of rights.

[4] April 11, 1848. The full text has been reprinted as an appendix to Palacky, *op. cit.* (pp. 79 ff.).

[5] Palacky suggested a broader League between both federations, with arrangements for common defence, and even a customs union.

as a manifestation of the ideological sympathies which any nation might show for kindred peoples. To stress this point of view and to manifest their own sympathies as an answer to Frankfurt, the Czechs called the Prague All-Slav Congress, which was to include Austrian as well as Russian and Balkan Slav delegates. The Russian and Polish delegates (of course all left-wingers) under Bakunin's leadership adopted an extremist attitude, and Palacky was sharply criticised for his compromises with the Hapsburgs even by the Slovak representatives,[1] who had some reason to sympathise with every adversary of their Magyar oppressors. The participation of the foreign Slav delegates, who had got into touch with the Prague workers,[2] strengthened the left wing of the Czech movement which demanded the evacuation of the town by the Imperial Army. The latter, under the command of Windischgrätz, was evidently seeking to provoke a bloody trial of strength. The provocation succeeded and, after some days of street fighting, the Prague insurrection, which had taken a clearly social and political, and in no wise a nationalist course,[3] was defeated. As a result Windischgrätz also dissolved the very moderate organs of the Czech national movement which had taken hardly any part in the struggle.

(*e*) General Approach of the Nationalities of the Empire to the Problem of Federalism

Redlich[4] has correctly described the problems which faced the Austrian Constituent Assembly of 1848 as "the transference of the principles of Liberty and Equality, as formulated by the French Revolution, from the social life of individuals to that of nationalities". This description is correct in a twofold sense: as we have seen above,[5] the fundamental tenets of Liberalism were accepted, in theory, in nearly all the national camps. But it is also true as regards the limitations of their approach: as we shall see,[6] the application of the principles of Liberty and Equality to the social life of nationalities failed to solve the problem of the material foundations of those principles, just as the French

[1] Denis, *op. cit.*, pp. 290–1.
[2] *ibid.*, pp. 286–7. See also Masaryk, *op. cit.* (1898), p. 38.
[3] Apart, of course, from the fact that any working-class movement in Prague at that time was bound to be predominantly Czech, as the Germans represented chiefly the upper strata of society. But the insurgents even hoped for help from revolutionary Vienna. See Denis, *op. cit.*, pp. 311–13.
[4] *op. cit.*, p. 236. See also Palacky, *op. cit.*, p. 16.
[5] See above, p. 154.
[6] See below, p. 216.

Revolution had failed to solve that of their application to the social life of individuals. But within these limits, the problem was faced by all the nationalities, with the possible exception of the Magyars, who were neither ready to grant the non-Magyar nationalities of Hungary equality of rights, nor themselves to accept anything short of the complete dissolution of Hungary's political connection with the other parts of the Danubian monarchy.

The Austro-Germans found their first opportunity to make up their mind on the problem in the discussions of the Frankfurt National Assembly. Articles 2 and 3 of the draft German Constitution were concerned with the question whether the German parts of Austria could enter the new federal Germany without political separation from most of the non-German parts [1] of the monarchy. The articles were discussed in Frankfurt at the end of October, at the time of the decisive struggle between revolutionary Vienna and the Austrian Constituent Assembly on the one hand, and the Hapsburg army with its supporters on the other. The pro-Prussian, Graevell, opposed [2] Austria's inclusion in Germany with the argument that none of the contending Austrian parties desired the dissolution of the State. The only thing over which they contended was how to organise it. Austria would therefore remain an undivided political body and, in view of the preponderance of Slavs in her population, could not take upon herself the duties of a member state of the German federation, but could only join Germany in a wider League. As we have seen above,[3] this was the solution Palacky had proposed, in April, in his answer to the Frankfurt Preparatory Committee. Graevell met with wild protests from his pan-German audience, but only the chauvinist Sudeten-German, Reitter, argued [4] that the Austrian Germans could expect nothing from Slav democracy and should therefore secede from the former union and enter the German federation led by Prussia. Speaking for the Austrian Left, but with the support of nearly all the left-wing members of the Frankfurt Assembly, Wiesner opposed the plan to exclude Austria from the German federation with the argument that the old Austria was dead, but a new Austria, based upon a free

[1] We must not forget that Bohemia and Moravia were still counted as "German" countries, so that separation from the other Slav portions of the Monarchy might warrant the permanent oppression of the Czech majority in these countries.

[2] Frankfurt *Verhandlungen*, p. 2760. [3] P. 164, and note 5.

[4] Frankfurt *Verhandlungen*, p. 2783. For another argument proposing, as did Reitter, to reduce the Austrian State to a merely personal union, and to admit German Austria to the German federation, see also Giskra, *ibid.*, pp. 2791 ff.

federation of her nationalities, was in process of formation.[1] He evidently believed that a broad supra-national federation was feasible once the dynasties had been abolished,[2] and did not accept the alternative which the Great-Prussian majority of the Assembly put before the German-Austrians, of parting either from their fellow-Germans or from their fellow-Austrians. The German-Austrian right-wingers declined at least the second alternative with even more vigour, although for different reasons. Evidently a majority of the German-Austrians wanted to preserve the Austrian Empire in a reorganised form.

During the spring of 1848, the " Central Commission of the Estates " [3] had formulated the programme of the German upper classes, the nobility, bureaucracy and bourgeoisie. In its essentials, this was to remain the programme of the Austro-German reactionaries until the downfall of the monarchy. The " historic " non-German nationalities, Magyars, Poles, and Italians, with the territories they claimed " by historic right ", i.e. with the majority of the Slavs and all the Rumanians as subject races, were to be allowed to separate from Austria, either completely or by restricting the dynastic connection to a mere personal union. In this way German ascendancy in the remaining Austrian territories, including those of the Czechs and the Slovenes, was to be secured. From the German point of view such a programme had the advantage of rallying all the Austro-Germans, although they were divided on the essential political and social issues : the right-wingers might support Hungarian separatism for the reason just mentioned, while the left-wingers sympathised with the Hungarians as the most resolute of the anti-Hapsburg revolutionaries.[4] They might disregard the claims of the " non-historic " nationalities, showing a pseudo-revolutionary contempt for those which, merely because they were more democratic in structure, could not boast of a long gentry-dominated " struggle for freedom ". In the event, such an attitude proved fatal to the Hungarian as well as to the German-Austrian revolution : the former was defeated just because of its avowed tendency to oppress the non-Magyar nationalities and so to drive them into

[1] *ibid.*, p. 2785.

[2] Palacky (*op. cit.*, p. 85) took the exactly opposite view. He, too, considered (in 1848) a republican solution the only way to *German* national unity. But he feared that the abolition of monarchy in *Austria* would lead to her dispersal into many " republics in miniature ", as " a preparatory stage to Russian universal monarchy ", which he detested, and continued to detest to the last, " not for being Russian, but for being universal monarchy " (*op. cit.*, 1872, p. 28).

[3] Redlich, *op. cit.*, pp. 123 ff.

[4] *ibid.*, note p. 49.

the Hapsburg camp,[1] while the split over the Hungarian question divided the Austrian progressive forces in the critical autumn of 1848. The Slav majority in the Vienna Constituent Assembly was anti-Magyar, in view of the oppression of the non-Magyar nationalities in Hungary, while the Vienna revolutionaries, the essential striking force behind the constitutional movement, had the deepest sympathy for the Hungarian revolution.[2] It was an act of solidarity with that revolution which led to the decisive outbreak in Vienna.

The question may arise how under such conditions a high degree of inter-national democratic coöperation and agreement became possible in the later deliberations of the Constituent Assembly at Kremsier. A main reason for the relative success of these discussions was undoubtedly the fact that the Government kept aloof from the parliamentary negotiations, preparing from outside the purely military weapons with which to destroy the hated work of democracy.[3] On the other hand, the first successes of armed counter-revolution drove the Austrian Liberals of the various nationalities together. It is highly doubtful whether the Czech nationalists would have gone to Kremsier with a clear programme of inter-liberal coöperation, instead of a stubborn determination to defend "historic Bohemian state rights", if the consequences of the Prague defeat in June had not deprived them of the organs of Bohemian autonomy, and of the temptation to continue separate dealings with the Court in the way above [4] described. On the other hand, without the Viennese defeat in October and the simultaneous events in Germany which abolished the alternative of democratic German federation, the Austro-Germans would hardly have understood the necessity of coming to terms with the Austrian Slavs.

The German left-wingers under the leadership of Pretis and Schuselka [5] were ready to agree with Palacky at Kremsier on the basis of dividing Austria into five federated national territories

[1] Kossuth later, in exile, recognised this mistake to a certain, but quite insufficient, degree. Shortly after the defeat, and as a direct answer to Palacky's projects of federalism, plans for Provincial autonomy for the non-Magyar nationalities of the future Great Hungary (which it was intended to federate with Turkey) were discussed. Kossuth opposed these projects, for he feared that federalism would result in centrifugal tendencies amongst the non-Magyar nationalities. In any case Kossuth's later self-criticism proved unable to influence future Hungarian policies, even those of his personal followers. See *Nationalism*, p. 97, Jaszi, *op. cit.* (1918), pp. 41 ff., Denes A. Jamassy, *Great Britain and Kossuth* (Budapest, 1937), p. 55.

[2] Redlich, *op. cit.*, pp. 123 ff. [3] *ibid.*, p. 321. [4] P. 164.

[5] Most of the more renowned leaders had been shot in Vienna or were "on the run".

corresponding to the racial units. The liberal bourgeoisie held to the centralist traditions of Joseph II, and were ready to concede hardly anything more than the principle of local autonomy. Thus the Viennese defeat, by shifting the centre of gravity in German-Austrian politics from the Left to the moderate Liberals, somewhat impaired the chances of an understanding. But there was still a high degree of agreement between German and Czech progressives and men like Palacky and Hein, in favour of defending against the growing Counter-revolution the essentials of the proposed constitution, such as popular sovereignty, abolition of the nobility and restriction of the political influence of the Church.[1] Those who thought in this way were ready to settle a number of controversies over what to the democrat must seem secondary matters. Once the counter-revolution had triumphed, another attitude was to dominate the German and Czech nationalists : they thought to win from the common ruler the largest degree of favour possible under the given conditions, and to do so at the expense of other competing nationalities.[2] But during the transitional stage, when the Revolution was threatened sufficiently to make inter-national agreement a necessary condition of its survival, and not as yet so thoroughly defeated as to render such an agreement hopeless, the Austrian nationalities were able to transcend their disputes for the only time in their whole history.

(*f*) The Czech Conception of Federalism

To the Germans who had ruled the Austrian half of the monarchy,[3] some concessions to the federal conception, in order to make the survival of a renewed Austria under modern conditions possible, were the alternative to seceding in order to join a stronger national unit. To the Slav peoples, federalism was the only alternative to national oppression, unless they were to aim at that " dissolution of Austria into a number of miniature republics " which, as Palacky had said, was likely to prove a mere transitional stage on the way towards a universal Tsarist

[1] *Proceedings* on the Discussion of the Fundamental Rights, p. xx. Pinkas, a moderate Czech Conservative, had some hesitation, but only from an opportunist point of view, as he thought the Revolution already definitely defeated.

[2] See Palacky, *op. cit.* (1865), pp. 36–7.

[3] The Kremsier discussions were deliberately concentrated on the problems of this section. Direct interference with Hungarian problems was avoided for good reasons of practical policy, as it would have implied an immediate split between the pro-Hungarian and anti-Hungarian wings of Austrian democracy.

monarchy.[1] During the summer and autumn of 1848 a number of projects for reconstructing Austria as a federation of racial units were advocated by Czechs, Southern Slavs and Ukrainians.[2] The higher stage of political and social development reached by the Czechs rendered them the natural spokesmen at Kremsier for the demands of all the Austrian Slavs.[3]

Unlike the Hungarian demand, the Bohemian claim to territorial autonomy for the historic unit, which was the most primitive form of the Czech demand for national autonomy,[4] implied federation with other parts of the Hapsburg monarchy. The declaration of May 30, 1848, recognised the necessity for an internally and externally powerful Austrian federal state as a natural restriction on the autonomy of the Bohemian peoples. For the members of the federation it asked only control of administration and police (including the organisation of the national guard, then accepted in Austria as the material guarantee of constitutional order), education, justice, industry and all regional economic matters. The Federation was recognised as competent to supervise defence, international affairs and external economic relations (including a customs union), railways and other principal communications, and the codification of the Law, including legislation consequent upon the abolition of feudalism.[5] Palacky's first project, rejected by the Constitutional Committee

[1] See note 2 on p. 167.

[2] See Helffert (1870), Vol. II, pp. 257 ff.

[3] Excluding the Poles, the only "historic" Slav people within the monarchy, and therefore the only one that could neither accept the principle of equality of nationalities (as regards the Ukrainians), nor regard Austria as more than a provisional home.

[4] I can see no reason to regard, with Redlich (*op. cit.*, p. 168), the principle of territorial autonomy for the historic unit as a fundamental pillar of 1848 Czech policies, together with the principles of equality of the nationalities and of democracy. The origin of Czech nationalism from semi-romantic historical traditionalism implied a certain stage at which the demand for autonomy was to be linked to the historic unit. So also the defeat of the revolution, and the rôle which the historic Provinces with their semi-feudal Estates had to play in future Czech "Real politik", were bound to result in a return to "Bohemian State rights". Later on, when, after the failure of all attempts at federation, Czech nationalism was forced to prepare for eventual separation, the military and economic impracticability of the racial boundaries created a strong argument in favour of the historic frontiers. But there is no reason to doubt that if in 1848, together with the Austro-German Left, Czech nationalists had succeeded in enforcing federalism in the sense of their then programme, the demand for "historic state rights" would have remained a merely transitional phase of its development. Palacky, the most competent witness, has *expressis verbis* called the historic state rights solution a deplorable one, made necessary by the defeat of the 1848 revolution. See *op. cit.* (1865), pp. 36–7.

[5] Redlich, *op. cit.*, pp. 116–18. Essentially the same position was defended by Palacky in an article written under the régime of the counter-revolution, December 23, 1849 (reprinted *op. cit.*, p. 94). In 1865 (*op. cit.*, p. 59) the more conservative approach of Palacky is expressed by leaving out the problems of Codification of Law, and including "Justice" in general among the provincial powers.

of the National Assembly,[1] was based on four " historic " units (apart from Hungary) : the Alpine German, Bohemian, Polish and " Illyrian " (Southern Slav) territories.[2] To accuse Palacky of a confederalist as opposed to a federalist approach to the constitutional problem is hardly possible. The theory then current in the Southern states of the U.S.A., that State legislation could overrule allegedly unconstitutional federal enactments, was explicitly rejected in Palacky's draft. It is true that, by Article 70 of the draft, all powers not explicitly transferred to the Union were to remain with the States. But the central powers were quite sufficient to render the federation as strong as was necessary under the existing social and economic conditions, and in all probability under those that would develop later.

In the discussions of the Kremsier Constitutional Committee Palacky moved even further towards an organic conception of federation.[3] Federalism, he said, was not a union of supposedly sovereign states, a position to which the Provinces did not aspire, but the democratic devolution to the nationalities of all powers which the State (using this term for the Union) did not imperatively need in the interest of its unity. According to Palacky's theories,[4] a nationality was essentially a linguistic-cultural unit. Even much later [5] the problem of the equality of nationalities was to him merely a question of the equality of all their languages and of the national cultures based upon them. To Palacky, these national cultures were essentially spiritual values, and a necessary counterweight to the external centralisation in economics and politics which he believed to be a necessary consequence of technical progress. So both centralism and nationality, which was almost a synonym for devolution, had each its justification. Federalism is conceived as their political synthesis. It was a merely secondary problem to decide whether the units in such a federation were to be delimited according to ethnographical or to historic administrative principles, provided only that the

[1] Redlich, *op. cit.*, pp. 227 ff.

[2] This position may be regarded as intermediate between the " historic " and the subsequent " national " attitude : there were no historical arguments at all in favour of the " Illyrian " unit, which, like every other unit (even the Alpine countries would have contained the South Tyrol Italians), was to include strong national minorities. Palacky's proposal to include the whole of Carinthia in the Illyrian unit would sound rather like Slav chauvinism, unless his expressed sympathies, for example with the Ukrainians, made it clear that he did not think of sacrificing the minorities.

[3] *Proceedings*, pp. 14 ff.

[4] *op. cit.* (1865), pp. 12 ff., *op. cit.* (1872), pp. 32 ff., and Redlich, p. 167.

[5] *op. cit.* (1865), pp. 28 ff.

devolution granted freedom of development to each nationality, whether constituting a unit by itself or linked with others.[1] Even when he had changed his tactics Palacky did not fail to emphasise that he preferred ethnographical delimitation as more likely to secure free development to each nationality, though he did not see any possibility of achieving such a delimitation without revolution.[2] To the Czech representatives at Kremsier, traditional " states rights " were, at best, a starting-point for securing favourable conditions of federation and for clearly introducing among the constitutional doctrines of the new Austria the fundamental tenet that her unity was based upon the free consent of the peoples concerned. The Czechs declared that in accepting the new Austrian constitution they would waive their historic claim to independence for the territories of the Bohemian crown, and so make the federal Union permanent.[3]

(*g*) The Kremsier Constitutional Compromise

The historic Provinces, which were for the most part the remnants of the feudal territories absorbed to form the Austrian state, were regarded in administrative tradition and by historical theories of nationality as the only possible basic units of any Austrian federation. But only four of the Provinces, three Alpine-German [4] and one Slovene,[5] were reasonably homogeneous from the ethnographical point of view. Three [6] were mixed Czech-German, two [7] mixed German-Slovene, two [8] mixed Slovene-Italian, while the Tyrol included the purely Italian Trentino which, from the Tyrolese point of view, was only a minority. Galicia was almost equally divided between Poles and Ukrainians, and the Bukovina between Rumanians, Ukrainians, and some smaller nationalities.

There was therefore an obvious contradiction between the traditional Provincial boundaries and the principle of national autonomy, i.e. the autonomy of national cultural units. Yet there was little reason for preserving the historic areas, as the

[1] Redlich, *op. cit.*, pp. 280–1. [2] See note 4 on page 170.
[3] *Proceedings* of the Constitutional Committee, p. 102.
[4] Upper and Lower Austria, Salzburg.
[5] Krain, where the very small German minority of 4 to 5 per cent. dominated the upper strata of society.
[6] Bohemia, Moravia, Silesia, the last with a German majority.
[7] Styria and Carinthia.
[8] Gorizia-Trieste and Dalmatia.

powers essential for economic intercourse were to be left to the Union. Palacky, accordingly, proposed a very radical [1] redistribution of the whole Austro-Hungarian territory into eight units: German-Austrian, Czecho-Slovak, Polish-Ukrainian, Illyrian (i.e. Austrian Southern Slav) Italian, Yugoslav (the Hungarian part), Magyar and Rumanian.[2] An agreement on the establishment of the last-mentioned three units, and the incorporation of previously Hungarian territories into the Czecho-Slovak and the Polish-Ukrainian units, was postponed until the relations between Austria and Hungary were settled.[3] Units of Palacky's size would inevitably have included strong minorities; the Czechoslovak and Polish-Ukrainian units would have embraced minorities hardly less important than the respective majorities. If Palacky's proposals had come into effect, and the later division of the Austro-Hungarian monarchy into independent national states had been anticipated in its essentials by the formation of federal units of a size corresponding to that of the post-1918 national states, the former difficulties of the Empire would have been reproduced on a smaller scale in the individual federal units, as they have been in modern Czechoslovakia.[4] Smaller units with clearer demarcations, such as those proposed by Kaučič,[1] would have avoided some [5] of these difficulties. But proposals of this kind involved so much subdivision of the traditional units that the opposition of the interests threatened became overwhelming. The Poles opposed the division of Galicia, the Alpine Germans that of the Tyrol [6] and of Styria and Carinthia, and the Czechs were very hesitant about supporting a policy that might involve the partition of

[1] Although with a reservation as regards the eventual separation of the German and Czech parts of Bohemia, which he declared he would advocate if it were feasible, which he doubted. There was, besides, a much more radical proposal by the Slovene, Kaučič, to form 14 units, with Bohemia (but not Moravia) divided by nationalities, the Slovene territories in the South united, and four German units, German Bohemia and three separate German Alpine units. Kaučič seems to have tried to secure a certain equilibrium in the Federal Second Chamber acceptable to the Germans rather than the advantages of federalism even among the nationally homogeneous units. See also Redlich, *op. cit.*, p. 275.

[2] *Proceedings*, p. 26.

[3] After the defeat of revolutionary Hungary in December, 1849, Palacky dropped the proposal for two distinct Southern Slav units (*op. cit.*, p. 96).

[4] See below, Chapter XII.

[5] But not all of them. Moravia was to be left undivided, and as regards the maritime Provinces no one could suggest a division between Italians and Slavs, already divided socially but not territorially.

[6] *Proceedings*, p. 358, for the repeal of the separation which—as the only modification in the traditional delimitation of the Provinces—had been agreed to on the first reading of the draft of the Constitution.

Bohemia. Palacky's proposals were rejected, securing the support only of the Czechs, Southern Slavs and Tyrolese Italians.

The failure to create a new basis for Austrian federalism did not result in any remarkable difficulties in finding a new basis of compromise. Immediately before and during the revolution the Provincial Estates, though feudal in their structure, had played an important part—if for no other reason than that under the Metternich régime they had been the only place where a certain amount of public discussion had been possible.[1] In the discussions of the Kremsier Committee, Rieger, a Czech and in principle a supporter of Palacky's ideas, pointed out the possibility of leaving to the historic Provinces those powers which aroused no national antagonism, as for example the abolition of feudal burdens,[2] but subdividing the provinces into Counties as nationally homogeneous as possible, to deal with cultural and similar distinctly national interests.[3] The solution moved by the Viennese delegate Brestel, and finally adopted, was on these lines.

Such a basis being accepted, both County and Provincial autonomy were implied in national rights. As *beati possidentes* of the Bohemian majority, the Czechs, who were strong particularists in so far as the autonomy of larger units (on Palacky's or on traditional lines) was concerned, became centralists in their attitude towards the Counties, and even the municipalities.[4] Palacky proposed a distribution of powers between Union and Provinces similar to that which he had previously advocated, giving the control of justice and of municipal self-government to the Provinces. The compromise accepted granted the Provinces only the power of police administration, under federal supervision. A similar division of judicial powers, proposed by the Czechs, was rejected in favour of federal administration. In general, all

[1] See Redlich, *op. cit.*, pp. 248 ff.

[2] The fact that in 1848, as distinct from the position at the time of the Czecho-slovak Republic or the Runciman mission, the abolition of feudal institutions was not regarded as a controversial issue from the national point of view, proves the low degree of intensity reached by national antagonisms.

[3] See Redlich, *op. cit.*, pp. 292–3, for the proposal of the Czech, Pinkas, to establish in the Diets of nationally mixed Provinces "national curias", so as to avoid majority decisions in nationally contested issues. The proposal was to play an important part in later Austrian and Czechoslovak constitutional projects (see below, pp. 190, 215 and 309). With Pinkas, as in its most important Austrian applications (see below, pp. 215–16, but also p. 190), this conception of national curias seems to have been concentrated on the question how to secure representation of national minorities at elections in multi-national constituencies. See *Proceedings*, pp. 109 ff.

[4] Redlich, *op. cit.*, pp. 295–6, *Proceedings*, pp. 68, and especially 320–1.

powers not explicitly granted to the Provinces [1] were reserved to the Federation.

The degree of centralism involved in such a regulation must not be overestimated. It was, for example, generally taken for granted that in agricultural matters no unification was possible apart from that " required by Natural Law " (i.e. by the general rejection of feudalism), because of the completely different conditions in the various Provinces.[2] The Provinces also enjoyed a favourable degree of constitutional autonomy : the only explicit restriction on this autonomy (by Article 112 of the draft Constitution) declared that the suffrage was not to be narrower than that for the Federal Parliament,[3] that the delimitation of constituencies was to accord as far as possible with national divisions and that there were to be equal rights for all languages spoken in the Province. The head of the Provincial government, according to this compromise, was to be nominated by, and responsible to, the Federal government, i.e. virtually to the Federal Parliament, so far as the execution of Federal laws was concerned. But he was to be responsible to the Provincial Parliament for the execution of Provincial laws, and he could not act without the counter-signatures of Councillors who were responsible only to the Provincial Diet.[4] So, in fact, the relations of the nominee of the Federal government with the Provincial Parliament would have become similar to those between the constitutional Emperor, as envisaged in the draft Constitution, and the Federal Parliament.

The Counties were granted the power to legislate on and to supervise municipal self-government within limits to be established by Federal law, preserving the minimum rights of the municipalities.[5] They were also to control education and to decide what language was to be used in schools, but again within the limits set by Federal and Provincial legislation and on condition that all languages represented within the County were to be treated with strict equality.[6] What in Austria was later to be

[1] Mainly : local measures for furthering economic progress, communications, welfare (Article 114 of the draft Constitution) and (Art. 115) within limits set up by federal legislation, all kinds of cultural policies and police matters, together with the necessary financial powers.

[2] *Proceedings*, pp. 58–9.

[3] All male citizens paying at least 5 Gulden (about 10*s*.) in annual direct taxes were enfranchised, a standard actually reached in Austria only in 1885, and even then only for a single *curia* which was to elect a small minority of the M.P.s.

[4] Redlich, *op. cit.*, pp. 312 ff.

[5] Article 125 of the draft Constitution.

[6] Article 126.

called "the language question" would have been shifted to Counties delimited as far as possible in accordance with ethnographical principles, but most of the powers of self-government in economic and social matters would have remained with the Provinces, which were seldom racially homogeneous. The issues which from our present point of view were fundamental, especially those between Czechs and Germans, and which the progress of industrialisation made more real in the late nineteenth century, would, under the Kremsier Constitution, have been discussed in the Bohemian provincial Diet, i.e. they would have been decided under Czech leadership at least in practical administration. But they would have been decided within the framework of a federation, and the poison that was to exasperate all Austrian issues would have been destroyed if Hapsburg absolutism had been abolished. Unless this condition were fulfilled the Kremsier Constitution could not become a reality, but its fulfilment by a common struggle of the Austrian nationalities would have made the actual distribution of legislative power a secondary issue. The forces which jointly won such a struggle would have ruled the Federation. Oppression would have been applied against the supporters of the *ancien régime*, but not against national minorities which had shared in the common effort. The whole spirit of the Kremsier deliberations shows [1] that the submission of the minority to majority decisions was already accepted as the just standard of democracy in so far as social and political issues were concerned, whilst the overruling of ethnographical minorities in cultural issues was deemed unjust. Only in such a spirit was multi-national federation possible of achievement.

As usual with the first efforts of politically inexperienced nations, the formation of the supreme federal organs was strongly contested, though in a spirit of realism far superior to that revealed in the contemporary deliberations at Frankfurt. It was generally considered rather humorous that the Left-wingers and the Germans should advocate a two-Chamber system on the usual federal pattern, with one chamber elected by direct popular vote and the other by the federal units, whilst the Czechs and traditionalists advocated a one-Chamber system, with the Federal Parliament elected indirectly by the Provincial Diets.[2] This was the only one of the many ideas on constitutional problems put forward at Kremsier that the Hapsburg Emperor was to try,

[1] See note 3 on p. 174.

[2] *Proceedings*, pp. 139 ff.

a dozen years later, when his absolutism had failed. But, once the conditions of coöperation between the Austrian nations had been destroyed, indirect election of the Central Parliament was regarded by these Provincial Diets which happened to be in opposition to the Central Government as a means of exercising pressure upon Vienna by boycotting Parliament. At Kremsier the so-called "utopians" succeeded in finding a reasonable compromise by simple discussion. The two-Chamber system of the left-wing German proposals was adopted, but representation in the Second federal Chamber was not to be equal. Each Province was to elect six representatives, but the larger ones with more than one County were to have an additional representative for each of their Counties. In the end a German or Slav majority in the Second Chamber would have been narrowly avoided. The Italians and Poles would have been able, by lending their support in issues where the interests of all the "historic nationalities" were in agreement, to give the Germans an absolute majority, but not the two-thirds majority required for constitutional amendments.

The Austro-Germans were later inclined to regard a similar distribution of power quite favourably, and as worth a certain amount of struggle.[1] At Kremsier it could have been achieved if the Germans had accepted the principle of equality of rights for all Austrian nationalities. The German representatives were ready to do this, and like their Slav opponents they were the more ready to compromise because of the growing danger of a counter-revolutionary coup that threatened the political and social values they held in common. During the last days of February business was speeded up, in order that the announcement that the Committee for preparing the Constitution had completed its task with material agreement might be made in time to prevent the forces of reaction from using as a pretext for striking the inability of the Constituent Assembly to solve the Austrian problem. On March 2, 1849, the Constitutional Committee was able to announce that it had completed its discussions, and unanimously drafted the new Austrian Constitution.

Francis Joseph's hour had come. He had to strike if the Austrian peoples were not to reorganise the State for themselves and so prove that the authoritarian government was entirely superfluous. On March 4 he dissolved the Constituent Assembly.

[1] E.g. in the redistribution of the parliamentary constituencies when universal suffrage was introduced in 1906.

The dissolution, hypocritically linked [1] with the promise of a new parliamentary constitution to be introduced under the auspices of the Crown, was vindicated by the contention that, with Hungary defeated,[2] the attempts of the Austrian Constituent Assembly to draft a constitution merely for the Austrian half of the monarchy [3] had lost their justification, and that imperial authority was needed to proclaim a constitution for all the Hapsburg territories. But the essential nucleus of Francis Joseph's manifesto of March 4 was the closing phrase, in which he expressed his confidence "in the valour and honour of our glorious Army". The army and the victories it had won were the source and only basis of the success of reaction.[4] Those who had failed to destroy the army were bound to fail to reform Austria, in spite of the fact, recognised by a historian who shows no hostility to the Hapsburg monarchy,[5] that the work of Kremsier, measured by moral as well as by scientific standards, stood high above all other attempts to solve the Austrian problem. This plan of reform, the only thoroughgoing one before the downfall of the dynasty, shaped by free agreement of the peoples, had been formed while the aristocracy, Army, bureaucracy and administration in general stood aloof.[6] The army and the men around Francis Joseph were capable merely of preventing the one practicable way of reconstructing Austria. But they had no alternative method to propose, and the only result of their activities was that, by winning a further seventy years of power, they rendered the problem definitely insoluble.

"The shutting down of the first Austrian Peoples' Parliament, like frost in a spring garden, blighted all the germs of natural fertility. . . . The fact that Austria survived for another seventy years, and even witnessed a period of middle-class prosperity and expansion, misled people into looking upon Kremsier as a mere episode, an unfulfilled youthful dream of the new Austrian Empire. Nothing is more false than this view. Kremsier was

[1] Redlich, in his biography of Francis Joseph (p. 77), has called this coup "a supreme piece of political jugglery". For the *mala fides* of the authors of the promises mentioned from the very beginning, see Redlich, *op. cit.*, pp. 13–14.

[2] At that moment her defeat was still an unfulfilled hope of the Austrian monarchists.

[3] As we have seen above (p. 173), this restriction, with the Kremsier parliamentarians, was a mere fact of practical politics accepted in order to avoid additional difficulties among themselves as well as with Hungary, by leaving open the problems concerning the latter. The Kremsier constitution was designed with the avowed intention that it should be applied no matter what the solution of the Hungarian problem: separation, dualism, or federation comprising the Hungarian as well as the Austrian territories.

[4] Redlich, *op. cit.*, p. 347. [5] *ibid.*, p. 323. [6] *ibid.*, p. 92.

Austria's reality, and what followed it was the dream of an autocrat that the will of the dynastic house must prevail and the will of the people bend before it. What was throttled in Kremsier returned again and again during the next seventy years as the leitmotiv and tragic chorus, until it finally became the issue of the Great War." [1]

(*h*) Causes of the Defeat

The more conscious we are of the intrinsic merits of the Kremsier constitutional compromise,[2] the more insistently does the question arise why it was defeated, not merely for a moment, for such a victory can be achieved by armed power in any country, but for a period long enough to make a return to it impossible.[3]

The first fundamental fact for us to notice is that the compromise itself proved possible only in the declining phase of the Revolution, for not till then did all the parties feel the danger common to all holders of general liberal tenets, and more important than the antagonisms which divided Liberals of various nationalities. That they could do so, at least at that stage, proves that the German and Czech Liberals of 1848-9 were sincere, unlike for example the Magyar upper-class revolutionaries who, in order to win over Western sympathies, played with liberal phrases without offering to sacrifice any of the traditional Magyar claims to dominate the "inferior races". The inevitable result in Hungary was that even the absolutist Hapsburg Emperor seemed to the non-Magyars a liberator as compared with the Magyar parliamentarians.[4] In 1849 Hungary was so important in Austrian politics that by inviting their own defeat the Hungarian revolutionaries ensured that of Austrian constitutionalism.

But the German-Austrian Liberals themselves also proved unable to compromise with the Czechs so long as they had a reasonable chance of conquering the Hapsburgs. The Viennese insurrection of October 1848, in support of the Hungarian struggle for independence, was certainly a fine demonstration of inter-national solidarity, but a Viennese insurrection in support

[1] Tschuppik, *op. cit.*, p. 21.

[2] I am speaking, of course, not of details, such as the preference for Counties as the basis of self-government rather than larger national units of a federation, as advocated in the earlier projects of Palacky and the German Left. These shortcomings, if such they were, could easily be corrected in due course, once a tradition of inter-national coöperation had begun.

[3] See below, pp. 192-3.

[4] Renner, *op. cit.* (1906), p. 36.

of Prague in June 1848 would have been no less praiseworthy, and politically more effective. If, on the other hand, the Czech Liberals who followed Palacky, instead of negotiating a compromise with the Court, had coöperated with revolutionary Vienna in May and June 1848 in order to overthrow the Hapsburgs, or had even rallied round the Viennese insurrection in October, the Court and Army would have lacked the opportunity of recovery in Innsbruck and Olomouč, and of winning in Italy those cheap laurels which restored their prestige. The Czechs could not be expected to support a Viennese movement dominated by primitive German nationalism, without guarantees from the German side that the Austro-Germans would help to create a free federation on democratic foundations when Hapsburg absolutism had been destroyed. The left wing of the Austro-Germans were ready to support a policy of democratic federalism only after the German and Austrian defeats of 1848 had reduced the chances of making effective such agreements as were ultimately reached at Kremsier. The attitude of the moderate, bourgeois wing of the Austro-Germans, which was to play a leading part at Kremsier, was expressed by its poet, Grillparzer, who in summer 1848 had sung " In thy camp, there is Austria " in celebration of Radecky's victories over the Italians, which were to prepare the way for Windischgrätz's victories over the Austrian nationalities, and over Vienna.

It is evident that those national antagonisms that were later to render a return to the Kremsier compromise impossible, were in 1848 already sufficiently developed to prevent an agreement when there were still good chances of defeating the reactionaries. There was a social as well as a national split within the Austrian revolutionary movement which was even more fatal. After their emancipation by an Act of the Constituent Assembly (September 7, 1848), the peasants held aloof from the issues to be decided in the towns : Kudlich, their famous leader, who had proposed emancipation in Parliament, was no more successful in his attempts, a month later, to induce the peasants of Upper and Lower Austria to support revolutionary Vienna, than the Prague insurgents had been in June, when they had hoped to secure the support of their peasant co-nationals.[1] The fault did not lie entirely with the peasants ; for not only the Polish nobility and the chauvinist Sudeten-Germans, but even the representatives of the Czech middle classes resented the political influence of the

[1] See above, p. 163.

"uneducated" peasants.[1] They certainly were uneducated; so are oppressed classes in general, and that fact is a main justification for revolutionary attempts at their emancipation; and therefore they were an easy prey to Hapsburg or ecclesiastical (a mere synonym for Hapsburg) demagogy. But the Czech as well as the Austro-German Liberals had failed to do the only thing that could overcome the most serious threat to any Austrian revolution. They refused to support the most radical demands of the peasants which the Hapsburgs and their noble supporters could not accept without committing political suicide. Instead the Czech Liberals had a continual regard for the interests of their noble co-nationals.[2] The Austro-German Democrats, unlike the German Liberals, did not favour noble connections. But they were inclined to put abstract and "educated" ideological formulas above the practical necessity of leading the uneducated peasant peoples of 1848 Austria towards a more free society, in which they might form their own opinions about the Church, the monarchy, and similar "fundamental" issues. Disestablishment and a republican Constitution, if they were necessary, could wait in any case a few years more for their realisation; the replacement of autocracy by a progressive and parliamentary régime, based upon the collaboration of the progressive forces within all the nationalities, could not.

From the democratic point of view such mistakes were certainly only tactical in 1848; they might have been corrected, if, like the Russian Revolution of 1905–6, 1848–9 had proved a mere rehearsal for another trial of strength to be fought out under approximately similar social conditions. In fact, the reborn Austrian absolutism became bankrupt within a decade, and from 1859 onwards there was a long and almost uninterrupted chain of opportunities for renewing the struggle where it had been broken off on March 4, 1849. But the tragedy was that the 1848–9 situation had been the one historic moment when inter-national agreement was possible. On the one side, the Austrian nationalities were sufficiently developed to see and discuss the issues involved in the existence of the multi-national state in an age of democratic Liberalism; on the other, the fundamental tenets of Liberalism still dominated the politics of influential people in all the national camps sufficiently to render an agreement on national issues possible, in the interest of liberal

[1] See above, pp. 156 and 163, and *Proceedings*, pp. 137 ff.
[2] See note 1 on p. 160.

democracy. After the Revolution the monarch, who had been passive towards national problems because of the semi-feudal nature of his authority, became the autocratic ruler of an essentially bourgeois state. He introduced capitalist economics by the fashionable Bonapartist methods,[1] although the dictatorship was still in the interest of the old nobility and the Church. The dictatorial policy was centralising and therefore Germanising, in the same sense as the more progressive policy of Joseph II had been. It therefore met, as had the latter, with the opposition of the non-German elements in the monarchy. But, in the fifties of the nineteenth century, it was not the opposition of nobles defending their traditional way of life and their right to exploit their peasant co-nationals. It was the opposition of the new bourgeoisie that had been formed among the non-German nationalities in consequence of the capitalist progress which the dictatorship itself had promoted. Palacky in his later days, and even more his Young Czech successors, were not merely Liberals demanding political, religious and cultural liberty for their own hitherto suppressed nationality. They were the mouthpiece of the growing Czech bourgeoisie voicing the claim of the Czech people to become an " historic " nationality again, by building up its own as opposed to the traditional German middle-class. To the Germans, on the other hand, who were anxious after overcoming their democratic " infantile disease " of 1848 to strengthen their position with the help of the economic reforms of absolutist government, the Czechs were merely troublesome competitors to be resisted by every means, if necessary by compromises with the forces of traditionalist reaction. The Czechs of the sixties and seventies were equally ready to adopt a similar policy for the same ends. The political fronts which had been in process of formation in 1848–9 broke down in consequence of the victory of absolutism. The hope that these fronts would bridge the national division which must inevitably make constitutional life impossible proved vain.[2] When absolutism at last collapsed on the Italian battlefields of 1859, it had at least succeeded in destroying the conditions of Austrian constitutional life.

[1] The connection between the successful coup of Napoleon III, on December 2, 1851, and the immediately following proclamation of absolutism in Austria was avowed by the authors of the latter.

[2] *Proceedings* (Springer), p. xviii.

CHAPTER IX

LATER ATTEMPTS AT FEDERALIST RECONSTRUCTION IN AUSTRIA-HUNGARY

(1) The counter-revolution of 1849 established a highly centralist military bureaucratic dictatorship, supported by the Church. The German bourgeoisie in Austria, like the middle classes in general, was excluded from political power, but enjoyed the economic advantages of political centralisation. When in consequence of military defeat the dictatorship broke down, self-government, including the right to oppress the non-Magyar nationalities of Hungary, had to be restored to the Magyar aristocracy. In Austria a system of sham parliamentarism balanced the German bourgeoisie against the Conservatives of all nationalities, and thus allowed of continued rule by the bureaucracy.

(2) Economic progress led to the "awakening of the non-historic nationalities", that is, their development of middle classes and of an independent cultural life. The privileged nationalities, who opposed this development, strove with the young nationalities who were beginning to win positions in the State apparatus for the use of the latter for their own purposes. Complete political, and especially parliamentary, deadlock resulted from this struggle.

(3) Austrian Social Democracy attempted to overcome this deadlock and its cause, the nationalities struggle, while preserving the existing economic and political unity. This was to be achieved by granting all the nationalities autonomy on a personal basis, but restricting that autonomy to cultural issues. In support of this plan, a theory was elaborated which interpreted nationality, while taking its origin from socio-economic developments, as a psychological fact, namely, the consciousness of a community of character resulting from a common history.

(4) On the other hand, during the whole existence of the Dualist settlement of 1867 there were attempts to stabilise the monarchy, and especially the position of the Crown, by increasing the number of privileged nationalities. It was proposed to create new autonomous territorial units under the control of the local aristocracy. These proposals were not intended fundamentally to abolish the distinction between privileged and non-privileged nationalities. Therefore, they could not solve the nationalities problem, and were unsuitable as the programme for a democratic revolution. Their realisation was sought by "revolution from above", that is, by a coup d'état *on the part of the crown with the support of the army. But the army and its monarchic head were bound to the German alliance, which demanded that its only reliable supporters, Austro-Germans and Magyars, should enjoy hegemony within the Hapsburg monarchy. When military bureaucratic dictatorship came into being during the First World War, it attempted, not reform in the interest of the non-privileged nationalities, but the realisation of extreme Pan-German and Magyar projects for their oppression.*

(5) During the final crisis of the monarchy, the right wing of the Social Democratic Party maintained their former position, while, after the Russian revolution, the left wing moved forward to a recognition of the right of all nationalities to self-determination. This right was to be exercised by Constituent Assemblies on a territorial basis and was eventually to result in a free federation of the national republics. The Left failed to organise action on this basis, and the revolutionary mass-movements went forward apart from the

national question. Thus the national bourgeoisies secured the lead in the final dissolution of the monarchy, which therefore resulted in the establishment of completely independent national states. According to their relations to the Allies, some of these states were favoured at the expense of others, and some claims to national autonomy were ignored, with the result that some of the most serious nationalities problems of the Hapsburg monarchy were preserved within the framework of the new states, or transferred to the field of international relations.

(*a*) The Post-Revolutionary Hapsburg Monarchy

The reactionary forces which conquered the Kremsier Liberals had been based only upon the Army and the Church. But during the next ten years of absolutist rule a centralist bureaucracy was established which was to rule Austria even when the Army had been defeated and the needs of popular education in the late sixties called for the repeal of the Concordat with the Church. To Francis Joseph constitutionalism never became more than a deplorable concession which had to be made to the spirit of a foolish age, and which must be reduced to the inescapable minimum. So he described it to his ministers when making the first, although not, the last step, as he then hoped it would be, on that unfortunate course.[1] His attitude did not change, although he learned in due course that Imperial initiative in democratic reform might even on occasion prove useful as a means of overcoming the difficulties connected with those foolish institutions.[2] The essential element of the State, as Francis Joseph and many others understood it, apart from the Army, was the Bureaucracy.

" Created as a dynastic interest, and well aware of the fact that, since it rested on the Army, the Army alone made possible the continued existence, tranquillity, and further development of a State composed of so many discordant nations, the Austrian bureaucracy was too much inclined to submit, against its own better judgment, to the reactionary tendencies which down to the very last days of the Empire dominated the Court." [3] This bureaucracy was to a certain degree honest and competent, and because it was politically and morally isolated from the Austrian peoples who were contending for power, it assumed an aspect of impartiality.[4] The evolution of the politics of the bureaucratic state was certainly much more important in the development of the inter-relations of the Austrian nationalities than were the parliamentary, or even constitutional, changes.

[1] Redlich, *op. cit.*, p. 808.
[2] See below, pp. 207–8.
[3] Redlich, *op. cit.* (1929) (Engl. ed.), p. 37.
[4] *ibid.*, pp. 36 ff.

Once the military and political bankruptcy of the absolutist and centralist system had become evident in 1859, Francis Joseph very naturally turned towards those elements which displayed the general political and social outlook nearest his own, and whose representatives promised to bring Hungary back into collaboration. He looked for help to the feudal nobility. The October Diploma of 1860 was based on the principles of that "federalism" which the nobles had advocated for so long. There was to be some kind of "Parliament", based on central representation by delegates to be elected by the Provincial Diets, which were dominated by the nobility. But the lords, and especially their Hungarian wing, proved unable to fulfil their promises to secure the collaboration of the Magyars, who were now led by the strictly anti-Austrian gentry and not by the Lords or Magnates. Francis Joseph had therefore to return to Centralism. In February 1861 he proclaimed a new centralist Constitution,[1] and nominated Schmerling, a representative of the German centralist bourgeoisie, Prime Minister. The German middle classes were already sufficiently free from their "delusions" of 1848 to consider such a centralist and German government as "liberal". But for the very same reason, both the Czech middle classes and the nobility regarded it as oppressive, and boycotted Parliament, as under the régime of indirect election could easily be done by any nationality which controlled a majority in at least one Provincial Diet.[2]

In 1865, after some years of sham constitutionalism, Francis Joseph again approached the "federalist" nobles, for the Magyars would not tolerate a centralist government in Vienna that refused to grant them independence. But in 1867, after the defeat in the war with Prussia, this independence was granted. The monarchy received the dualistic constitution which it was to retain for the last half-century of its existence.

Austria and Hungary were organised as centralist states, the one dominated by the Germans, the other by the Magyars. The reduction of the Slavs to the status of subject peoples was one of the avowed aims of the authors of the new policy.[3] The Magyars, while paying lip-service to the principles of cultural and linguistic freedom, took care to avoid even the smallest

[1] i.e., a constitution with very restricted provincial autonomy. The indirect election of the Central Parliament by the Provincial Diets was abolished only as late as 1873.

[2] See above, pp. 176–7.

[3] Redlich, *op cit.*, Vol. II, pp. 557 ff., especially p. 561.

concessions to the minority-nationalities,[1] although the Slovaks for example would have been quite satisfied with a very slight degree of administrative autonomy even within the framework of a Magyar-dominated state.[2] The control of the administration by the Magyar gentry left it to the ruling oligarchy to decide when to replace the theoretical "minority rights" by naked oppression. The decision was soon made. No non-Magyars, apart from the Croats, were allowed any political rights or opportunity for higher education, and any attempt by non-Magyars to contest parliamentary elections as representatives of minority rights was considered high treason.[3] In order to safeguard this system of oppression, the co-nationals of the Hungarian Slavs and the Rumanians in the Austrian half of the monarchy had to be prevented from winning a degree of autonomy that might exercise a dangerous influence on Hungarian conditions. The Magyar interest in establishing and preserving German "liberal" or bureaucratic centralist rule in the Austrian half of the monarchy therefore formed an essential element in the "dual" arrangement. It was in expectation of such a development that Palacky, on the eve of the Austro-Hungarian settlement, substituted for his saying of 1848, that Austria, if it did not already exist, would have to be invented, the threat: We Czechs existed before Austria, and we shall survive her![4]

The very narrow basis of the dual policies—the Germans and Magyars together, made up no more than 40 per cent. of the total population of the Dual Monarchy—was somewhat widened by the successive admission, in 1868 and 1869, of the Poles and Croats as junior partners of the Germans and Magyars respectively. The aristocracy which controlled each of these junior partners received a certain degree of autonomy, and control

[1] It should be remembered that these "minorities" taken together formed a distinct majority of the inhabitants of the Hungarian state.

[2] Redlich, *op. cit.*, Vol. II, pp. 282 ff.

[3] *ibid.*, pp. 276 ff., and especially p. 290; Renner, *op. cit.* (1906), pp. 96 ff.; Hodža, *op. cit.*, p. 49; Polzer, *op. cit.*, pp. 197–8; Popoviči, *op. cit.*, pp. 133 ff.; Jaszi, *op. cit.*, pp. 327 ff. As regards the widespread delusions of a more progressive attitude on the part of the first post-1867 Magyar régime under Déak's lead, see his declaration (quoted in Springer's introduction to the *Proceedings*, p. xli) that in Parliament "not representatives of the single nationalities, but representatives of Hungary were to function". Such an attitude, in connection with the traditional conception of "St. Stephen's Holy Crown" and the interpretation of the Hungarian as the national *Magyar* state, excluded the recognition of any *rights* as belonging to the non-Magyar nationalities. A certain degree of initial *toleration* was bound to be replaced by ruthless oppression, once the traditional conception of the Magyar state was faced by the (even merely cultural) claims of the awakening non-Magyar nationalities. See also Redlich, *op. cit.*, Vol. II, pp. 287 ff.

[4] *op. cit.* (1865), p. 77.

of one of the " unhistoric nationalities "—the Ukrainians or the Hungarian Serbs.[1] The other peoples, in Austria, enjoyed conditions that differed widely according to their respective strength. The position of the Czechs and Italians was tolerable, while the Southern Slavs had almost no rights. In the Hungarian half of the monarchy complete subjection was the normal condition of all minorities, except the Croats. They might find some comfort in the fact that even non-aristocratic Magyars who disagreed with the Government, were virtually deprived of all political rights and were discriminated against in all matters by a highly refined administrative system based on self-government by the local aristocracy.[2] During at least the first stages of the evolution of the new Magyar state, there was an enormous demand for Magyar-speaking intellectuals which the Magyar gentry could not satisfy. The conditions were therefore very favourable for the social advancement of a gifted lad, whatever his nationality, who agreed to renounce his " barbarian " past and to become Magyarised.[3]

The relations between the Austrian and Hungarian halves of the monarchy were regulated on the famous basis of " Dualism ",[4] a " real union " which was claimed to give the main advantages of federalism in the fields of economics and defence, without—from the Magyar point of view—the disadvantage of having a federal parliament, where delegates of the Austrian Slavs might interfere with Hungarian affairs. The Crown,[5] Foreign Affairs, Defence and the financial provision for these, were common [6] to the two states. There was to be a customs union, established for ten years only and renewable on the expiration of each term. The periodic barter that this entailed, behind which lay the threat to deprive Austrian industry of its main market and the common army of its coherence, not

[1] Renner, *op. cit.* (1906), p. 47.

[2] *ibid.*, pp. 76 ff.; Polzer, *op. cit.*, pp. 108 ff.; Jaszi, *op. cit.*, pp. 327–36.

[3] Renner, *op. cit.*, 1906, p. 65.

[4] It is interesting to note that a project corresponding almost exactly to the solution of 1867 had been discussed in an Austrian cabinet meeting on August 27, 1848, i.e., at the culminating point of the Austrian revolution. See Redlich, Vol. I, notes, pp. 51 ff.

[5] The actual constitutional position of the monarch in Austria was that of a semi-autocrat, who could impose his will even against repeated decisions of the electorate, but in Hungary that of a constitutional ruler (of course in the sense of the upper class, as in eighteenth-century Britain). This state of things contributed to secure Hungarian domination within the Dual Monarchy, as the Hungarian King might be inclined to lessen his difficulties with Parliament by enforcing, *qua* Austrian Emperor, the will of that Parliament on the Austrian Parliament.

[6] After 1879 the administration of Bosnia and Herzegovina, under the common Minister of Finance, was added to the joint affairs.

only influenced the conditions of each agreement on the customs policy and on the shares in the common expenses, but also secured to the Magyars a decisive voice in the international policy of the Union and lent considerable force to their periodical demands for greater control of the joint army.[1] The actual influence of the Magyar aristocracy, as the ruling group in the Hungarian half of the Dual Monarchy, went far beyond the constitutional arrangements which were based upon the equality of both states. There was to be no Federal Parliament, but only "Delegations", or committees of each Parliament to discuss common affairs, and to control the three joint Ministers for Foreign Affairs, War, and Finance, without joint meetings.[2] As was natural under semi-absolutist conditions, there were no clearly established principles of ministerial responsibility, but this was much more of a reality in Hungary (within the very narrow limits of the Hungarian "political nation") than in Austria. The joint Ministers, therefore, depended to some extent on the goodwill of the Hungarian Parliament, which could overthrow a Hungarian cabinet if it collaborated too closely with them, and they had to present what were virtually Hungarian views to the delegates of the Austrian Parliament. That Parliament had little choice but to accept Imperial recommendations, or let itself be dissolved and replaced by bureaucratic absolutism.

The Emperor's desire to prepare to retrieve the Hapsburg position in Germany, lost in 1866, had contributed to the agreement with the Magyars. On the other side the desire of the Magyars to see a German-controlled centralist Austrian government which would not encourage the oppressed Hungarian Slavs, contributed to the return to "liberal" German government in Austria. It was evident that a struggle for German hegemony, in the late sixties, would be hopeless without some internal "liberalism",[3] and that the Austrian Slavs, who were contented

[1] Apart from the common Army, there were separate *Landwehrs* for Austria and for Hungary under the control of separate Ministers of War. Although in a major war they would correspond only to second-line divisions, each *Landwehr* was of first-class importance from the point of view of internal politics, including a possible Civil War.

[2] Except that if an exchange of messages, three times repeated, did not result in a compromise, joint meetings of both delegations were provided for, at which voting was to take place without preliminary debate.

[3] Schmerling, the typical representative of post-1862 bureaucratic centralist Liberalism, as a former member of the 1848 Frankfurt provisional government, was also one of the typical representatives of Greater German (or Greater Austrian) conceptions. Besides, in the fifties, under the avowed absolutist centralism of Bach,

with the exclusion of a possible renewal of their experiences at Frankfurt were hardly inclined to support " revenge for Sadowa ". The Liberal government of the late sixties actually deserved its name a little more than did its predecessors and successors. Apart from German centralist bureaucrats it included at least a few representatives of the German middle classes, and followed a middle-class policy especially against the Church in educational matters.[1] But it naturally met with resistance from the Slavs, and especially from the Czechs, who made overtures to the aristocratic and clerical opposition.

After the German victories over France in 1870 had destroyed all hope of Austria's regaining German hegemony, Francis Joseph tried to put at least his Austrian house in order by nominating the Hohenwarth government. Apart from the traditionalist, aristocratic Czech advocates of the " historic rights of the Bohemian crown ", and the Catholic antagonists of Liberalism, this cabinet included also in the person of Prof. Schäffle an outstanding advocate of social reform. After three years of office the policies of Austro-German Liberalism with its outspoken tendency towards *laissez-faire* in the interest of Viennese High Finance had provoked the sharp antagonism of the rising Labour movement which was brutally oppressed by the Liberal government, as well as of the Catholic social reformers who championed the threatened interests of the lower middle classes. So the Hohenwarth government represented an attempt at anti-middle-class coöperation by forces " from above " and " from below ", as well as an attempt to combine an internal policy directed against the social basis of German centralism with an autonomist solution of the administrative problems, at least in Bohemia.[2]

there had been a Greater Austrian tendency among the Austrian Germans also (see Charmatz, *op. cit.* (1907), pp. 65 ff.). So it may be supposed that the tendency to extend Austrian influence over Germany (as distinct from the opinion of the 1848 left-wingers, who had desired either an *Anschluss* with a democratic Germany or complete separation of a democratic Austria from the German union) was regarded by the pre-1866 Austrian middle classes as essential, and the actually fashionable ideology as a mere pretext. For the connection between the desire for " revenge for Sadowa ", the compromise with the Magyars, and the establishment of " liberal " rule in Austria, see Renner, *op. cit.* (1906), pp. 44 ff.

[1] The Concordat with the Vatican, concluded under the absolutist régime and granting the Church absolute control of education, Family Law, etc., was repealed in March 1868.

[2] This clear concentration on Bohemian traditional autonomy (not even the autonomy of all the Czech nation), a most natural consequence of the traditionalist basis of the Hohenwarth attempt, prevents the present writer from agreeing with, e.g., Jaszi's (*op. cit.*, pp. 113–14) interpretation of that attempt as the most serious approach to federalism between Kremsier and the downfall of the Empire. It is,

The projects of the Hohenwarth government [1] included a separate coronation of the Emperor as King of Bohemia, analogous to the procedure in 1867 in Hungary and involving an acknowledgement of the traditional autonomy and of equality of rights for both Bohemian nationalities, together with the introduction of national *curiae* in the Diet. Each of these *curiae* was allowed, by a two-thirds majority, to veto Provincial laws which it considered oppressive to its own nationality. The Bohemian administration was to recognise both languages as official. Of course the Viennese "Liberals" protested, but less effectively than the victorious German Empire,[2] which was already able to use the Hungarian gentry as an additional support for its interference in Austrian politics. After the first stage, when German consolidation without Austria had seemed to give the latter an opportunity to put her own house in order, the growing strength of Germany proved an insurmountable obstacle in the way of any concession to the Austrian Slavs which might prove unacceptable to Germany's Hungarian allies. The Hohenwarth government failed, although it was supported both by the Slav middle classes and the lower strata of Austro-German society—which, it is true, were at the time mostly disenfranchised—and by nobility and Court. There was no reason to expect that a new attempt on truly democratic foundations, i.e. without this last group of supporters, would succeed, at least without a new revolution.

Following the dictates of his overlords, Francis Joseph

of course, possible to interpret the Hohenwarth proposals as merely first steps, to be followed later by a federal reconstruction of the whole Monarchy; and certainly men like Schäffle (*op. cit.*, Vol. I, p. 295) hoped for such an evolution. But, in view of the social character of the movement, even more likely was a tendency to "buy up" the Bohemian aristocracy and upper middle classes, as the Polish and Croat had already been bought up, by some broadening of the privileged groups in Austria, without abolishing the system of privileged and oppressed nationalities. It was, indeed, impossible to appease, say, the Polish leading groups without perpetuating the oppression of the Ukrainians.

This basic question apart, the "Fundamental Articles", as agreed on between the Hohenwarth Government and the Czech leaders, went somewhat beyond the Kremsier compromise. For in the Articles Civil (apart from Commercial) Law and Criminal Law, and also the protection of the freedom of the press and of meeting as well as all denominational interests, were transferred to the competency of the Provinces. The latter, like the States in Bismarck's German Constitution, would have obtained a virtual monopoly of direct taxation, out of the proceeds of which they would have had to pay membership fees to the federation. But it must again be stressed that there was no proof that Provinces other than Bohemia—and, eventually, Galicia—were to enjoy such privileges. And even towards the Czechs the government (Schäffle, *op. cit.*, Vol. II, p. 20) envisaged going back on the Articles, especially in financial matters, should that prove necessary to enact the compromise.

[1] Text and detailed discussion in Schäffle, *op. cit.*, Vol. II, pp. 13 ff., 29 ff. and 213 ff.

[2] Apart from Schäffle, who might be considered partisan, see Springer in *Proceedings*, pp. xl ff., and Charmatz, *op. cit.* (1911), Vol. I, p. 114.

returned to German-centralist government. Within two years the economic depression of 1873 shook German Liberalism and shattered the influence it exercised on the lower middle classes. Liberalism could never recover, and was replaced by Anti-Semitism in the lower middle classes, and later by Socialism among the working classes and progressive intelligentsia. The shadow of German Liberalism, deprived of any political influence apart from Bismarckian and Hungarian support, was allowed to "govern" Austria for a few more years, until, in 1878, it dared to oppose the occupation of Bosnia and Herzegovina. The Austro-German Liberals acted not so much from general anti-imperialist motives as in accordance with their traditional [1] policy of keeping the influence of the Slavs in the monarchy as little dangerous to German ascendancy as possible. But when the Dual Alliance with Austria had been concluded, in 1879, the German Empire was much more interested in the expansion of its agent [2] in the Balkans than in the relative influence of the Austro-German Liberals within the Hapsburg monarchy.[3] So the Germans and their Hungarian allies within the Dual Monarchy allowed Francis Joseph to dismiss the Liberals in 1879 and to appoint the Taaffe Government. This was based on Catholic Conservatives and aristocrats of all nationalities, and definitely recognised the participation of the Polish aristocracy in the Austrian central government.[4] A reasonable degree of Czech collaboration was secured by administrative concessions. In 1880 it was ruled that petitions in Bohemia and Moravia [5] were to be answered by the Civil Service in the language in which they were written, and in 1882 the Czech University of Prague was established. Extension of the suffrage to the lower middle classes in 1885 broke the political monopoly of the "liberal" bourgeoisie among the Germans, and opened the door to political Catholicism as a mass-movement, although its originally somewhat demagogic features were opposed by the government. The organised Labour movement, weakened by the 1873 depression, was at first suppressed by ruthless methods, but, as in con-

[1] See above, p. 167.

[2] See above, p. 70, note 3.

[3] It must not be forgotten that the Austro-German Liberals, together with their centralist-bureaucratic predecessors, had defended the Austrian position within Germany against Prussian aspirations. The later Austrian pan-Germans were merely Prussian agents within Austria.

[4] Redlich, *op. cit.* (1929), p. 33.

[5] There was not the least attempt to meet the needs of the Slovenes in the Southern Provinces, or of the Galician Ukrainians. For both were less important, from the point of view of the régime, than their oppressors, Germans, Poles, or even Italians.

temporary Germany, progressive social legislation was adopted to introduce the most urgent reforms which upper middle-class Liberalism had rejected.

With the formation of the Taaffe government came the end of the political crisis which had begun in March 1848, a generation before. There were no more serious attempts at constitutional reform, and government was identified with mere administration.[1] Parliamentary institutions were definitely established, but Imperial " emergency decrees " [2] replaced parliamentary legislation whenever the obstructive tactics of the representatives of one of the nationalities led to a deadlock, and to provoke such obstruction was a never-failing expedient used by the bureaucracy to get rid of parliament. There were to be in the Central Government representatives of at least the more powerful nationalities (the so-called *Landsmannminister*) ; but these representatives were not elected by the people themselves, but selected by the Crown from those political groups with which it desired to coöperate. Austria was ruled by the bureaucracy which Bach's centralist absolutism had established, but that bureaucracy was no longer identified with Germanism. Austria had seceded from Germany and had reduced her relations with Hungary to a very loose union ; but the German alliance and the internal strength of the Hungarian partner resulted in practical control of Austrian politics by her allies who usually coöperated. Austria had become distinctly capitalist ; but the German Liberals who represented capitalism in the economically and socially leading nation had lost all political influence over the masses. Viennese High Finance controlled the country, without being able to govern it. So the Hapsburg had to rule, standing " above " the classes and nationalities, but virtually as the agents of forces alien to the Austrian peoples.

(*b*) Struggle of the Austrian Nationalities for Social Power

When centralised bureaucratic rule was firmly established, the struggles of the Austrian nationalities were directed to a new goal. The problem was no longer how to organise the state so as to give every nationality the possibilities of development it

[1] For the tacit assumption of a similar outlook by a distinct progressive, and defender of Kremsier, see Redlich, *op. cit.*, pp. 238 ff. and 79.

[2] Article 14 of the 1867 (Article 13 of the 1862) Constitution formed the basis of this kind of " emergency " legislation, by which most important measures, including for many years the budget, were carried.

desired, but in favour of which nationality the immense power of this state should be exercised. In 1848, the nationalities had still been to some extent coördinated, and united in opposition to a common enemy. A generation later any social conflict in Austria was certain to take on the characteristics of an inter-national conflict.[1]

Had the Revolution prevailed over the Hapsburgs in 1848, and had the Kremsier compromise become the constitution of a federation of the Danubian peoples, the introduction of capitalism would have been the work of an inter-national middle-class coalition and would have provoked the resistance of other inter-national parties based at first upon the sectional interests of the peasantry, and later, on those of the working classes. But since the bureaucracy of Bach and Schmerling was responsible for the direction of economic development, the introduction of capitalism implied the establishment of German ascendancy in the new industrial society.

A comparison of the census of 1900 with that of 1880 shows only very small changes in the relative numerical strength of the various nationalities in Austria as distinct from Hungary.[2] And, with the one exception of the Slovenes,[3] who indeed seem to have been victims of national oppression in the most literal sense of the word, these changes were just what might be expected as a consequence of the usual inter-relation of urbanisation and fecundity. The industrialised nations, Germans, Czechs, and Italians, showed some decline in their relative though naturally not in their absolute numbers, while the still essentially agricultural Poles, Ukrainians and Serbo-Croats had increased in this respect. But while in Austria no nationality was deprived of elementary schools, which were the fundamental condition of survival,[4] there were enormous differences in the social structure of the various nationalities, even of those inhabiting the same territory, e.g. Czechs and Germans, Poles and Ukrainians, and Italians

[1] See note 1 on p. 154.

[2] Where we find an enormous shift in favour of the Magyars, evidently explicable only by the ruthless oppression of the non-Magyars, and, probably, the falsification of the census returns.

[3] Who, although essentially a peasant people, dropped from 5·2 to 4·7 per cent. of the total Austrian population.

[4] Characteristic was the position of the Galician Ukrainians. They were virtually denied secondary schools, the chief instrument for building up an intelligentsia of their own, but under Austro-Polish rule (as distinct from the later Polish Republic) they were not denied elementary schools, the main condition for the preservation of their nationality by the bulk of a peasant people. See the dates in Keeton-Schlesinger, *op. cit.*, p. 54.

and Serbo-Croats. The following table [1] shows the percentage of each nationality engaged in the main productive occupations :

Nationality.	Occupation.				
	Agriculture and Forests.	Industry.	Commerce and Transport.	Civil Service and Professions.	Salaried Employees.
Germans . .	33·5	38·3	13·4	14·8	3·0
Czechs . . .	43·1	36·5	9·3	11·1	1·4
Poles . . .	65·6	14·8	11·2	8·4	1·7
Ukrainians . .	93·3	2·5	1·7	2·5	0·6
Slovenes . .	75·4	13·4	3·5	7·7	0·4
Serbo-Croats .	86·9	4·6	3·8	4·7	0·6
Italians . . .	50·1	23·4	12·7	13·8	1·4
Rumanians .	90·3	2·7	2·5	4·5	0·5

We have included the number of salaried employees, as distinct from entrepreneurs and manual workers,[2] for these numbers, taken together with the degree of industrialisation, are some index of the degree to which workers of each nationality worked in enterprises owned by their co-nationals. Only 25 per cent. of the total number of Poles, as compared with 45 per cent. of the Czechs, were occupied in industry, commerce or transport. But the Poles had a higher percentage of salaried employees. The only explanation of such a fact seems to be that the average Polish salaried employee worked in an enterprise owned by a fellow Pole, who would be ready to employ his co-nationals in responsible salaried positions, while the Czech worker was usually employed in a German-owned and German-managed factory, where there was a strong bias in favour of German candidates for the more responsible positions.[3] Such a state of things would not necessarily involve restricting the social position of, say, the Czechs to manual work : a strongly developed national intelligentsia might offer the gifted lad chances he was denied in economic life, while the oppressed position of its co-nationals in economic life might afford the main grievances which the

[1] See Bauer, *op. cit.*, pp. 238 ff.; Charmatz, *op. cit.* (1907), pp. 78 ff.

[2] The numbers are, of course, not additional to those given in the first four columns, as the salaried employees are included also under their respective industries. Comparison of the respective percentages of entrepreneurs would be of little help, for there is no possibility of distinguishing, in those numbers, lower middle-class people from true capitalists. The salaried employees, at least if appearing in largish numbers, are fairly characteristic of the truly capitalist enterprise.

[3] See Bauer, *op. cit.*, p. 241.

intelligentsia had to air. The general position of the Czech nation might be estimated more correctly by the ratio between the sum of professional men, Civil Servants and salaried employees and those employed in industry, commerce and transport, which amounted to 1 : 3·5 as against 1 : 2·5 with Germans, Poles and Italians, than by the fact that out of 30 Czechs employed in industry, commerce and transport, less than one was a salaried employee, and that his chances of obtaining such a position were about half that of a member of a nationality more favoured by the distribution of industrial ownership. The social character of the national struggles was mainly influenced by the latter fact.

Like any other industrial capitalist, the German entrepreneur drew peasants into his factory from districts essentially agricultural. The Czechs provided the workers for many factories situated in the Sudeten-German border regions. The entrepreneur had no objection to his worker being a Czech : on the contrary a backward peasant, separated from the Sudeten-German Trade Unionists by language and tradition, was always a potential strike-breaker. The German lower middle classes might raise strong objections if the Czech worker were followed by Czech craftsmen and merchants, and if all of them demanded Czech schools and Czech teachers, in order to have their children educated in their mother tongue. When the Czech worker lost his backwardness, and as a consequence the Czech trade-union organiser appeared on the scene, the entrepreneur himself might feel that it was in his immediate interest to " defend the German character of the town ", as the German lower middle-class people had already done when threatened by alert and energetic competitors.[1] In his social and political interests, the entrepreneur preferred his workpeople to be divided on national issues rather than united by social grievances. The German employer naturally preferred to have in the responsible salaried positions Germans whom he could trust. Public opinion, which he had helped to create, prevented him, even if he were willing, from employing a Czech when an alternative, even if less capable, German was available. Like any European in an African or Asiatic country, the German employer was prepared to use ideological arguments describing the German as a " born master ", and the inferior Czech as a " born servant " who must be kept in his proper place and denied the opportunity of rising to a position reserved by Nature for the members of the master-race.

[1] For the best description of the process, see Bauer, *op. cit.*, pp. 252 ff.

Their relations seemed different to the Czech worker. On the one side was the race of oppressors made up partly of entrepreneurs and lower middle-class persons whom a class-conscious worker might for Marxist reasons despise, and partly of fellow-workers who considered themselves members of the master-race, with superior claims to foremen's positions. On the other side were the oppressed Czechs and all their Slav brethren—some traitors to the Slav cause, such as Polish aristocrats, excepted. As the average Czech entrepreneur had risen from below and was often a former worker, it was preferable to work under him, as he might be expected to show less arrogance towards his social inferiors. It was even a national duty to assist a co-national entrepreneur in difficulties, although the German workers in German factories would describe such a laudable attitude as undercutting labour conditions. So also it was a national duty to buy at a co-national's shop. " Our money for our own people " was an almost literal translation of " Germans, buy German goods ! "

So a Czech middle class grew up in opposition to the German. The intellectuals who had led the national revival and the 1848 movement were followed by members of the professions who had to meet the needs of their co-nationals, and by Czech entrepreneurs and engineers. As Czech enterprise was bound to be impaired by Viennese High Finance, the struggle began for a banking capital " of our own ", which was one of the few examples in history of capitalist enterprise really based on thrift. The Czech middle-class housewife herself prepared the meal which her family ate in the kitchen in order to save light, whilst the wife of the German industrialist or even doctor acted only as a hostess in her very comfortable home. So different an attitude towards their banking accounts on the part of the competing middle classes was regarded by the Germans as a further proof of " Czech *Unkultur* ".

The rivalries of the national units developed on the cultural and economic planes, as the lower middle classes used their favourite instrument, the boycott, in their attempt to gain advantage over their opponents. Such a social struggle was bound to become a political one, especially in view of the enormous economic powers already acquired by the Central European State in the late nineteenth century. It was indeed a curious situation which led Socialists, who were normally the advocates of State interference, to elaborate plans for allowing

each nationality to develop in a purely cultural " State-free " sphere.[1] Unless a *laissez-faire* utopia could be realised in the country least suited to such dreams, the State would have to regulate the competition between those very powerful economic bodies called " nationalities ". The question was on what principles that regulation should be based.

Social progress in the multi-national Austrian Empire [2] implied changes in the inter-national *status quo*. Such changes seemed unjust to those who regarded this status as normal, but perfectly just to those who regarded it as a mere reflection of historical wrong. And what, indeed, was this status whose merits were under discussion? Was it territorial, i.e. the traditionally " German character " of certain towns and villages, even if in consequence of growing industrialisation an increasing number of Czech immigrants were employed there? Or was it personal, based on the German or Czech character of children born and educated by German or Czech parents, who ought to be allowed to continue their education and to enjoy all cultural benefits in their mother-tongue, wherever they lived? Or was it even social, for example the traditionally German character of banking and big industrial enterprise?

According to each point of view some things seemed right, which seemed equally wrong to the others. Czech schools for the children of Czech workers immigrating into traditionally German territory seemed right from the personal, but wrong from the national-territorial point of view. Czech banking enterprise to finance Czech industrial undertakings would be wrong from the third point of view, because it would compete for mere political and national, i.e. non-economic reasons, and probably by more than economic means, with a banking system which seemed, to the *beati possidentes*, to work satisfactorily. But it was undoubtedly just from any other point of view, for it would enable the Central-Bohemian Czech territories to be industrialised under Czech leadership, without danger of their being held back by banks interested in the competing enterprises in the border regions, without requiring the reservation of the new skilled jobs for a small minority of the people, and without forcing the Czech lad who aspired to become an engineer to choose between his ambitions and his nationality. If the new enterprises, supported

[1] See below, pp. 213–14.

[2] In the present study, most attention is devoted to Bohemia as the most important example of a widespread process.

by Czech banking capital, were to be established in territory with a traditionally German majority, but a minority of immigrant Czech workers, the injustice would be obvious to those who accepted the territorial, but not to those who held the personal view. It was difficult to decide where, and why, to obstruct the industrial career of a Czech citizen of a German town. Some might believe that he ought to remain an unskilled worker all his life, others that he ought to be prohibited from becoming a foreman, and his son from becoming an engineer, and still more that he was merely bound to remain an employee. There were sections of German opinion ready to defend each of these points of view.[1] From the standpoint of the ruling classes, the simplest method of keeping the German " national community " together would have been to agree on the simple principle that " He who is born a serf ought to remain one ". But what was thus called " national justice " would evidently clash with generally accepted conceptions of social right, and the defence of social privilege might become a " national duty ". It is clear what political consequences were bound to arise from the fact that in Krain, an overwhelmingly peasant area, with a 94 per cent. Slovene majority, the large estates and their political representation in the semi-feudal Provincial Diet were in 1907 still in German hands.[2] Even in Bohemia, where part of the nobility supported the Czechs, the question of land reform was essentially a " national issue ", whose solution in an anti-aristocratic and anti-German sense was later to form one of the fundamental German grievances against the Czechoslovak Republic.

National contests of the kind described were certain to become the main issue of Austrian politics. In nationally heterogeneous territories there was no issue that might not become a " national " one. The people who controlled the municipality could appoint teachers, build schools, and place contracts for supplies for municipal enterprises. If the Czech worker had obtained the same voting rights as the German lower middle-class man, the latter would soon have been in a minority, and the German

[1] It must not be forgotten that the conditions of the Bohemian national struggle also influenced the working classes. A Czech as well as a German National Socialist Party (the latter in fact the direct predecessor and spiritual father of Hitlerism in general, not only among the Sudeten Germans) arose, to conduct the " national " struggle for jobs. See the literature as quoted for Chapter XII, especially Krebs, *op. cit.* As to hardly less chauvinist tendencies among the Sudeten German Social Democrats, see Bauer, *op. cit.*, pp. 574 ff.

[2] Bauer, *op. cit.*, p. 190.

character of the town [1] would have been destroyed, even if the Czechs had avoided anything directly prejudicial to the existing German schools. The Czechs would certainly build an additional Czech school, and probably build it well,[2] giving Czech craftsmen and contractors an opportunity for profit. The construction and its later functioning would facilitate the immigration of additional Czechs. So the time might come when the former rulers would themselves have to apply for protection as a minority. Therefore, a socially unequal suffrage was a most important " national interest of the German people ", and the introduction of general municipal suffrage after the Revolution, and its implicit consequences as regards, for example, the " German character of Brno ", were among the major grievances of the Sudeten Germans.

The essentially economic and social character of the national antagonisms prevented them from being concerned only with those links of the administrative chain which immediately affected cultural interests. The Czechs desired the maximum autonomy for the Provinces in, for example, matters of taxation. For they could hardly afford to renounce the right to use for the furtherance of their national culture a part of the wealth created by Czech hands in German-owned factories in the border regions where there was a local German majority controlling the municipal administrations. The introduction of autonomous County self-government was naturally among the major Sudeten German demands. But although the Czechs adopted a centralist policy in a Province they controlled, they were autonomists in their attitude towards the Austrian State, in matters of taxation as well as in the placing of public contracts, and they accused their German opponents, who included most German Socialists, of merely supporting the control of Viennese High Finance over provincial industry and business in general.

An additional difficulty arose in consequence of the complete divergence of the national structures of the various historic Provinces. It was quite impossible to adopt any general formula on which the members of any one nationality, not to speak of the whole Empire, could reach agreement. While the Sudeten Germans demanded autonomous Counties, the Styrian and Carinthian Germans were eager to reject any similar demand

[1] It must not be forgotten that this character was measured, from the German side, by traditional standards as regards the structure of the upper strata of society, so that even the " conquest " of the Prague municipality (in the sixties) by the 95 per cent. Czech majority was deemed a " national defeat " of the Germans.

[2] This was important among the German grievances in post-1918 Czechoslovakia.

which came from the Slovenes. The latter, if allowed to govern the Maritime Province with their local majority,[1] would have been confronted with great difficulties if the Italian minority, which was in control of nearly all the industry and commerce, had demanded the right to contract out of Provincial taxation. And while the Czechs, as we have seen, demanded Provincial autonomy as a means to industrial emancipation, Provincial autonomy in Polish-controlled Galicia worked against the industrial emancipation of the Ukrainians.

At Kremsier a general delimitation of the national territories had been possible, in spite of the fact that the so-called "unhistoric nationalities", i.e. those whose former national states had been destroyed by the Hapsburgs, Poles or Turks, cherished traditional claims to territories which the actual rulers, the so-called "historic nationalities", claimed as their own. Capitalism would have developed within the prescribed national boundaries. It would perhaps have given rise to inequalities in the density of population and the standard of living and have led to conflicts between neighbouring member-states of the Federation, but no nationality would have had reason to complain of being retained in the unnatural position of a servant-race. The initial advantages in power and living-space of the traditional master-races would have been balanced by the abundance of cheap "hands" available to their younger competitors. The former would eventually have been forced to compete with the latter for the available labour, by raising wages and making provision for the cultural needs of the immigrants. So, eventually, a plurality of national societies might have developed, with proper intercourse and common organs for defending common interests.

But, as we know, the Kremsier plans were defeated. What resulted was the centralism of the new Austria, divided into a number of contesting communities, in which social and national characteristics were inseparably intermingled. Only a combination of social and national struggles could disentangle them.

(c) The Struggle of the Austrian Nationalities for Political Power

We have seen that the social and economic rivalries involved in the inter-national relations of the Hapsburg lands led each

[1] A distinctly hypothetical case, for in Imperial Austria a degree of democratisation enabling the peasant majority to overrule the townspeople was most unlikely.

nationality to demand that the State should act in its particular interests. No Austrian nationality could hope to dominate the State by its own strength. But even coalitions between nationalities whose interests were capable of being reconciled were limited by the antagonism between their internal and international policies.[1] The most convenient way of making use of the state machinery was therefore to compromise with the bureaucracy that dominated post-1849 Austria, and the aristocratic-military powers in whose name it ruled. On the other hand, the bureaucracy was ready to exploit the common tendency to compromise, by repeatedly making small concessions which enabled it to stay at the helm, though opposed by the majority of citizens for social or national reasons or both.

The state machinery itself became one of the prizes to be fought for, and a cause of conflicts which, while perhaps not the most essential, were certainly the noisiest. As in all Central and East European countries, the Civil Service represented the most secure if not the most remunerative way for the sons of the lower middle classes, and especially for the younger sons of the upper middle classes and the aristocracy, to win social importance and prestige. It made little difference to this prestige whether it emanated, as it did originally, from the splendour of the Court and the Imperial authority, or, as later, from the power which the pettiest participant in state authority enjoyed, and the services he might render to his nationality. While the original centralist Civil Service had been distinctly German, with a certain Polish element, after Taaffe's reaction against German "liberalism" its doors were opened to members of all the nationalities who were sufficiently literate. As the German parts of Bohemia were industrialised much earlier, the sons of the German lower middle classes tended to become salaried employees in industry and commerce; but for the younger son of the Czech peasant or shopkeeper there was hardly any other way of keeping within his own class, or of advancing socially, than to enter the Civil Service. Even in 1900, out of every 10,000 Germans only 1131 were in the Civil Service and the professions, as against 1476 among the same number of Czechs.[2] Such facts were

[1] Thus, for example, Germans and Italians might differ in their international attitude. Germans and Poles might coöperate in an anti-Russian sense, but could hardly agree in their attitude towards Prussia. Czechs and Slovenes, or even Czechs and Slovaks, while having common interests on all essential political issues, might differ in their attitude regarding the political position of the Church.

[2] Bauer, *op. cit.*, pp. 260 ff.

likely to alarm not only the numerous German competitors and students who hoped to obtain professional or administrative posts, but the German middle and lower middle classes in general, because of the practical importance of the Civil Service. In Austria, as distinct from Hungary,[1] no one dared directly to prevent those who were not members of the ruling nation from entering the Civil Service ; therefore the question of the actual linguistic conditions for entry to and for promotion in the Service gained political as well as symbolic importance.

The Germans upheld the " German character of the State " as an expression of their claim to all dominating social positions within the State, making only slight concessions to the Poles and Italians. But the Czechs and all the minority nationalities put forward the demand that the Government should deal with every citizen in his mother-tongue, at least in so far as in any town or district there was a sufficient number of citizens of any given nationality to make a bi- or tri-lingual official service practicable. But to render the Civil Service more accessible to the non-German citizen implied impairing the chances of the average German lower middle-class student within the Service ; for he would strongly object to learning the Czech " servants' tongue ", while his Czech competitor, like any non-German Austrian intellectual, would certainly learn German as being an important international language. The German students, therefore, were ready to fight in alliance with all those members of the German lower middle class who were afraid lest the use of the " servants' tongue " in offices and law-courts should make the absorption of immigrant shopkeepers and craftsmen by the local German majority more difficult. The lower middle classes as a whole, therefore, defended the " German character of the State ", or at least of all territories with a considerable German population. They not only fought the dangerous symptoms of the emancipation of " born servants ", such as bilingual street-name signs, but tackled the root of the evil, the Slav civil servant *in statu nascendi*, at the University or, even better, at the secondary school. In 1895 the German chauvinists overthrew a coalition government which included moderate German nationalists,

[1] In Hungary, as we have seen, no one was allowed to enter the Civil Service unless he let himself be Magyarised. The consequence was that the non-Magyar intelligentsia, at least from the time that its absorption by the Civil Service became more difficult (see Renner, *op. cit.* (1906), p. 88), was pushed into a position of potentially revolutionary leadership, as distinct from the Austrian national civil servants, who secured the Hapsburg monarchy certain outposts amongst all nationalities.

because it had instituted Slovene courses, parallel to the German courses, in a secondary school situated in a South Styrian district with a Slovene majority, which naturally had a majority of Slovene pupils.[1] Francis Joseph nominated a government under Badeni similar to that of Taaffe. This government was overthrown, by the nearest approach to a revolutionary upheaval experienced by post-1848 Austria, when it introduced bilingual arrangements into the internal relations of the Bohemian Civil Service. Had this decree remained in force, no German official in Bohemia could have hoped to attain a position of superiority over Czech officials, unless he understood the language of three-fifths of the Bohemian population. But such "injustice" was prevented, and after a few years the decree was repealed.

The struggle for control of the State poisoned relations between the Austrian nationalities. The Germans forgot or despised the principles of Kremsier, which were described by official historiography as "revolutionary utopianism".[2] There were always occasional "dreamers" grouping in the same direction, for example the poet Kürnberger,[3] writing in 1867. But in that year, when Rieger, speaking in the Bohemian Diet, asked the Germans to enumerate all the guarantees they would themselves desire for the protection of their rights if Bohemia were granted autonomy, and promised in advance to accept their demands,

[1] The German argument was that the "German character" of the predominantly German district town, Cilli, would be prejudiced if the Slovene two-thirds majority of the pupils of the district secondary school had Slovene teachers even for a mere half of the subjects. It is characteristic of the impudence of the Germans and the moderation of the Slavs at that time that it was the former, and not the latter, who protested against an arrangement which did not force any German pupil to attend a Slovene lesson, while the Slovene majority would have had to take half the subjects during the first, and all the subjects (apart from their mother-tongue) in the later half of the course in a foreign language.

[2] The memory of Kremsier was so completely suppressed by official terror and falsification, that the *Proceedings* of the Constitutional Committee were published only in 1886 by Springer, when they revealed the fact that the "utopians" had solved a problem which all later "realist" politicians of the monarchy found insoluble. For the much later official attitude the fact is characteristic, that Popovići (*op. cit.*, p. 265) found it necessary to defend Renner's idea against the "awful" reproach by the official *Wiener Fremdenblatt* (November 11, 1905, at the time of the first Russian revolution, when Imperial Austria had to grant adult suffrage!) that his proposals were rooted in the Kremsier project. In fact, no one apart from the Social Democrats dared to proclaim directly the simple truth which most serious politicians in Austria already understood, that Kremsier had been right, and Francis Joseph's policy destructive. For the total lack of knowledge in so-called competent circles see below, note 2 on p. 236.

[3] In a then unpublished essay, quoted by Renner (*op. cit.* (1906), p. 31). Although Kürnberger's "dream" was nearly identical with the first Kremsier proposals of Palacky and the German Left (or rather went further, for he dreamed of a federation concerned only with defence), and though he had actually been in politics during the 1848–9 crisis, he seems to have been unconscious of this identity, or, at least, found it inconvenient to mention it.

the Germans declined even to discuss the offer. The reason given for this attitude was that Rieger had spoken, in the Bohemian Diet, in the language of the majority of the inhabitants of Bohemia !

The Czechs, on the other hand, despaired of winning support from progressive Germans opposed to bureaucratic centralism. It seemed to them as if there were no such Germans, or if there were, that they were powerless. They therefore compromised with the forces in power, even if these represented naked clerical and aristocratic reaction, hostile to the social and cultural demands of the majority of the Czechs. Such an attitude on their part was likely to repel the growing democratic German forces. When Badeni issued the decrees on Bohemian bilingual arrangements, the most reasonable thing he had ever done, he used police power against German obstruction in Parliament. But it was the Socialist M.P.s and the Viennese Socialist workers who opposed such un-parliamentary procedure, and who began the mass-movement that overthrew the government. The reactionary policy adopted in 1849 had succeeded in setting national and social democratic forces against each other.

(*d*) The New Social Forces

During the 30 years that separated Rieger's unsuccessful appeal from the fall of the Badeni Government, the social forces acting on the Austrian political stage had fundamentally changed. Middle-class Liberalism had collapsed, amongst the Germans after the crisis of 1873, and amongst the Czechs and other Slavs because of its obvious inability to fulfil their national demands. It is true that among the Slavs the first romantic reactionary tendency caused by this failure very soon gave way to new and somewhat democratic, though no less nationalistic trends. But the democratic nationalists of the early twentieth century were hardly more ready for compromises than their conservative predecessors of the seventies had been. Among the German lower middle classes, Liberalism was replaced by avowed chauvinism, combined with anti-Semitism as the typical lower middle-class method of opposing Viennese High Finance, which was held responsible for the 1873 crisis and all the subsequent evils which overtook the " little man ". Among the Slav peoples, apart from the Poles with their aristocratic leadership,[1] mass-

[1] Among the Poles, lower middle-class nationalism was represented by the so-called Socialists, under Pilsudski.

nationalism, when it was not Socialist or peasant, began with a lower middle-class outlook, corresponding to the social structure of these nationalities " unhistoric ", and therefore without a strong middle class. Liberal intellectuals, like Masaryk, stood outside this movement,[1] and opposed the Pan-Slav and even pro-Tsarist romantics. The importance such intellectuals were later to gain was due exclusively to the result of the First World War, which seemed a definite victory for Wilsonian democracy.

But lower middle-class nationalism was soon to be opposed by stronger forces. We have mentioned the propaganda for Catholic social reform which Baron Vogelsang had begun in 1870, at the time of the Hohenwarth Government. In Vienna, in 1883, Lueger, a gifted demagogue, made use of the extension of the suffrage to the lower middle classes to organise the anti-Semitic " Christian Social " movement. Ten years later he won a local majority, after most of the former Liberal organisations had entered his camp. After some resistance from traditional bureaucratic, and even Liberal, influences at Court, Lueger received Imperial confirmation as Mayor of Vienna. The radical demagogue very soon developed into a highly efficient administrator, displaying that initiative in " municipal socialism " which his Socialist successors in the Viennese administration were to maintain, and that ability to compromise with " Jewish High Finance " that Seipel and Dollfuss, his successors in the Christian Social Party, were to preserve. About 1900, starting in Lower Austria and the Tyrol, and supported by the well-to-do peasants and the lesser clergy, the Party began the organisation of peasant coöperatives and the conquest of the former Catholic Conservative Party, which the nobles and bishops had dominated.[2] In 1907 the Conservatives had to join the Christian Social Party.

Political Catholicism, among the Germans, was now constituted as a mass party of the urban and rural lower middle classes. In its first stage, in Vienna, it opposed what was described as a coalition of the ruling bureaucracy with Viennese High Finance and Big Business,[3] and in its second and rural stage it attacked the great estate-owners. The Alpine Provincial Diets, dominated by the Christian Social Party, began to legislate

[1] Masaryk in the old Austria never succeeded in building up more than a dwarf party, and even this only against enormous opposition from official " young Czech " nationalism. Beneš, as post-revolutionary Prime Minister, got a strong party behind him only after a long struggle to purge the Czech National Socialist Party of its reactionary elements. Even this success was doubtful, as the events of autumn 1938 were to make clear.

[2] Bauer, *op. cit.* (1925), p. 146.

[3] Redlich, *op. cit.* (1929), pp. 48–9.

in favour of the peasants against the game-interests of the lords, and were met by the Imperial veto which was used whenever the lords' interests were threatened. Very soon the Party developed a more durable policy as, during the nineties, Socialism broke up whatever influence Lueger's early propaganda had exercised on working-class elements. "The defence of the Catholic countryfolk against the red danger" was a task the successors of the Conservative Party could not fail to take up. So this "social" lower middle-class party became truly Conservative. It remained an opposition party only to the extent of sympathising with the Catholic and reactionary heir-presumptive, Francis Ferdinand, rather than with the traditionally liberal-centralist bureaucrats with whom Francis Joseph surrounded himself in his later years. As with the Socialists, the links connecting German-Austrian political Catholicism with its counterparts amongst the non-German nationalities proved merely ephemeral. But the emphasis which the party had laid upon municipal as well as Provincial self-government later proved an important cornerstone of German-Austrian federalism.

The Social Democratic Workers' Party, which was to be the main competitor of political Catholicism in the formation of post-1918 Austria, had organised itself during the years when Lueger was fighting and winning his struggle for the control of Vienna. After the economic setback of 1873, and under the oppression of the first years of the Taaffe era, the Austrian Labour movement had split. In 1889 the factions were reunited at the Hainfeld congress, under the leadership of a young intellectual, Viktor Adler. Like many of his later comrades, Dr. Adler had originally joined in the national-chauvinist revolt against the former Liberal party. In 1890 Social Democracy was able to enter on the political stage with impressive May Day demonstrations. In 1893 it began that campaign for universal suffrage which was to be its main activity during the next period, apart from organising trade unionism. A somewhat radical phraseology was necessary if sectional unity was to be preserved in multi-national Austria, but the party remained most cautious in its practical politics. In essentials it was "a social reformist, liberal workers' party", as a contemporary Liberal observer [1] called it. The party platform, Charmatz thought, was designed for spiritual edification on festive days, and the real programme of the party, apart from defending the sectional interests of the

[1] Charmatz, *op. cit.* (1907), p. 306.

workers, was restricted to democratisation, industrialisation and a progressive attitude towards questions of culture and nationality.[1] With such a programme Charmatz was in real sympathy, hoping only that the Socialists would devote more attention to agitating amongst agricultural labourers. For only the workers' party could awaken and civilise these strata, and so create the preliminary conditions for general progress in Austria.[2]

This was the opinion of a sincere German-Austrian Liberal who, in view of the political bankruptcy of official Liberalism, saw no force other than the workers' party capable of realising the original Liberal ideas. But one of the leaders of that party, Renner, stressed [3] its importance in awakening the non-German workers socially and culturally, in such a way as to preserve the unity of a reformed Austrian empire, by immunising them against reactionary Pan-Slavism. The official rulers of the State did not like progressive ideas, but from the very beginning of Austrian constitutional life [4] they had to consider whether it might not be advisable to countenance the international sectional struggle of the Socialists in order to avoid the destruction of the State by competing middle-class nationalists.

The Socialist leaders were quite conscious of the kind of support they might expect even from the Emperor. After 1893, their tactics in the struggle for universal suffrage were dominated by the desire to win and retain the sympathies of all those who, for whatever reason, wanted to widen the narrow and rather corrupt [5] stage of Austrian official political life. It would be incorrect to interpret the consequences of such Socialist tactics *merely* in the sense of moderation, and to regard the radical phraseology of the Socialist party as mere make-believe. To prove oneself " reasonable " was not enough to win universal suffrage, even with the support of the progressive wing of the middle classes and the bureaucracy, and of the Court. The party had also to prove that it was powerful and energetic enough to exercise pressure upon the prevailing political forces within the ruling classes. When Taaffe attempted to introduce universal, though not equal, suffrage in October 1893, his government was overthrown by " a coalition of the agrarian and feudal with the industrial and commercial interests ".[6] Only the fact

[1] Charmatz, *op. cit.* (1907), p. 303. [2] *ibid.*, p. 284.
[3] *op. cit.* (1906), pp. 57 ff.
[4] Schäffle (*op. cit.*, Vol. I, p. 202) describes how he developed this idea for Francis Joseph before the nomination of the Hohenwarth Government, in 1870.
[5] See Schäffle, *op. cit.*, Vol. II, pp. 89 ff. [6] *ibid.*, p. 96.

that the Socialist party threatened very seriously to "speak Belgian" and, later, to "speak Russian" [1] made it a serious force in the contest. It was because of the impression left not only by the Russian revolution, but also by the real and serious revolutionary demonstrations of the Austrian workers, that equal manhood suffrage was introduced in 1906.[2]

But that decisive offensive was opened by the Socialist party not only in response to the Russian revolution and the sympathy it had met with among the workers and other classes in all the Austrian nationalities,[3] but also because Francis Joseph had just threatened the Hungarian aristocracy, which had attacked the Austro-Hungarian joint army, by declaring in favour of universal suffrage. The possibility of an appeal by the Court of the peasants and the oppressed national minorities caused the Magyar gentry to retreat over the Army question, and Francis Joseph ceased to show interest in the introduction of universal suffrage in Hungary.[4] But in Austria it could no longer be avoided. It was the Emperor himself who brought the necessary pressure to bear upon the Upper House, where the coalition of German and Polish industrialists and landlords continued to bar the way to reform. But when the Christian Social Party on which the Court had relied, as the only inter-national mass-party competing with the Socialists, was defeated in 1911, in the second election under universal suffrage, the Court began successfully to sabotage the working of Parliament,[5] and nominated as Prime Minister Count Stürck, who had led the Upper House against the extension of the suffrage in 1906.

The introduction of universal suffrage was the culmination of democratic progress in Imperial Austria. It failed, however, to achieve the desired result, the supersession of national by social and sectional issues. Among the Germans, it is true, in the 1907 elections the nationalist middle-class parties secured only 30 per cent. of the vote, while the Socialists had a similar proportion, and the Catholics 40 per cent. In the 1911 elections the Socialists and Catholics, with one million votes, i.e. 30 per cent.

[1] Popular paraphrases for the general political strike, as developed by contemporary movements in other countries.

[2] For a non-Socialist witness to the really decisive rôle of the workers' movement, see Charmatz, *op. cit.* (1911), pp. 165 ff.

[3] Essential in this was the rôle of the Czechs, amongst whom, in autumn 1905, there was virtually an all-national revolutionary movement corresponding to the struggle of the working classes for universal suffrage. See the official internal documents reprinted in Brügel, *op. cit.*, Vol. IV.

[4] See Polzer, *op. cit.*, p. 117; Bauer, *op. cit.*, pp. x ff.; and Hodža, *op. cit.*, p. 24.

[5] See Redlich, *Austrian War Government*, Engl. ed., p. 68.

of the total vote, were by far the strongest parties. But they were both splitting up along national lines.[1] On the other hand universal suffrage strengthened those portions of the remaining nationalist, that is, lower middle class, parties which supported sectional, and especially agrarian, interests.[2] The Austrian party system now showed national as well as social differentiations, with the latter groups unable to coöperate across the national divisions. It was in this condition that Austrian democracy entered its decisive crisis.

(*e*) Political Attitude of Austrian Social Democracy to the Nationalities Problem

The Social Democrats had become the only important progressive party with an inter-national programme, as opposed to the middle-class parties of various nationalities, and to traditionalist political Catholicism. The simplest course, for a democratic opposition, would have been to confront the Hapsburgs with the one positive programme of reconstruction Austria had produced, and towards which the Hapsburg attitude had been purely destructive, that of Kremsier. But when at the Brno Congress in 1898 the Austrian Socialist Party had to decide its policy on the national question, the disintegration of the Austrian State had reached such a point that the Kremsier proposals were bound to prove inadequate. Already there were nationalities, in Austria [3] as well as in Hungary, which could only temporarily be satisfied with anything short of complete secession from the Dual monarchy. Magyar persecution had already succeeded in closing the rift between Catholic and Orthodox Southern Slavs, and shaping a strong Yugoslav movement that could be expected only for a very short period to aspire merely to a federalist reconstruction of the Danubian monarchy, or to the replacement of Dualism by Trialism or some more advanced programme.[4]

If governments since 1848 had failed to solve Austria's essential problem, they had succeeded in developing modern capitalist economics within the Monarchy's territory. Social Democracy was itself a product of this progress. Labour could not desire the dismemberment of the existing economic unit, and its attitude

[1] See Charmatz, *op. cit.* (1907), pp. 228 ff. [2] *ibid.*, p. 238.

[3] At the Brno Congress declarations in this sense (see Bauer, *op. cit.*, p. 529) were made by the representatives of the Polish and Ukrainian Socialists, and the attitude of the Italians was similar.

[4] See the writings of Seton-Watson, the first four chapters of Bauer, *op. cit.* (1923) (German ed.), Popovići, and Redlich, *op. cit.* (1929), pp. 65 ff.

towards the national problems was bound to be dominated by the need for getting rid of conflicts between nationalities as obstacles in the development of sectional unity. Labour had also an obvious interest in overcoming the permanent obstruction of all parliamentary activities by the national antagonisms.

The Brno nationalities programme [1] declared therefore that it was in the interest of the working classes to get rid of national struggles as a main obstacle to social progress. Austria was to be transformed into a " democratic federation of nationalities " (*Nationalitätendundesstaat*). But the meaning of this formula was not made clear. The historic territories (Provinces) were to be replaced by " autonomous self-governing bodies within ethnographical boundaries, legislation for, as well as administration of, these bodies being transferred to national chambers, elected on the basis of universal suffrage ". All the bodies appertaining to a common nationality were to join a national union, completely autonomous in ordering its own affairs. Within these bodies, which were evidently conceived as *territorial* units, the rights of national minorities were to be safeguarded by Federal Law. Bauer later [2] found this formula insufficient, and desired its replacement by a recognition of the right of such minorities to form self-governing bodies on the basis of *personal* autonomy. But Bauer himself notes that the delegates to the Brno Congress were far from such conceptions, which would have reduced national autonomy to something like that enjoyed, for example, by denominational bodies.[3] Thus, in spite of the fact that later interpretations of the Brno programme tended to develop in the latter direction, its original conception was very near the Kremsier position, except that the difference between Palacky's original view and the definitive Kremsier compromise [4] was deliberately ignored in the Brno programme. But it is true that the Brno programme regarded the national struggles as essentially cultural. Thus it prepared the way for an interpretation of national autonomy that could easily be reconciled with a highly centralist attitude towards economic and social problems, and so with a virtual rejection of the essential features of federalism.

Though inclined to be centralist in its conception of the future of the State, Austrian Social Democracy was ultra-

[1] Full text reprinted in Bauer, *op. cit.*, pp. 527–8. [2] *ibid.*, pp. 529–30.
[3] The Southern Slav delegates to the Brno Congress had, indeed, advocated personal cultural autonomy, but the resolution as adopted was an obvious compromise.
[4] See above, pp. 173 ff.

federalist in its own organisation. In 1897 the Vienna (Wimberger) Congress of the Party had transformed it into a rather loose federation of national parties which were to collaborate by mere agreement as between equals on all local or district questions in which more than one of them might be concerned. The all-Austrian Conference of the national parties alone represented a common discipline on the basis of majority rule. Such a highly artificial structure was bound to prove unstable. In the 1905 municipal elections, in Brno for example, German and Czech Socialists contested the seats against each other. Six years later, the second general election under universal suffrage was fought by very loosely federated national Socialist parties which collaborated in Parliament only as long as they did not prefer to fight each other in alliance with the respective national bourgeois parties, as they had already done in many of the constituencies.

This was a strange structure for a party whose very aims emphasized class, i.e. inter-national, interests. It had been forced into this position by the fear that otherwise the young Socialist parties of the non-German nationalities might break completely away from the hitherto united party.[1] Unlike the Russian Labour movement,[2] Austrian Socialism tended to give very moderate answers to the problems arising from the struggle of the subject nationalities for independence, however radical the theoretical explanations men like Bauer might give of such proposals.[3] The Socialists in each national movement were consequently bound to be overwhelmed by the obviously more radical bourgeois nationalists, and thus to come under the latter's moral influence. Rather than be reproached as traitors to their respective nationalities the Austrian Socialists preferred to compete with each other. Even Bauer found nothing terrible in Czech and German Socialists occasionally voting against each other, provided that they had previously worked out together the appropriate "Marxist" explanation to prove that such regrettable actions were the inevitable outcome of the backward political organisation of the State.[4] They gave little thought to the question whether the claim of their party to replace that backward structure by a more advanced one was likely to be strengthened by paying such tributes to the existing state of affairs. But things much more serious, from the Labour movement's point of

[1] Bauer, *op. cit.*, p. 534.
[2] See below, Chapter XIII, section *b*.
[3] *op. cit.*, pp. 569 ff.
[4] *ibid.*, p. 571.

view, were to happen even in the trade-union field, where the need for united action was most evident.

In 1896 there had already been danger of a split on national lines within the trade unions.[1] In 1905 the bulk of the Czech trade unionists demanded a federalist organisation for Austrian trade unionism. The rejection of this proposal by the T.U.C. resulted in a split which became definitive. Proposals for compromise, such as that of Bauer [2] for strict centralisation in the field of economic struggles, with national autonomy in all the educational activities of the unions, did not satisfy the non-German unionists, who felt strongly that there was some antagonism even in economic interests between Czech and German workers. Once national struggles dominated Austrian policies, and men who were accepted as workers' representatives became interested in the question of how the "national structure", in the coal industry for example, might be influenced by the outcome of a given economic contest, any difference between the interests of the Bruex (German-controlled lignite) and the Moravska-Ostrava or Kladno coal basin was liable to prove a stumbling-block in the way of sectional unity among miners. Once things had gone so far it was very difficult indeed to preserve the leading rôle of the Labour movement in Austrian political struggles by united support for any proposal it might make for the reorganisation of the State. The proposals it had in fact to make were very inadequate.

(*f*) The Austro-Marxist Conception of National Autonomy

The interplay of nationalism with various kinds of reaction had resulted in a complete cessation of normal parliamentary activities. All real economic and social progress in Austria was dependent upon the activities of the more progressive elements within the bureaucracy. It was a representative of these elements, Körber, who succeeded after 1902 in overcoming the catastrophic consequences of the Badeni experiment by substituting a policy of piecemeal reforms for the fruitless search for a comprehensive solution of national problems. Körber intended to keep a nice balance between opposing claims, and at the same time to appeal to the new social forces against the nationalist-minded middle-classes by a progressive policy in social and economic matters. He was overthrown by a coalition of the German capitalist and landowning interests with the ecclesiastical and other reactionary

[1] *op. cit.*, p. 540. [2] *ibid.*, p. 552.

forces, which the dissatisfied Slavs made no effort to oppose. But the hopes to which Körber's experiment temporarily gave rise tended to increase the interest shown in administrative as distinct from constitutional solutions of Austrian problems. It was no mere chance that the elaboration of the Social Democratic policy on the national question was the work of a man who combined the functions of a high official of the Civil Service with those of a leader of the Social Democratic Party.

The Austrian Socialist programme, at least as interpreted by Renner,[1] was very centralist. While Körber, at least in theory, considered the essence of the language-struggle to be " the natural desire of each nationality to develop its economic and spiritual forces,[2] Renner recognised only the cultural aspects of the problem. For him, nationality was " part of the spiritual side of man, something very near to religion ", and spiritual interests were common to all members of the nationality. In this field there was no internal social antagonism, and therefore no oppression within the nationality—as distinct from the State, which, as the territorial unit, had to provide for external, economic and social needs. Only in the State did Renner recognise the existence of class-antagonisms and of class-rule, and in this field he regarded the interests of the ruling classes of all nationalities as coincident. There was therefore no case for national self-determination in the political field : the State had no more right to interfere with nationality than with religion, and nationality had nothing to do with those issues with which the State was concerned.[3] The obvious mistake in such a conception is to suppose that national differences simply cut across social, so that if the Marxist thesis of the primacy of social antagonisms be adopted, members of all nationalities could share in social privileges. Evidently Renner was not sufficiently critical of the existing Austrian conditions to see that the members of the ruling strata of one or two only of the nationalities might be interested in preserving a territorial unity they were privileged to enjoy, while other middle-class people, in spite of forming the ruling

[1] His first publication on the issue was in 1899 under the pseudonym " Synopticus ". *The Struggle of the Austrian Nationalities for the State* was published in 1902, on the eve of Körber's experiment, under the pseudonym of Rudolf Springer, which Renner used in his publications up to the World War, during which right-wing Social Democracy became sufficiently respectable to dispense with the need for one of its leaders, an Imperial Civil Servant, to use a pseudonym (and that one which was generally known) for his political publications.

[2] In his proposals for a Language Law for Bohemia, see Renner, *op. cit.* (1906), p. 27.

[3] Renner, *ibid.*, pp. 55 ff. and 209.

strata within their own national society, might feel oppressed in that they enjoyed only a formal equality in competition with the nationalities that had imposed artificial handicaps on them at the start.

Renner rejected both territorial autonomy and complete national independence as useless for solving the national-cultural issues,[1] which must be left to autonomous national bodies based upon personal rather than territorial characteristics. The territorial State was merely to protect the equal rights granted to these national bodies.[2] The multi-national State was to be responsible for the defence and the unification of the legal system, and for economic matters, including those usually left in federations to the member states. The democratic element in Renner's proposals was the emphasis on local self-government, as the foundation both of the economic and the social State, and of the autonomous cultural unit. The authors of the Kremsier compromise had regarded the Counties as mere subdivisions of the historical Provinces, designed to secure self-government in national matters, but Renner intended them to be the essential link between the municipalities and the State. Renner,[3] as distinct from Bauer,[4] took a distinctly negative attitude towards the historical Provinces, for he regarded the national divisions within them as the source of all the internal difficulties of the Hapsburg monarchy. His general tendency to prefer piecemeal reform prevented him from advocating the immediate abolition of the Provinces, and he suggested gradually replacing them by a dual structure comprehending the autonomous Counties. Comprehensive national unions were to have power to deal with all cultural matters, restricted only by State guarantees of certain minimum standards of education and civic rights : State powers were to be vested in large multi-national territorial

[1] *op. cit.* (1906), pp. 62 ff.

[2] It is characteristic of the conditions in Austria at that time that, among the functions of the autonomous national bodies, Renner (*ibid.*, p. 66) had to enumerate corporative support in Courts of Law—as prosecutor or defendant—in suits for compensation for material damage done in national pogroms if it should prove impossible to bring the individual offenders into Court.

[3] *op. cit.* (1902), p. 91, and *op. cit.* (1906), pp. 145 ff.

[4] *op. cit.*, pp. 360 ff. Bauer's argument shows some understanding of the economic case of the Czechs against mere County divisions : for, in the latter case, the proceeds of the taxes which German employers had to pay out of the profits of enterprises operating in territories with a German majority, but with Czech workers, could not contribute to the satisfaction of the cultural needs of the latter. But he evidently does not see that his whole argument in favour of personal as opposed to territorial autonomy is exposed to the same objection, the former being bound to strengthen economic inequality as linked with the existing national status.

bodies. Renner, whose policy tended to accommodate the leading official and German strata, suggested that the administrative bodies might preserve the existing Austro-Hungarian dualism, with possible concessions to the Southern Slavs.

Renner maintained that it was impossible to determine the boundaries even of the Counties on national lines, without seriously damaging legitimate economic and administrative interests. He put forward a simple solution of the problem. In heterogeneous Counties, and possibly in municipalities, *curiae* were to be established representing the various nationalities, to control educational and other cultural matters and to link the local groups with the national Unions. The Central Government was to nominate the County governor, subject to the approval, or even in accordance with the proposals of the representatives of the nationalities interested in that particular County.

Renner's solution owed its simplicity to his centralist conception of State government as distinct from national autonomy. Enormous difficulties would have arisen if the national *curiae* had been expected to perform the usual functions of member states of a federation. But Renner saw that, under Austrian conditions, only very restricted powers could be vested in the national *curiae*. Many have considered the creation of such *curiae* to be the panacea for the ills of the multi-national state, but the principle has been applied only in the Moravian Provincial Election Order of December 27, 1906. In this enactment the function of the national register was restricted to guaranteeing such a distribution of the seats in the Provincial Diet on national principles that the privileged position given to the landlords and upper middle classes by the unequal suffrage could be preserved without perpetuating an artificial German majority in the Diet of a preponderatingly Czech Province.[1] Thus, the measure

[1] The " Moravian Compromise " has been so much discussed, in such a way as to overstate its importance, that a short explanation of its contents may be useful. Its starting-point was the fact that, in consequence of the class-privileges secured as a result of the system of election by estates, or wealth groups, the wealthy German minority of the Moravian population controlled a majority of the seats in the Diet. This fact was accepted in 1906 as unjust, while the corresponding social state of affairs was supported by factors decisive in Austrian policies. Therefore, the method of election by estates had to be preserved, but the seats within the estates had to be redistributed to constituencies formed not on a territorial basis (which would have been quite simple in the case of popular suffrage), but by members of the privileged groups entered on national registers, and electing among themselves the number of members of the Diet allotted to them by the Compromise. No rights or duties but that of electing a member of the Diet in the appropriate constituency were connected with entry in a national register, and under the prevailing system the number of electors

was an attempt to divide the purely linguistic from the social questions, in order to preserve social privilege at a time when naked national oppression was no longer defensible. Such a function might give rise to serious doubts whether the institution of national *curiae* on a personal basis was a suitable means of solving the social issues lying at the root of the national antagonisms. But the basic shortcoming of Renner's approach was his very inability to find this root. He believed he had solved the national problem by finding a mechanism that would grant to all children education in their mother-tongue, without taking account of the fact that the different social position of the parents of the average child of either nationality would allow for very different levels of education, and a great inequality of opportunity in later life. It is strange that Socialists should have thought that the claim for national could be dissociated from that for social equality, but that is what Austrian Social Democrats did. Hence the shortcomings of their proposals for solving the nationalities problem.

Renner recommended his solution to the Austro-Germans as a means of preserving the national *status quo* in economic matters.[1] But the oppressed nationalities would not accept a solution that restricted national autonomy to the cultural sphere, and retained all economic and social issues for a centralist state virtually controlled by the Viennese High Finance. On the other hand, two " historic nationalities ", the Germans and the Poles, adopting a chauvinist attitude, regarded even cultural autonomy for the " unhistoric nationalities " as dangerous. For people who had benefited from higher education would sooner or later claim the jobs for which they felt they were fitted. The plan of personal-cultural autonomy could therefore satisfy hardly anyone.

(*g*) The Austro-Marxist Theory of Nationality

Subsequent political events did not by any means follow

in the privileged groups was strictly limited. Therefore special precautions had to be taken against the agreed national proportion being affected by the transfer of estates carrying a vote. Under universal suffrage, the usual methods of electoral geometry would have sufficed to ensure any agreed distribution of seats between representatives of the two nationalities, the electoral struggle being reduced to sectional contest among the social groups within each nationality, as in elections to the Imperial Parliament.

[1] See Renner, *op. cit.*, pp. 59 and 215 ff., where the question of preserving economic unity is discussed from the point of view of the then existing economic interests within the separate nationalities, without even considering whether new economic interests might be growing up, to whose development the existing unity might be an obstacle. For an identification of the class interest of the working classes with the State interest in granting national autonomy, see Bauer, *op. cit.*, p. 395.

the lines elaborated by the Austro-Marxists. But the theories built up in support of the political schemes just discussed are among the most interesting contributions that have been made to the understanding of an important factor in modern international society.

The conflicting parties themselves, for all their fanaticism, hardly knew what those entities were which by their struggles were bringing about the crisis of the Hapsburg monarchy and, as any reasonable observer could see, were helping to produce a World War. The Germans did not know whether to interpret their nationality in a cultural, in a linguistic,[1] or, for essentially anti-Semitic reasons, in a racial sense. The Czechs, including those living outside Bohemia, sang in their national anthem *Czeske te je domov muj*, a phrase that can only be translated " Bohemia is my home-country "—for the Czechs have no special name for their nationality, which extends through Moravia and part of Silesia as well as Bohemia, as distinct from their name for Bohemia, a land which they share with a strong German minority. Many years before the Versailles settlement Renner [2] criticised the Czechs for turning from Palacky's ethnic conception of the nation to the traditionalist-territorial view of Counts Clam-Martinitz and Hohenwarth, which entailed sacrificing the national interests of the Sudeten-Germans and of the Slovaks in Hungary. Within a system of power-politics it was not difficult to make claims based on both principles, in order to justify whatever territorial acquisitions seemed expedient to the dominant group within a nationality.

In 1906 Otto Bauer discussed the existing theories as to what was the essence of a nation, distinguishing [3] three groups of such theories, apart from that which he himself was to develop. These three groups still dominate all research on the subject. The first includes metaphysical theories : those which start by supposing a " racial soul ", and those which assume the existence of a material background behind the hereditary transmission of racial characteristics. Long before Rosenberg's *Myth of the Twentieth Century* was written, Bauer remarked that there was little difference between these two kinds of mysticism, however strongly the adherents of the " spiritualist " variety might reproach those of the " materialist ", and *vice versa*. The second

[1] To include all people of non-German origin who could be Germanised, e.g., by a German monopoly of higher education.

[2] *op. cit.* (1906), p. 195.

[3] *op. cit.*, p. 172, note.

group, which among non-mystics has remained the most widespread, consisted of the psychological theories. Some of these were intellectualist, starting from a national consciousness as the supposed characteristic of nationality; others were voluntarist, taking the desire for political unity and freedom, i.e. for a national state, as the proof of a real nation.[1] From a Marxist point of view, all psychological theories are inadequate, because they make no attempt to trace forces lying behind the psychological facts, and the contribution Bauer himself was to make to the theory of nationality was an attempt at a more objective analysis. Most Marxist [2] and many non-Marxist scholars have shrunk from accepting such psychological theories, even in Bauer's form, as definitive, and have tended towards the theories which form the third group. They have enumerated the apparent characteristics of nationality, without attempting to find any "essence of nationality" behind these characteristics, or regarding any one of them as fundamental.

Whatever nationality might be, no Austrian Socialist could take up a purely negative attitude towards it. Not only Bauer [3] but even Renner [4] emphasised the fact that internationalism does not imply a-nationalism, least of all anti-nationalism. Rather may it be said that internationalism presupposes the existence of nations, whose mutual relations it seeks to regulate in a more reasonable manner. Renner, in this a true representative of the progressive Austrian bureaucrats, tended to regard "nationality" as something the state ought to get rid of at the earliest opportunity, in order to devote more attention to its social functions. Bauer, the typical progressive politician, tried to argue that the solutions which he and Renner advocated would help in the development of that element which he considered essential to any, and especially his own German, nation, and would make it possible for the masses to share in their national culture.[5] Bauer's more positive attitude led him to attempt to explain what Renner took for granted.

Unlike Renner,[6] who distinguished between the spiritual aspects of the nation and the external functions of the State,[7]

[1] Among these last Bauer would also place the theory explained in *Nationalism*, p. 340. See above, Chapter II, p. 18.

[2] See Kautsky, *op. cit.*, with language as the essential element of nationality; and Stalin with his four characteristics, see below, Chapter XIII, p. 329.

[3] E.g. pp. 105 ff.

[4] *op. cit.* (1906), p. 59.

[5] Cf., e.g., Renner, *op. cit.* (1906), pp. 10 ff., and Bauer, *op. cit.*, pp. 105 ff.

[6] See above, pp. 213–14.

[7] See note 3 on p. 213.

Bauer recognised the objective, socio-economic content of national struggles. In the later interpretations of his theory especially,[1] he stressed as essential his description of the historical process of integration which produces the modern nation [2] rather than his definition of nationality. For him "the great importance of foreign domination is that the distinct, national characteristics of the oppressor make immediately obvious, and therefore intolerable, any exploitation and oppression that could otherwise be understood only with considerable intellectual effort".[3] The natural consequences of such a conception, from a Socialist's standpoint, would apparently have been, to use this obviousness which national antagonisms threw on social oppression in the Austrian Empire as a means for destroying such tyranny, and for rallying all the progressive forces to the support of the oppressed nationalities in what were virtually their social struggles. Bauer's definition of nationality, which was more akin to Renner's conception, prevented him from arriving at such conclusions, which would have suggested tactics similar to those of the Russian Bolsheviks [4] and perhaps have led to success like theirs.[5]

For Bauer, nationality was essentially a community of character, a common psychological make-up, historically produced by a common national past.[6] This community of national character produced a community of culture which included a common language.[7] Bauer, with the Russian Socialists,[8] but in opposition to most Western students of the subject, regarded community of language as an essential preliminary condition for recognising the existence of a nation, as distinct from the citizens of a state, however coherent. Mere common history and loyalty, as amongst the Swiss, might produce a certain community of character, but, lacking the preliminary condition for full community of culture, this would not justify speaking of a single nationality.[9] Neither Bauer nor his Bolshevist successors have answered the complicated question whether or not the inhabitants of Switzerland should be regarded as three or four nations—German-Swiss, French-Swiss, Grisons and possibly

[1] In the preface to the 1924 edition of his book, p. xxvii, where he also stressed the connection between his former emphasis on national character and his then Kantian philosophy.

[2] We have followed this description, in its essentials, in Section (*b*) of the present chapter.

[3] *op. cit.*, p. 176. [4] See below, Chapter XIII. [5] See below, pp. 241 ff.

[6] *op. cit.*, p. xii. [7] *ibid.*, pp. xxvi ff.

[8] See below, p. 329. [9] Bauer, *op. cit.*, p. 132.

Italian-Swiss [1]—distinctly separated from their co-linguists by their historical experiences.[2] On the other hand, those theorists, unlike Kautsky for example, who placed all the stress on the external characteristic of language, recognised that mere community of language between peoples with distinct historical experiences and traditions, such as the Serbs and the Croats, could not prevent the creation of a plurality of nations.

According to Bauer, as distinct from the Bolsheviks,[3] community of territory was not an essential characteristic of a nation unless it were an indispensable precondition for a community of historical experience and of national culture. So at least the Eastern Jews with their common dialect [4] could be accepted by Bauer as a nation. In a later passage, in the interest of general cultural progress as well as of the unity of the Labour movement, he expressed a desire for the assimilation of the Jews, as their peculiar national character could be preserved only by maintaining a backward economic structure and a mediæval outlook on cultural matters.[5]

[1] In view of the lack of a specific Italian-Swiss cultural tradition as distinct from the Italian, the last case may be regarded as open, quite independently of the question of irredentism.

[2] Such uncertainty, though it did not cause, yet it made possible the frequent modifications of Communist conceptions on such complicated issues as, e.g., the Czecho-Slovak, the Austrian, or the Sudeten-German, in spite of the objectivist Stalinite theory of nationality. With Bauer's theoretical conceptions exactly the same might happen, as there is no objective standard for measuring the divergence of "national" or "tribal" characters. Apart from clear-cut cases, a very wide field for wishful thinking and even for ideological constructions according to changing political needs is opened up to the adherent of left-wing Socialist theories. But it ought to be remembered that this uncertainty reflects the real complexity of the problems discussed, and that the simplicity, for example, of the Kautskian conception, based on language alone, is strongly biased in favour of the great and strong nations, whose language tends to dominate kindred dialects, and is used in the intercourse even of clearly distinct nationalities (as, for example, the Irish). Supporters of the view that identifies nationality with the desire for political independence can hardly avoid wishful thinking in contested cases, according to which of the opposing tendencies within the nationality discussed they deem relevant.

[3] See below, pp. 329–31.

[4] This interpretation is mine, not Bauer's, who contradicted himself (as between pp. 2 and 373 of the 1907 edition of his book) in a way it was not difficult for Stalin (*op. cit.*, p. 11) to expose. In the interpretation given above (restriction of Jewish nationality to the Eastern community, in so far as it is connected by a common language, and by some cultural achievements conditioned by it) Bauer's theory would be free from that contradiction—and is, in any case, being applied by Stalin if not as a theorist, yet as a politician (see below, pp. 329 and 381). But Stalin was quite right in stating as against Bauer that the latter's wavering on the Jewish question was a very natural consequence of his subjectivist theory; if we base the idea of a nation essentially upon the "national character" it is indeed difficult to avoid calling the Jews a nation. An objectivist Marxist could simply remark that the artificial narrowing of the social stratification among the Jews was bound to result in a similarity of character which was otherwise hardly to be found even among true nations, for the simple reason that the latter contain much larger social differentiations.

[5] *op. cit.*, pp. 369 ff. and 377 ff.

Once a strictly historical conception of nationality is accepted, as is natural with any Marxist, there is hardly any *theoretical* difficulty in the matter. Even if community of territory is accepted as a preliminary condition of that socio-economic unity without which no common national experiences and characteristics could arise under the present capitalist international society, there is no reason to suppose a similar condition necessary in ancient or mediæval society, or for nationalities that have survived from such a society into the present. The difficulty begins merely if, after recognising the existence of, say, the Jewish nation, we adopt an attitude towards its survival akin to that commonly taken towards the struggles of an oppressed nationality in modern society for freedom of development as a nation, and not for mere personal freedom for its individual members. But there is no logical necessity for taking this step ; no contradiction is involved in desiring that modern civilisation should be built on national diversities and at the same time regarding the survival of certain particular nationalities as undesirable, because, for example, their specific national cultures may be thought unsuited to anything but mediæval society.

Kautsky [1] suggested a more serious criticism of the contradiction between Bauer's demonstration of the class-character of national culture in general and his prescription of a " common national character " and a " community of national culture " as the essential characteristics of nationality. Kautsky asked if there were less community of psychological make-up between the German peasant of Schleswig and his Danish neighbour than between the former and his " fellow-national ", the " bohemian " artist in West Berlin. And he asked which part even of the German nation enjoyed the opportunity to appropriate the essential achievements of German culture. As a Socialist, Kautsky wondered whether Bauer really had no better advice for the Slovene peasant than " to appropriate the Slovene civilisation ", instead of all the treasures of international culture. Bauer's answer would have been that the advice was intended, not to restrict the Slovene peasant to the very modest achievements of his own civilisation, but to help him build up a society in which he and his fellows could appropriate all the achievements of international civilisation while making their own peculiar contributions to its further development.[2] Had he been as ardent a polemist as the Bolshevists were, he might have added

[1] *op. cit.*, pp. 4 ff.

[2] See note 9 on p. 219.

that it betrayed a strange conception of internationalism for a member of a people of eighty millions to advise a people of two millions to adopt " international civilisation " instead of developing its national culture. Bauer would have got into some difficulties over national character, but could have proved that on the average there was, apart from the difference in language, a difference in psychological make-up between peasant and peasant, between artist and artist, and that there was a nexus binding the differentiated artists and peasants together, so that the " German " peasant would feel he had something in common with the " German " artist, apart from language and politics.

Bauer, good nationalist as he was, would have regarded the full and stronger development of the national character by a future socialist society as a major achievement,[1] and even dreamed that an increasing differentiation of the nationalities might arise as a result of socialism ; for under it no new idea would be able to develop without accommodating itself to the whole spiritual existence of millions of people, who, in accepting those new ideas, would mould them into forms suited to their national character.[2]

For a Marxist, who considered national culture the product of certain economic conditions, this was indeed a strange conception. It is difficult to see how, in a future socialist world, the material contents of culture could be progressively assimilated by different nations, without the national characters, the product of past differences in the socio-economic position, being also progressively assimilated. What might be said in favour of Socialist nationalism, and what, indeed, was to come to be realised in the U.S.S.R., had been explained by Renner's statement [3] that the extension within each nation of the classes able to participate in its culture involved making it possible for much smaller nations than had hitherto enjoyed the privilege to build up a complete system of education, literature, art, etc., of their own. A hundred thousand people able to buy and understand a certain book are as encouraging a public, from an author's point of view, if they form 10 per cent. of a people of one million with high material and cultural standards as if they form only one per cent of a people numbering 10 million and including an illiterate majority. This is a truism (though it may be a very strong argument in favour of Socialism), but it has nothing to do with the other question whether, in a society able to achieve

[1] Bauer, *op. cit.*, pp. 101 ff.
[2] *ibid.*, pp. 105 ff.
[3] See note 4 on p. 218.

the more desirable conditions, the books published in one language will still differ as widely from those published in another as they did before. A case can be made out either for a positive or a negative answer : it may be argued (and this was evidently Bauer's opinion) that a small oligarchy, like the mediæval aristocracy or the " Westernised " upper classes of the Balkan countries, is much more likely to accept some international class-civilisation than are the average workers and peasants, even if all the facilities of schools and adult education are put at their disposal. But this is not the orthodox Marxist argument. Bauer was, on this as on many other questions,[1] much nearer to later Bolshevist practice than to Marxist and Bolshevist [2] theories.

The contradictions in Bauer's theories are explained by the fact that he was himself strongly nationalist-minded. As opposed to people like Kautsky [3] with their purely negative " internationalism " or rather a-nationalism, Bauer felt that Social Democracy, especially in territories with such enormous national problems as Austria, could make no headway unless it could appeal to the nationalist sentiment which was then the strongest political force operating amongst the masses. But although he perceived that the Austrian national struggles were really transformed class-conflicts, he could not see that, from a Socialist point of view, the claims of the Czechs were, therefore, more legitimate than those of his Sudeten-German fellow-nationals, and he did not understand that national revolution might imply social progress.[4] As distinct from Renner, Bauer understood that, although nationality does not embrace the whole of human life, it is more weighty than religion [5] in present-day political affairs, and has a justifiable claim to something more than protection in exercising its influence on a purely personal sphere of human life. Bauer interpreted the Socialist nationalities programme as a demand for a sphere of power in cultural matters assured to the national corporation even against the State, but by the legal order the State granted. He was quite conscious of the fact that this kind of autonomy would not give each nation that freedom of economic development which he himself found a necessary condition for the full development of national

[1] See in this connection also his discussion of the " withering away of the State ", *op. cit.*, pp. 127–8.

[2] And not only Bolshevist. See, e.g., the whole section (12) of Bauer's own book.

[3] Who, unlike Bauer, was to support the imperialists of his own nationality seven years later.

[4] Cf., e.g., *op. cit.*, pp. 507 ff.

[5] Except, of course, when both coincide—as, e.g., between Croats and Serbs.

culture.[1] For this, the oppressed nationalities must wait until socialism could be achieved and replace the traditional territorial states by a combination of wide economic units for economic and administrative ends, and national personal unions for cultural purposes, all free from conceptions of state sovereignty.[2] All forms of national inequality would then disappear. But until this aim could be achieved, Bauer appealed to the workers of the oppressed nationalities to fight within the existing, supra-national, and in fact German-ruled Austrian Monarchy as the actual economic unit. The Czech Socialists could not fail to accuse such a policy of accepting the economic *status quo* which was so highly favourable to the Germans, and to answer Bauer's reproach of " national revisionism " with the almost irrefutable argument that it was much easier to resist " aggressive nationalism " if one were a member of the ruling nation that stood to lose if the economic *status quo* were disturbed. So the Austro-Marxist theory proved unable to prevent the disintegration of Austrian Social Democracy into contesting national units.

(*h*) Projects for Achieving Federalism by " Revolution from Above "

The Austrian Socialist programme on the nationalities question, as interpreted both by Bauer and by Renner, was admittedly one of piecemeal reform.[3] In so far as hopes for a *coup d'état* were important, especially with Bauer,[4] they merely concerned Hungary, where no reform by parliamentary means could be expected because of the narrow and corrupt electoral system. Indeed, the only justification for the restriction of the demands of the Austrian Socialist Party to internal reforms was the desire to keep within the limits achievable in Austria with her universal suffrage by parliamentary means, and to remove the danger with which any political and social reform was threatened by the

[1] *op. cit.*, pp. 441 ff.

[2] *ibid.*, pp. 521 ff., and Renner, *op. cit.* (1906), pp. 30 ff. Bauer's conception, whose analogy with certain features of mediæval society he recognises, is very near to Prof. Laski's later conceptions of the " pluralistic State ". So the strong polemic of Stalin (*op. cit.*, p. 26) against such a conception might appear as an expression of deep theoretical differences between Russian and Western Socialism. On the other hand, with Bauer (*op. cit.*, pp. 514 ff.) and especially with Renner (*op. cit.* (1918), p. 18), the explanation of the idea that no other ultimate sovereignty but that of a future federation of mankind can be accepted, is intermingled with a distinct tendency, in default of such a world-wide federation, to defend the sovereignty of the existing Austro-Hungarian monarchy against the claims of the oppressed nationalities for self-determination.

[3] See Bauer, *op. cit.*, p. 404, and Renner, *op. cit.* (1906), p. 242.

[4] *op. cit.*, pp. 430 ff.

periodical deadlock arising in Parliament in consequence of conflicts about street name-plates or secondary schools.

The oppressed nationalities of Hungary were in just the opposite position. The parliamentary régime under which they lived was the most brutal form of Magyar gentry-rule, which virtually outlawed [1] all attempts at securing parliamentary redress for the grievances of the national minorities. In consequence they looked elsewhere for help. The conflict between the Crown and the Magyars over the demand for military autonomy [2] seemed to give the oppressed nationalities their opportunity. Even Renner and Bauer [3] understood the argument that a policy which granted national self-government would favour Austrian expansion. The Dual Monarchy could hardly expand so long as Serbs and Rumanians were bound to regard it as a prison for their nationalities. It would be expedient for the Crown to destroy the Magyar oligarchic opposition and so create conditions favourable to the non-Magyar minority of the inhabitants of Hungary. Such a policy would win the mass-support of peoples whose historical record [4] was not at all anti-Hapsburg, and would open the doors of the Balkan countries to Austrian export goods and financial advisers, perhaps even to Austrian governors. The Balkan Slavs would probably benefit by entering the customs union of their main customer, which was also a European Great Power. And if Francis Joseph himself could not break with the Dualist tradition which had made the second part of his reign much more successful than the first, it would soon be possible to appeal to the heir presumptive, Francis Ferdinand, whose most obvious prejudice was a deep hatred of everything Magyar.

The only clear argument against such a policy was that the Hapsburgs, and Cæsarism in general, could not be trusted to bring about democratic reforms. But Otto Bauer expressed this argument very vaguely,[5] and it could not be expected to

[1] See note 3, p. 186. [2] See above, p. 208.

[3] Bauer, *op. cit.*, pp. 435 ff., Renner especially in the whole tenor of his 1918 edition. Even Bauer argued (*op. cit.*, p. 447) against Engels' later point of view, according to which Austria was necessary for the protection of the smaller nationalities so long, but so long only, as Tsarist Russia survived, with the argument that even a "democratic Russian republic might be less acceptable to the Czechs than a reformed Austria. He did not at this stage envisage the possibility of a Socialist Russia in a near future. Retrospectively (*op. cit.*, 1923) Bauer recognised that the battle of Gorlice (May 2, 1915), by removing the actual threat of Tsarist Imperialism (although not as yet removing Tsarism in Russia herself) removed the *raison d'être* of the Hapsburg monarchy. [4] See above, p. 162.

[5] *op. cit.*, p. 438, after an unmistakable plea (pp. 430 ff.) in favour of the Socialist party supporting such a coup against Hungary. For a criticism, see Kautsky, *op. cit.*, pp. 32 ff.

convince the national minorities in Hungary, who, indeed, already inhabited a prison and would, in the worst event, only exchange this for another in which they would be allowed to speak their mother-tongue.

The remedies discussed in this connection varied widely, as the degree of help to be expected from the "enlightened autocrat" who was the supposed mainspring behind the reforms, fluctuated under different circumstances. Hodža [1] held discussions with Francis Ferdinand in the spring of 1914, when the latter's accession to the throne seemed near. He advocated a plan for County autonomy in Hungary, very similar to Renner's proposals for Austria, but with the important difference that national autonomy was to follow purely territorial, not personal, lines. Personal autonomy, under Hungarian conditions, would have resulted in establishing the "autonomy" of minorities with no middle class of their own, and therefore without any financial and administrative strength. For the same reason, territorial autonomy of any kind—like the Trianon frontiers at a later date—was bound to be regarded by the local well-to-do Magyar minority as national and social oppression. Serious and eventually armed Magyar resistance was therefore to be expected. It would for this reason be foolish to restrict reform to moderate measures which would not suffice to achieve the desired aim of attracting the Rumanians, and perhaps even the Serbs, into the framework of the renewed Monarchy.

The complete programme of the pro-Hapsburg groups within the oppressed Hungarian nationalities had been elaborated by Popovići in 1906, at the height of the struggle for electoral reform. His political starting-point, apart from the intolerable conditions of the Hungarian minorities, was the interest and external strength of the monarchy.[2] The interpretation of foreign policy as opposition to Tsarist absolutism [3] was more likely to win the sympathies of Austrian democratic forces than those of Francis Ferdinand, whose only well-established conception of foreign policy was the re-establishment of the "Three Emperors Alliance" for avowedly reactionary purposes. Popovići found it necessary to defend federalism against the reproach that it implied a loosening of the existing unity of the monarchy [4] or a revival of the Kremsier ideas.[5] The territorial redistribution proposed by Popovići was based on the supposition that all the traditional

[1] *op. cit.*, pp. 52 ff.
[2] Popovići, *op. cit.*, p. 204.
[3] *ibid.*, p. 216.
[4] *ibid.*, pp. 273 ff.
[5] *ibid.*, p. 265,

territories of the Monarchy, including, e.g., *Italia irredenta*, must be retained at any cost. From a democratic and rational point of view this was a quite unnecessary complication, except perhaps in arguing with a Hapsburg.

The essence of a nation was considered by Popovići, as by Renner and Bauer, to be its " national consciousness " ; but he went beyond their merely cultural conception by regarding the desire of a nationality for a national state of its own as the necessary complement of the desire to develop a special national culture.[1] He therefore proposed a federal division of the Hapsburg Monarchy, very similar to, but more elaborate than, Palacky's original project at Kremsier. There were to be fifteen federal units as nearly homogeneous as possible : three German (one each for the Alpine-Danubian bloc, the North Bohemian, and the Moravian-Silesian Germans), two Magyar (one for the bulk of that people, and one for the Transylvanian Szekely), two Italian (Trento and Trieste), and one each for the Czechs, Slovaks, Poles, Ukrainians (including the Hungarian Carpatho-Ukraine), Rumanians (Austrian and Hungarian together), Slovenes, Croats, and the Voevodina. The highly controversial Serbian problem [2] was left open. Cultural autonomy on a personal basis was to be granted to the remaining minorities. In comparison with the then existing state of things, the realisation of Popovići's project would have involved loss of predominance for Magyars, Poles and Germans—the latter being partly compensated by the better protection of their minority in Bohemia-Moravia—and a distinct improvement for all other nationalities. In comparison with the 1919 settlement, which was really the alternative to a reconstruction of the Hapsburg monarchy, the Germans and Magyars, under Popovići's scheme, would have won full autonomy for their co-nationals in the Sudetenlands and in Transylvania, and personal autonomy for their smaller, dispersed minorities ; while the Slovenes and Croats would have been spared Greater Serb predominance in Yugoslavia, but possibly at the expense of the Serb minority in Austria-Hungary. The Czecho-Slovak problem would have found a simpler solution, and the Ukrainians would have been better off than they were either before or after 1919. The Czechs, Rumanians and Italians would have im-

[1] *ibid.*, pp. 219 ff.

[2] It must not be forgotten that the only predominantly Serb territories the Dual Monarchy embraced were Bosnia and Herzegovina, the national character of which is disputed in consequence of the denominational divisions between Orthodox, Catholics and Mohammedans.

proved their previous position, but less than they were to do by becoming citizens of independent national states of their own. Whether they [1] could be satisfied by Popovičí's proposal depended essentially on whether the federal union would really cease to be a cover for German and Magyar predominance, and whether its internal policies could be at least as progressive than those of the alternative national states.

The inequality of size and economic strength among the proposed units would suggest that Popovičí, like most Austro-Hungarian reformers, considered the powers essential to the federal units to be cultural self-government and the control of such matters as agriculture, which varied from one district to another. But his enumeration of the proposed federal powers [2] was restricted to foreign affairs and *all* kinds of defence,[3] Customs, currency, the principal railways and the codification of law. These powers were far more than had hitherto been exercised in common by Austria and Hungary, but represented an enormous degree of decentralisation in comparison with the former powers of the Austrian government in internal matters and an increased degree of self-government even for the Poles, which might compensate those who were not directly interested in the oppression of the Ukrainians. All powers not explicity transferred to the Federation were to remain with the member states.

In Popovičí's proposals there was no provision for a special federal Chamber, but the Upper House was to be composed of professional representatives selected by the Crown equally from all the States. It was an obvious compromise between what the author considered right and what he believed might be realised by the anticipated Imperial *coup d'état.*[4] This suggested method of realising the reform programme was evidently the main shortcoming of Popovičí's proposals, and those of people like Renner who praised him without discussing the probable instability of an improved constitution based only on a Hapsburg coup. It is impossible to consider the merits of a constitution apart from the natural tendencies of its main supporters which we have

[1] Apart from the Italians, whose alternative was joining a national state enjoying the status of a Great Power. Even so, separation of the Trieste Italians from their economic hinterland would not be an unequivocal achievement.

[2] *op. cit.*, p. 318.

[3] This—an *argumentum ad hominem*—would have involved abolition of the partial autonomy of Hungary in matters of defence (see note 1 on p. 188) but, at the same time, would have meant also a very strong restriction of the guarantees against a new *coup d'état* by the Crown, should the latter desire to get rid of its temporary allies whose help would have been needed to break the Magyar position.

[4] Popovičí, *op. cit.*, pp. 328 ff.

sufficiently discussed in this book.[1] Jaszi,[2] with good reason, considered it a symptom of the desperate position to which all the centralising groups within the old monarchy had come, that a man like Bauer should express the hope that Hungarian separatism would compel the Crown to intervene with its armed forces. "The Crown", Bauer wrote,[3] "will not hesitate to send its army to Hungary in order to reconquer it for the Empire, but it will carry on its standard, Unadulterated universal suffrage and the secret ballot! The right of coalition for the agricultural proletariat! National autonomy! . . . it will oppose to the idea of an independent Hungarian State the idea of the United States of Greater Austria, of a Confederate State in which each nation will administer its national affairs independently, and all the nations will unite in one state for the protection of their common interests." Bauer even attacked those who regarded the adoption of such a policy by the Hapsburgs as impossible in view of their historical record. But the supreme landlord of Austria could hardly be expected to send his troops to support an extension of the suffrage to the Hungarian agricultural proletariat, and their right to establish trade unions. And the man who had sent his troops to dissolve the Kremsier Assembly could hardly be expected to use those troops to realise the Kremsier programme. Arguments based on international policy were the only considerations likely to produce such a complete reversal of traditional Hapsburg policy. But it is difficult to understand how serious observers, living in Austria, could neglect the fundamental fact that, after the decisions of 1871 and 1879, Austrian international policies were necessarily subject to German plans, and that the Austrian banks were only sub-agencies of the German "Big Five".[4]

The only interest the Hapsburgs could have even in mere discussions with people like Hodža [5] was the maintenance of the military unity of the Monarchy against Magyar inclinations. But the unity and strength of the Army was necessary within the framework of a policy dominated by the German alliance. And

[1] See above, pp. 182–5. For a good summary of the feudal elements in the pre-1914 Austro-Hungarian structure, and the decisive influence of semi-feudal *latifundia* on the character of the Monarchy and the dynasty, see Jaszi, *op. cit.*, pp. 194–7 and 222 ff.

[2] *op. cit.*, pp. 181–2.

[3] *op. cit.*, pp. 430 ff.

[4] Bauer, indeed (*op. cit.*, pp. 497 ff.), went to the length of discussing the eventuality of an Austro-German war!

[5] Popovič remained in the position of a political refugee prosecuted for high treason—a fact which reveals the conditions prevailing in Hungary.

the German allies would secure the position of the Magyar gentry as their only reliable support within the Monarchy, apart from the Austro-Germans. It may have caused disillusionment to men like Renner, but it was only logical, that during the First World War, fought for the creation of some kind of *Mitteleuropa* union, German influence should work for the consolidation of the provisional military dictatorship by constitutional reforms designed to secure German-Magyar ascendancy within the Monarchy and to keep the other nations " in their proper place ", and that a political personnel selected by Francis Ferdinand should do everything in its power to carry through the pan-German policy.[1] This was the only kind of *coup d'état* that could reasonably be expected from any Hapsburg, whatever his private intentions, for it was the only policy open to the military-bureaucratic organisation which he headed.

If any special historical proof of this connection is needed, it has been provided by the fact that Francis Joseph's successor, Charles, who was less pro-German than Francis Ferdinand had been, began his reign by deliberately calling into office those men whom Francis Ferdinand had marked out for the highest functions. One of them, Clam-Martinitz, his Austrian Prime Minister, advanced the preparation of a *coup d'état* to amend the Constitution in accordance with the demands which the Pan-Germans propagated during the War for the definite establishment of German hegemony in the Austrian half of the Monarchy. Another, Czernin, his Minister for Foreign Affairs, joined Charles in playing with the idea of a separate peace, but, on being convinced of its impracticability, hurried to secure the favour of the German overlord, leaving his royal master in an undignified position. Körber, the representative of the liberal tendencies within the old bureaucracy, opposed Clam-Martinitz's plans, earning thereby the hatred of Charles and his biographer.[2] During the general strike in January 1918, Charles intended to nominate the avowed Pan-German, Prince Schönburg, as military dictator.[3] But the Prince had to wait for another 16 years before he had the opportunity, under Dollfuss, to shoot the workers of Vienna. Charles, like Schuschnigg at a later time, avowedly intended, even when opposing the direct incorporation of Austria in Germany, " to expand the natural sphere of influence of the Germans beyond the limits fixed by Bismarck's solution of the

[1] See below, p. 235–6.
[2] Polzer, *op. cit.*, pp. 184 ff. and 392 ff.
[3] *ibid.*, pp. 541 ff.

German question ".[1] No head of the Austrian military-bureaucratic oligarchy could fail to be a representative of German imperialist expansion. It was pure nonsense to expect from such people a " revolution from above " that would bring about equality of rights for the oppressed peoples of the Austro-Hungarian monarchy.

This holds generally true of any representative of the Austrian monarchy and of the forces for which it stood. But it is especially true of the man upon whom these chimerical hopes were based, Francis Ferdinand.[2] The only thing clearly established about him is his strictly anti-democratic, extreme right-wing Catholic attitude. This brought him into conflict even with the more democratically-minded members of the Catholic Christian-Social party, whenever the latter shrank from overthrowing democratically-minded representatives of the old bureaucracy at Francis Ferdinand's orders, or from replacing Parliamentary legislation by emergency dictatorship [3]—it is hardly necessary to emphasise that the heir presumptive always had his way. Because of the landlords' interests, he was opposed to universal suffrage [4] which some people expected him to introduce in Hungary. All his so-called " Slavonic sympathies " were restricted to his personal clique of Bohemian nobles. He considered these nobles satisfactory substitutes for the real representatives of the Czech people whom he despised as " Hussite ", and classed with the Socialists and liberal bureaucrats among his arch-enemies.[5] He therefore opposed attempts at a Bohemian settlement which might result in a coalition between German and Czech Liberals, who, in the Hussite spirit, might oppose the dynasty, the Catholic religion, and all conservative elements.[6] But all these facts, giving the impression of an extremist right-wing Catholic politician, might do injustice to a man who thought in categories quite different from those we are accustomed to apply. Probably Redlich [7] was right in his statement that " putting together all that is known of Francis Ferdinand's

[1] *ibid.*, p. 576.

[2] It would hardly be necessary to discuss such a personal matter, known inevitably from indirect evidence alone, if the delusions about a possible reform of the Hapsburg monarchy by Francis Ferdinand had not survived until the present day (see, e.g., Macartney, *op. cit.* (1942), p. 107). For intelligible reasons we prefer to base our argument, as far as possible, on the testimony of Francis Ferdinand's official biographer, Chlumetzky, who was evidently biased in his favour.

[3] See Sieghart, *op. cit.*, pp. 141 ff.; Chlumetzky, *op. cit.*, pp. 307 ff. and 324 ff.

[4] Chlumetzky, *op. cit.*, pp. 296 ff. and 322; Hodža, *op. cit.*, pp. 42–3.

[5] Chlumetzky, *op. cit.*, pp. 300 ff., especially 305 and 324; Hodža, p. 45.

[6] Sieghart, *op. cit.*, pp. 239 ff.

[7] *op. cit.* (1929), p. 491.

views, we find him nearer to the princely ideas of the seventeenth than of the twentieth century ".

The only modern institution he was fond of was the army. As its commander-in-chief he was naturally a strong supporter of the German alliance and an adversary of Slav predominance in Austria.[1] It is true, Francis Ferdinand hated the Magyars—not, like many Austrians, because they represented an extremely reactionary, oligarchic régime, but because they disliked the unity of the army. There is little reason to doubt that he, as well as his biographer,[2] would have found opportunity, in the post-war period, to praise the Magyars as " the stronghold of order and discipline " in Central Europe. In pre-war Austria-Hungary, Francis Ferdinand played with the extreme right wing of the Croats against the Magyars, as well as against the Serbs and the more democratic majority of the Croats themselves collaborating with them.[3] Amongst the various projects he dallied with in such a connection was the establishment of a third, Southern Slavonic unit of the Monarchy. The schismatic Serbs were to be left outside, as an uninfluential dwarf state, destined to decline.[4] This view was just the opposite of that held by Popovići and similar advocates of a federal " Greater Austria ". After the 1908–9 crisis, Francis Ferdinand dropped his " Trialist " projects, for it had become evident that a Southern Slavonic unit would be influenced by the Serbs and become the instrument of forces incompatible with the policy of the German alliance. Such developments proved how completely deluded were those who expected a reform of the monarchy, at least in the Slavonic interest, by " revolution from above ". Masaryk was quite right in stating [5] that Germanisation, i.e. bureaucratic centralisation, could be effected even with the use of Slavonic languages, and that those were the tactics Francis Ferdinand had tried to apply in the interest of German centralisation.

(*i*) Definite Failure of the Attempts at Reorganisation

The First World War brought about the final crisis of the Hapsburg empire, and the crucial historical test of all the efforts to render possible the survival of a multi-national Danubian union into twentieth-century Europe. The War involved an enormous strain on the whole political and social system. Quite

[1] Chlumetzky, *op. cit.*, p. 75.
[2] *ibid.*, p. 207.
[3] *ibid.*, pp. 179 ff. and 284 ff.
[4] *ibid.*, pp. 194 and 226.
[5] *op. cit.* (1922), p. 68.

apart from its complicated national problems, the Dual Monarchy, like the other Central and East European military monarchies, was burdened with an unavoidable political revolution. There was no reason why the Hapsburg régime should survive a test before which those of the Hohenzollerns and the Romanovs broke down ; but, during the first stages of the war, there seemed also to be no reason why the Danubian state, perhaps under an altered régime, should not survive the War just as did other states, both victors and defeated.

Although some Czech regiments went over to the Russians, it can hardly be doubted that throughout the first period of the War the Austro-Hungarian war effort was supported by a majority of all the nationalities. But that support was rather negative, and was the outcome of disagreement about what régime should take over the Hapsburg inheritance. Amongst the Southern Slavs there was strong antagonism between the Serbian government and the democratic elements. The former had plans for a Great Serbian monarchy under the rule of the Karageorgevič and under the dominant influence of the Serb army, which were later to be realised in the Yugoslav state. The democrats, supported by most of the Austrian Southern Slavs, proposed to unite all Southern Slavs, including the Bulgarians, in a free and democratic federation, but to leave the dynastic question to be settled by a future Constituent Assembly. Among this latter group, even in 1915, a plan for a trialist reconstruction of the Hapsburg Monarchy, perhaps without the dynasty and on a republican basis, was still very popular.[1] Amongst the Poles, a Russian-orientated group, which preferred the unification of all Poles in one state, no matter how little independence they would enjoy there, opposed the pro-Austrian faction, which hoped for a Polish state which should be autonomous although it included only part of the Polish nation.[2] There can be no doubt that the Russophile tendency had very few supporters among the Austrian, as distinct from the Prussian Poles. Amongst the Czechs, during the first period of the War, there were very few who believed a complete dissolution of the Hapsburg State possible or even desirable. If they hoped for and helped to bring about an Allied victory, it was in the expectation that military defeat would result in a political reconstruction of the Austrian Empire favourable to the interests of the oppressed nationalities.[3] The Italians alone, and some of the Rumanians, were clearly

[1] Bauer, *op. cit.* (1923), pp. 13 ff. [2] *ibid.*, pp. 43 ff. [3] *ibid.*, p. 27.

irredentist. But even the Rumanians, like the Southern Slavs, were not certain that a national state under the leadership of the ruling strata of a backward Balkan country was preferable to a democratic reconstruction of the Danubian Great Power. The Ukrainians also wavered in their sympathies, at least until the Russian revolution, which opened up new prospects to them.

The battle of Gorlice, on May 2, 1915, removed with the Tsarist threat, one of the main reasons which had hitherto justified the existence of the Hapsburg Monarchy in the eyes of most of its subjects. But the entry of Italy into the war, which almost coincided with the defeat of Russia, created a new interest in the defence of the Monarchy, shared by nearly all the nations within its boundaries, except of course the Italians. Czech or Southern Slav regiments, which had been absolutely unreliable on any other front, fought heroically against an enemy who seemed hardly less dangerous to the Slav cause than were the Prussians or Magyars. Only in the later course of the war did the complete dependence of the Hapsburg monarchy on its Prussian overlords become evident: Bauer has rightly remarked [1] that the last remnants of Austrian independence were destroyed at the battle of Luck, in June 1916, when Prussian support was needed to save Austria from the Brussilov offensive and to reform the broken Eastern front. The consequences became evident only one year later, when the Russian revolution brought Austrian affairs into a state of flux, and when the ruling groups in Austria proved completely subject to the Prussian lead. But the fact should be kept in mind that they had bound themselves long before.

During the first part of the War, the Dual Monarchy was ruled by a bureaucratic-military dictatorship, under the joint control of the High Command, the Hungarian Prime Minister, Tisza, and the Austrian Prime Minister, Stürck, whom Francis Ferdinand had brought into office.[2] This group considered the war from the outset as a political measure for preserving the political *status quo* in both halves of the Dual Monarchy, and as "a measure of boundless reaction against the national and political demands of the Slav and Rumanian nationalities for equality of rights".[3] In the spring of 1915 the German bourgeois parties in Austria elaborated a programme [4] that was also adopted by the Catholic party in September, under the influence of the

[1] Bauer, *op. cit.* (1923), p. 28.
[2] See above, p. 208.
[3] Redlich, *op. cit.* (1929), pp. 92–3.
[4] *ibid.*, Engl. ed., pp. 141 ff.

victories over Russia. The dictatorship was to be continued during the War without calling Parliament, and the new constitution would be introduced by a *coup d'état*, without any Slav participation in its framing. The alliance with Germany, or " Mitteleuropa ", as the current slogan put it, was to be extended by law into a permanent customs and military union. Galicia and Dalmatia, as autonomous units, were to be separated from Austria, which would thus be left with a German majority ; German was to be the official language used in Parliament, in the administration, and in all secondary schools. National Counties with self-government were to be introduced in all Provinces with a Slav majority and a German minority (especially in Bohemia), but not in those Provinces where such a measure might mean conceding self-government to the Slavs. The most radical Pan-Germans, especially the Sudeten-German bourgeois parties, went even further : in a programme dated Easter 1916, they demanded a number of additional measures of Germanisation, including the obligatory introduction of German in all the elementary schools of the Monarchy, and a German monopoly in higher education.[1] The Stürck régime showed obvious sympathy with the purely oppressive part of the Pan-German programme, although its attitude to any kind of definitive settlement was rather cautious. But the dependence of Austrian absolutism on German influence exerted through Magyar channels brought about its downfall.

Stürck's readiness to grant the Magyars all the concessions they desired at Austria's expense, when the customs union required renewed confirmation,[2] resulted in a protest by nearly all the Austrian political groups against the enactment of the new Austro-Hungarian settlement by " emergency decree ", and in the call for a session of Parliament. When Stürck resisted by the usual methods of a bureaucratic dictatorship, a political crisis arose, during which he was shot by Friedrich Adler, the leader of the left-wing opposition within the Socialist party. After a short liberal interlude under Körber,[3] whom Francis Joseph had recalled, Charles succeeded to the throne. Following the political testament of Francis Ferdinand and in accordance with Hungarian demands, he nominated an aristocratic-reactionary government, under Clam-Martinitz, in which German nationalists, Poles and Catholics were allowed to participate. Clam, in accordance with the conditions of his nomination,

[1] *ibid.* [2] See above, p. 187. [3] See above, pp. 212–13.

satisfied the Hungarian demands by emergency decree, and prepared to introduce a new constitution, based on the German demands, by the same method. But the Russian revolution of March 1917, and the mass anti-War movement which Friedrich Adler's shots had helped to set in motion, made necessary the restitution of at least a formal parliamentary system without any preliminary " constitutional reform ".[1] During the following year various projects were discussed in Charles's personal circle, including an almost literal reproduction of Renner's plan for personal autonomy.[2] But it is deeds, not dreams and discussions, that count, and the only step towards reform the new régime made was the introduction of Bohemian County administration, in accordance with Pan-German demands.[3]

Evidently democratic and federal reform could come only from below. Under the immediate influence of the two Russian revolutions, there were still considerable chances of winning the support of most Austro-Hungarian nationalities for a revolutionary change, without the complete dissolution of the old connections. When Parliament assembled again, on May 30, 1917, the Czech declaration[4] merely protested that " the existing Dual system has created oppressing and oppressed nationalities, to the great detriment of the common weal ", and declared that " for securing the full development of each nationality, and preserving the interests of the Empire and the dynasty, it is necessary . . . to transform the Hapsburg monarchy into a federation of free and equal nationalities ". " All the tribes of the Czechoslovak people," including the Slovaks living under Magyar rule, were to be included " in one democratic Czech state." The inclusion of the Slovaks, i.e. the breaking up of the existing dualist constitution, was the express demand of the Czech Left : when this was accepted by the moderate Czech parties, they differed only in the phraseology of their declaration from Kalina, who, speaking for the Czech Left, explicity rejected the existing constitution and all responsibility for the War, and expressed the complete solidarity of the Czechs with the Russian revolutionaries. There was nothing even in his words to prevent the creation of a Danubian federation following on an Austro-Hungarian revolution.

[1] Redlich, *op. cit.* (1929), p. 259 ; Czernin, *op. cit.*, pp. 200–1.

[2] Polzer, *op. cit.*, pp. 606 ff. It is highly characteristic of the level of the political " studies " of Francis Ferdinand's circle that Polzer had to point out to Charles the unknown fact that for many years such proposals had been in the centre of discussion amongst all progressive Austrians.

[3] See Gleise-Horstenau, *op. cit.*, p. 237 ; Polzer, *op. cit.*, pp. 184 ff.

[4] Gleise-Horstenau, *op. cit.*, pp. 102–3.

The Slovene speaker, the Catholic Korošec, was ready to accept even the Hapsburg dynasty on condition that all the Southern Slav tribes should be united in one State which should be a member of the wider federation.[1] It is true that the Southern Slav Socialists declared at the Stockholm Socialist Peace Conference of May 1917 that they regarded Southern Slav autonomy within a reorganised Hapsburg Monarchy as a mere minimum programme, and aimed at a united and completely independent Southern Slav state. The Corfu agreement of July 20, 1917, countered Korošec's pro-Hapsburg attitude with a compromise between the Great-Serbian and the democratic-federalist groups among the Southern Slavs in the Allied camp. But Austro-Germans, Magyars, and Czechs could visualise no other prospect than remaining together. The representatives of the Czech "Separatists"[2] at the Stockholm Socialist Conference claimed the full right of self-determination for all nationalities, including the *right* to full political separation. But they suggested that, if this right were recognised, the revolutionary Czech Socialists would try to secure a voluntary federation. In this federation the stronger nationalities would form separate member-states, while the smaller would be granted merely cultural autonomy. Even the Czech Separatists intended to grant the federation the control of foreign policy, defence, and fundamental economic concerns.[3]

The historical failure of Austrian Social Democracy lay in its inability to replace the Hapsburg monarchy by a structure conforming to the demands of the oppressed nationalities for freedom of development. The failure was the outcome of the fact that Social Democracy had been the main centralising force during the last period of the Monarchy's existence. From the very beginning the Brno Socialist nationalities programme, at least as interpreted by Renner, had proved unable to satisfy national demands. During the war the majority of the Austrian Socialist Party adopted a chauvinist attitude comparable with

[1] Bauer, *op. cit.* (1923), p. 17.

[2] The Czech Separatists were that group within the Czech Labour movement which insisted on separate Czech trade unions (see above, p. 212). They were, of the real mass parties, probably the nearest to the position of Masaryk and the Czech emigrés. But even they, as the facts described above prove, were not "separatists" in the sense of being resolved to discontinue any Danubian union. The Czech "Centralists"—representing, it is true, a mere minority within the Czech labour movement—in Stockholm supported the Austro-German Socialists, who insisted on the preservation of the existing political union, with mere cultural autonomy for all nationalities.

[3] Brügel, *op. cit.*, Vol. IV, p. 245.

that of their comrades in other countries. The Brno programme proved a mere pretext for supporting Austrian and German imperialism. In 1916, Renner published a book under the very characteristic title *The Renewal of Austria*, which put forward direct propaganda for " Mitteleuropa ", the current formula of German imperialist expansion, and attacked the " delusion " that County administration could be introduced on a basis of clear democratic self-government, after the abolition of bureaucratic centralisation.[1] The " supra-national state " advocated by Renner [2] for the nations of " the intermediary belt " was, in fact, only the Austrian Monarchy with slight modifications. The Socialist Party Conference in March 1916 accepted a resolution which constituted a compromise between the traditional Austro-centralist position, especially of Renner and the Czech Centralists,[3] and those German-nationalist tendencies which had survived throughout the existence of the Party.[4] The introduction of County administration was demanded *for the whole Empire*, as opposed to the German demands for County administration only where it would favour the Germans.[5] Until the establishment of the National Unions for which Renner's old proposals had provided,[6] their functions were to be performed by " Provisional National Councils ", formed by the M.P.s of the respective nationalities. But there was no emphasis on the Brno programme's polemic on the very topical [7] question of an official Imperial language. Most important of all, there was no attempt to attack the Dual system, which was the stronghold of national inequality.

At a later stage, dominated by the ideas of the Russian Revolution and of Wilson's Fourteen Points, Renner restated his point of view in the new edition (1918) of his chief work, under the equally characteristic title *The Principle of National Self-Determination Applied to Austria*. In fact, it was a polemic against that principle, which in accordance with Renner's conceptions of nationality was accepted " only as regards that sphere of life which ought to be free from state interference ".[8] This was just the opposite of what the advocates of national political self-determination desired. In fact, Renner considered that such demands constituted the ideological origin of the World War.[9] Evidently that war was conceived as a war in defence of the

[1] *op. cit.*, Vol. I, p. 68. [2] *ibid.*, pp. 38 ff. [3] See note 2 on p. 237.
[4] See above, p. 206. [5] Above, pp. 199–200. [6] See above, p. 214.
[7] See above, p. 235. [8] *op. cit.*, p. 265. [9] *ibid.*, p. 17.

multi-national Hapsburg monarchy against subversive nationalism. There was much criticism, in Renner's book, of the bourgeois and imperialistic character of the modern nation-state, but very little of the Austro-Hungarian multi-national state which Renner [1] regarded as the only feasible solution of the problems of Central Europe. In the interests of this state, he defended national autonomy on a personal basis,[2] but rejected federal reorganisation on a territorial basis, as expressed in the declarations of the various nationalities of May 30, 1917.[3] The individual citizen, not national member states, was to be the foundation of the future state.[4] Renner's attitude even in 1918 might be characterised as that of an Austrian liberal centralist, e.g. one of the Körber pattern : he was a liberal as regards the cultural rights of the non-German nationalities, but in politics was rather a supporter of German imperialist aspirations.[5] Such a political attitude was inseparably connected with the Dual Monarchy and German imperialism, and was quite unable to provide an alternative after their downfall.

After 1916 and 1917, the majority of the Austrian workers had definitely turned to the Left, and begun to reject the policies of the right-wing leaders of their party. But the attitude of those who now formed a majority of the Socialist party [6] found its only expression in their attitude towards the war effort, and not in a clear programme on the national question. The original attitude towards national issues taken by the Left, under Friedrich Adler, was simply negative : these issues were regarded as something that concerned the national bourgeois parties who had to lead the actual bourgeois-democratic revolutions, but not as the concern of the revolutionary Socialists, who had to propagate the more advanced principles of an international society.[7] Such an attitude implied waiving all claims to leadership in the events immediately ahead, especially in a country so dominated by national issues as was Austria.

At a later stage, under the immediate influence of the Russian revolutions, the somewhat negative attitude of the Austrian Left was replaced, under Bauer's leadership, by positive support of the struggle of the oppressed nationalities for self-determination. At the Socialist Congress in October 1917, the Left declared, as

[1] *op. cit.*, p. 109. [2] *ibid.*, p. 249.
[3] See above, pp. 236–7 ; Renner, *op. cit.* (1918), p. 233. [4] *ibid.*, pp. 265 ff.
[5] *ibid.*, pp. 261 ff., and the whole tenor of Renner, *op. cit.* (1916).
[6] Or rather of the various Socialist parties which, as we have seen, co-existed among the various Austrian nationalities. [7] Bauer, *op. cit.* (1927), p. 29.

opposed to Renner, that the national problem could not be solved by mere administrative reforms like County autonomy, but only " by the full victory of democracy ", a term intended to imply the overthrow of monarchical government by a revolution. Constituent National Assemblies of the separate nationalities, vested with sovereign rights, would have to decide what form of government was desired by each, and to reach agreement with the others about the future administration of common affairs.[1]

Such a programme was open to a twofold interpretation. It might be regarded as the only democratic approach to a future federation of territorial units, to be based upon mutual agreement, instead of a presumed " natural order " according to which the territories acquired at various epochs by the Hapsburg dynasty were to form a political unit for all time. It seems that the declaration of the Left was interpreted by its adherents in this sense, for otherwise it would have been quite impossible for them, with almost a majority of the Congress, to have agreed to a resolution proposed by Renner, which differed from his former views merely in demanding the abolition of Dualism and the introduction of County self-government and national cultural autonomy for the *whole* territory of the Dual Monarchy.[2] The adherents of the Left found it possible to agree for the sake of unity to a programme of piecemeal administrative reform, while declaring what they intended to do should future developments take the desired revolutionary course. But they evidently intended to establish a federation even in the latter event. Otherwise, their support of Renner's resolution would have been not mere political inconsistency, but sheer political foolery. Indeed, so long as Germany was dominated by the Hohenzollerns and the General Staff, even the German-Austrian Socialists had no political alternative to federation.

When this state of things had changed and when, after the November Revolution of 1918, *Anschluss* with a democratic Germany had been proclaimed officially, although not very seriously, the programme of Austrian Social Democracy, Otto Bauer, writing in 1923 about past events,[1] interpreted the declaration of the Socialist Left of October 1917 as the expression of a definite intention to sever the old connections between the peoples of the Hapsburg Monarchy. Indeed, it was for such a task that his Constituent National Assemblies had come into being, during

[1] Bauer, *op. cit.* (1923), p. 62.
[2] Brügel, *op. cit.*, Vol. V, pp. 318 ff.

the last days of the Monarchy.[1] Writing in 1923, Bauer explained his position in 1917 as a consequence of his belief that it was impossible to keep the peoples of the Monarchy together without relying on reactionary forces. Social Democracy could not support such a union without betraying its ideals. The federalist position of the Brno programme [2] had therefore to be dropped, and the complete separation of the Austrian nationalities envisaged.[3]

Such an attitude, if it indeed represented that of the Austrian left-wing Socialists in the decisive winter of 1917–18, would, no less than that of Friedrich Adler in 1916, have virtually expressed complete despair of the possibility of the working classes leading the coming revolution, and of socialism arising from it. Serious people could expect only extreme nationalist leadership in each national republic if the revolution were to result in complete separation. And if the working classes were to lead, they would have had no reason, especially under the conditions of October 1917, to sever all connections, instead of building upon new foundations the structure which the Hapsburg monarchy had failed to maintain. It should be remarked that during the summer of 1918 adherents of Bauer's point of view, who attacked Renner's principle that it was practically impossible to attain a truly national delimitation of territorial states, based their argument not on the possibilities of minority protection and commercial agreements between friendly states, and so on, but on the example of the Soviet republics, which had demonstrated that temporary separation might lead to a voluntary, and therefore more stable, federation.[4]

Deeds rather than political formulas were to decide the future of the Danubian peoples. In January 1918, in answer to the Brest-Litovsk policy of German imperialism, the German-Austrian and Hungarian workers began a general strike, against which the government was no longer able to make full use of the army. A few weeks later the Austrian battle fleet at Cattaro hoisted the Red Flag, together with the tricolour of the Southern

[1] See below, p. 243.

[2] As we have seen above (pp. 210 and 213 ff) this interpretation of the programme was not correct, or at least was not the current pre-War interpretation. The Brno programme would have been federalist, if interpreted as in the declaration of the Left of October 1917.

[3] Bauer, *op. cit.* (1923), p. 61.

[4] See *Der Kampf*, monthly organ of the Austrian Social Democratic Party, 1918, No. 6 ff., with articles by Renner and Austerlitz (the latter defending the position of the Left), especially p. 528.

Slav democratic movement. True, the participation of the Czech workers in the revolutionary movement was confined to a few districts dominated by the Centralists. Elsewhere, Czech nationalists adopted a rather expectant attitude, restricting their activities to demonstrations of solidarity. The exiled leaders of the Czech national movement hoped for an Allied victory, and for the establishment of a bourgeois-nationalist government with Allied help, rather than for an all-Austrian workers' revolution begun in sympathy with the Soviet. Among the Czech nationalist leaders at home, the fear of German troops occupying Bohemia in view of the evident inability of the Austrian government to deal with a revolutionary movement seems to have played the decisive rôle. None of these arguments was very convincing from the point of view of consistent Socialist revolutionaries. Certainly revolutionary action had its chances of success. The Government had to make important concessions to enable the Viennese leaders to call off the strike, and not only was it continued afterwards for a few days by the majority of the Viennese workers, against the advice of both right-wing and left-wing leaders, but most Czech centres began to strike, and the Cattaro Fleet mutiny followed within a few weeks. But Bauer and the bulk of the Left were evidently convinced that the lead in the coming events would belong to the nationalists, not to the Socialists. On January 20, 1918, the day when the Viennese Workers' Council had to decide whether to accept the concessions of the government or to advance from strike to revolution, the German-Austrian Left agreed with the Czech Centralist Socialists, and with some Polish and Slovene Socialist representatives, to take the former course as regards the strike, but to accept the declaration of the Left of October 1917 [1] as the basis of future action.[2] This further action never developed.

[1] See above, pp. 239–40.

[2] Bauer, *op. cit.* (1923), pp. 66 ff. The joint left platform of January 20, reprinted p. 67, mentions, indeed, the prospect of the Austro-Germans joining "one united democratic German Commonwealth". The agreement of the Czech, etc., participants in that declaration was evidently intended as a mutual agreement for the complete, peaceful dissolution of the links hitherto connecting the peoples of the Monarchy. Certainly non-German Socialists, at that stage, began to orientate towards such prospects. As regards the German-Austrian Socialists, Bauer's personal position must not be mistaken for that of all his group,* and even less for that of all his party. Immediately after the passage quoted Bauer himself explains that the parliamentary faction was only won over in October, 1918, to a policy looking beyond the traditional political framework, and that the Vienna workers, highly suspicious of the Prussians as they were, were won over to the *Anschluss* only after the German revolution of November 9, 1918.

* See note 4 on page 241.

So the interpretation of the Left Wing's nationalities programme as separation rather than voluntary federation was virtually accepted, although hardly anyone at that time foresaw all the consequences of the decision.

(*k*) Was Dissolution Inevitable?

The Hapsburg monarchy, instead of being overthrown by a revolutionary movement,[1] collapsed as a consequence of military defeat. Nationalism, supported by the Allied powers, had to shape the future. At the last moment the Hapsburg Emperor, in the manifesto of October 16, 1918, accepted Provisional National Assemblies for the different nationalities, to consider and reach agreement on the transformation of Austria into a free federation of nations. "The integrity of the territory of St. Stephen's Holy Crown", i.e. the continued oppression of the non-Magyar nationalities within Hungary, was to be preserved, from fear of the strongest force within the dying Monarchy. The manifesto corresponded almost exactly to the political course proposed a week earlier by the Christian Social Party, and fits completely into the framework of internal political events as well as of international negotiations. Therefore both those critics of Charles who reproach him with having voluntarily abandoned the whole tradition of the monarchy, and those who praise him for having avoided bloodshed by legalising the inevitable transformation,[2] fail to grasp the fundamental point.

The manifesto implied the abolition of the monarchy, not only the abdication of the monarch, who even tried to avoid the inevitable. The "voluntary abdication" enabled most of the officials of the old monarchy to enter into the service of the new states without, in their own eyes, becoming revolutionaries. Considerable elements of "Old Austria" were thus to be preserved in new forms. But this was not what Charles, and the men behind him, had intended. From the point of view of its authors, the Manifesto of October 16 is simply one of the many attempts in history to do belatedly what one or two years earlier

[1] Even on October 14 the Czech Socialists were confronted with the alternative of assuming power and taking the lead in the construction of the new state, or of leaving it to the bourgeois nationalists and the Allies. This time there were no German risks. But the course taken by the Czech Social Democrats seems to prove that they did not really believe that the future was theirs. And it was not.

[2] For the first point of view see, e.g., Sieghart, *op. cit.*, p. 248; for the second, e.g., Polzer. For a more detached view see Redlich, *op. cit.* (1929), pp. 166 ff., especially pp. 173 ff.

would have saved the situation.[1] This does not mean that a similar manifesto issued in 1916 or 1917, and even including Hungary, would have saved the Hapsburg monarchy, which was sufficiently undermined to fall at the first push. From the point of view of Hapsburg monarchists this hardly disputable fact may be some excuse for the lost opportunities. But, as we have seen above,[2] there were very few forces in Austria before the Russian Bolshevist revolution which, if admitted to power by a collapse or voluntary surrender of the monarchy, would not have attempted to establish some kind of federation. In the autumn of 1918 there were hardly any forces prepared even to try such a policy.

The present writer, like, probably, everyone who personally experienced the Austrian events of 1918, feels little reason to participate, in a scientific book, in the discussions that have taken place in this country on the "question" whether the Allies were right or wrong in "dissolving Austria". It may be granted that Austrian monarchists, for whom Hapsburg rule was an essential element of the natural order of things, could conceive of a disturbance of that order only by some, probably diabolical, intervention from outside. It may even, though with rather more difficulty, be granted that some idolisers of diplomatic documents believe that the world was created by such documents, either by diplomatic recognition of the governments of hitherto non-existent states, or by peace treaties which merely sanctioned a status established months before. But none of these points of view represents a scientific approach, and a glance at the calendar of events of October 1918 is sufficient to show that all the decisive events took place before the Allies had the opportunity to decide anything whether for good or for evil.[3] There was a technical possibility of armed intervention to uphold, or to restore, the Hapsburg monarchy, perhaps in some reformed shape, but certainly against the will of the nationalities concerned, especially of those to whose aspirations the Allies had appealed during the War. Such an imposed régime would have enjoyed the support only of the bureaucratic-military apparatus of the Hapsburgs, with some approval from the landlords and the Church, and with every likelihood of its again becoming a useful instrument of

[1] Apart from the concession made to Hungarian integrity, which a Hapsburg Emperor in a less desperate situation had been even less ready to avoid.

[2] Pp. 236–7.

[3] This refers, of course, merely to the establishment, as separate and independent political units, of the new states. We are not concerned here with the drawing of the new frontiers, however much it may have influenced their fate.

German imperialist expansion. All this would not have been sufficient to prolong the existence of such a régime for a single day after the armies of occupation had left, especially with Soviet Russia in the neighbourhood. As Palacky had foretold half a century before, the Czechs " had been before Austria existed, and were to be after Austria had ceased to exist ". The Czech people would remain, not because Allied propaganda could make use of their discontent, nor because a peace treaty provided for Czech independence, but because Austria, in any form, was unsuited to the development of the Czech nation, and between 1918 and 1938 there was no external power sufficient to force the Czechs into what they had good reason to regard as a prison.

If criticism of great historical events is desired, it must be turned against the course taken by the political development of the Austrian nationalities, and the Allies should be recognised as only secondarily responsible for supporting events that prevented the federal solution which might otherwise have been possible. But it seems quite unreasonable to reproach the Allies for having supported bourgeois, rather than socialist, trends wherever they could. Such a reproach is unreasonable in view of the social foundations existing in England both in 1918 and to-day. It is difficult to see why a socialist solution of national problems should, *a priori*, have been more difficult to achieve in Austria-Hungary than in the former Russian empire. But it was not the task of the Allies to attempt such a solution. They can hardly be reproached for the fact that their influence contributed indirectly to increase the obstacles to revolutionary action in January 1918 : [1] to exercise such an indirect influence, in this way or that, is one of the most legitimate means which any social system in control of one or more Great Powers can apply in a direction desirable in view of its own structure. The best proof of the vitality of any revolutionary movement is its ability to overcome similar obstacles ; if it cannot, its forces are obviously inadequate to its tasks.

When the chance of a socialist solution was dropped on January 20, 1918, there remained hardly any way of solving the Austrian nationality problems except by perhaps temporary separation. An atmosphere of mutual inter-national sympathy such as had existed during the Czech demonstrations on behalf of the Vienna and Budapest workers, and during the Cattaro fleet mutiny, could hardly be created outside the Labour move-

[1] See above, p. 242.

ment. Allied propaganda during the First World War may be reproached with having strengthened the chauvinist trends among the oppressed nationalities of the Hapsburg Monarchy which were not likely to lead to compromises with neighbouring states. This criticism of the almost inevitable effects of war propaganda is only partially true,[1] and it must not be forgotten that conditions in the Hapsburg Monarchy had forced all nationalism, the dominating force of political life, into such channels that it was almost impossible to decide where legitimate national self-defence ended and aggressive chauvinism began.[2] For the Allies it was certainly the line of least resistance to grant "favourable frontiers"—i.e. such as would include strong heterogeneous minorities—to a small allied nation rather than to grant it real help in building up a sound economic life within the frontiers that were most reasonable. The easier course may have helped to create unnecessary hardships, to strengthen national chauvinism on both sides, and to render later reconciliation more difficult. But it is hard to see how the fundamental national problems of the Dual Monarchy could be solved without dissolution, at least temporary, if the framework of capitalist society were accepted, and radical encroachments on private property ruled out.

Our investigation has shown that the driving forces behind the national struggles were demands for social emancipation, and that the programme of merely cultural autonomy, advocated especially by Social Democracy, was insufficient to grant full freedom of social and economic development to each nationality. "Self-determination apart from the political field" could really satisfy only a member of one of the ruling nations, such as Renner; it would have preserved the economic *status quo* with the Czech entrepreneur still dependent on High Finance concentrated in Vienna, and with the landlord usually a German or Magyar, and the peasant tenant a Czech, Slovak or Rumanian. To solve these really decisive problems, revolutionary land reform might perhaps have been introduced and the banks expropriated, their powers being vested in a truly inter-national federal authority which would enable all nations to develop, and would even discriminate in favour of the parts of the country hitherto neglected. Such a

[1] Amongst the Czechoslovaks, for example, Allied prestige backed Masaryk and Beneš, by far the most moderate of the nationalist politicians, whilst Kramař and Rašin were typical products of Austrian internal conditions. At the Peace Conference the Allies had, of course, little interest in extremist demands.

[2] See above, pp. 197 ff.

course has been taken by the Bolsheviks in Russia. In spite of the rather unfavourable impression we may have conceived of the internationalism of men like Renner, there is no reason to doubt that the Austrian Socialist movement could have found political representatives capable of putting their conceptions of social equality before a narrow conception of national interest.

But when such revolutionary solutions were excluded by the general nature of the post-1918 settlement, the only way of righting the social wrongs done to the Czech people was the establishment of a state which would deliberately favour the national Czech bank against the branch of the hitherto dominant Viennese bank. If the " sanctity of private property " made it just to pay compensation in the course of land reform, only a Czech national state would ensure that the Czech peasant was not unduly burdened in the course of winning his independence from the German or Magyar landlord. Even if the land reform were to be executed with full impartiality as between Czechs and Germans, and without any bias but a social one in favour of the peasant as against the landlord, the very fact that Germans, including so-called Socialists, regarded the social *status quo* of their nationality as something sacrosanct was bound to result in a belief that social justice meant national wrong. Favourable conditions for cultural development such as the Sudeten Germans certainly enjoyed in the Czechoslovak Republic could not change this fundamental position, although cultural oppression of national minorities [1] might further complicate the issue. It was given to no one to liquidate the Hapsburg inheritance without struggle : anyone who disliked social struggles had to enter on a national struggle for life or death.

[1] As certainly developed in some of the Succession States formed on the dissolution of the Dual Monarchy.

CHAPTER X

AUSTRIAN REPUBLICAN FEDERALISM: ITS SOCIAL BASIS AND CONSTITUTIONAL FOUNDATIONS

(1) The administrative division into Provinces had failed to prove a basis for national self-government in the Hapsburg monarchy. In the Austrian republic it served as a means of granting autonomy to sections of a nationally homogeneous state, which were divided by the different social and cultural outlook of the Austrian workers and peasants. Bridging the division between "Red Vienna" and the Alpine, Catholic-conservative Provinces became the main task of Austrian federalism.

(2) The consistent application of democratic principles forbade the use of the Second Chamber as a barrier to majority rule, while the difficulty of agreement on fundamental cultural issues prevented a definite division of legislative powers between Federation and Provinces. So the function of Austrian federalism was restricted to autonomous administration, including those fields where administration may work as an instrument of social change.

(3) This function of Provincial self-government was rendered necessary by the equilibrium between the two main political forces within the federation, bound to result in deadlock unless an attempt at a federal solution of the contested problems should provoke the resistance of a minority strong enough to risk civil war or secession. On the other hand, this equilibrium between the forces dominant in the various Provinces was the main guarantee of Austrian federalism.

(a) The Establishment of Federalism in the Austrian Republic

All the attempts at federalist reconstruction of the Hapsburg Monarchy had been concerned exclusively with the relations between the various nationalities, and not at all with the relations between various parts of the country which were homogeneous from the national, but heterogeneous from the social, economic, religious and similar points of view. In the system of Provinces, there was a plurality of administrative units within the territories inhabited by the two largest nationalities, the Germans and Czechs.[1] But no one regarded these units as building-stones for a future federation.[2] The Kremsier compromise had made use

[1] In the organisation of the Czech state, also, the Provinces were to play an important part; see below, Chapter XII.

[2] Even when the Czechs based their aspirations for autonomy on the historic units, they thought of a future unit to be built up by amalgamation of the predominantly Czech Provinces, rather than of the specific rôle of these Provinces as such. If historically minded, they spoke of "St. Wenceslas' Crown", not of Bohemia, Moravia, Silesia. If Germans thought of the latter, they did so either as enemies who denied the existence of a single Czech nation, or from the practical criterion that the intermixture of the two nationalities in each of the three Czech-

of them only *faute de mieux*, as an inadequate approach to the true ethnographical delimitation, and their insufficiency was to be corrected by the introduction of ethnographically delimited Counties, in favour of which, in the view of Austrian Social Democrats, they ought to be dissolved. Aristocratic Conservatives, during the crises of the sixties, had cherished the idea of Provincial autonomy; but only because they were opposed to democratic government. The Provinces were controlled almost until the end of the Monarchy by semi-feudal estates, and were defended as suitable foundations for a unitary but decentralised Austrian state, directed by the local nobility which controlled the Provincial administration.[1]

Austrian administration could not remain centralist under a democratic government. Very few, and those only secondary, political matters such as charities, some agricultural legislation, and so forth, had been left to the Provincial Diets in Imperial Austria. But the practical decentralisation was enormous, compared with the theoretically unitary character of the Austrian state.[2] Most of the practical administration was under the Provincial Governor, who was nominated by the Central Government. As against him the Provincial Diet had no voice, except in the few matters mentioned above. But in a democratic revolution the Governor was bound to be replaced by a Provincial Government elected by the local population on a new basis of general suffrage. So the new Diet was bound to become the supreme organ of the Province. This would leave very little central administration, and what unity was to be preserved would depend entirely on what the political powers controlling the Provincial administrations could agree upon.

Neither the Social Democrats nor the Christian Socials who shared almost equally with them the support of the people of the Austrian Republic[3] had been federalists before 1918 (save over the nationalities question, with which when speaking of the Austrian Republic we are no longer concerned). But both had favoured local self-government as opposed to centralist bureau-

German Provinces differed from the position in the others, so that different solutions in each might be preferable. As regards those Provinces which the Germans themselves inhabited, they were not at all federalist-minded, although the peasants desired local self-government in matters of local importance.

[1] Redlich, *op. cit.*, Vol. II, pp. 578 ff.

[2] Renner, *op. cit.* (1918), p. 238.

[3] The pan-German nationalist party, the largest in the provisional National Assembly, was based mainly on the Sudeten Germans. So it became a rather uninfluential group when the Republic was definitely restricted to the Alpine countries.

cratic administration. The Christian Socials had had their opportunity to administer Vienna, when the Socialists could not even think of such a possibility, under the very unequal suffrage,[1] and their left wing had led the peasants in their first struggle against the lords for the control of Provincial agricultural administration. In fact, the political situation arising in 1918 rendered the Christian Socials the first advocates of neo-Austrian federalism. But as municipal self-government was to form the main element in Austrian federalism, the Socialists, who had always been its principal advocates, were to become the bulwark of the federalist constitution.

The structure of the new Austria would have to grant a high degree of autonomy to self-governing territorial bodies if democracy were not to become synonymous with permanent deadlock. In revolutionary times, when no one would submit readily to a narrow majority, this was the only way to reach agreement on positive reforms. For Austria was almost equally divided between industry and agriculture; between Socialism in its distinctly agnostic Central European form and political Catholicism; between town and village. Even in agriculture there was a nearly equal cleavage between grain-producing and cattle-rearing areas, while industry was partly dependent on coal, which after the political separation from Czechoslovakia had to be imported, and partly on the development of local water-power, for which German capital and German markets were required. Austria was certainly a most suitable place for applying the principles of democratic decentralisation (for which the term federalism may be used), to make a common political life possible for people who cherished very different political aims.

In Austria, as in other more famous cases, separatism was the father of the federal compromise. There had always been considerable antagonism between Vienna and the industrial parts of Lower Austria, which included probably the most revolutionary section of the Austrian working classes, on the one hand, and the Alpine countries, with their conservative peasant population which supported the Hapsburgs almost until the end, on the other. The antagonism was embittered by the facts that the unequal suffrage maintained Christian Social rule in Vienna against the declared wishes of the majority of the electorate, and that High Finance was also concentrated in Vienna which, as represented by the Christian Socials, appeared to the peasants

[1] See above, note 3 on p. 175, and p. 205.

as their worst exploiter, connected with Social Democracy by some mysterious Jewish power behind the scenes. The War made things worse, for, apart from the demagogy of the Catholic predecessors of Hitlerism, it provided the peasants with a much sounder reason for opposing those who had hitherto been their best customers.

As in Germany,[1] the activities of the centralised War economy became a main source of general discontent. The Viennese workers, reduced to famine rations,[2] naturally opposed the government as responsible for the War. But to the peasants, whose grain was requisitioned "for Vienna", the city became a pernicious power. Discontent against "Vienna", i.e. the War-economic "centrals", was not diminished by the fact that large numbers of peasants, who were mainly concerned with cattle-rearing, felt the shortcomings of Austrian War economics not as producers only, but also as consumers. These facts helped to create hatred of the régime among its main supporters, and to bring the peasant into the anti-Hapsburg front.[3] But as the new régime could not avoid supplying Vienna by food-requisitions in the provinces, the antagonism was immediately turned against the "Reds", who were also known to cherish sinister plans against the Church and Property. Nor were the provincial workers, although, of course, inclined to sympathise in political matters with their Viennese comrades, in complete solidarity with them on the food problem. The local Workers' and Soldiers' Councils fought desperately to retain the local food supplies.

At a later stage the strange intention of the Allies at the Peace Conference to burden the Austrian republic, i.e. the Alpine countries with some 6 million inhabitants, with all the responsibilities and debts of the Austrian half of the Dual Monarchy,[4] with its 27 million inhabitants, contributed to Provincial separatism. If the Galician Poles, who had always participated in and supported the government of Imperial Austria, could by mere secession become "Allies" and "Victorious Powers", there seemed to be no reason why the Tyrolese should not at least save the South Tyrolese Germans from direct annexation and oppression, by seceding and forming an "independent"

[1] See above, p. 86.

[2] Three ounces of bread and flour daily during the larger part of the year 1918!

[3] The demand of the Tyrolese and Upper-Austrian peasant Christian Socials for the immediate abolition of the monarchy led their party, on November 11, 1918, to abandon their attempts to oppose the proclamation of the Republic.

[4] The fear of such a development formed the main reason for the Austrians preferring the term "German Austria".

though Italian-controlled republic. Indeed, they tried to do so, and on April 30, 1919, they asked the German-Austrian government whether it would agree to their peaceful secession, and yet preserve economic and legal unity. Although the Vienna government had neither the power nor the desire to prevent the Tyrolese by force from seceding, it answered that the desired agreement and further collaboration would be possible only if the Allied Powers plainly declared that the Southern Tyrol could be saved *only* by secession from Austria. Such a declaration was never made, and so the plan was dropped. Vorarlberg even went so far as to organise a plebiscite, on May 11, 1919, on the question of whether to join the neighbouring Swiss confederation. Four-fifths of the voters declared in favour of doing so. But this plan, too, was dropped, as the Swiss declined to accept the proposed union.

If these general conditions are kept in mind the student will hardly be inclined to regard Austrian federalism as the outcome of decisions taken rightly or wrongly by politicians who, in fact, had never any real freedom of choice. During the first few days of November, 1918, political power was taken over in the various Provincial capitals by newly-formed, democratic Provincial Governments, based upon agreement between the political parties which, on October 31 and November 1, had assumed political power in Vienna. Nearly all [1] the newly-constituted Provincial assemblies, including those of the two new units formed by the Northern Sudeten Germans, adopted special resolutions [2] to join the German-Austrian Republic "on the basis of the right of the nationalities to self-determination", the usual formula in "Wilsonian" Europe. But some of these resolutions may have been intended, from the very beginning, as the foundations of a federal structure for the future German-Austrian state. Vorarlberg constituted itself *expressis verbis* "an autonomous Province within the framework of the German-Austrian state".[3]

The Vienna Assembly on November 12, 1918, adopted a special resolution "acknowledging the solemn declarations that the Provinces, Districts and Counties of the state territory would join German Austria". It could not devote much consideration to the problem whether this procedure implied a precedent in

[1] The only exceptions were Lower Austria (at that time not separated from Vienna), which may have considered its resolution already taken in the revolution of October 31, and Tyrol.

[2] See the documents reprinted in Kelsen, *op. cit.*, Vol. III, pp. 181 ff.

[3] *ibid.*, p. 229. Vorarlberg had not formerly been a separate province, but only a Tyrolese district, so it now took the opportunity to improve its status.

favour of a federalist constitution for the new state [1] or was a mere acknowledgement of the actual situation. There was no administrative organisation apart from that which the new Provincial Governments, as the only alternative to the Imperial bureaucracy, had taken over. The Austrian law " on taking possession of political power in the Provinces " [2] simply legalised accomplished facts by abolishing the former division of Provincial Administration between those branches that enjoyed " autonomous powers " and those that possessed only powers " transferred by the Central Government ".[3] The freely elected Provincial Governments remained under the obligation to act according to the directions of the Central Government.[4] Only in financial matters were the Provincial Governments subject to more than moral control : the assent of the State Council was needed for the nomination of those members of the Provincial Governments who had to act as representatives of the Minister of Finance.[5] Under such conditions Austria *was*, virtually, a federation (unless she was about to lapse into a state of anarchy), quite independently of the theoretical encouragement given to a federalist conception of the State by acknowledging that the Provinces had joined it voluntarily. Such an acknowledgement indeed could hardly be avoided. Austria based her claims to be considered a new national state, and not the mere heir of the defeated Empire, on the right to self-determination in accordance with Wilsonian principles. If this basis had been rejected, and the allegiance of the Provinces had been claimed as due to the state created by the Vienna revolution, that new state would automatically have become the heir of the Hapsburg monarchy. Austria was in fact treated as such ; but we can hardly reproach her leaders for having tried to escape such a fate, even at the price of dropping claims for centralisation that had become purely theoretical.

There was in fact no disagreement about the necessity for extensive decentralisation. During the negotiations for forming the first parliamentary government of the new Republic, that followed the elections of February 16, 1919, the Social Democrats proposed a One-Chamber system, but with " far-reaching self-government for the Provinces and municipalities, including the

[1] See Kelsen's commentaries, especially Vol. I, p. 72. Kelsen's critical approach to the matter reflects the original attitude of the Austrian progressive elements, distinct from the emphasis Social Democracy later laid upon federalism.

[2] Kelsen, Vol. I, pp. 98 ff.

[3] Article 9 of the Law. See above, p. 249.

[4] Article 8 of the Law.

[5] Article 4.

capital, Vienna". The Christian Socials insisted upon the introduction of a Second Chamber, the usual characteristic of federalism.[1] The Provisional Constitution of March 14, 1919, took Provincial self-government as an established fact, and gave the Central Government (with the Supreme Court as the final authority) a merely suspensory veto over Provincial laws that were considered *ultra vires*. As there was no similar check on Central legislation, the Central Parliament might be regarded as superior to the Provinces.[2] But it is clear that in the actual distribution of political power such theoretical omnipotence had very real limitations.

(*b*) The Constitutional Compromise

The Austrian republican constitution was enacted nearly two years after the Revolution, and was the last of all the post-1918 central-European democratic constitutions, although Austria was far less disturbed by war and civil strife after the Armistice than any other of these countries. This apparent contradiction is explained by the political equilibrium which made it possible for the Provisional constitution to work satisfactorily: the essential issues, including the problem of Provincial autonomy, had already been decided in the course of the Revolution, but decisions on theoretical issues, such as whether the new system should be called "federalist" or not, were more difficult to reach just because of the existence of the equilibrium between the most important political forces, based upon the workers and the peasants, the Social Democrat and Christian Social parties respectively. In view of the compromise on which Austrian democracy was based from the outset, the easiest way was to leave the fundamental issues and the definitive constitutional settlement[3] until the general lines of Central European development were made more clear by political decisions in the major countries. In fact, the first plan for a definitive Austrian constitution, though a project which remained without any important influence on the final

[1] The case of the Second Chamber was somewhat more complicated, for it implied, apart from the issue of federalism, the usual issue of the omnipotence of a democratically elected parliament versus attempts to restrict its powers, e.g., in favour of "corporative" representation of the vested interests. The right-wing Christian Socials did not fail to emphasise this aspect—and the Socialists, of course, to oppose such conceptions of a Second Chamber, quite apart from the problem of federalism. See below, pp. 257–8.

[2] Verdier, *op. cit.*, pp. 59 ff.

[3] The English reader, to whom a written constitution is not a commonplace of political life, must not forget that it is to Central European democrats, and that the Constituent Assembly had been elected to frame one.

compromise,[1] emerged from among the opponents of the political compromise, i.e. from those sections of the Christian Social party which were closely connected with the hierarchy and with Vienna High Finance. These sections had been the last supporters of the Monarchy and were to become the first supporters of Austrian Fascism, in opposition to the peasant majority of the party which favoured collaboration with the Socialists.

Seipel's project for an Austrian constitution, dated May 14, 1919, was based upon the principle of reducing parliamentary powers to a minimum. There were to be a Federal President and Vice-president exercising similar powers to their counterparts in the U.S.A. (though the reader must never forget that on the Continent such a position was likely to fall to a Napoleon III or a Hindenburg), and there were to be two Chambers, which must agree upon all legislation. The Second Chamber was to be composed of three representatives from each Province,[2] and of professional representatives,[3] amongst whom the workers and peasants would probably have had equal shares while some bourgeois representatives would have held the balance. The agrarian Provinces would have dominated over Lower Austria, the only Province which the Socialists might hope to control, among the Provincial representatives in a proportion of 6 : 1. The proposal was more likely to provoke antagonism than to serve as a basis for agreement.

The programme accepted by the Socialists and Christian Socials when the second coalition was formed (October 17, 1919) paid no attention to controversial declarations of political faith in its proposals for framing the Constitution.[4] It concentrated rather on the practical political issues, and especially on the distribution of powers. The federal government was to have exclusive control of foreign affairs, defence, justice, social legislation, universities, and economics in so far as was necessary for preserving economic unity and the free movement of goods. Education (except for the universities) and agricultural matters were to be left to the Provinces, within a general framework to

[1] Kelsen, *op. cit.*, Vol. V, p. 54.

[2] Independently of their population, so that Vorarlberg with 60,000 inhabitants would enjoy the same representation as Lower Austria (which was still considered as a single unit) with three million.

[3] In Seipel's proposals, after the fashion of the time, these were called "representatives of Councils as professional organisations," but later on Seipel was to revive the proposal as a "Chamber of Provinces and Estates" with just the same content. See below, p. 284.

[4] Kelsen, *op. cit.*, Vol. V, pp. 55–6.

be established by federal legislation. The relations between Church and State, including the highly controversial issue of the marriage law,[1] were to be regulated in principle by the Constitution. The sources of taxation were to be distributed by federal legislation between the Federation and the Provinces. Thus the latter would have their own financial administration, without any possibility of encroaching on federal finances. The Second Chamber, based on Provincial representation, was to have a suspensory veto, and any deadlocks arising from its exercise were to be settled by a plebiscite which was not, as in Germany, to be dependent on the wishes of the President. This last proposal was never realised. The definitive Constitution also failed to embody a compromise as regards the relations between Church and State ; the easiest way for the episcopate to wreck the collaboration of the Socialists and the Catholics, which they disliked, was to forbid the Christian Socials [2] to accept any compromise to which the Socialists might reasonably be expected to agree.

Another year passed before the Constitution, with considerable gaps, was enacted. While the Coalition Government commissioned one of its members, the Christian Social peasant leader Mayr, to elaborate the draft of the Constitution, the extreme right-wingers in the Provinces made use of the reactionary wave passing over the neighbouring states of Hungary and Bavaria to call a special Conference of Provinces, on February

[1] To understand the importance of this point, with which we are to be concerned below (pp. 269–70) we must remember that in the old Austria (as distinct from Hungary), all marriage law, as regards persons who were Roman Catholics at the time of marriage, was dominated by Canon Law, so that such persons, after having been legally divorced, could not marry again, even if they had meanwhile left the Church. Nor could a man marry who had been ordained priest, even if meanwhile he had become a rationalist. The Socialists, and also all sincere Liberals, had for many years demanded the repeal of such legislation. There was room for a compromise, for example by leaving the Registrar's duties, as regards members of the Catholic Church, to the Church, but introducing undenominational Registrar's offices for marrying people whom the Church declined to marry according to Canon Law. Such a compromise had virtually been concluded in January 1919, when the Christian Socials were prepared to let themselves be outvoted without causing a Government crisis, provided the Socialist proposals kept within the narrowest possible limits (re-marriage for divorced ex-Catholics, but not for ex-priests). But the pan-German " Liberals ", after having for many years supported much more radical reforms, now failed to support the Bill in parliament, with the pious and fulfilled intention of preserving that apple of discord between the Socialists and the Catholics.

[2] i.e., their peasant wing, which was rather more devoutly Catholic than the Vienna leaders with Jewish Big Business behind, and racialist Nazi demagogues alongside them, but sufficiently regionalist and Conservative to be concerned with the survival of the traditionalist way of life in the Alpine Provinces rather than with forcing on the Vienna rationalist workers a way of life which they disliked, but which Big Business needed as a cloak for political and social reaction.

15–17, 1920. Mayr was invited to participate in this conference in a purely personal capacity. The real threat behind the movement was not secession, which was in any case prevented by the Peace Treaty, but an agreement on confederate lines [1] between the agrarian Provinces, without regard for Vienna. From April 20 to 23, after the Kapp *Putsch* had been defeated in Germany though not in near-by Bavaria, the Central Government itself called a second Conference of the Provinces to discuss Mayr's draft. The Socialists, with the support of Professor Kelsen, had elaborated a draft of their own, differing only in secondary details. The Christian Social parliamentary party, against Mayr and their own representatives in the Cabinet, submitted a plan very similar to Seipel's private proposals of the previous year. The Pan-German nationalists revived these proposals, even in their extreme conclusions, with a presidential dictatorship after the contemporary German right-wing pattern.[2] But it should be noticed that the differences between the various proposals concerned the construction of the State, and the respective powers of Parliament and the Executive, rather than the principles of federalism, upon which, evidently, all were in agreement.

When the great political issues had been decided, and the political balance preserved, it proved relatively simple to elaborate the definitive compromise, under the lead of Otto Bauer and Mayr and with the theoretical advice of Kelsen. To the Christian Socials it was conceded that there should be a President of the Republic [3] as well as a Federal Second Chamber. But both were deprived of any power to serve or to injure : the President was reduced to a merely representative figurehead, and the Second Chamber had only a suspensory veto which the First Chamber could overrule by repeating its decision by a simple majority. Only in the case of constitutional amendments might a third of the members of the Federal Chamber demand a plebiscite. But this ruling remained merely theoretical, for the relative strength of the two main parties and the system of proportional representation rendered any constitutional amendment unlikely unless it were agreed to by both these parties.

Apart from all the limitations on the powers of the Second Chamber, the Socialists carried certain rules regarding its

[1] Kelsen, *op. cit.*, Vol. V, p. 61. [2] *ibid.*, pp. 58–9.

[3] The Socialist draft of the Constitution, like the Provisional Constitution of March 14, 1919, had provided that the representative functions should be exercised by the Speaker of the National Assembly.

composition which made it almost equal with the directly elected "National Council", the First Chamber. There was not, as in Germany, or even in the Christian Social draft at the Second Conference of Provinces, any limitation on the proportionate representation of the major Provinces, but the minimum number of seats for each Province was fixed at a quarter of that allotted to the strongest, Vienna. Thus Vorarlberg and Salzburg had each two more seats, and the Tyrol and Burgenland (acquired from Hungary) each one more seat than they would be entitled to on a basis of population alone. But on the other hand the Provinces were bound to select their representatives in the Second Chamber by proportional elections in the Diets. So at least three of the additional seats secured to the minor and predominantly agricultural Provinces by the first concession were by the second ruling secured to the Socialist minorities in the respective Provinces.[1]

The avowed aim of this compromise was to prevent the discrimination usually made in favour of the minor member-states of a federation from giving undue weight to particular political parties that might be strongly represented in those States. In fact, the composition of the Second Chamber differed from that of the First mainly because of its indirect election. So the leading members of the Provincial Diets, accustomed to a degree of collaboration in Provincial self-government which transcended party lines, formed some counterweight to the sharp antagonisms which prevailed in national politics, especially in the later years of the Republic. As it was the bourgeois, not the Socialist side of the house that suffered from the fascist schisms, the Socialists, in the last period of the Republic, enjoyed to a higher degree than the Christian Socials those advantages which indirect election grants to larger parties even under proportional representation. In the final crisis of the Republic [2] the Socialists had every reason to regret that they had been so successful, in 1920, in curtailing the powers of the Second Chamber.

A similar change took place in their attitude towards federalism in general. Originally, and even in 1923,[3] the Socialists regarded federalism as something forced upon them by necessity, to be

[1] In Vorarlberg and Salzburg there was no chance at all of a Socialist majority, so a single (and probably even a double) seat in each Province would have been uncontestedly Christian Social. So also in the Tyrol the Socialist minority was too weak to hope for one of two seats. Only in the Burgenland were the Socialists not without hope of winning a majority.

[2] See below, p. 288.

[3] See Bauer, *op. cit.* (1923), p. 221, and, above, note 1 on p. 253.

restricted as much as possible. Even the position of Vienna as a member state of the Federation, the legal foundation of the greatest successes Austrian Social Democracy was to win, was regarded by Otto Bauer [1] less as an achievement in itself than as a possible means of interesting the bourgeoisie in centralism, though they had for Conservative reasons originally furthered the particularist tendencies. Yet as we shall see, Federalism was to be defended against the centralist bourgeoisie and right-wing Christian Socials by that very coalition of workers and peasants for which Bauer had hoped, and it was defeated by fascist centralism. If things had moved towards a socialist revolution in Central Europe, the political fronts might of course have taken another shape. But there could have been no alternative to federalism but civil war, whoever was on the offensive. Whatever the Austrian working classes intended to do with their position in Vienna, it was sound policy to buy as much goodwill as possible from the peasants by granting them a maximum of autonomy.[2] To preserve the greatest possible degree of centralisation, theoretically against the peasants, but virtually in the interests of Viennese Big Business, was, even with due allowance for Bauer's delusions as regards the next political trends, very bad policy from the Socialist point of view.

Such a misunderstanding of their future interests on the part of the Socialists was likely to render easier agreement on the essential points. The fundamental question of the respective powers of the Federation and the Provinces was decided in a somewhat centralist sense. All industrial, commercial and banking matters, including the conditions of industrial labour, were retained for federal legislation [3] which the Socialists were never able to control. Agriculture, including the conditions of agricultural labour, and the supervision of forests and water-power, the natural riches of the Alpine countries, were left to the Provinces, i.e. virtually to the Conservative peasants. The Federation was allowed merely to lay down general rules in these fields. The main interest of the Socialists during the negotiations was, reasonably enough, the protection of municipal self-government in the small industrial provincial towns, against the

[1] Bauer, *op. cit.* (1923), p. 223.

[2] The reader must not forget that of those Austrian Provinces likely to break away from the Socialist nucleus none was essential for food supplies to the industrial centres: if the worst came to the worst, a peaceful secession of the Tyrol was, from the Socialist point of view, preferable to a march of Tyrolese "White Guards" against "Red Vienna".

[3] Article 10 of the Constitution.

encroachments of the Provinces.[1] In the definitive compromise, " provisionally ", i.e. so long as the Provinces should not enact laws giving concrete guarantees for municipal self-government, all the articles of the Constitution granting the Provinces complete autonomy were suspended,[2] including Article 15, § 1, by which all matters not explicitly transferred to the Federation were to remain within Provincial competence. The administrative *status quo*, in other words the power of the centralist bureaucracy, was to be preserved, until the Provincial Governments should grant municipal self-government ; and this also served to " solve " the difficult problem that is a permanent feature of political Catholicism,[3] of agreement upon the fundamental principles of education and matrimony. Until federal constitutional legislation [4] was enacted to fill these gaps in the compromise the *status quo* was to be preserved, together with a high degree of central bureaucratic control of secondary education (which would never be exercised in favour of the Socialists), and with no practical possibility of Provincial, including Viennese, legislation on these matters, which, under Austrian conditions, were the real justification of federalism. It is consequently hardly surprising that the achievements of Austrian federalism were administrative rather than legislative, and that the attempts at reform carried out by autonomous Provincial administration were permanently checked by the central bureaucratic administration, a survival from the *ancien régime* whose power was perpetuated by the failure of the democratic mass parties to settle clearly the most highly contested issues.

(*c*) The Functions of Federalism within the Framework of Austrian Democratic Government

To discuss the real functions of Austrian federalism we have to start not from the powers of the Second Chamber, which, as we have seen, were cut down to a minimum, nor from the legislative powers of the Provinces, most of which never came into legal operation, but from the Provincial administrative system which rendered Austrian federalism a comparatively successful experiment. Administration, especially on the Continent, is at

[1] Bauer, *op. cit.* (1923), p. 222, and Kelsen, *op. cit.*, Vol. V, pp. 58–60.

[2] Articles 42, 3 of the Law on the Transition to the New Constitution, see Kelsen, Vol. V, pp. 304–5 and 320.

[3] For the corresponding developments in Germany, see above, pp. 101 and 104–5.

[4] i.e., under Austrian conditions legislation agreed on between the two main parties neither of which, even with the support of the minor parties, could hope for the two-thirds majority needed to carry constitutional amendments.

least as important as legislation, and may even take its place as an instrument of social change. The practical problems of Austrian federalism, as apart from the theoretical issues to be discussed in the next section, were (*a*) how far Provincial administration embodied real self-government, and (*b*) what functions it could fulfil within the limits set by the actual, not merely the formal, conditions of Austrian constitutional life.

The old bureaucracy had retained many of its functions because of the incompleteness of the Revolution and the constitutional compromise. There had been some curtailment of its powers by the Workers' and by the Peasants' Councils, especially in those branches of administration immediately connected with the daily life of the citizen. This revolutionary state of things continued, though in a more organised and disciplined form, for a longer period than in any other Central European country. The agreement of October 17, 1919, when the second Coalition government was formed, provided for the stabilisation and regulation of the democratic control of the lower bureaucracy, partly by a democratic reform of district administration, and partly by continuing the participation of the interested sections of the population (that is, the Councils) in local administration. But this participation ceased as the wartime emergency measures for controlling food distribution and housing conditions were discontinued, for the main interest of the Councils, apart from general politics, had been in checking bureaucratic activities in these fields. The democratic reorganisation of local federal administration was never accomplished, and democratically elected Provincial governments had to preside over administrations of the old type. Even if they had desired to make essential changes in the bureaucratic personnel [1] they would have been handicapped by the fact that the Peace Treaty had burdened the new Austria with the maintenance of the greater part of the bureaucracy of the old state which had been five times as large. So it seemed sound financial policy to employ, wherever possible, a civil servant whom the State was obliged to maintain in any case.[2]

[1] As the average right-wing majority of an Alpine Provincial Government hardly did.

[2] According to article 216 of the Treaty of St. Germain the obligations of the former monarchy towards its Civil Servants and Officers were not regarded as a burden in which the separate Succession States had proportionally to share, as in other debts of the monarchy (art. 203), but the Austrian Republic remained responsible for the pensions of those former Austrian Civil Servants and officers who did not acquire the nationality of another Succession state. The fact that the central

Thus democratisation of the administration was concentrated on the Provincial Governments. These were elected by the Provincial Diet, without the Central Government [1] being able to interfere seriously with its activities so long as it kept within the limits of constitutional law. The proportional system of election involved the representation in the Provincial Government [2] of the minority, which usually had to be granted some portfolios. So a spirit of collaboration was created which differed widely from the strictly class antagonisms that dominated federal policies. It is true, the task was much simpler in the Province, because the most controversial matters, the structure of the Army, relations with foreign creditors, and general economic policy, remained within federal competence, and because the main parties in each Province had to agree only upon their local issues. The sharp class antagonisms within some Provinces did not necessarily prevent collaboration in others. There was, indeed, very little inter-party collaboration in Vienna and the Tyrol, where the Socialists and the Christian Socials respectively commanded a two-thirds majority, and the opposition preferred simply to protest against what they could not hope to change by argument. In Styria, where conditions [3] made it impossible for any party to have an absolute majority and where the permanent Nazi threat should have induced the two major parties to collaborate, the predominance of heavy industries controlled by the German Steel Trust,[4] which made the Nazi threat so real,

administration had been concentrated in Vienna, and that the Austrian Germans had enjoyed a disproportionately high share of the posts in the former service, resulted in a quite unreasonably large part of the former Civil Servants, and an even higher proportion of the former officers, becoming citizens of the Austrian Republic, and burdening its budget. Certainly a case for this solution of the problem could be made out, for it might be regarded as unjust for the non-German nationalities, most of which had felt themselves oppressed by the former state apparatus, to be compelled to maintain people who by upbringing and tradition could hardly become loyal servants of the new states. But a like case could be made out in favour of the Austrian Socialist workers, who were expected to maintain the potential backbone of a counter-revolution, a rôle which many of the old officers and bureaucrats were indeed to play in favour of fascist reaction, both Austro-fascist and Nazi. In any case the solution burdened the new Austrian republic with some of its main difficulties, both financial and political.

[1] Apart from the, in many cases, highly contested influence its leaders might bring to bear on the Provincial party caucus.

[2] As distinct from the Federal, which was formed by the parliamentary majority.

[3] Industry was strongly developed, but strictly localised, giving the Socialists nearly 40 per cent. of the electorate, while the lower middle classes, and especially the peasants, were divided in view of the existence of very strong pan-German organisations, preventing the Catholics from gaining a majority.

[4] And earlier by its predecessor, Stinnes (from 1921). Before that it had been controlled by the Italian Fiat group, which in 1919 had acquired it from the Austrian shareholders with the intention of preventing nationalisation.

influenced the local Christian Social Party in a rather fascist direction.[1] But elsewhere, and at times to a remarkable degree even here, there was considerable collaboration in the Provincial governments. Within the general framework of the definite economic policies of the Provinces some issues were always technical rather than controversial, such as the building of electrical power-stations or agricultural improvements, and collaboration in such matters helped to bridge the sectional divisions. If, on the other hand, a provincial issue, such as Vienna's housing policy, was a clear case of class antagonism, the fact that the capital had a distinct Socialist majority justified the situation at least to democrats.

Both parties [2] were interested in making Provincial delimitations as clear as possible. The most impressive success of the Socialists in framing the Constitution, the recognition of Vienna as a distinct member of the Federation separate from Lower Austria, was possible because it also corresponded to a concrete need of the Lower Austrian Christian Socials. Without this separation there would always have been a very narrow margin between the majority and the minority,[3] a condition which some people believe to be an essential of democracy, but which democratic Austrians in all camps disliked, for it prevented either party from embarking on long-term reconstruction policies in accordance with its own principles. And if federalism had any justification in a country like Austria, it was that it granted each local majority some freedom of experiment in accordance with its own views on cultural and economic principles. After the separation the Socialists in Vienna enjoyed the permanent support of 60 per cent. of the electorate, while in Lower Austria the Christian Socials controlled about 50 per cent., and the Socialists, at most, 38 per cent. of the total vote.[4] The result was permanent

[1] Their leader, Rintelen, was always one of the most radical right-wingers in Christian Social policies, and, in 1934, the virtual leader of the Austrian Nazis.

[2] Apart, of course, from the Vienna right-wing minority.

[3] In the elections of May 5, 1919, 64 of the 120 seats in the undivided Lower Austrian Diet had been won by Socialists. In November 1920, but for the separation, the bourgeois parties would have won a majority of the same size, to be replaced again, after 1923, by a Socialist majority which would have continued to grow, according rather to the progress of Viennese reconstruction than to any remarkable changes in the political conditions of Lower Austria (in the narrower sense).

[4] It would have been possible to make the division even clearer by further dividing the Province and joining the South-Eastern part with Vienna. But neither side desired such a course : the Christian Socials feared the loss of the taxes of the industrial areas, the Socialists the effects on the Socialist minorities in the Western and Northern parts of the Province should they become so small that collaboration with them would no longer be of importance from the majority's point of view.

Socialist rule in Vienna, and collaboration under a Christian Social lead in Lower Austria.

Austrian party politics have been reproached [1] with being " totalitarian " in that they tended to control the whole, or almost the whole, life of their followers even " outside politics ". The facts behind such statements are merely (1) that all the main Austrian parties (not only, as in Britain, the Labour Party and some elements supporting the Conservative Party) were built upon strong sectional organisations—trade unions, peasants' or small tradesmen's co-operatives, and so forth ; and (2) that the Conservative Party was ideologically identified with the influence of the Roman Catholic Church. Therefore the Socialist party, unless it was prepared to leave its followers to the propaganda machine of its opponents, was bound to conduct its own activities in the fields of youth and adult education. The average politically active Austrian citizen grew up within a sectional political, social and cultural environment virtually determined by his birth, and such a state of things contributed greatly to fixing the relative field of influence of each of the parties. Apart from the still remote possibility of the Socialists gaining over the agricultural labourers or the urban lower middle classes, there was indeed little chance of a change in the political structure of Parliament. In consequence, opponents of the existing state of affairs had either to accept the Compromise as something definite, or to attempt to replace " ballots by bullets ".

On the other hand, the fact that the average citizen, even before entering politics, had had active experience in some sectional or cultural organisation, created the essential pre-conditions of democratic self-government. It may be true that it was not always easy for a Viennese worker to be a member of a Christian Trade Union, or for an Alpine peasant to be a member of the local group of the Socialist-controlled Small Peasants' Union ; and the well-to-do peasant's labourer might even have difficulties with his master when joining the union. But the collaboration of the heads of the sectional organisations in the Provincial government worked in favour of mutual toleration below, as also did the existence in other Provinces of minorities formed by the fellow-believers of the local majority. In any case the dissenter from the sectional faith was rather an exception ; and for most people, even if their particular section was in a minority in the Province, Provincial party-government

[1] E.g., by Borkenau, *op. cit.*, pp. 172 ff.

meant a very high degree of self-government. There was no strict barrier between the Agricultural or Labour department of the Provincial government and the Administrative Council of the Peasants' Coöperatives, or the regional T.U.C., which each member of the respective organisation could follow and even hope to enter if sufficiently active in his sectional organisation.[1] In consequence, it is very hard, virtually impossible even, to decide how far the real achievements were due to sectional activities, and how far to the federal organisation. But probably most readers will agree that the latter fulfilled its task if it opened the way for "self-help" to the citizens through their sectional organisations upon which the democratic state was virtually based.

On the other hand, the Province was, indeed, the only possible field for successful experiment. For a state of things like that described was almost certain to result in a permanent deadlock in federal policy. The kind of "social contract" on which Austrian democracy was built, the agreement between the powerful sectional organisations of the workers and peasants, implied guarantees against any future attempt by either group to enforce its views upon the other,[2] and it secured to each of them a legitimate field of activity which no constitutional power could remove. These guarantees were partly embodied in the written constitution of the country: proportional representation, plus the requirement of a two-thirds majority for amending the Constitution, implied that no essential change was possible without agreement between the two major parties.[3] The

[1] Of course, a case can be made out against such a state of things by the advocate of the "strictly neutral" or, what is only another name for the same thing, "strictly political" State. It is sufficient here to notice that such a conception directly contradicted the essential tenets of Austrian democracy (independently of the differences of political faith) with which *economic* democracy was the essential, and the State was important mainly as an instrument for its realisation.

[2] All the current criticisms of the "sterility" of Austrian democratic government must be considered in the light of the alternative of civil war and dictatorship. In 1919 the working classes had a real chance to establish their dictatorship, and they were entitled to ask for some sacrifice from their partners in return for waiving that chance. This sacrifice consisted, on the bourgeois side, in abandoning the hope for the abolition of the social legislation granted in 1919, without the consent of the representatives of Labour. Afterwards people who in 1919 had been very glad of the compromise (see, e.g., Steeruwitz, *op. cit.*, p. 194) criticised as "sterile" that part of it they no longer wished to keep. But compromises in general imply surrender by each side of something it would prefer to do.

[3] In this regard the example of Austria, where proportional representation secured the functioning of a two-party system, is very interesting as against many widespread misunderstandings about proportional representation. The difference from Britain, for example, is that rather than alternation (with tacit regard for "His Majesty's Opposition") direct agreement with the minority is demanded and also enforced, independently of the respect, or otherwise, of the majority for constitutional conventions.

Standing Orders of Parliament, which allowed large minorities virtually unlimited powers of obstruction, made such agreement a preliminary condition for all legislation important enough for an obstructing minority to be able to defend its action before the electorate. Other guarantees working in the same direction were added by the *de facto* constitution of the country and especially by the position of the Trade Unions, including those of the railwaymen and postal employees, a general strike of whom was sufficient to force a compromise upon any government, at least before 1927.

The Austrian revolution, more thoroughly than that in any other Central European country, had dissolved the old army and replaced it by a popular voluntary militia virtually composed of Socialist workers. Austrians of all parties desired to transform this voluntary militia into one with very short-term compulsory service. Such a solution would have provided all the guarantees desired by all sections of the people as well as by Austria's neighbours. But the peace treaty forced on the country an army of professional soldiers. Originally, the non-commissioned ranks of that army were drawn mainly from the popular militia, but the Alpine provinces [1] were allowed to control local recruiting, and so to introduce many Conservative elements, while the commissioned officers were drawn from the strata that had controlled the former Imperial Army. The general distrust of a professional army resulted in an unofficial widespread arming of the population by the establishment of opposing party troops.[2]

[1] The later right-wing Federal governments never collaborated with Vienna. So in the other Provinces the recommendation of the village priest to the local Catholic party caucus might be as helpful to a candidate as in Vienna that of a semi-fascist military organisation opposing the local government.

[2] The question of the responsibility for this state of things—which involved the ultimate catastrophe—has been strongly disputed. But it is indisputable that the first document on "unofficial armies" from the workers' side, the resolution of the Federal Congress of Workers' Councils of May 31, 1920, speaks of the necessity for the workers "to reply to Fascist reaction's establishment of *Heimwehren* by organising *Heimwehren* of our own". Shortly before Steidle, leader of the Tyrolese right-wing Christian Socials, had published the regulations for his *Heimwehren*, a paraphrase of those for the Bavarian *Orgesch*. The defenders of the Austrian right-wingers (who prefer to neglect these facts, and to begin their historical record some years later) might make out a case based on the fact that, in 1919–20, the official army of the Republic was dominated by the Socialists, so that their opponents had reason to arm in self-defence. Apart from the fact that Socialist predominance in the army was the natural consequence of the breakdown of the former Imperial army, and of the policies defended by the Austrian bourgeois parties before and during the First World War, such a case would also be a case for the Socialists to arm "privately" during the later years of the Republic, when the army was under the control of a right-wing and semi-fascist government. In fact, the "disarmament" requirements of the Peace Treaties, by forcing professional armies upon the Central European countries, against the wishes of the anti-imperialist parties, prepared the way for

Equilibrium between these armed bodies was the real guarantee against a *coup d'état* or civil war. Together with the chance of a general strike it was also a guarantee of the parliamentary weapons of the opposition against legislation which it was resolved to prevent. No government could violate the Standing Orders to the prejudice of its opponents without grave risk.

The Socialists made very careful use of their enormous extra-parliamentary position as well as of parliamentary obstruction. So the distribution of real political power in Austria, which from the point of view of a capitalist democracy must seem very abnormal, merely resulted in adding some taboos against legislation by a right-wing majority to those already established by the Constitution. These additional taboos protected the position of the Trade Unions which would simply strike and, if necessary, fight against the introduction of legislation restricting their rights, and also the main social legislation of 1919, including the Rent Restriction Act, which prevented landlords from raising rents above the pre-War level. In consequence of the monetary inflation this meant that the worker's household was almost completely freed from the burden of rent, apart from the necessary provision for current repairs to the house.[1] From the landlords' point of view it meant expropriation ; and the inability of the small parliamentary majority of the Right wing to prevent this was bound to seem a gross injustice, justifying all forms of resistance to the republican order.

On such issues the conception of federalism proved to be an essential element in the Austrian conception of democracy. The issue of rents for flats was important, of course, only in the industrial and commercial centres, where the large majority of the electorate, and probably even of those who for religious or general political reasons voted for bourgeois parties, supported the Rent Restriction Act. The Socialists could make out a strong case against the right of the peasants, who paid no rent at all, to decide an essentially Viennese issue merely because their priests had induced them to vote for a party which regarded

civil war, and fascist reaction in Austria, just as they prepared the cadres for renewed imperialist aggression in Germany. Once the structure of the armed forces was dissociated from the general political structure of the people, no party, when in opposition, could avoid feeling that it was discriminated against by the Government's control of recruiting and promotion of officers, and threatened in its constitutional right to assume power should the electorate decide in its favour. The Austrian experiences (see the next chapter, sections *b* ff.) hardly dispel such suspicions.

[1] In 1925 the cost of housing formed 2·62 per cent. of a Vienna working-class family's average expenditure, as against 13·7 per cent. in pre-War times. See Benedikt Kautsky, *op. cit.*, p. 80.

the landlord's rent as a kind of property whose violation would contravene Catholic principles. Certainly such a case was at least as strong as was that in favour of the ruling [1] that the electorate of the agricultural Provinces should determine all legislation on the conditions affecting agricultural labourers, without allowing the Viennese trade unionists to influence the fate of their rural fellow-workers. No one would prevent the peasants from acting against their own economic interests if they so desired for the sake of their religious principles. So, indeed, they did when, following the command of the bishops, they made little use of the law which the Republic had enacted in 1919 for the re-acquisition by them of lands that the lords had taken from them for game preserves and similar purposes.[2] It was left to the peasant-dominated Provincial governments to decide whether or not to execute energetically Federal laws enacted for the peasants' benefit, and it was up to the peasant electorate to support or to criticise the policy of their representatives. But, according to the Socialist thesis, it was for the electorate of Vienna and its political representatives to control Viennese housing policy. So the Socialist members in the Federal parliament took a purely negative attitude to amendments of the Rent Restriction Act beyond the necessities above mentioned, and left each Provincial government to fill any gap by its own administrative activities.

Each self-governing unit might decide whether to finance housing from taxes so that the rents need only cover the current expenses, or from loans so that the rents had to cover the interest charges also, or to ask rents such that private capital might profitably participate in house-building. Various Provinces in fact performed their task by various means, in accordance with their own views.[3] To enable Vienna to try the first method, federal legislation had to be kept within certain limits. It had to be prevented from interfering with Vienna's activities not only directly but also indirectly, for example by partially compensating the landlords for the rents they had lost. If the tenants had been compelled to pay such compensation, they could not have borne additional taxes for financing communal house-building, which would thus have been prevented. Lack of dwellings would

[1] See above, p. 259.

[2] In Styria, for example, only a sixth of these lands was returned. The Abbot of Admont and the Bishop of Klagenfurt—themselves *latifundia* owners—had "on grounds of Christian morals" prohibited the peasants from invoking the law.

[3] See the next chapter, p. 279.

eventually have raised the rents to such a level as to encourage private " initiative ". According to all experience, for example in contemporary Germany,[1] this would have been a level at least 150 per cent. above the pre-War standard. As the Austrian export industries were simply unable to increase the wages paid in any comparable degree,[2] the result would have been a serious deterioration in the housing conditions of the population of Vienna. Socialist policy on the housing question therefore implied a strictly negative attitude to all attempts at Federal amendment, and a positive, constructive administrative policy wherever the Socialists were able to influence Provincial or municipal self-government, and especially in Vienna. Such an attitude presupposed a certain degree of financial autonomy for the Provinces which would be defended by the Socialists as an essential of social reconstruction. So, ultimately, the conception of democracy as sectional self-government and the assurance that certain social claims of the citizen would not be impaired without the assent of the sectional organisation concerned, resulted in a strictly decentralist attitude wherever the regional, federal unit coincided with certain sectional groups.

In some cases, Socialist Provincial administration would attempt to effect reforms, even in the field of legislation, which were desired by the local majority but for which the Federal government would not legislate. We have mentioned above [3] the complete failure of all attempts to amend the old Austrian—or rather Canon law—matrimonial legislation. Although parties with a majority of the electorate behind them demanded it in theory, the desire of the " liberal " pan-Germans, in the interest of bourgeois unity, to preserve the apple of discord between Socialists and Catholics prevented them from voting, with the Socialists, for any settlement accepted to twentieth-century minds.[4] Thus the framework of Federal legislation demanded by the Constitution would never be enacted, and the constitutional power of the Provinces, including Vienna, to legislate within this framework remained suspended.

But there was one way out of this artificially complicated situation. There was an old, but never repealed, Imperial law by which the Provincial Governor was allowed to grant a dis-

[1] See *Schriften des Vereins für Sozialpolitik*, Vol. 177, parts 1 and 2.
[2] Layton Rist, *op. cit.*, pp. 42 and 110.
[3] See note 1 on p. 256.
[4] In fact the issue was reserved for Hitler; and was solved by him in a way more radical than the Socialists had proposed.

pensation from " obstacles to matrimony " in Civil Law. The Roman Catholic authors of that law had probably intended to give the Governor power to allow marriages between cousins, and the like, rather than to dispense with " an obstacle to wedlock consisting in an existing marriage ", as the Austrian Civil Code put it. In fact, the Courts had dissolved " the existing marriage " in the cases with which we are concerned, but, according to Austrian law, they had been unable to " declare it void " for the reason that one of the partners, not necessarily the one who desired to re-marry, had been a Roman Catholic at the time of the wedlock. The Provincial Governor, or his legitimate successor, the Socialist Mayor of Vienna, now began in suitable cases to " dispense with the obstacle to wedlock, consisting in an existing marriage ", i.e., according to the language of the law, to legitimise what legally was still bigamy. From the legal point of view, it was a highly artificial procedure, and the Courts, when appealed to by some mischief-maker, did not fail to declare the second marriage, i.e. that in which the persons actually lived and had perhaps had children, void. But public opinion which for a very long time had regarded Canon Law as obsolete, supported the Viennese Province's sanctioning of the second marriage, and strongly disapproved of divorced partners who set the law in motion. So the Courts, which themselves disliked the business, got less and less to do in this field, and " marriage by dispensation " became quite a normal feature of Viennese life.

This is a very characteristic example of legislation by administrative practice, made possible by federalism. The Socialists quite naturally took the initiative, for it was the progressives rather than the conservatives who were disappointed by the permanent deadlock in Federal legislation. But analogous, although less characteristic, precedents could be discovered in the practice of the Christian Social, Alpine Provincial Governments, e.g. as regards price control for agricultural products. On the whole, administrative methods of introducing change were applied only in those fields left by the spirit of the Constitutional compromise to Provincial legislation, such as housing and agricultural policy, or cultural questions connected with religious issues. Wherever the Federal competence was clear and uncontested, and could not be supplanted by a related Provincial power (as with rent restriction and house-building), the state of Federal policy resulted in mere deadlock. So it was with old

age and health insurance, and even, in a high degree, with unemployment benefit.[1] The Right-wing majority in the Federation refused to pass enactments which it recognised were necessary, and Vienna could provide only indirect help, such as fighting unemployment by additional house-building, or supplementing insufficient benefits from the rates. It was almost inevitable, that, in the later years of the Republic, such a state of things should result in a tendency of the Left to complain of the insufficiency of Provincial powers, while the Right began to deplore the federalism it had itself inaugurated.

(*d*) The Character of Austrian Federalism

When discussing the theoretical problems involved in Austrian republican federalism, we must keep in mind the fact that the divisions it had to overcome were of a purely sectional character. There were no differences in historical experience between the Austrian Provinces [2] of which anyone could still be conscious, nor any differences in national or religious tradition ; although some divisions were caused by the fact that the Church had been the organiser of the Conservative party.[3] If Austria had broken up, in 1919 or 1921,[4] it would have been over purely sectional, political issues, with traditional or religious arguments used as mere pretexts for the conservative peasantry's antagonism to "Red Vienna". It has never been decisively proved that federalism was able to keep the diverse sections together, for it was not federalism that prevented the dissolution of Austria, but

[1] It was an acknowledged fact (see Layton-Rist, *op. cit.*, pp. 40 ff.) that (*a*) unemployment benefit was hardly sufficient, and (*b*) its burdens were so distributed that the industries suffering most from unemployment were correspondingly further burdened, and so impaired in their ability to compete in world markets. But the Right declined all proposals for reform ; evidently, as the Socialists reproached them, with the intention to bring about the breakdown of an institution they disliked, although they did not dare honestly to abolish it.

[2] Apart from Burgenland, ceded by Hungary only in 1921. Burgenland, with a strong Socialist party, and with the ex-Hungarian peasants strictly anti-landlord, became a stronghold of the Republic, while historical elements of Austria, like the Tyrol, occasionally threatened to secede. This is the best proof of the fact that republican Austria was kept together by conceptions of social and political reform rather than by common traditions.

[3] It is very characteristic that, throughout the Republican régime, religious instruction remained obligatory, and that the Socialists did not attempt to change such a state of things, beyond preventing pressure from being exercised against children of rationalist parents in order to enforce their participation in religious instruction. When in 1919, and later in Vienna, the Socialists removed the obligation of Sunday Mass for Catholic children, the Christian Socials bitterly complained of such an act of "persecution". For the position in Germany, see above, Part II, pp. 104–5.

[4] When the Alpine Provinces, one by one, tried to secede from the Republic to fascist Bavaria by *Anschluss* plebiscites.

the Allies' fear of a piecemeal *Anschluss* as the most likely consequence of any further breaking up of German Austria.

It ought further to be remarked that no essential decision in the life of the Republic was accomplished by the working of federalism. It was the international situation that, in 1919, caused the Socialists to abandon all plans for nationalisation of industry, and that also decided the issues of 1922, when the Geneva loan agreement stabilised bourgeois rule in Austria, those of 1929, when Italian-supported fascism was successful within limits drawn by the British Labour government, and those of 1933–4, when German fascism brought about the definite victory of its Austrian counterpart. It is very difficult to credit Austrian federalism with the responsibility for decisions that were essentially forced upon Austria regardless of her wishes.

Austrian federalism was built upon an equilibrium between the main sectional groups, and could function only so long as this equilibrium survived. A proletarian revolution in Vienna would have been as portentous for it as the definite control of Christian Social policies by Big Business proved to be. Under this equilibrium federalism enabled each sectional group to pursue its own ideals within the limits of reasonable compromise. It was a condition essential for the success of Austrian federalism that the relation of power between the partners to the compromise should vary amongst the distinct federal units. Had the federation been formed merely of Vienna and the Tyrol, or of two groups of units similar in kind to these, there would have been no alternatives but civil war or peaceful separation. Therefore, in spite of the fact that, for the reasons discussed above,[1] it was in Vienna that the most outstanding successes of Austrian federalism were achieved, it would be incorrect to regard the question of municipal autonomy as the most essential one. The results would have been rather better if, say, the industrial South-East of Lower Austria and the North of Styria had also formed separate member-states of the federation.[2] It was the failure to agree about municipal self-government within the Provinces that prevented the completion of Provincial autonomy.[3]

[1] P. 270.

[2] The counter-argument, as discussed above, holds true only for Lower Austria. In Styria it was the connection between the well-to-do peasants of the East and the German-controlled Trust management in the North that enabled the latter to establish real Fascist relations in Heavy Industry. A Socialist-controlled bloc from Vienna to Bruck, with some mixed buffers around it, would have kept the balance much better against the fascist adventurers.

[3] See above, p. 260.

Whether this autonomy, even in the complete form provided for by the Constitution, could rightly be called federalism, is another question the answer to which depends mainly on general definitions. The separate existence of the federal units was well safeguarded : the existence and territory of a Province could not be attacked without its consent. As the two-thirds majority needed for constitutional amendments was hardly conceivable except by an agreement between the two main parties, and as at least the minority of the day was interested in preserving Provincial autonomy, the danger of undermining the Provincial powers by constitutional amendment remained a rather remote one. So did the Federal Government's power to appeal, with the consent of a two-thirds majority of the Federal Council, against a Provincial government to the Provincial electorate.[1] We have seen above [2] that the other functions of the Second Chamber, as regards its direct participation in federal legislation and government, remained fairly unimportant. Such integration of Provincial policies as there was in Austrian federal policy worked through the dominant position of the Provincial parties within the two national party caucuses.

The Austrian Provinces enjoyed much more self-government than did the German States. The exercise of the same, or nearly the same,[3] autonomy as Vienna enjoyed during the whole constitutional era, was sufficient to provoke federal executive action against Saxony, under an allegedly constitutional régime. Amongst the powers which Vienna exercised were some based upon a rather wide interpretation of *Droit administratif*. But it must not be forgotten that, if the Right wing had not sabotaged the completion of the constitutional compromise, Vienna and the other Provinces would have enjoyed just the same right to legislate about divorce as, for example, the Canadian Provinces do, even though they have rather wider differences in outlook upon these matters. Taxation and the spending of Provincial income on social improvements [4] were fully legal powers of the Austrian Provinces, as distinct, e.g., from the German " states ", which were in these matters at least *de facto*, if not *de jure*, under federal control. It is true that Vienna enjoyed a special degree of freedom in consequence of its unique position within Austria : there was no danger that the capital might escape to some

[1] Article 100 of the Constitution. [2] P. 257.

[3] Saxony never dreamed of an autonomous policy in taxation, or of interfering with the vested interests of landlords.

[4] See the next chapter, section *a*.

provincial town in order to avoid taxation and the especially favourable conditions of labour in Vienna. Within the framework of its constitutional rights, and subject to the necessity of protecting itself against a Right-wing coup, Vienna had not any other factors to take into consideration than the general interests of Austrian economy, as the Viennese administration understood them.[1] But if, under the Austrian political system, there had been a number of equal industrial units, no additional difficulty would have arisen : it would have been up to the Socialist national party caucus to co-ordinate their policies. For Austrian federalism worked in the interest, and as a co-ordination, of the sectional units.

[1] See the next chapter, section *a*.

CHAPTER XI

OPERATION AND DESTRUCTION OF AUSTRIAN DEMOCRATIC FEDERALISM

(1) The experience of Vienna's housing policy shows that, within a suitable framework of general legislation, mere autonomy in matters of taxation and administration is sufficient for carrying out important social reforms. This could be done without antagonising the conservative peasant interest, which in the Alpine Provinces favoured other ways of development. But the policies of the Viennese majority proved incompatible with the interests of Viennese High Finance.

(2) Having no opportunity to defend their interests by democratic means, Big Business and its related groups resorted to the destruction of democracy by armed force, and the establishment of a fascist régime. In spite of their appeal to the Alpine peasants, the original sponsors of Austrian federalism, these interests and the dictatorship they established proved incompatible with the preservation of federalism as well as with that of democracy.

(*a*) The Achievements of the Viennese Administration

In discussing the results of Austrian Provincial self-government, and the connection between its achievements and the eventual destruction of Federalism, it is sufficient to concentrate on "Red Vienna". We do so not only because it was there that the Socialists made the maximum use of Provincial self-government, but also in view of the different tasks with which that self-government outside Vienna was confronted. Making the best use of the natural resources of the country, such as forests and water-power, and promoting agricultural coöperation, were undoubtedly highly important functions for any democratic government in Austria. There can be little doubt that they were performed better by the respective Provincial governments than they could have been by the Central government, which was strongly influenced by the interests of Viennese High Finance and, in agricultural matters, by the great importers. But opening up water-power under the best financial conditions attainable, and furthering agricultural coöperation without regard for the threatened Viennese trade interests, were normal functions of local self-government. The specific problems of federalism, which we are concerned with in this book, arise only where the attempt is made, by a member-state of the federation, to bring about social changes. This was done in Vienna alone, and so we may concentrate upon its achievements.

The starting-point and basis of " Red Vienna's " policies was sound finance. This seems very strange from the point of view of current bourgeois criticisms of Socialist policies, but it was the inevitable preliminary condition for a policy of reconstruction that would be boycotted by the lords of the money market. Even in 1920 Vienna balanced its budget, an almost incredible achievement under the conditions of Austrian inflation. In 1923, the first year of the " stabilising " policies under the League of Nations Commissioner, Vienna had a *surplus* of 42 million gold Crowns, whereas the Federal government of Seipel was proud of having reduced the Federal deficit to that amount. While the Federal government and its foreign High Finance advisers regarded unemployment as the inevitable and necessary corollary of orthodox financial policies and criticised productive investments from the point of view of the taxpayer,[1] Vienna started on a systematic policy of investment. For the reasons discussed above [2] it concentrated primarily on housing. In 1923 the first programme for building communal dwellings containing 25,000 flats was begun, and by 1925 half the flats were ready for use. For these buildings 41 million gold Crowns were spent in 1924 and 63·4 millions in the following year. In addition to this, during those two years 20 millions were spent on electrifying the urban railway and another 30 millions on various improvements in public utilities including trams.[3] The investment was not the result of economics in the conditions of municipal employment. Employees received salaries about 33 per cent. higher than those paid to people doing similar work in the federal service. Nor was there any resort to loans, for at that time Vienna neither asked nor received them from the lords of the money-market. Vienna's investments were financed essentially by current taxation.

In discussing this point it is very interesting to compare a typical Viennese Socialist budget, say that of 1925, with the last pre-War budget of their Christian Social predecessors.[4] In making such a comparison we must not forget that, as mentioned above,[5] the pre-War Christian Socials under Lueger's lead (as opposed to Seipel's distinctly pro-capitalist policy in republican Austria) were not only very proud of their municipal self-government, but followed policies that would be called state socialist

[1] See, especially, *Reports* of the Commissioner-General of the League of Nations (M. Zimmermann), e.g., No. XIII, p. 4, and No. XIV, p. 10.
[2] Pp. 268–9.
[3] Layton-Rist, *op. cit.*, p. 159.
[4] *ibid.*, p. 169.
[5] P. 205.

by current Anglo-American standards. They aimed, quite deliberately, at an extension of communal management at least in public utilities. In their competition with the Socialists for working-class sympathies, they were even ready to support such social reforms as did not contradict the interests of their Vienna followers amongst the middle classes, and especially the house-owners.[1] The comparison of their revenue budget with that of their Socialist successors [2] gains in interest because their régime was not a backward one, measured by contemporary standards.

	Revenue in millions of gold Crowns			
From :	*1913.*		*1925.*	
Taxes on rent	30·5		22·6	
Other taxes	7·6		36·6	
Special " Welfare Duty " for public relief			41·7	
Municipal surtax on (state) rates	42·6		—	
" " " other state taxation	40·3	47·2	1	50·3
Share of the Municipality in the yield of state taxation	6·9		49·3	
Profits from municipal Public Utilities	31·2		—	
Total	159·1		150·6	

The total revenue is almost the same, and so is the total share of the municipality in the taxes levied by the Central government, although the forms of this participation changed under republican federal legislation. Of the sum of over a hundred millions raised independently by the Vienna administration, more than 30 millions, in 1913, came from tariffs on public utilities that virtually amounted to indirect taxation, and more than 70 millions [3] from indirect taxes burdening the housing budget of the average Viennese family. In 1925 there was no surcharge on public utilities,[2] and the addition to the housing costs of the population was only a third of the pre-War amount. Even that reduced tax was not used, as in 1913, for covering the general expenses of the municipal budget, but enabled the municipality to replace old houses by new, a function which property-owners would no longer fulfil when rents had been reduced to a nominal

[1] The typical continental urban lodging-house was a favourite form of investment with successful lower middle-class people, although, after the War, it came in many cases into the hands of mostly foreign and speculative financiers. As the lower middle-class investor was dependent on mortgages, the big banks had always been the most interested in the housing business, while the landlord's relations to his mostly working-class tenants gave private ownership of tenement-houses a very unpopular character.

[2] Reported by Layton-Rist, *op. cit.*

[3] For the house-owners added to the rent the tax they had to pay.

[4] Apart from those contributions made out of the revenue for investment within the respective service itself, an operation that has nothing to do with taxation.

figure. It ought to be remarked that, for example in 1929, the municipal housing tax, with a yield of 33·4 million Schillings, covered only a third of the total costs of the communal flat-building activities. The rest was to be covered by the proceeds of other taxes.

These other taxes, newly introduced by the Socialist administration, formed the main point of attack for its bourgeois critics. In the budget of 1925, 12 millions were raised from taxation on the sale of food, and a similar sum from the tax on luxuries. The taxes on motor-cars (also a luxury under Central European conditions) and on lettings of hotel-rooms each yielded 4·5 millions; 2·5 millions (which, of course, became the main object of criticism by the " big press ") came from a tax on advertisements. The most controversial items, from the economic point of view, were the " Welfare Duty " which was charged on the turnover of all Viennese enterprises, and the above-mentioned taxes on hotel-rooms, which burdened the tourist traffic. The latter tax was very soon abolished. Both involved an additional charge on economic activities. But it must not be forgotten that twice this amount of 46 millions was productively invested by the Vienna municipality, and that it was most unlikely that those millions would have made any comparable contribution to economic prosperity if left in the hands of the very speculatively-minded Austrian capitalists.

The average annual investments of the Viennese municipality amounted to 150 million Schillings,[1] i.e. exactly the same amount as the Federal government, together with the Federal Railways and its other services, spent on the whole of Austria after the " reconstruction " period. It involved a serious blow to unemployment which, in Vienna in 1927, was only 33 per cent. above the 1923 level, as against 111 per cent. in the other Provinces. Vienna's share in Austria's total unemployment amounted to 72·7 per cent. in 1921, 60·4 per cent. in 1923 (i.e. *after* the stabilisation of the currency), 50 per cent. in 1925, and only 42·2 per cent. in 1929. This reduction in unemployment was achieved in spite of the fact that Vienna, by its very social structure, was *prima facie* likely to suffer rather more than the other Provinces from long-term unemployment, the " hard core " of which was formed by the engineering and black-coated workers.

[1] The new monetary unit introduced after the stabilisation of the currency, equalling 0·7 gold crowns.

Vienna's investments further meant considerable progress in sanitary and cultural amenities for the population as a whole. The blind hatred of Vienna's bourgeois critics, which rendered all these amenities symbols of the sectional struggle, was, from the Socialist point of view, merely an argument for making those symbols as splendid as possible. To characterise the spirit of Vienna's reconstruction and of its critics at home and abroad, it is sufficient to quote one of them, as a source not likely to be biassed in favour of " Red Vienna ". " With the proceeds of the communal building-tax the Municipality built colossal palaces, complete with every modern convenience, for the accommodation of working men . . . Elsewhere they constructed prodigalities of every kind and shape, public baths of marble and copper, laboratories, technical schools,[1] psychiatric clinics, in fact all the latest requirements of sociological and hygienic invention . . . monuments of sumptuous extravagance ".[2] Such a judgment by a British apologist of the Catholic-fascist Dollfuss régime is simply a reflection of the sometimes even much more rash criticisms which were to be read day by day in the bourgeois " big press ", and it represents fairly well the spirit of those who let the guns destroy as much as they could of " Red Vienna's " achievements.

The kernel of Vienna's municipal investment policy was the building of dwelling-houses. For, quite apart from the general tendency of all investments to promote employment, these, as we have seen,[3] formed the necessary complement of all the political efforts of the Socialist party to protect the tenants from a repeal of the Rent Restriction Act. Municipal house-building was to undertake the task whose accomplishment, together with the accompanying profits, had been denied to private capitalist enterprise. The total result of the ten years of productive reconstruction allowed to the Socialist municipal government in Vienna was 60,000 flats, with accommodation for more than 200,000 people, or nearly an eighth of the city's population. During the years 1923–30, 650 million Schillings were spent on Viennese municipal housing, against only 50 millions in all the other municipalities and Provinces together.[4] Private capitalist enterprise would certainly not have built more flats, and very

[1] Are these, too, a kind or form of prodigalities?
[2] Gregory, *op. cit.*, p. 166. [3] Above, pp. 268–9.
[4] Of course, the need for dwelling-space was greater in Vienna than elsewhere. But the other Provinces would have had to spend at least half the Vienna amount to keep the rate proportionate to their industrial population which needed flats.

few indeed for those strata of the population that benefited most from the municipal activities. Private capitalism had had its opportunity before the War to show how it could house the mass of the population. According to the statistics of 1919, 73·2 per cent. (in the working-class quarters more than 90 per cent.) of all dwellings in Vienna contained only a single bed-sitting room, with possibly one additional room and a kitchen, and another 9·35 per cent. had no more than two ordinary rooms. Out of the first category, of " small dwellings ", only 7·86 per cent. had a W.C. and 4·86 an internal water-supply ; 13·69 per cent. had gas, 6·85 per cent. electricity, and only 2·56 per cent. both gas *and* electricity.[1] Thus more than three-quarters of the small dwellings depended on paraffin lamps and open ranges. Each of the new flats built by the Vienna Socialist municipality after 1923 had its own separate W.C., water-supply, gas *and* electricity, and a gas-fire within the flat, apart from such usual communal conveniences as a wash-house, and in the larger blocks of flats a modern steam-laundry, baths and crèche for the whole block of flats. The rents, for flats of 48 to 60 square yards, amounted to 4–12 Schillings monthly. Municipalities outside Vienna, that built from the proceeds of loans and had to raise the interest charges out of the rents, demanded 12–25, in some cases up to 50 Schillings monthly for 50 square yards.[2] So, in view of the quantity, quality [3] and price of the accommodation, the Viennese attempt to include housing among the needs to be satisfied by communal activities must be considered a complete success.

The only serious counter-argument was the fact that, to make this policy possible, Viennese industry and trade were burdened with some 60–70 million Schillings annually in additional taxation.[4] This was probably less than half the amount which Viennese industry and trade saved in wages, because the old wage-level [5] would have been quite intolerable but for the communal housing policy which made possible the continuation of the Rent Restriction Act. In fact the housing, as well as the financial, policy of the Socialist municipality formed a real

[1] B. Kautsky, *op. cit.*, p. 62. [2] *ibid.*, p. 76.

[3] As the question of " houses versus flats " is much controverted in Britain, it should be mentioned that it has nothing to do with the issue of private versus municipal building. Vienna offered houses, too, to those who preferred them, at prices similar to those of the flats. But, as throughout Central Europe, houses were in little demand ; the communal amenities were a strong argument in favour of the flats.

[4] See above, p. 278. The taxes on rent, which the residents themselves had to pay, are, of course, left out of account.

[5] See note 2 on p. 269.

support for the capitalist-owned Viennese export industries, and for the economic life of the country in general.[1] For this reason alone could Vienna continue its activities for so long. Although official bourgeois opinion grumbled, no one, apart from the fascists and the big banks behind them, seriously thought of opposing a policy that formed the foundation of such Austrian economic prosperity as remained. The tenants of the old buildings also had reason to favour a policy that charged them, in the " housing tax ", only about a third of the amount they would have had to pay to the landlords if it had become impossible to maintain the Rent Restriction Act because of the lack of new housing accommodation. Vienna, boycotted by the banks,[2] stressed, for ideological reasons, the fact that taxes paid by the citizens themselves had made its achievements possible. " Erected from the proceeds of the Communal Housing Tax ", ran the proud inscription on the immense blocks of flats. When, after having destroyed Austrian democracy, the Dollfuss government tried to eliminate such inscriptions from the buildings it had shelled in February 1934, the Vienna workers' wit added : " and destroyed by the proceeds of the Federal Prize Loan ". In German the witticism is much more striking than in any possible English translation ; for " Treffer " means both a prize in a lottery, like Dollfuss's loan, and a direct hit, like those scored by Dollfuss's guns.

(*b*) The Fascist Offensive and the 1929 Crisis

The development of democratic self-government in Vienna, and in some degree in other Provinces also, was countered by an opposite development in federal policy. The basis of Austrian federalism was the reformist attitude of the Labour movement, and, on the other side, the predominance of democratic, peasant-dominated tendencies within the Catholic camp. The predominance of reformism within the Labour camp was undisputed before the experiences of February 1934. But the peasant influence in the Catholic camp was threatened from the very beginning.

In 1918 the prelate Seipel had captured the leadership of the Christian Social Party, then threatened by a split between the monarchists and the republicans. His rôle in starting the recon-

[1] Apart from the banks, the parties most interested in rent income, especially after the former private proprietors had sold out to them.

[2] At a later stage (1928) it received an American loan of $30 millions, but never an Austrian loan.

struction activity of the League of Nations, in 1922, temporarily increased his prestige. The general disappointment with the results of foreign capitalist control, established under his auspices, and especially with its interference with the financial autonomy of the Provinces,[1] resulted in 1924 in Seipel's fall, and in the establishment of a government dominated by the less fanatically anti-Socialist Provincial wing of the Christian Social Party. But within a short time the economic crisis that followed the stabilisation of the currency brought about the collapse of the banking organisations of the agricultural producers' coöperatives. Seipel returned to power, backed by Viennese High Finance, especially by the *Bodenkreditanstalt*, which saved the coöperative banks, a mainstay of Christian Social influence in the countryside, from otherwise unavoidable bankruptcy. The industrial and financial leaders suggested that Seipel should stand at the 1927 elections not only as the head of the Christian Social Party, the peasant wing of which might eventually enter a coalition with the Socialists, but in the name of a general " anti-Marxist " bloc, including the Pan-Germans. The bloc did not prevent Social Democracy from becoming the strongest party at the elections, but this failure was to the men behind it an additional argument for destroying democracy. Fascist organisations had supported the electoral campaign of the Bloc and had shot some Socialist workers. The murderers were acquitted by the Courts, and the protest demonstrations of the Viennese workers against this acquittal resulted in the bloody events of July 15, 1927, which were to form the starting-point of the general fascist offensive.

During the first years of the Republic, armed right-wing organisation had been based partly on the desire of the provincial well-to-do peasant for what he regarded as self-protection against a supposed " Red ", or Red-dominated, Central Government (or, in the event, against his own labourers should they be influenced by " Red " propaganda), and partly on small groups of old monarchist officers, or of Nazis,[2] in the towns. The first group, the *Heimwehren* (Home Defence Corps) [3] were numerically strong, and were certainly a serious obstacle to the activities of any future Socialist Federal Government. But so long as there was no Socialist majority in the Federation the *Heimwehren* were no menace to reconstruction in Vienna or to Socialist activities

[1] See note 1 on p. 276.

[2] In many cases both terms fit, which is hardly astonishing in view of the record of the old Imperial Army. See above, pp. 230–1.

[3] See note 2 on p. 266.

within the limits accorded to any strong minority by the existing Federal constitution. The second group was provocative and eager for civil war, but was far too small to play any but a merely provocative rôle, as they indeed did in the events of 1927.

In the autumn of 1927 the position changed. Instead of merely subsidising the fascist groups, as they had done for a long time,[1] the great capitalist organisations took the initiative [2] in organising fascist guards on a large scale. They not only found the money necessary for building up private armies of mercenaries, but also brought pressure to bear upon the workers in the heavy industries to join the fascist " trade unions ".[3] Large estate-owners, such as Prince Starhemberg, a Nazi and a personal friend of Hitler at that time, did the same with the peasants dependent on them. The popular name *Heimwehren* was applied to what in fact was a highly centralised organisation, led politically by Big Business and by Seipel, and under the military command of Nazi adventurers like Starhemberg or the professional *putschist* Pabst,[4] and of former members of the Imperial Officers Corps. In fact the name of *Heimwehren* corresponded to no reality beyond the fact that, in Austria, no right-wing coup was possible without peasant support. Inclusion of the local peasant *Heimwehren* in the new organisation might prove the simplest way of bringing them under the ideological influence of its monarchist and Nazi leaders.[5]

In the autumn of 1928 the *Heimwehren* began to exercise armed pressure in support of a *coup d'état* which Seipel intended [6] as a means of securing a revision of the Constitution in an " authori-

[1] For documentation on this point, see, e.g., Deutsch, *op. cit.*, Vol. II, pp. 261 ff., and especially 274 ; and, for the testimony of one of those most responsible, Steeruwitz (who had been the liaison officer between the Industrialists' League and the Christian Social Party), *op. cit.*, p. 230.

[2] *ibid.*, pp. 212, and also p. 412, for the Industrialists' organisation as the virtual controller of the *Heimwehren*.

[3] *ibid.*, p. 230, and Deutsch, *op. cit.*, pp. 238 ff.

[4] Such a description—by Steeruwitz—of a man on whose record was, for example, the murder of Rosa Luxemburg, and who, after having been expelled from Austria, could not return to Germany (where purely political high treason had been amnestied), was rather charitable. But, as Steeruwitz says (*op. cit.*, p. 229), " without employing adventurers and with the law-books in hand such things cannot be done ". As regards Starhemberg, " a princely soldier of fortune ", as his friend Gregory calls him, it is sufficient to read his own book, *Between Mussolini and Hitler*, published, very characteristically, in 1942 in this country, and interesting as a self-portrait and apology, although not as an historical source.

[5] After the spring of 1933 most important *Heimwehr* organisations, especially in Styria, turned Nazi. The Nazi coup of July 25, 1934, that cost Dollfuss his life, was rather an internal coup within Dollfuss's own organisation, and the Hitlerites proper acted in the name of Rintelen, the right-wing Christian Social Styrian leader, who was proclaimed head of the new government.

[6] See Steeruwitz, *op. cit.*, pp. 227 and 413.

tarian " sense. A year later, after Seipel had been replaced by a transitional government under Steeruwitz, the *Heimwehren* threatened to force a revision of the Constitution by a " march on Vienna " on the Italian pattern. But the Austrian workers, unlike the Italians in 1922, still had strong organisations, and prepared for armed defence against the coup announced for September 29, 1929. Steeruwitz declined to support it, and in consequence was overthrown by the leaders of the Industrialists' League acting with Seipel.[1] His successor was the Vienna Police-President, Schober, a typical representative of the bureaucracy, with pan-German tendencies. While preventing the *Heimwehren* from effecting an immediate coup, Schober on September 27 proclaimed a programme of constitutional reform which the Socialists were bound to resist by all possible means. He proposed far-reaching and eventually dictatorial powers for a Federal President directly elected after the German pattern, the restriction of all civil liberties, and the abolition of Vienna's position as an autonomous province. According to Schober's programme, as introduced in Parliament on October 19, Vienna —as distinct from the other provinces—was to be completely deprived of the control of its police ; its finances as well as its educational organisation were to come under Federal control, and building as well as taxation matters in Vienna were to be regulated by a joint delegation of federal and municipal representatives. These measures would have caused what remained of Austrian federalism to operate in a very one-sided manner : the Conservative Alpine Provinces would have retained their autonomy as a bulwark against any future Left-wing Federal government, while Vienna would have been deprived of its autonomy against the existing Right-wing government, and in those very matters with which Viennese self-government was most concerned. The Federal Council was to be replaced by a " Council of Provinces and Estates " or corporations, in accordance with the prevailing fascist ideology.

But these projects remained merely the pious hopes of reactionary circles. The shock dealt to Austrian credit by the preparations for September 29, had resulted in the break-down of the *Bodenkreditanstalt*, the group within Austrian High Finance which lent the strongest support to Seipel's policies.[2] In the

[1] See Steeruwitz, *op. cit.*, pp. 412 ff.

[2] Steeruwitz (*op. cit.*, p. 411) complains of the insincerity of the leading financiers who, after having appealed to him for State help, overthrew him (by means of the *Heimwehr*) after Schober had promised them more subventions. Indeed, the present

days of the Second Labour Government in Britain the increased dependence of the Austrian banking system on foreign support did not encourage fascist coups. Austrian Social Democracy was sufficiently strong to resist in arms and in all probability successfully, and it proclaimed its resolution to oppose the published programme. Should the Right, as its representatives did not cease to announce in public, substitute the guns of the *Heimwehren* for the votes which they lacked to carry a constitutional amendment, the Socialists would fight ; and it was evident that the very fact of civil war, whatever its outcome, would destroy the credit of the Austrian banks, the bankers of the coup. Whilst proclaiming their readiness to fight, the Socialists began to negotiate with the left wing of the Christian Socials and with Schober, whose earlier wavering attitude towards the *Heimwehr* threats was stiffened by the declaration of Henderson in the British House of Commons on November 4. By November 24 the compromise was ready in essentials, and was accepted by a National Conference of the Social Democratic Party.

Some concessions were made by the Socialists as regards the election, and the powers of the President of the Republic, including the right to issue emergency decrees. But all matters in regard to which those powers might be misused to interfere with social policies, the position of trade unions, or the relations of landlord and tenant, i.e. all those matters in which the Socialists and the Viennese administration were most interested, were excluded from the sphere of emergency legislation. On the decisive question of the position of Vienna, the Socialists succeeded in defending the *status quo*, with the one concession that the Federal government should have virtual control of the secondary schools. The Socialists were essentially concerned with the sectional interests of the workers, and therefore in educational matters mainly with the elementary schools. So they had no desire to risk a breach on this point. They even accepted a restriction of their rights in primary education by recognising the power of the Federal government to give " general directives ". It would probably do so whenever the specific interests of the Church were threatened. So, apart from strengthening the position of the

writer, himself a student of the subject, must confess that the beginnings of the Schober government form an enigma in Austrian history : was Schober himself—like the men behind him—an advocate of authoritarian " coup " who had been " converted " to parliamentary legality by the mere fact that Western public opinion undermined the economic supporters of the extreme Right ; or did he merely play with the right-wingers in order to take power from the Christian Socials, perhaps in the pan-German interest ?

bureaucracy in the Federal government, the only immediate result of the 1929 crisis was a decision on the cultural side of Provincial powers, which had been left open in 1920. It was a decision in favour of the Church; but, on the other hand, the Right failed to carry its demands wherever the immediate sectional interests of the workers were threatened.

A case can be made out justifying the attitude of the Socialists; they did not consider it worth their while to risk civil war once the essentials, the continuation of Vienna's reconstructive work and the prevention of dictatorship in the Federation,[1] were secured, and they might prefer the bureaucracy of men like Schober to that kind of "parliamentarian rule" which Seipel, with his *Heimwehr* backing, personified. But it was a great and portentous fact that they should negotiate at all with people whose only argument was the threat of civil war: for the partial success of this threat was likely to prejudice the future position of the minority and its power to prevent further encroachments. The adversaries of the Socialists dropped merely their actual threat of civil war, and not those demands which exceeded what had been granted, or even their intention to renew the threat. The actual way in which the compromise became law on December 6 was, that the Socialists—without whose votes no constitutional amendment could be enacted—voted for the agreed amendments, which they themselves still considered "a spoiling of the Constitution",[2] while the Right acquiesced in the failure of the other points of their programme to receive the necessary two-thirds majority and thus to become Law.

The Socialists rejoiced to a certain extent, but the old bureaucracy was the real victor in the struggle. The *Heimwehren* were disappointed at a compromise being reached behind their backs. So they gradually abandoned the Christian Social Party, especially after another coup, which they had prepared together with the Seipel group, had failed a year later. They became a separate fascist armed gang, torn by disagreement between adherents of the Italian and the German forms of fascism,[3] but without direct connection with the living forces of the country.

(*c*) The Destruction of Austrian Federalism

Seipel had replaced the balance of the two-party system,

[1] In fact, in 1933 it proved necessary to breach even the 1929 Constitution in order to establish dictatorship.

[2] Renner at the Socialist Party Conference, on November 24.

[3] See note 5 on p. 283.

with its possibility of coalitions and compromises, by the dogma of the " anti-Marxist bloc ". The *Heimwehren* and the army, reformed under the control of Imperial officers, operated in his system as a threat to prevent parliamentary democracy from reducing the " anti-Marxists ", i.e. the bourgeois bloc, to a mere minority. Schober had exploited the self-destructive policies of the parliamentarian Right in order to split it up, and had replaced its rule by an equilibrium supported by the army, balanced by the old bureaucracy, and tolerated by the Socialists. These last were now content to preserve Vienna's administrative autonomy under a stabilised conservative federal government, with the *Heimwehr* thrown back into the wilderness of " unofficial policies ". It was Dollfuss's highly questionable achievement that he brought Austrian fascism back on to the political stage, after it had become a sect of military adventurers, and had been permeated by the Nazis during its stay in the wilderness. The only remarkable feat of his artificial construction was that, in consequence of the very precarious European equilibrium, the inevitable collapse was delayed for just five years.

Purely external events created the Austrian fascists' opportunity. The exposure by the Socialists in January–February 1933 of the illegal supply of Italian arms for Hungarian rearmament convinced Mussolini that the power of the Austrian trade unions must be broken before aggression against Czechoslovakia could begin. The ensuing action of Mussolini's agent, Dollfuss, against the railwaymen provoked the decisive parliamentary crisis of March 5. The victory of Hitler in Germany on the other hand convinced Dollfuss that the time had come to resolve Austrian difficulties by establishing the Catholic variety of fascism, keeping the " balance " between Hitlerism and the working classes. In this regard the experiment, alien to the Austrian spirit and never supported by more than a small minority of the people, combined all the achievements of the preceding stages of reaction : Seipel's " anti-Marxist " dogma and his use of armed gangs as a substitute for a majority, as well as Schober's policy of preserving an internal " balance of power " based upon a state apparatus opposed to all popular mass organisations. In old Austria, the bureaucracy had claimed to preserve a " just balance " between the claims of the various nationalities of the Empire, while it now claimed that a " just balance " between democracy and Nazism was necessary to avoid civil war, and to preserve Austrian " independence " under an Italian protectorate,

and under the rule of " moderate " fascist factions. In fact it failed to achieve either end. Within a year civil war was general, and the author of the " authoritarian " régime had been killed by the forces he himself had armed. Within another two years, Schuschnigg's pact with Hitler of July 12, 1936, opened the door to the " peaceful " Nazi penetration which was to bear its inevitable fruits on March 11, 1938, just five years after Dollfuss had definitely overthrown the Republican Constitution, and little more than four years after he had defeated the Austrian workers in the battle for Vienna.

All these events happened outside the sphere with which this book is immediately concerned. The Federal Council protested against Dollfuss's coup of March 7, 1933, but could do no more, although it had a Socialist majority, because the very care the Socialists had once [1] taken to restrict the powers of the Second Chamber made it powerless to protect the First against dissolution by armed force. At a later stage, in August 1933, when the Provincial Christian Socials were disappointed with the Dollfuss policy, even such distinct right-wingers as Steidle, the Tyrolese *Heimwehr* leader, tried to reach an agreement with the Socialists about common defence against Nazism. Later in the autumn, when the bishops, intending to facilitate the establishment of fascism, prohibited the clergy from collaborating in the Christian Social Party, many leaders of the latter, both Viennese and Provincial, took a distinctly anti-fascist attitude.[2] But in all these developments federalism exercised no influence apart from that which Vienna might exert as a symbol of the potential power of the Austrian working classes, and as a centre of resistance in an armed struggle over essentially national issues. " Remove the Bolsheviks [3] from this building ! ". With these words the " princely soldier of fortune ", pointing to the near-by Vienna City Hall, appealed to Dollfuss at the Austrian Catholic Congress in September, 1933, when the programme of Austrian fascism was developed. The Austrian Socialists countered this, on September 17, by including unconstitutional infringements of Viennese self-government among the " four points " on which

[1] See above, pp. 257–8.

[2] See, for example, the very outspoken utterances of the *Volksvereinsboten* (quoted by " Observator ", *op. cit.*, p. 64) against " the Moloch . . . Fascism ". For the direct support of Austrian fascism by the hierarchy, see, e.g., *Osservatore Romano*, December 12, 1933, and the Christmas Pastoral Letter of the Austrian episcopate of December 21, 1933, stating that " however small a State, it needs a Führer . . . a master, to whom the people owe obedience ".

[3] This was Starhemberg's description of the very moderate Vienna Socialists.

they were prepared, if necessary, to oppose the Dollfuss Government by armed resistance. In fact all these symbols had little influence on future decisions. Before Vienna's self-government was formally abolished, it was undermined not only by bringing the police under the control of the fascist gangs, but also by making " legal " requests, on behalf of the Federal government, for the cash-reserves of the Viennese administration, which was thus deprived of the means of pursuing its policy of investment, and of countering the Federal policy of dismissing Socialist workers from the public service.

The most interesting consequence of Austrian federalism during the last crisis of Austrian democracy was that the course of that crisis proved the strength of the habits of collaboration both parties had developed within the Provincial governments. At the Socialist Congress of October 14, 1933, it was the Provincial representatives, and especially those from Lower Austria, who advocated moderation, and even collaboration within the framework of some kind of Catholic-corporative constitution. On the other hand, the fascists had to begin their coup, on February 5 in the Tyrol, and on February 6 in Upper Austria, against Provincial governments with Christian Social majorities. The formal intention, as Starhemberg, the leader of the coup, declared on February 5, was to " purge " these governments not only of " Marxists ", whose character we have just described, but also of " democratic party-bureaucrats " within the Christian Social Party itself. In the Tyrol, as well as in Upper and Lower Austria, the Christian Social leaders resisted. Only in Vorarlberg, on February 8, did Ender, the local Party leader, together with Bishop Waitz, develop the programme of the Catholic corporate and authoritarian state. When, by February 12, Dollfuss and the leaders of his fascist troops, Fey and Starhemberg, had at least succeeded in provoking civil war, the leaders of the Lower Austrian Socialists and of the Christian Social party caucus met in the Lower Austrian Provincial Government, to demand the dismissal of the Dollfuss Government by the Federal President, himself one of those Christian Socials who took their oath to the Constitution seriously. Dollfuss's police had to remove the Socialist leaders from these negotiations where they had been successful in arranging for an alternative government, based upon the support of both the main parties—though not, it is true, of the armed gangs which Dollfuss and Starhemberg called the " Patriotic Front ". So events took their course. In the

afternoon, among other "emergency measures", Vienna's autonomy was abolished. This was done while the guns, bombarding the municipal flats, determined the fate of Austrian democracy.

It was still necessary to decide what was to replace it. During that period, as distinct from a later one when disappointment with the Italian protector grew and the Catholic Church tried to escape from its responsibility for the obvious failure of what it had inaugurated, no leader of the Austrian régime would have disagreed with the judgment of Dollfuss's apologist: "There is substantial identity between the principles laid down in the encyclical (*Quadragesimo Anno*) and the principles incorporated in the Italian (Fascist) Constitution."[1] "To build a State according to the principles of *Quadragesimo Anno*" was the avowed aim of the leaders of the Austrian régime, and it had the full approval of the responsible leaders of the Roman Church.[2]

"In the Name of Almighty God, from whom emanates all Law, the Austrian people is given the following Constitution for its Christian German Federal State on a corporate basis." So the preamble of the Dollfuss constitution, proclaimed on May 1, 1934, paid due regard to all fascist interests, whether of the predominant Catholic, Nazi (German), or Italian ("corporative") type. Purely theoretical as this constitution remained during the period of nearly four years that it was "in force",[3] it is highly interesting to note that this Catholic variety of fascism had no more room for federalism than did the Nazi. It is true that, in order to get rid of the despised word "Republic", the term "federal" was now introduced even into the title of the State.[4]

[1] Gregory, *op. cit.*, p. 324.

[2] Pope Pius XI, in an allocution on October 7, 1933, gave his blessing to the decision of the Austrian Government "whose leaders, indeed, are, happily, as good as Austria deserves . . . to build the State on the foundations of Catholic teaching". After the February battle and the proclamation of the Fascist constitution, Cardinal Secretary of State Pacelli, the present Pope, transmitted to Cardinal Innitzer (one of those mainly responsible for the feats mentioned) "the benediction of the Holy Father . . . for all those politicians . . . who try to build the future of the people that is entrusted to their leadership upon those foundations laid down by God's Holy Will and Law". Both utterances are evidently interpretations of Roman Catholic teaching by the highest authority, in connection with certain well-established facts, in the preparation of which the Holy See had evidently participated.

[3] In view of the continued resistance of the workers, the formation of the "corporations" which had to nominate the various Councils proved incompatible with the preservation of the régime.

[4] The same trick had already been applied on September 15, 1931, when the Styrian *Heimwehr* leader, the Nazi Pfriemer, attempted an abortive coup against the Schober government. The reader will remember what we learned in the Second part of this book (pp. 140–1) about the tendency of German fascists, too, to pay lip-service to the term "federalism".

But nothing remained of those guarantees which Provincial autonomy had enjoyed under the Republican Constitution.

The Provincial Governors were no longer elected by the Diets, but were nominated by the " Federal " government. They had to nominate the members of the Diet, as well as those of the Provincial government, and all Municipal Councils. Apart from the fact that the composition of the Provincial Diets was thus determined by the Central government, the latter considered it necessary to reserve to itself an absolute veto against all Provincial laws, a power which had never been provided for under the Republican Constitution. The only concession made to local financial interests was that one of four purely consultative chambers, the " Council of Provinces ", was to be composed of the Provincial Governors and the members for Finance of each Provincial government, whether Vorarlberg or Vienna. All these members were the direct or indirect nominees of the Central government, which thus succeeded in reducing all the Provinces to the status forced on Vienna by the destruction of its autonomy. But the structure of the Council was likely to further the plundering of the Viennese tax-revenues in favour of the Provincial administrations. The latter could be formed with some regard for the old Christian Socials, the former major party, while the government's nominees in the essential offices in Vienna were representatives of the extremist diehards, whom the large majority of the people continued to despise.

In fact, even the more moderate leaders of the new régime were quite unable to understand that spirit of mutually balanced sectional interests upon which the working of Austrian Republican federalism had been based. Schuschnigg, who had been for seven years one of the leading Right-wing members of the Christian Social Party, later [1] explained the bloody events of February 1943 as the inevitable consequence of a federal system, in which each side, " in order to gain its ends, needed full and unchallenged authority, and would have succumbed if it had shared any of that power with the others ". In fact, the reverse was true, for the Austrian federalism had been a system of sharing power and gaining the possibility of the partial realisation of distinctly sectional ideals by compromise. When one of the opposing camps of Austrian politics had come under the lead of forces unable to share power with their opponents, i.e., Big Business, the ecclesiastical hierarchy and the old Officers' Corps,

[1] *op. cit.*, pp. 190–1.

it destroyed federalism whilst paying lip-service to it, for it seemed an obstacle to the destruction of the self-government of all sections of the people. It was not by chance that the traditions of collaboration created by Provincial self-government formed an obstacle, although an inadequate one, to the fascist coup.[1]

When the Nazis came to reap the harvest that Austrian fascism had sown, they simply destroyed the "federal" state, but retained the Provinces whose self-government Dollfuss had destroyed. Now all of them, including Vienna, became distinct *Reichsgaue*,[2] immediately subject to the dictatorship of the Führer. Any interconnection of which Austrian national resistance might make use was destroyed. The only local loyalty encouraged was the Provincial, and there is no proof that, in future, the Austrian Provinces will all develop along parallel lines. But should they once more form parts of a single and independent state, it may turn out that the last chapters in the history of Austrian federalism have still to be written.

[1] See above, p. 289.
[2] Under special Lieutenants-General, see above, pp. 144–5.

CHAPTER XII

AUTONOMIST AND FEDERALIST TENDENCIES IN CZECHOSLOVAKIA

(1) The Czechoslovak republic, while granting the Sudeten Germans full freedom in cultural matters, and even preserving their privileged position in many economic fields, tried to make up for this by carrying through a land reform and by favouring the Czech population in public employment. Consistently with this, it did not grant the Sudeten Germans national autonomy in wider fields than the municipal units. As regards Slovakia, the Czech Left preferred County self-government, which was likely to grant freedom of expression to the progressive elements among the Slovaks, while the Czech Right preferred Provincial self-government, which was likely to be dominated by the Slovak Catholic autonomists.

(2) The Henleinist demands, formulated from 1937, involved not territorial autonomy for the Sudeten Germans with its possible federalist implications as regards the structure of the Republic, but a combination of personal autonomy with the application of the fascist principle of leadership within each national unit. These units were to be granted competence not only in cultural matters, but also in the whole field of economics normally covered by the territorial state, and even a right to veto the exercise of the powers left to the Central government. Thus the proposals may be described as an expedient to establish fascist dictatorship in a multi-national state to be exercised by the party which happened to control the greater part of the national minority. They had no chance of realisation except through external pressure exercised by Hitlerite Germany and by the appeasers in the West who supported Hitlerite aspirations.

(3) After the Munich settlement, a federalist solution of Czecho-Slovak relations was attempted. But this proved incompatible with the exercise of a fascist dictatorship within the smaller of the two allied peoples: the first attempt of the Czechs, the majority nation, to exercise self-government was bound to collide with the fascist minority and with its imperialist protectors.

(*a*) Minority Problems in the Czechoslovak Republic

We have seen above [1] that conditions in the Austrian Empire made it necessary for the new states to be strictly nationalist in order to gain emancipation, and that this emancipation entailed conditions which the members of the former ruling nationalities, which now formed minorities in the new states, were bound to resent as unjustified. The settlement of the new minority problems was made more difficult by the fact that the new rulers regarded national radicalism as a counterpoise against social extremism, and the fiction of a continuing " national revolution "

[1] Pp. 246–7.

as the best way of bridging social divisions within the ruling people.

The ideology which the right-wingers among the Czechs especially had developed during the long struggle within the Hapsburg monarchy [1] was incomprehensible to anyone who was not ready to accept as an indisputable " historic right " what some months before had been a revolutionary and highly controversial claim even within the oppressed nationality. When, on November 4, 1918, a delegation of Sudeten Germans, led by the Socialist Seliger, tried to negotiate an agreement with the Czech Provisional government on the basis of voluntary federation, Rašin, the nationalist leader and later Minister of Finance in the Republic, answered them with the words, " We do not negotiate with traitors ". Such a remark by a man who, two years before, had himself been convicted of treason against a state of some hundred years' standing, expressed a state of mind not very likely to promote agreement. In consequence, such a man as Seliger came " to regard the prevention of the threatened national oppression as the immediate issue of the present time ".[2] In spite of the evident desire of the Sudeten-German workers to preserve the economic unity of the Bohemian countries in which they had always shared, there remained hardly any other policy for them against such partners as Rašin than the attempt to lead in self-defence those autonomous units which demanded union with Austria on the principle of self-determination. But it is quite true that this very attempt strengthened those chauvinist tendencies which had never been lacking even within the Sudeten-German labour movement,[3] and the alliance with the Sudeten-German bourgeois parties, the traditional advocates of national chauvinism, was most likely to compromise the Sudeten-German Socialists in the eyes of democratically-minded Czechs. The Sudeten-German bourgeois parties themselves, for reasons of class interest, were inclined to sabotage a struggle which, if successful, would bring them into a unit (Germany or Austria) at that time much to the Left of the Czech provisional government.[4] So the resistance very soon collapsed, its only result being to poison future Czech—Sudeten-German relations,

[1] See above, p. 182, and note 4 on p. 170. [2] Strauss, *op. cit.*, p. 298.
[3] See note 1 on p. 198.
[4] For the merely feigned resistance of the Sudeten German Provisional Government, and its bourgeois leaders, see Deutsch, *op. cit.*, 1920, p. 69. For the fact that Beneš used " the menace of Bolshevism " and the interests of " peace and order in Central Europe " as an argument with the Allies in that question, see *My War Memories*, pp. 482–3.

especially those between the Socialist parties of the two nationalities.

On the whole, the practice of the Czechoslovak Republic towards the national minorities developed much more satisfactorily than her original theory had promised. This theory, indeed, was intended to satisfy the feelings of such men as Rašin : the Constitution, unlike those of all the other Central European Republics, was adopted not by a Constituent Assembly elected by adult suffrage, but by a body nominated by the representatives of the Czech members of the old Austrian Parliament, elected in 1911, in accordance with the electoral strength of the parties and enlarged by co-opting a number of Slovak party representatives. The national minorities of the new state were not included, for the avowed reason that the Czech parties did not want the representatives of the minorities, which constituted a third of the citizens of the Republic, to complicate the already very difficult sectional issues dividing them. In agreement with this procedure for enacting the Constitution, its preamble declared : " We, *the Czechoslovak nation*, desiring to consolidate the perfect unity *of our people* . . . to contribute to the common welfare *of all citizens of this state* . . . have *in our National Assembly* adopted the following Constitution for *the Czechoslovak Republic*." Especially if the analogy with the preamble of the Constitution of the U.S.A. is taken into account, all the essential elements of the presupposed ideology of the new state will be seen to find distinct expression in this preamble : the " Czechoslovak nation " as the supposed subject of the State, which needed some consolidation of the unity between Czechs and Slovaks ; " our National Assembly " as the political representation of that nation ; and the interests " of all citizens of this State ", not all of whom were allowed to share in elaborating the principles intended to promote their welfare. But as a counterpart to such an expression of nationalist absolutism must be mentioned Masaryk's declaration of June 7, 1919, which democratically-minded Czechs, who strongly disapproved of the former attitude, were able to accept as a satisfactory solution of the Sudeten-German problem.[1] It was necessary, Masaryk believed, to satisfy all the legitimate demands of the Germans within the Czechoslovak Republic, so as to prevent them from having to be anxious at any time about the preservation of their nationality, as the Czechs within the Hapsburg monarchy had been, and so to enable them to participate

[1] See Radl, *op. cit.*, pp. 197–8.

with all their powers, as equal citizens, in the reconstruction of the new state. The language question was to be solved in such a way that " it would cease to be a political issue ". The fundamental Austrian mistake of making the necessary concessions by instalments, according to the actual pressure, had to be avoided by a quick and broadminded settlement. It is not difficult to-day to realise that it was Masaryk, and not men like Rašin, who saw the real needs of the Czechoslovak people in the difficult struggle for preserving its hard-won independence. . . .

The actual policy of the Czechoslovak Republic, apart from the " struggle for jobs ", came nearer to the standard developed by Masaryk than to those of the officially prevailing nationalist ideology. In some fields, especially the Civil Service and banking, some temporary preference for members of the formerly oppressed nationality was fully justified, if the political separation from Austria was to fulfil its function as a means to national emancipation. In other fields, especially land reform, a vital part of national emancipation, essential social progress was also achieved, which did not harm the German peasants [1] and in some places even improved their lot at the expense of the landlords.[2] Attempts to interpret this achievement as a " return of landed property to Czechoslovak hands " [3] were bound to do harm to a good cause. In cultural matters the Sudeten Germans, during the whole existence of the Czechoslovak Republic, enjoyed whatever rights they might reasonably demand, and had no lesser opportunities for higher education and so on than, for example, their Austrian co-nationals. Czech endeavours to make up for the neglect of their national interests in the times of the Hapsburg monarchy, as in the field of school-building, were quite legitimate, although more tact in the prosecution of school-building policy in regions with very small Czech minorities might have been in the interest of the Czech nationality itself. Also, however legitimate the interest of the Czech state in such minorities might have been, it was not necessary to provide for them by obvious preference in the local Civil Service or communications, where there was a predominantly German public, and many unemployed German aspirants for the jobs.

[1] For an acknowledgment of this fact by a Nazi critic of the Czechoslovak Republic, see Sigl, *op. cit.*, p. 144.

[2] See, e.g., Wiskemann, *op. cit.*, p. 152.

[3] See the facts and the resolutions reprinted by Radl, *op. cit.*, pp. 150 ff. The critical tenor of the resolutions seems to prove that the practice of the Czechoslovak administration did not satisfy the nationalists.

All these things grew much better in due course, partly because temporary preference succeeded largely in restoring the balance, and partly in consequence of the changed political circumstances. In 1925 a Right-wing coalition attempted what their Left-wing competitors, for fear of Right-wing nationalist demagogy, had never dared to do: to form a government based on sectional instead of national divisions. This state of things continued under a later Left-Centre coalition, up to the end of the Republic, with the normal consequences in the distribution of jobs and the like. On February 18, 1937, it is true, already influenced by the strong competition of the Henleinists, the German and Czech members of the Coalition Government agreed that for the future all jobs as well as all public subsidies for economic and cultural activities should be distributed in strict proportion to the numbers of each nationality. It was a pity that, as Masaryk had feared, the necessary adjustment was made "by instalments". Besides, the time when the agreement was reached coincided with the economic depression, which prevented any visible improvement in conditions, especially of the German-settled industrial areas.

Twenty years of Czechoslovak Republican policies had led to the almost equal economic and social development of each nationality. Even Nazi observers like Sigl could hardly deny this. The tendency of the Czechs, in Hapsburg times, to escape from their backward agricultural districts into industrial areas dominated by the Germans had been replaced by the industrialisation of Czech national territory; this was the principal reason for the growing Czech share in the urban population.[1] By 1930 the proportion of Czechs, as distinct from Slovaks, in the working class almost equalled that of Germans.[2] As regards salaried employees, the higher percentage of Germans still showed that not all social privilege had disappeared with the political.[3] The Czechs' share in the mining industries was still 56·7 per cent. of the workers and 52·3 per cent. of the lower, but a mere 38·8 per cent. of the higher, salaried employees.[4] A German critic would not deny that German ownership of the heavy iron industries had secured a German preponderance among the leading employees, and that this had been due to the avowed nationalist policy of the shareholders[5]—in a state where, according to German propaganda, the Germans were oppressed!

[1] Sigl, *op. cit.*, pp. 90 ff. [2] *ibid.*, p. 97. [3] *ibid.*, p. 104.
[4] *ibid.*, p. 116. [5] *ibid.*, p. 118.

The whole Sudeten-German case against alleged Czech privileges must be seen in the light of the fact that the Civil Service, the State-owned communications, and so on, were indeed the only fields where the Czechs, in control of the Government but not of all economic key positions, could try with success [1] to restore the balance against what private ownership in other industries was doing to preserve the social distinctions created under Hapsburg rule. Completely equal access for all citizens to the state-controlled jobs would have meant real social justice for all the nationalities only on condition that those jobs included virtually all important positions, or that the same equality of access was granted to the jobs in privately-controlled industries. The second possibility was excluded by the unequal distribution of industrial ownership, which could not be altered in view of the capitalist-liberal standards to which the foundation of the Czechoslovak Republic had conformed. These standards excluded also the first solution, wholesale nationalisation of all the important industries, so that equal access for all citizens to all state-controlled jobs might imply true equality of social opportunity. A social revolution in 1918 would probably have been a much shorter and, in view of later events, a much less painful way of restoring national equality in the Czechoslovak and other Danubian territories. But, when this possibility was excluded, the Czechs can hardly be reproached for having used the political machinery to modify an otherwise unalterable distribution of social importance between the nationalities. At the time of the 1937 compromise it seemed that the Czechs were strong enough to abandon such temporary expedients. Without Munich, and with a constructive policy of economic recovery, a state of things like that which Masaryk hoped for might have been achieved within a relatively short time.

(*b*) Czech-Slovak Relations in the Republic

In some ways less, in others even more complicated than the problems of the German or the very similar [2] problems of the Magyar minorities in Czechoslovakia, were the divisions within the leading nationality, the Czechoslovaks—or, according

[1] Sigl, *op. cit.*, p. 97.

[2] With the difference that, in consequence of the much more backward structure of the "motherland", an important part of the "oppressed" Magyar minority might gain economically and politically from Czech rule, as regards land reform or suffrage.

to another theory, the two kindred nationalities, Czechs and Slovaks. From the scientific point of view these peoples constitute one of those borderline cases where the existence or non-existence of distinct nationalities may be disputed endlessly and without clear decision,[1] other than that which historical events are likely to give to the political issue that really lies behind the scholarly controversy. But whether a distinct nationality or not, the Slovaks, in consequence of their former position within the Hungarian half of the Dual Monarchy, had certain specific features distinct from those of the Czechs, who had lived under the more liberal Austrian conditions. The Slovaks, like all the non-Magyar nationalities of Hungary proper, had been left as illiterate as possible, and denied an intelligentsia of their own, apart from the lower clergy who were oppressed by the Magyar oligarchic administration as well as by the no less oligarchic and Magyar-controlled ecclesiastical hierarchy.[2] So, while the Czechs, in struggling to overcome the Hapsburgs, remembered their Hussite past,[3] any Slovak national feeling was connected with the Church, which was the only place outside the home where Slovak could be spoken, and the only substitute for the educational facilities denied by the Magyar State. The Slovaks too, like all the oppressed minorities in Hungary,[4] had some tendency to look for liberation from a Hapsburg "revolution from above", which the Czechs, like most Austrian democrats, had good reason to despise. The Slovaks, in consequence of the activities of the Hungarian administration, had no middle class, and almost no political life of their own. During the First World War, when, as at present, Czechoslovak nationalist policies were very much discussed amongst the émigrés, the lack of authorised

[1] On this point see, e.g., Hodža, *op. cit.*, pp. 86 ff. An interesting study of the historical background has been published by Prof. Nejedly in the Moscow *Istorichesky Journal*, 1942, No. 7.

[2] For their—and not only their—extreme Erastianism, which was taken for granted by devout Catholics like Charles I and Polzer, see the latter's (*op. cit.*, p. 417) proposal to form a new Hungarian government—on quite a reasonable basis—"and to command all the leaders of the Churches to support the new government". Only the Calvinists were supposed to disobey such a Royal command, for they owed allegiance to Count Tisza!

[3] In view of widespread misunderstandings it should be remarked that the huge majority of the Czechs are Roman Catholics (or agnostics, like most of the Continental working classes), while there is, as in Hungary itself, a quite considerable Calvinist minority in Slovakia. But although Protestantism as an actual religious faith is not dominant, and though the attempts to build a national Church on Hussite lines failed completely, the national traditions of the Czechs are connected with the struggle of the Hussites, i.e. the first stage of the Reformation on the Continent. Those of the Slovaks are connected with the Catholic Church.

[4] See above, Chapter IX, section *h*.

representatives of the Slovak nationality was made good by another consequence of the shameful Hungarian record. About a million Slovaks had been driven by hunger and oppression across the Atlantic. In America they had found better opportunities than at home for preserving their nationality, but the nationalist policies which they developed showed an abstract character no nearer the concrete conditions of Slovak life than the romantic theories which half-educated nationalist teachers and priests at home developed about a glorious past, a thousand years ago. Being a by no means uninfluential section of American public life, and having votes, the Slovak émigrés in the U.S.A. formed a possible bridge between the Czech émigrés and the greatest World Power in 1919; and so their views were bound to influence the activities of the founders of the Czechoslovak Republic.

What the Slovaks, in their hour of liberation, really needed was teachers, technicians, and capital for developing the latent economic possibilities of their country. They got all these from the Czechs, together with that hardly dispensable but much less sympathetic element of the reconstructive process, a huge and highly self-conscious bureaucracy. The more reactionary elements within this bureaucracy regarded the Slovaks as colonial administrators did their "natives" in Africa or Asia, while the more progressive elements looked on them as "younger brothers" needing some education. Probably this was true, but it was foolish to allow a people which one had been proud of helping to liberate from foreign oppressors feel the need of continuous help in the much more difficult process of self-education.

On the whole there can be no doubt that Czech leadership in Slovakia laid the essential foundations for economic and cultural development. Land reform, though bound to be strongly criticised by the formerly privileged Magyars and their supporters on the Slovak Right wing as well as in the West, formed, in this poverty-stricken country more than anywhere else, the essential condition for the cultural progress of the peasantry. This condition was fulfilled by the republican régime to such a degree that nearly one-fifth of the agricultural population obtained additional land.[1] As for industrial development, there can be no doubt that industries formerly developed with a view to Hungarian markets were considerably curtailed. As in the Sudeten-German regions, the post-1929 world depres-

[1] Macartney, *op. cit.*, 1937, pp. 122 ff.

sion further complicated the difficult economic situation. But on the other hand the Czechoslovak government developed a number of new industries, and the needs of defence before 1938 enforced, on formerly backward areas, a degree of industrialisation hardly dreamed of earlier. As regards the most delicate problem, the formation of local leading strata in a country formerly without any national intelligentsia or even a lower middle class, the progress achieved was rather astonishing. In 1935 there was a distinct Slovak majority in the leading political positions, as well as among the lower postal and railway employees and the like, though not on the administrative and technical staff.[1] But the more the Czechoslovak régime fulfilled its educational functions, and the more a young, self-conscious, and job-hungry Slovak intelligentsia grew up, the more were the Czech teachers bound to be regarded not only as uncomfortable, but also as superfluous, at any rate from the point of view of that intelligentsia, which was not likely to underestimate its own abilities.

The case of the Sudeten Germans versus the Czechs had been from the very beginning the highly complicated one of master versus servant ;[2] it was not indeed solved, but was on its way to solution, once the servant had been liberated. The Czech-Slovak case had not involved social antagonisms in the beginning. But they tended to develop, once the younger brother began to feel the elder's help to be superfluous or overpaid. The pity was that the younger brother looked abroad for help which he believed would be cheaper. It was not.

(*c*) The Issue of Provincial and National Self-Government in pre-Munich Czechoslovakia

The solution of Czech-German relations was sought in ways which excluded a federal system, and the highly developed Sudeten-German nationalism was opposed to anything short of territorial autonomy. The only practical issue in Czech policy, during the first decade of the Republic, was therefore the co-ordination of Czech and Slovak claims in the field of administration. The spirit of the emigration policy mentioned above had induced—or seduced—Masaryk during the war to look for a solution in the " Pittsburg Agreement " with the representatives

[1] *ibid.*, pp. 122–4.

[2] For an acknowledgment of this position by a radical German nationalist, see Peters, *op. cit.*, p. 121.

of the Slovak emigration in the U.S.A., that is, with American citizens who hardly themselves intended to return to Europe but who had developed, in the atmosphere of American constitutionalism and constitutional dogma, some ideas on what they considered right for an idealised Fatherland. The reader who has had some experience of contemporary " blue prints ", especially amongst more or less glorified refugees, will hardly need to be told that the constitutional plan of the Pittsburg Slovaks was federalist, and that it was very nice indeed, provided only that it would work in Slovakia.

Masaryk, in order to win the support of this somewhat influential section of American public opinion, agreed to a document containing promises which, if they were unfulfilled, would help to undermine the new state. It would have been easier to accept the demand which the priest who led the Slovak autonomists, Father Hlinka, made at home for Provincial autonomy.[1] But that autonomy, in Slovakia, would have implied the predominance not only of Clericals, who had shortly before been supporters of a modified Hapsburg rule (Left-wing Socialism being the only alternative which had any chance in an autonomous Slovakia), but also of people who were always ready to appeal to outside support against Czech solutions which they considered insufficient.[2] Such support was, indeed, sought by Hlinka and his followers not only from the Allies, but even from the Hungarians, their former oppressors, especially after Lord Rothermere's revisionist campaign had begun.[3] Such a state of things made the Czechs somewhat suspicious of any proposals for Slovak autonomy as endangering not only the progressive policies which the Czech majority preferred, but even the external security of the Republic.

In consequence, the Czechs preferred a centralised administration, based on semi-autonomous Župas (counties) both in Slovakia and in the former Austrian Czech Provinces.[4] The possibility of using County autonomy as an instrument for solving the highly complicated Czech-German issues in Bohemia was suggested by historical development within the former Monarchy. Within Slovakia, County autonomy might enable the differences between Left and Right, Catholics and Protestants, to be politically expressed. Unless the Slovak majority aimed at

[1] See Hodža, *op. cit.*, p. 88. [2] *ibid.*, p. 91.
[3] Macartney, *op. cit.*, 1937, pp. 111 and 132 ff.
[4] The Župas were, in fact, organised only in Slovakia.

separatism, or oppression of the Protestant and Left-wing minorities, no harm would be done them by forming six autonomous Counties, instead of one separate Province.

So there was a sound case for basing decentralisation in the Czechoslovak Republic on Counties, instead of the historic Provinces. But the plan was spoiled by being executed in a spirit of extreme nationalism. The Czech nationalists rejected autonomy for the Germans for reasons analogous to those for which the latter had earlier demanded it in Bohemia, but declined it in Styria and Carinthia,[1] namely in order to deny self-government to other national minorities. The Counties planned for the "historic", that is the former Austrian Provinces of Czechoslovakia were designed very artificially, in order to prevent any of them from having a German majority. This weakened the Czech case against the Slovak demand for Provincial autonomy; and a combination of Counties as the lower administrative units with Provinces as the higher, as suggested by the moderate Slovaks,[2] was regarded as too expensive. Complying with Catholic demands, the Right-wing government of 1927 returned to Provincial autonomy, although according to a rather old-Austrian conception. Very few powers were left to the autonomous decision of the Provincial Diets and the Executive Committees which they elected. A substitute for the class privileges which had dominated the old Austrian Provincial Diets was created by the ruling that only two-thirds of the members of the Diets were to be elected by the citizens; the other third was to be nominated by the Government. The Agrarian Party, which during the whole period of the Republic kept control of the Czechoslovak Ministry of the Interior which supervised local self-government, did not fail to make use of the power involved in the right to nominate some of the representatives to the Diets, and also the District Councils. While in the Czech parts of the Republic the Agrarian Party became the main political organisation of the Right wing, industrial as well as agrarian, in Slovakia it remained a party of the smaller peasants, especially of those who had profited by the land reform at the expense of the Hungarian landlords, with whose supporters the autonomist party sometimes conspired. So the issue of centralism, which was highly contested in all camps within the Czech Provinces, became in Slovakia a struggle of the Czech Centre and Slovak Left against the Slovak Right, and in the

[1] See above, pp. 199–200 and 235.

[2] See Hodža, *op. cit.*, p. 101.

field of international relations a conflict between the democratically orientated foreign policies of Beneš and those of Hungary, the Vatican, Poland, Italy, and later Nazi Germany.

The Sudeten-German bourgeois parties, when moving any demands for fundamental reforms, as in 1921, advocated territorial autonomy. The formula, especially as used by the National Socialists [1] in 1925, after the more moderate German bourgeois parties had been given a share in the Coalition government, seemed to imply the dismemberment of the state : it was very difficult to interpret the demand for a single " autonomous German territory ", consisting of all the dispersed German settlements, as a serious attempt at real self-government, or even at federalism within the framework of the Czechoslovak Republic. The balance of forces created at the formation of the Republic left little scope for any programme of national autonomy acceptable to the bulk of progressive Czech opinion, around which moderate Sudeten-German opinion might rally : their only choice was between " activism ", which meant collaboration in the government, leaving all the principal issues open for settlement in some remote future, and the purely negative attitude of the Sudeten-German extremists which left open, or rather answered in the negative, the question whether any definitive solution acceptable to the bulk of the Germans was compatible with the survival of the Republic. In fact, the " activists " as well as the extremists awaited a change in the international relation of forces favourable to the German cause, with the only difference that the former wanted to use such a change to create more acceptable conditions within the Republic, while the extremists wanted to destroy the state. As Masaryk had foreseen, it was the great mistake of the Czech progressives that they did not use the opportunity, when the international relation of forces favoured their cause, to make constructive proposals that would have isolated the Sudeten-German extremists.

The Henleinist movement introduced no new idea into the political life of the territory where Nazism, in its original and most outspoken form, was born,[2] and where all the old discussions on the nationalities problem had centred. Nor is it astonishing that, in the immediate neighbourhood of Hitlerite Germany and with its support, the Henleinites succeeded, as the Hitlerites

[1] Krebs, *op. cit.*, p. 177.

[2] The (1904) Trautenau programme of the " German Workers' Party in Austria " was already distinctly Nazi, and was the prototype of all future Nazism, especially that of Hitler. See Krebs, *op. cit.*, p. 39.

had done, in absorbing all the bourgeois parties and in winning over some adherents of the Labour movement. It was politically important that this could be done under slogans which, because they originally demanded no radical reorganisation of the Republic, but merely called for " the abolition of the class struggle ", appealed to those Right-wing sympathies in the Czech camp without which the Henleinist party could never have been organised. Henleinism accepted " the inseparable unity of destiny connecting the Czechs with the Sudeten Germans " [1] as an inescapable fact. But this might be interpreted in two different ways : either, as the Czech right-wingers liked to understand it, that the Henleinites desired a solution of the national problem within the framework of the Republic, which would be reorganised after some " authoritarian " or " corporative " pattern ; or as the programme that was to be realised after Munich, namely that, even in the event of a temporary separation of Sudeten Germans and Czechs, that " unity of destiny " would have to be restored, under the lead of the former and their external protector. Only people who, because of their generally authoritarian sympathies, desired to be deceived, could accept the outspoken claims of the Henleinites for a " united formation of the political will of the Sudeten Germans ",[2] and for the removal of all non-nationalists even from cultural activities among the German citizens of the Republic,[3] as compatible with the survival of an independent Czechoslovak State. Totalitarianism within a national minority, which claimed for itself the right to " profess the general world outlook " of its overwhelmingly strong neighbour and protector, could not be compatible with the continued existence of a non-totalitarian state.

In the draft of the " Law for the protection of national rights ", introduced by the Henleinist M.P.s on April 27, 1937,[4] the totalitarian and fascist character of the " autonomy " demanded was hardly veiled. The Henleinist demands were directed not at territorial autonomy, whose probable implications in districts with working-class populations were evidently considered undesirable,[5] but at personal autonomy, though of a new character.

[1] Henlein's declaration of October 8, 1933.

[2] Henlein, *op. cit.*, p. 19. [3] *ibid.*, pp. 61 and 144.

[4] The text and general tendency are thoroughly explained by Raschhofer, *op. cit.* For a short survey of the main features in English, see Wiskemann, *op. cit.*, pp. 257–8.

[5] Evidently for this reason, the oldest demand of the Bohemian Germans, County self-government, was dropped, in spite of the fact that it might appeal to some tendencies in Czechoslovak administration.

Personal autonomy, in Renner's conception, had implied the protection of individual personal rights. Its merit—or its shortcoming, according to the critic's political point of view—had been that, unlike territorial self-government, it did *not* cover economic and social relations, which were to be left to the control of the supra-national state.[1] In the Henleinist conception the claim was reversed ; the rights which were to be protected were not those of individuals, but those of the " national group ", for " the supra-personal and common property of a people cannot be protected even by complete protection of individual rights ".[2] Therefore the organisation as proposed in the Draft for each national group within the Republic, including the Czechs and Slovaks, as separate peoples, was to comprehend all citizens " born into the respective national group ", independently of their personal desires, and without any possibility of their leaving that unit, which might easily become their prison. For it was to be organised on a strictly centralist basis, according to the principle of leadership. The Leader or " Speaker " of the respective nationality was to be elected by its M.P.s, but in accordance with true Nazi ideology he himself was prohibited from being a Member of Parliament. The national group, that is, its " Speaker ", was entitled [3] to create compulsory organisations for all its members for economic, social, and cultural purposes. The Leader could therefore virtually control the whole life of his people, including of course its lists of candidates to be nominated for Parliamentary elections ; in other words, those very persons on whose support his own re-election depended. If such had been the law, a dissenting member of, say, the Sudeten-German national group would have had no other way of opposition than by voting at parliamentary elections for candidates of another national group [4] whose social and political outlook he preferred. But such a course would have allowed him to exercise no influence over his own personal fate, for this was indissolubly connected with that of the national group " into which he was born ", and Parliament was to be strictly prohibited from interfering with the " autonomy " of any group, or rather of its Leader.

Not only cultural, but economic and social matters also, were to be under the control of the racial group. Special penalties were threatened against any transfer of property in land or

[1] See above, pp. 213–16.
[2] Raschhofer, *op. cit.*, p. 539.
[3] Article 4, paragraph 7 of the Draft.
[4] The reasonable assumption that in an atmosphere dominated by national chauvinism he would hardly do so, formed one of the presuppositions of the system.

factories formerly " belonging to a given nationality " to members of another, and against the employment of people of another nationality unless they had " possessed the job " for twenty years.[1] In consequence, the separate nationalities would have formed, as it were, water-tight compartments, protected in the possession of their " living space ", but unable to enter into any kind of economic intercourse with each other that might result in a transfer of property in land or factories. Any German-controlled property, wherever it happened to be, would have formed an economic and social island within the Czech " living-space ". It is clear that such an organisation would have given any minority a virtual veto against any policy or legislation with which it disagreed. And the most centralised minority, with the greatest foreign support, was most likely to establish a totalitarian dictatorship, not only over the immediate subjects of its " Speaker ", but also over all the other citizens of a state which had been foolish enough to set up not only " a state within the state ", perhaps a natural implication of federalism, but the opportunity for a racial minority to establish its totalitarian control of the state. We need not be surprised that the Czechs had no reason to discuss such projects seriously.

(*d*) The Four Reform Plans Discussed during the Runciman Mission

The organic evolution of official Czechoslovak policy towards Masaryk's formula of " equals among equals ", very slow as doubtless it was, was opposed by the fascist demands ; but it was foreign intervention that forced upon the Czechs a course which they accepted only because their country's defence depended obviously upon foreign assistance. Whatever criticism the previous nationalities policy of the Czechoslovak state might deserve, all democratic critics agreed that concessions made under the pressure of a fascist party and its foreign backers were most unlikely to secure any improvement. The Sudeten-German anti-fascists most of all supported this view. For they were bound to be the first victims should Czechoslovak policy appease the fascists. So it is very difficult to discuss the four plans successively brought forward during the summer of 1938 as organic developments of Czechoslovak policy, for they were supported

[1] The very existence of such national " titles " to a given job proves that the Sudeten Germans themselves, who had no reason to protect interests other than their own, were conscious of having distributed quite a number of jobs according to racial principles even under the " oppression " of the Republic.

by hardly any political forces within the country. Nor would any Czechoslovak politician to-day accept such concessions as binding, especially as the Allies failed to keep their part of the bargain. But however dubious the value of the four plans as political documents may be, the mere fact that they were drafted suggests that they might contain some contributions to the solution of the problem.

The starting-point, from the Czech point of view, was the "First Plan", drawn up in June 1938, immediately after the May crisis had been successfully surmounted, and before anything more than moral pressure had been exercised by Czechoslovakia's Western allies. Under the given circumstances the Czechoslovak government, and even more the parties forming the parliamentary majority behind it, were strongly disinclined to adopt any formula sounding like appeasement of anti-republican forces, or a disavowal of the earlier policies of the Republic. A "codification of the existing Nationalities Law" was therefore envisaged, based mainly upon the agreement with the German republican parties of February 18, 1937,[1] and enacting the concessions then made, while explaining them in a rather broad-minded spirit, as constitutional law. Every nationality living within the state should be granted its proportionate share of all public posts, as well as of all public expenditure and investment.

The Henleinites answered with counter-proposals which developed their 1937 conception in an even more aggressive way, in accordance with the principles laid down by Henlein in his Karlsbad speech of April 25, 1938. The Leader of every nationality was to control not only, as under the 1937 proposals, the special obligatory national organisations which he established, but also all municipal and district administration in the territories inhabited in a majority by his nationality, as well as the expenditure of his people's proportionate share in public finance. As regards his relations to the Central government, the national Leader was to be no mere advocate of the rights of his nation, but a member of that Government. Without the assent of the Leaders the functions that were to remain common—Foreign Affairs, Defence and Foreign Trade—could not be administered, and each of the Leaders could virtually veto any proposal. But, unlike other members of the Central government, these national Leaders were not removable by a parliamentary majority, so

[1] See above, p. 297.

long as they enjoyed the support of their own national representatives, i.e., of the totalitarian organisation which according to the " principle of leadership " they themselves controlled. Vague proposals for " repairing the harm done to the nationalities since the foundation of the Republic " completed the scheme. Evidently, this involved cancelling the land reform, providing huge financial subventions for German municipal administrations, and perhaps " restoring the German character " of some cities. The Czechs believed that what was just in this demand might be met, as in the " First Plan ", by granting the national minorities a temporarily increased share of the public expenditure and by the admission of more of their members to the Civil Service, until each nationality should reach its proportionate share.

Under some degree of political pressure from their Western allies, but before the arrival of the Runciman Mission, and as a basis for its work, the Czechs, in the middle of July, drew up the " Second Plan ". Municipal autonomy was to be extended, and all the functions lying between local self-government and the common powers recognised even by the Henleinites were to be transferred to the Provinces. These latter would have administered justice, regional economic policies, police and general administration, high schools, etc. The Slovak right-wingers would thus have got all that they could demand short of complete separation. The German and, in Slovakia, Magyar minorities were to be provided for by dividing the Provincial Diets and Governments into national *curiae*, to administer all Provincial matters concerning each respective nationality under the supervision of the Provincial government.

By this plan every minority would have obtained full self-government, either in the municipalities which it dominated or in the national *curiae* of the Provincial governments. But the minorities would still, it is true, by the preservation of the powers of the Central government, have been deprived of the right to sabotage the working of a government supported by a majority in the Central Parliament, and a majority within a single nationality would still have lacked the " right " to terrorise those of its co-nationals who happened to dissent from its views. German national autonomy, under the Second Plan, could still have been exercised by Municipal Councils with local working-class majorities, and there would still have been guarantees against German democratic teachers being dismissed from German secondary schools. These were, from the Henleinist point of

view, the main shortcomings of the "Second Plan". It was just at this point that the Runciman Mission offered its friendly help in furthering the attempts to appease the fascists.

From the point of view not of the appeasers of fascism, but of serious students of the problem, there was still one point on which the "Second Plan" seemed open to improvement: Czech progressive opinion had itself formerly [1] preferred County to Provincial self-government, and division by counties might be more suitable for German or Magyar self-government than *curiae* in the Provinces. The obvious shortcoming of such a solution in the given circumstances, i.e., with a fascist and irredentist party controlling the majority of the Germans, was that the larger German-controlled units would be most likely to interfere with the self-government of municipalities controlled by the Czechs, or by German left-wingers, quite apart from possible threats to state security. On the other hand that very tendency to appease the extreme Right, which forced the Czechs to offer the German fascists County autonomy, prevented the extension of the proposal to Slovakia, where it might have favoured the progressives and protected the anti-Hlinka groups among the Slovaks.[1] So the "Third Plan", basing German autonomy on Counties, but Slovak autonomy on the undivided Province, can hardly be regarded as more than a concession urged upon the Czechs by the supporters of fascist aggression. This was made even clearer by the proposed transfer of police administration to the municipalities, that is, in most German territories, to the Henleinites.

Even the Third Plan, though it was endorsed by the Runciman Mission, did not fulfil its immediate aim of inducing the members of the Mission to report to the people who had sent them that the Czech Government had plainly gone to the utmost possible limit of concession and ought to be supported against further Henleinist demands. A "Fourth Plan" was demanded, and offered by the Czechs on September 6. The only point that may be regarded as a positive improvement, and that might have been offered earlier with better effect, was a relatively large subsidy (£4 millions) for the German municipalities as compensation for former discrimination against them in public expenditure. Apart from this, the plan proposed to satisfy the last unfulfilled demand of the Henleinists, inclusion of their representatives and those of the other minorities in the Central

[1] See above, pp. 302–3.

government with virtually decisive votes. In view of the actual position, this implied the subjection of the Republic to the authority of the external controller of the Henlein party. Now, at least, Lord Runciman [1] found that the Czechs had gone to the utmost limit of concession. The only pity was that he did not suggest that the settlement proposed should be defended at any price, but suggested instead the dismemberment of Czechoslovakia, as the maximum concessions by the Republic did not satisfy the Henleinists and their protector.

This outcome was the only possible political result of the course entered on when the Runciman Mission was sent to Czechoslovakia. But theoretically it may be interesting to ask what might have happened if, as seemed probable for a moment in the days immediately preceding Berchtesgaden, acceptance of the Fourth Plan could have been combined with strict repression of the subversive policies of the Henlein party. It is clear that the main arguments as given above, and also by the Czech and Sudeten-German democrats during the crisis, are valid only in consequence of the domination of the German minority in Czechoslovakia by a fascist party controlled by a foreign aggressor. Obligatory inclusion of representatives of national minorities in a Central government would have been a novelty in parliamentary democracy, but not different in principle from the usual course of dealing with large political minorities, for example, in Switzerland. As regards the composition of the Central government, it would have implied a high degree of federalism with the Central government integrating the trends dominant in the lower units, although in general a plan based essentially on municipal and County self-government could hardly be characterised as federalist.

(*e*) "Federalism" in Czecho-Slovakia after Munich

During the short-lived post-Munich "Second Republic," federalism was accepted in theory as the basis of the Constitution. So we have to consider how the forces which had "solved" the Czechoslovak problem by the territorial separation of the constituent nationalities, succeeded in organising co-operation within what was still, in an even higher degree than before, a multinational state, for the character of the Slovaks as a separate nationality [2] was accepted as a political dogma of the "renewed" state.[3]

[1] Command Paper 5847, pp. 3 ff. [2] See above, p. 299.

[3] For this reason also the name of the state was changed, a hyphen being interpolated into Czecho-Slovakia.

First of all, the " thorough " Munich solution proved insufficient to solve even the immediate issue, the Sudeten-German problem. In spite of the severe mutilation of the Czech national territory, Munich still left a German minority within the Czechoslovak rump, and could hardly have avoided doing so. For, as we have seen, the German minority in Czechoslovakia had been based largely on social differentiation, and thus was necessarily spread throughout the country. The German minority in the " Second Republic ", it is true, was much smaller than the Czech minority in the territories ceded to Greater Germany, and formed hardly more than 5 per cent. of the population of the new state. But it had the support of Hitler and his new friends. All power of resistance by the mutilated state to a claim by this minority to be the " master race " within what belonged to the " Central-European space " was broken. We must recognise that the authors of the Munich solution had foreseen such a result: according to the judgment of one of those mainly responsible,[1] the " Fourth Plan ", including a permanent seat in the Czechoslovak government for a representative of the German minority, was to be applied in lesser Czechoslovakia. Further, the whole policy of this state was to be subordinated to the interests of its greater neighbour. " Parties and persons in Czechoslovakia who have been deliberately encouraging a policy antagonistic to Czechoslovakia's neighbours, should be forbidden by the Central government to continue their agitations ", and that Government " should so remodel her foreign relations as to give assurances to her neighbours that she will under no circumstances attack (!) them or enter into any aggressive action against them arising from obligations to other states ". It is quite clear that within such a system the rôle intended for the representatives of the Sudeten-German minority was that of bailiffs of the overlord, supervising the execution of his orders.

The same part was to be played, rather more effectively, by the assumed partners in the new " Czecho-Slovak " federation, to which Carpatho-Ukraine was added,[2] with rights similar to those of Slovakia. The new Constitution, although never completely enacted, remains interesting in so far as it tried to

[1] See note 1 on p. 311.

[2] We do not dwell upon this point, as, in consequence of the struggle between the Russian and the Ukrainian-nationalist tendency among the Carpatho-Ukrainians, a struggle in which Czechs as well as Germans intervened, there was never any kind of stable government, even measured by the standards of revolutionary times.

apply the traditional principles of Austro-Hungarian dualism regarding the combination of non-parliamentarian states to a situation in which one at least of the partners [1] was a fascist dictatorship. The degree of community preserved went somewhat beyond that existing in the former Dual Monarchy. Apart from Defence, Foreign Affairs and a Customs Union, a joint administration was also provided for Posts, Communications, and Inland Revenue, which the much poorer Slovak partner preferred to share with the Czechs. As in Austria-Hungary, there were separate governments for the member-states, but, unlike the Dual Monarchy, their more important members together formed the Federal Government. There was also a Federal Parliament, composed of delegations from the member-states, but—again unlike Austria-Hungary—with the right to discuss and to vote jointly. For the most important issues—constitutional amendments,[2] the election of the President of the Federation, and questions of confidence in the government, their votes were to be counted separately. Thus not only a majority of the votes in general, but also the consent of a majority (for constitutional amendments a two-thirds majority) of the Slovak deputies was demanded. After October 6, 1938, Slovakia was a "totalitarian" state with the Hlinka (Catholic-autonomist) party enjoying a monopoly of legal activities, with the usual apparatus for terrorising its opponents and with its leaders virtually entitled to nominate the whole Slovak delegation to the Federal Parliament. The Hlinka party thus possessed a virtual veto over all affairs of importance in the Federation, which they exercised according to the orders of their German overlords.

The President of the Republic, it is true, had the right to nominate the Slovak government, but against the opposition of the Hlinka caucus such an operation (which was, indeed, to form the immediate pretext for the events of March 14, 1939) could merely take the form of Civil War, the results of which, if it were successful, would have to be legalised by elections as "authoritarian" as the former ones had been. Further, the economically

[1] We mean, of course, Slovakia. The Ukrainian-nationalist group in the Carpatho-Ukraine attempted to establish the fashionable totalitarianism, with its usual accessories, such as coloured shirts and "unanimous" elections. But it was so "stable" that the Czechs succeeded in arresting the whole gang with little resistance, however "unanimously" (with 80 per cent. of the electorate abstaining) it had been elected. For the Czech state itself, a semi-authoritarian system, with a legal "opposition" party under strict government control, was provided.

[2] These played a highly important rôle, for the appearances of constitutional government had to be preserved by enacting "Enabling Laws" in order to sanction (mostly *post factum*) the continued violations of the Constitution.

weaker Slovak half of the Republic was greatly dependent on the Czech half. In theory, it might have been possible to enforce reasonable developments within Slovakia by making them a condition of continued Czech material support. This was, indeed, tried during the last weeks of the "Second Republic", but with the result that Hlinka resistance forced upon the Central government the ultimately catastrophic measures already mentioned.

It is possible in theory to ask whether such a development was an inevitable result of the Czecho-Slovak November Constitution "as such", or merely of the general conditions created by Munich, under which it was enacted, and of the German support of Catholic fascism in Slovakia. Without a monopoly of legal political power in favour of that group within the Catholic-autonomist movement that enjoyed German support, the autonomists as a party would never have won anything like a majority of the Slovak seats.[1] Nor would they have been able to prevent repeated splits between the more radical and the more moderate groups, and between the pro-Hungarian, pro-German, and pro-Polish factions within their ranks. Had the Slovaks, as well as the Czechs, been divided among various political groups able to enter various combinations, there is no reason to doubt that even a Constitution requiring a separate majority in each Parliament in support of the Federal government might have worked. Certainly any Slovak party would have made use of such a political privilege for acquiring a higher share in public expenditure and investment than that to which the Slovaks were entitled by their numbers and economic strength. So had the Hungarians done in the former Dual Monarchy. But the Dual Monarchy had not broken down because it was too costly for the Austrians.

Nor was the political Catholicism of part of the Slovaks an insurmountable obstacle to federation with the progressive Czechs. In republican Austria it had not been the village-priest, or the priest leading a peasants' coöperative, who was unable to coöperate with "Red Vienna"; the catastrophe had become unavoidable when the ecclesiastical hierarchy linked up with Fascism, and with the Italian Fascist aggression.

[1] In all the free elections before the Munich catastrophe the Slovak vote was divided into three thirds, the first of which was very far from having a majority: (*a*) autonomists, (*b*) Communists and Socialists, (*c*) Moderate and Liberal parties (especially Agrarians and Czechoslovak National Socialists), all associated with their Czech correspondents. After Munich, the second group of parties was suppressed, the third subjected to "unification", and the first became the "State Party".

So it was in Slovakia, with Hitlerism prevailing among the backers of Catholic fascism.

The Austro-Hungarian union could not survive the First World War, for the ruthless oppression of the Hungarian minorities had become incompatible with the emancipation which the nations of the Austrian half of the Dual Monarchy, and the Croats, had become strong enough to obtain. There were no problems of this kind in post-Munich Czechoslovakia. But the fact that the Czechs continued to strive for democracy and national independence, while the Catholic-autonomist fascist party in Slovakia had become the tool of foreign fascist oppression, rendered the continuation of the appearance of voluntary co-ordination impossible. The Czechs tried to get the threat to the last remnants of their independence under control. They were therefore punished by the Supreme Master of all Fascists, who took them under his " protection ". The era of " national self-determination " disappeared as the day of the " New Order " dawned.

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PART IV. FEDERALISM IN THE U.S.S.R.

CHAPTER XIII

DEVELOPMENT AND CONSTITUTIONAL ORGANISATION OF SOVIET FEDERALISM

(1) Bolshevist nationality policies were based on the desire to coördinate the struggle for emancipation of the oppressed nationalities of the Tsarist Empire with the struggle for power of the Russian working-class. A theory was elaborated which regarded nationality as an objective, socio-economic reality and recognised each nationality's full right to self-determination, including political separation from Russia. Like the Austrian Social Democrats, the Russian Bolsheviks desired to preserve the existing large-scale economic unit. By granting each nationality the right to full self-determination, as the Austrian Social Democrats did not, they hoped to shape the conditions for the exercise of this right in the direction of voluntary union with Russia, on the basis of territorial autonomy.

(2) During the Civil War, all the territories of the more highly developed non-Russian nationalities were temporarily lost. When Soviet governments emerged in these territories, their relations with the Russian motherland were regulated on the basis of alliances between partners in theory completely sovereign. The smaller, somewhat backward nationalities enclosed within Russia proper were granted territorial autonomy by administrative reforms. This autonomy included economic and administrative powers, and was backed by measures intended to supplement the formal and legal by practical and socio-economic emancipation. Most important of these measures were the land reform, carried out, where necessary, against the Russian settlers amongst the backward nationalities, and the preference given to the latter in education as well as in admission to the higher positions in the public service.

(3) After the end of the Civil War, in those non-Russian border regions where the Soviet system had proved victorious, the relations of alliance were transformed into those of Federation. Within the framework of this larger federation a lesser one was formed by Russia proper, together with the smaller nationalities which had been granted the status of autonomous republics and territories. The historical distinctions as regards the position of the various members of the Soviet Union were reduced by granting federal status to the autonomous republics also, while the "sovereignty" of the founding members of the federation became rather theoretical. Thus, virtually, all the national republics enjoyed autonomy, granted and limited by the federal constitution, and graduated according to their economic and cultural development.

(*a*) Nationality Issues in the Tsarist Empire

Soviet federalism is essentially concerned with the nationality problem, and the formation of Bolshevist ideas on this issue started from a situation very similar to that which we found [1] to be the concern of Austrian Social Democracy. Up to the present day [2]

[1] Above, Chapter IX, sections *f* and *g*.

[2] Stalin, *op. cit.*, 1936, p. 15.

the Bolshevists tend to contrast their own success in establishing a multi-national state with the Austrian failure.

In drawing such a general analogy we must not overlook certain essential differences in national structure between the two multi-national monarchies of Eastern Europe. In Austria no single nationality came near to forming a majority of the population. Thus any stable solution in modern times had to be based upon coöperation between some of the ruling nations, or at least their ruling strata. In Tsarist Russia one single nationality, the Great-Russians, came very near to forming an absolute majority. It would have secured quite a stable majority if the régime had succeeded in inducing the kindred Eastern Slav peoples, Ukrainians and Byelorussians, to look upon themselves as mere branches of a single Russian nation. While in Austria the idea of complete centralisation and unification was restricted to the extreme bureaucratic absolutism of 1848–59, and while even the reactionary Pan-Germans aimed merely at sharing with some other "historic nationalities" in oppressing the "unhistoric nationalities", in Russia, since the days of the Decembrists, even quite radical Great-Russian Liberals were strictly opposed to the emancipation of the non-Russian peoples, and aimed at amalgamating the races and tribes which inhabit Russia so as "to form a single people".[1]

Their case gained in apparent strength from the fact that the various peoples inhabiting the Tsarist empire differed much more widely in economic and cultural development than did even those of the Hapsburg monarchy. The most fitting analogy, indeed, would be not the Hapsburg monarchy but the British empire, including some of its most backward colonial territories.[2] In 1921 a resolution of the Tenth Congress of the Russian Communist party estimated that, out of 140 million people then living in Soviet territory,[3] 30 million, mainly Turkish peoples, were backward nationalities "who, in the majority of cases, preserve the pastoral and tribal form of life (Kirghizia, Bashkiria, the Northern Caucasus) or who have not yet progressed completely beyond a

[1] See *Nationalism*, p. 67, on the ideas of Pestel, the leader of the radical wing of the Decembrists of 1825. The distinctly Great-Russian imperialist attitude of the Cadets, the post-1905 Liberal party, was notorious.

[2] The percentage of very backward nationalities within the British is somewhat higher than it was in the Tsarist empire, but not so much as is generally supposed unless some artificial distinction by "colour" or creed replaces the economic and cultural one.

[3] The former Tsarist empire had 170 million inhabitants, and the territories that had formed part of it but were not Soviet-ruled in 1921 (Poland, Finland, the Baltic lands, Georgia) were among the more highly developed.

semi-patriarchal, semi-feudal form of life (Azerbaijan, the Crimea, etc) ".[1] Thus the average Russian bureaucrat, or even Liberal, might discuss the problems of many of the non-Russian peoples of the Empire in the same way as other bureaucrats or Liberals are accustomed to approach the problems of " colonial " peoples elsewhere. It was indeed making a rather artificial distinction to deny the colonial character of the major part of the Tsarist empire on the mere ground that not the high seas but only the Urals and the Southern deserts separated it from the motherland, and that, in the absence of any kind of self-government in the motherland itself, both were administered in the same bureaucratic-absolutist way. But it may be that this fact made the final solution of the problem easier.

On the other hand, the ruling nation in Tsarist Russia had no such clear advantage in economic and cultural development as the Austrian Germans had, for example, over the Czechs, Magyars or Italians. Quite apart from irrational prejudices as to the supposed advantages of Western- in comparison with Eastern-Byzantine civilisation, the average Polish or Finnish nationalist had good reason to complain of Russian rule as exploiting the economically more highly developed territories for the sake of preserving a backward régime at the centre.

In consequence, at least four different types of national movements other than Great-Russian may be distinguished in Tsarist Russia :

(i) The movements of nations incorporated comparatively recently into the Empire, with an unbroken cultural record of their own, and at a stage of economic development (though, achieved only during the incorporation) that was not backward in comparison with that of the Great-Russian territories (Poland, Finland). In such cases secession from the Empire was a practical issue.

(ii) The movements of nations with a long and important cultural record of their own, which had been interrupted by political subjection, in most cases not to the Tsarist empire itself, but to its Polish or Tatar predecessors. These nations were in a position analogous to that of the awakening " unhistoric nationalities " in Austria. They were to be found in the west (Ukraine, Baltic), and in the centre (Volga Tatars) as well as in the south-east (Georgia, Armenia, Turkestan) of the Tsarist empire. In the Central Asian protectorates of Bokhara and

[1] Stalin, *op. cit.* (Appendix), pp. 246–7.

Khiva (Khoresm) the native rulers, the Moslem clergy, and the feudal chieftains, the beys, strongly supported by the Tsarist government, formed the local ruling stratum.[1] In none of these was there before the Revolution any strong demand for political separation. But there was a strong and quite general demand for political, economic and cultural freedom of development. The direction of the last was in many cases highly contested ;[2] especially in the more advanced of the Mohammedan territories was the traditional outlook on such questions as secular education, the emancipation of women, etc., strongly opposed by the modernists, especially among the Tatars.[3] As in Austria, nationalism of this type was sometimes an expression of opposition to another oppressed people rather than to the ruling nation. This was the case especially in the Caucasus.[4]

(iii) The movements of nationalities, or tribal groups disputing whether they were real nationalities or not, which had no territorial settlement of their own, or which formed national minorities remote from their national settlements and without any clear connection with them. The main example, as in Austria, was the Jews, who played an even more important part, and were hardly assimilated to their surroundings as they were in the more advanced parts of Austria. But the position of the Armenians in the Caucasus, for example (outside Armenia proper and disputed border districts), was not dissimilar.

(iv) The movements of typical colonial peoples who opposed the ruling power's interference with native customs and the deprivation of the native population of their land in favour of Russian settlers. This policy had resulted in driving some Asiatic nationalities back into nomadism and starvation.[5] Resistance to these " colonising " activities, as well as to forced labour, formed the background of the Central Asian rebellion of 1916, the crushing of which was followed by renewed confiscation of " native " lands in favour of Russian settlers. These struggles led to the 1917 revolutions and formed a principal reason for the rapid victory of the Bolshevists in a colonial and feudal country which was to become a stronghold of the revolution.

[1] See Lobanoff-Rostovsky, *op. cit.*, p. 247.

[2] It should be remembered that similar struggles between clericals and progressives arose in the Hapsburg monarchy, for example among the Slovaks and Croats, and that there also the Conservatives supported the Central government.

[3] Sultan-Galiev, *op. cit.*, p. 8.

[4] See Stalin, *op. cit.*, p. 14.

[5] For a description of the facts by non-Communists see Tchokaiev, *op. cit.*, pp. 351–2, and Williams, *op. cit.*, p. 106. Among Soviet sources may be mentioned Isakeyev, *op. cit.*, for Kirghizia, and Kireyev, *op. cit.*, for Buryat-Mongolia.

Apart from the types of oppressed nationalities just described, whose struggles were to form part of the revolutionary upheaval, there was a fifth group, too backward and too remote from the economic and political centres to influence the development of affairs in any way. They seemed doomed to gradual extinction in consequence of the advance of civilisation—including such doubtful achievements of civilisation as brandy and venereal disease—just as were the North American Indians a century ago. The Yakuts in north-east Siberia, and also some of the more backward Finnish tribes between the upper Volga and the Northern Urals, belonged to this group.

(*b*) Nationalities Policy of the Bolshevist Party before the Revolution

In such a country as Russia no serious revolutionary party could avoid adopting a definite attitude towards the nationalities problem. A Left-wing Socialist party would most probably be drawn directly into these struggles, as it was likely to recruit a relatively high percentage of its followers from among the oppressed nationalities though of course only amongst the more developed of them. Preservation of the internal unity of the workers' movement against a national split such as had developed in Austria was at least as important a task for Socialist theoreticians in Russia as was giving an answer to the question how Socialism when victorious would organise the former Empire. For a Socialist party divided by national issues would never succeed in gaining power. But the party could prevent splits on the national issues only by giving questions about the future of the non-Russian nationalities of the Tsarist empire at least as satisfactory an answer as did its nationalist competitors.

Such an approach to the problem of inter-national solidarity would probably have widened the split among the Great-Russian progressives. But with Lenin and the Bolshevists this was no argument against such an approach. To them, a split between peoples of various origins and tongues, but with similar political and economic interests, was anathema, while it was highly desirable, at least in the beginning, to make a clear cut between consistent revolutionaries and other people who called themselves revolutionaries in a country where any fairly progressively-minded aristocrat, opposed to the barbarism of the existing régime, could call himself a Liberal, and any seriously liberal-minded middle-class youth a Socialist. If a clear-cut recognition

of the rights of the oppressed nationalities would help to relieve the revolutionary party of people who were Great-Russian nationalists rather than Socialist revolutionaries, it would be all to the good from Lenin's point of view.[1] But the essential motive of Bolshevist pre-revolutionary nationality policy, and the key to its understanding, was the problem of getting the Socialist revolutionaries of various nationalities within the Tsarist empire to collaborate.

When the Left-wing Russian Social Democrats [2] began to develop their nationality policies, no one could expect that events would lead to proletarian dictatorship being proclaimed in Tashkent even a few days before its declaration in Petrograd. The oppressed nationalities with which Socialist policy was mainly concerned were those with a long historical record expressed in terms of Western progressive thought: Poles and Finns, Latvians and Georgians, Jews and Armenians, to give examples from each of the groups previously mentioned. Finns, Latvians, and Armenians, as well as the revolutionaries among the Mohammedan peoples, coöperated easily with the most radical of all the Russian parties; and the fact that, in the Ukraine as well as in Baku or Tashkent, the core of the industrial workers were Great-Russian, Left-wing Socialists rendered most national issues, before as well as after the 1917 Revolution, much simpler than they were in Austria where the Labour movement had grown to a roughly equal degree among Czechs and Germans. Disputes were likely to arise among peoples whose own Labour movement as well as their nationalism was strongly developed. Amongst these peoples the Bolsheviks had little success,[3] but the discussion of their problems greatly helped to clear up the political

[1] This does not necessarily mean that Lenin would have opposed Stalin's policy, during the years before the present War, of admitting the remnants of the middle class and even aristocratic intelligentsia to the Party. To win a revolution is one thing; to consolidate and defend the revolutionary state another.

[2] Because they won a (very narrow) majority in the 1903 party congress they were called "Bolsheviki" (majority Socialists). Thus the term in Russia has a sense exactly opposite to its meaning in Germany, where, after 1915, the reformists were to be called the "Majority Socialists".

[3] Among the Poles the Bolsheviks did not succeed in convincing the Left-wing Socialists. So they had hardly any influence during the decisive years 1918–20. Among the Georgians the split, in spite of providing revolutionary Russia with her first People's Commissar for Nationalities, and present leader, was so even, that some military help for the Left was needed to secure incorporation in the U.S.S.R. The Jews, threatened with pogroms even under the régime of, for example, the Ukrainian "Social Revolutionaries", had hardly any choice but to support, after hard lessons, the only party whose iron hand was able to get rid of that pest. But up to the moment when that necessity became clear to them, the majority of the Jews supported the various national Socialist groups, in the struggle against which a good deal of Bolshevist theory on the nationality question had developed.

outlook of the party as a whole, and to enable quick agreement to be reached on those matters that were really to decide the future of the U.S.S.R.

Among the Poles the nationalist rather than Socialist P.P.S. (Polish Socialist Party) was opposed by the Left-wing Polish Social Democrats, whose general attitude was near to that of Russian and German [1] Left-wing Socialists, while differing from the former, though not from the latter,[1] by their negative attitude to the claims of oppressed nationalities, and especially their own, for self-determination. Very like the Austrian Social Democrats, they regarded the historically-given multi-national state, however oppressive and unjust, as a valuable large economic unit, whose dismemberment would be unreasonable from the point of view of Labour's immediate interests and of future socialist planning. For Marxian Socialists opposing within their own nation a party which was to be led by Pilsudski, there were good reasons for stressing the internationalist point of view and the interest of the Polish working-classes in preserving unity with their Russian brethren. Lenin never in fact succeeded in convincing his Polish comrades. But he proved right in his prediction that, with their purely negative attitude towards the national oppression of their people, they would never succeed in gaining its leadership. If the Great-Russian Socialists had adopted a similar attitude, as their Menshevist wing proposed, they would have exposed themselves to the same reproaches and splits as the Austrian Socialists because they were part of the oppressor nation. In the end, after having vainly attempted to defend the multi-national state, they would have failed to lead the revolution that was to replace it by a new order of things. So, in defending the right of the Polish nation to self-determination against his Polish friends, Lenin saved the future of his own party. On the other hand, in spite of some occasional remarks in his polemic against the Left-wing Poles and Austrians in which he sided with Kautsky, who regarded any multi-national state as backward,[2] Lenin never ruled out the voluntary union of nations which had previously formed a multi-national state.

The Bolsheviks regarded the decision whether it might be desirable or not, from the Socialist point of view, for the Polish nation to use its right of self-determination, as dependent on the

[1] With whom the Polish Left-wing Socialists shared their most important leaders, Rosa Luxemburg and Radek.

[2] Lenin, Vol. IV, p. 251.

concrete conditions of the time.[1] But they by no means identified the *right* of self-determination with a demand for the *actual* secession of all the hitherto oppressed peoples of a multi-national state. The right of self-determination, according to Lenin,[2] is "by no means identical with the demand for secession, for the partition, and for the formation of small states. It is merely the logical expression of the struggle against national oppression in any form. The more closely the democratic system of a state approximates to complete freedom of secession, the rarer and weaker will be the striving for secession in practice; for the advantages of larger states, both from the point of view of economic progress and from the point of view of the interest of the masses, are beyond doubt, and these advantages increase with the growth of capitalism". According to the pre-1917 writings of Stalin,[3] "the right of self-determination means that a nation can arrange its life on the basis of autonomy. It has the right to enter into federal relations with other nations. It has the right to complete secession. Nations are sovereign and all nations are equal". But "this, of course, does not mean that Social Democrats will support every demand of a nation". Lenin would not recognise federation as expression of the right of self-determination as desirable in principle.[4] But even a partisan of democratic centralism might "prefer federation to national inequality as the only path towards complete democratic centralism". For the ultimate aim of Socialism, according to Lenin, was "not only to abolish the present division of mankind into small states, and all-national isolation, not only to bring the nations close to each other, but also to merge them" [2]

(*c*) Bolshevist Theories of Nationality

Quite apart from speculations about the ultimate tendencies of a socialist society, there were good reasons in the actual position of Russian Social Democracy for opposing those who regarded nationality as an ultimate value. The Jewish *Bund*

[1] See Stalin, *op. cit.*, pp. 18–19.
[2] Vol. V, p. 270. See also note 420 in Vol. IV. [3] *op. cit.*, pp. 16–17.
[4] In a letter to Shaumann (*Works*, Russ. ed., Vol. XVII, p. 90) Lenin wrote: "We are, in principle, against federation, for it tends to weaken the economic links, it is an unsuitable type for a united State. . . . We are in favour of autonomy for *all* parts of the country; we are in favour of the *right* to secede but not of actual *secession*. Autonomy is *our* plan for the construction of a democratic State." All italics are Lenin's: evidently he thought of autonomy according to regional differences not only in connection with the nationalities question.

tried to preserve a separate organisation of the Jewish workers, as opposed to their Polish and Russian comrades, including mutual strike-breaking and ousting each other from employment,[1] and defended the Sabbath and similar elements of the traditional Jewish way of life.[2] Caucasian Right-wing Socialists demanded, apart from the regional autonomy upon which all Socialists were agreed, personal-cultural autonomy for the various peoples inhabiting that hotchpotch of nationalities, and provoked Stalin's satirical question whether Socialists were bound to preserve such "national specialities" as the self-flagellation of the Transcaucasian Tatars at certain Mohammedan festivals, or the Georgian vendetta.[3] The Brno nationalities programme of Austrian Social Democracy, or rather its interpretation by Renner and Bauer in the sense of cultural personal autonomy,[4] formed a platform for all elements within Russian Social Democracy opposed to the Bolshevist point of view, whether they desired to replace the slogan of national self-determination, i.e., of a revolutionary break-up of the Tsarist empire, by more moderate demands for the mere cultural autonomy of hitherto oppressed nationalities, or sought coöperation with their respective bourgeois nationalists, and therefore defended, if not self-flagellation and the vendetta, yet at least the Jewish Sabbath, strike-breaking against Polish workers, and anti-Armenian demonstrations. The two attitudes were not necessarily incompatible: one might easily at the same time oppose a revolution against Tsarism, and one's own Armenian, Mohammedan, or Polish fellow-workers. Therefore the Bolsheviks criticised the Austrian nationalities programme for two reasons: its lack of revolutionary opposition to the Austrian State,[5] and the readiness of the Austrian Socialists to organise nationalism in the form of personal cultural autonomy, i.e., to coöperate with the national bourgeoisie, and thereby split

[1] Stalin, *op. cit.*, p. 40.
[2] *ibid.*, pp. 36–7.
[3] *ibid.*, p. 29.
[4] See above, pp. 213 ff.
[5] *ibid.*, pp. 20 ff. Stalin here restricts himself to stating that the basic assumptions of the nationalities policy of Austrian Social Democracy, the desire to preserve the multi-national state and to achieve reforms by parliamentary means, were entirely different from the Russian situation as judged by all Socialists, and that therefore a theory which fitted Austria could not fit the Russian conditions. It ought to be remarked that Lenin (see Vol. IV, pp. 261–2) also seems to have tended to a rather optimistic estimate of the possibility of Austria's overcoming her national difficulties by peaceful reform. Stalin in 1913 (as distinct from his post-War writings) directly criticised the Austrians only in so far as they clearly made suggestions for other multi-national states apart from Austria (see Stalin, *op. cit.*, p. 26). In this connection he criticised their theory of the nation and their replacement of the claim for national self-determination, by the much narrower one of mere national autonomy (p. 26).

the ranks of the workers of a given territory.[1] The Bolshevist attitude to the national issues can be understood only if we start from the fact that they regarded, and probably still regard, those issues as subordinate to the fundamental problems of a socialist revolution, as a reality which has to be recognised and so far as necessary compromised with, but never as something to be defended and developed on its own merits. Bauer's ideal of a socialist society based upon the free coöperation of national personal unions,[2] one of his various approaches to the problem of the " pluralist state ", to use Professor Laski's term,[3] was to Stalin anathema and an anarchist aberration.[4]

From this we can understand Stalin's [5] theory of nationality and national struggles. To him they are distinctly historical phenomena, belonging to a particular epoch, that of rising capitalism. In Western Europe the process of replacing feudalism by capitalism was at the same time a process of amalgamating people into nations ; hence the typical national states of Western Europe. In Eastern Europe capitalism, and with it nations, was late in developing. Therefore capitalism confronted already consolidated semi-feudal, bureaucratic-military monarchies, each containing a number of nationalities which " had not yet been able to constitute themselves economically into integral nations ".[6] Thus the oppressed nationalities, awakening with the development of capitalism, under the leadership of their developing bourgeoisie opposed the alliance of the bourgeoisie of the ruling nation with the semi-feudal autocracy and sometimes with other national bourgeoisies that were more strongly developed, and were thus able to share as junior partners in the oppression of the " unhistoric nationalities ".[7] It was with this struggle that Social Democracy was confronted, and from this point of view

[1] Stalin, *op. cit.*, pp. 28 ff. and 51 ff. Especially at the latter place the central rôle played, in Stalin's argument, by the necessary unity of the Labour movement is evident, and this also explains his very sceptical utterances with regard to the chances of small and dispersed nations surviving (for example, *op. cit.*, p. 27), utterances which Stalin would hardly repeat to-day. For a Marxist there is always a strong temptation to deny the objective strength of developments he is bound to oppose—be it merely for the reason that fatalistically-minded people within the Marxist ranks, as the Austrian Socialists undoubtedly were, may otherwise be tempted to conclude from the recognition of a certain tendency a duty to support it.

[2] See above, p. 224.

[3] The other was, after the War, Bauer's defence of Guild Socialism against the supposed " overstressing " of planning by Marx (see Bauer's *Way to Socialism*, Vienna, 1919 (in German)).

[4] *op. cit.*, p. 29.

[5] Lenin never developed his theory of nationality in detail, but approved of Stalin's article—although individual utterances of Lenin (see above p. 326), hint at a conception much nearer to Kautsky's anti-nationalism than Stalin has ever been.

[6] *op. cit.*, p. 12.

[7] *ibid.*, pp. 13 ff.

we must understand Stalin's strictly objectivist definition of a nation: it is "a historically evolved, stable community of language, territory, economic life, and psychological make-up manifested in a community of culture".[1] None of these characteristics (especially the fourth, upon which Otto Bauer based his theory) is sufficient by itself to define a nation, while on the other hand, in the absence of any single one of them a people ceases to be a nation.[2] Thus the Jews are not a nation,[3] and (*quod erat demonstrandum*) the Bund was wrong in drawing from the general sympathy of progressives for the struggle of oppressed nationalities consequences likely to split the Labour movement in areas where Jewish, Polish and Russian workers were mixed.

To criticise a logically coherent definition in the abstract is impossible. But any definition may be judged by its fruits in practical application. Stalin's definition is adequate and helpful when he speaks of Americans as distinct from the English, Norwegians as distinct from the Danes, Croats as distinct from the Serbs. It might be helpful in discussing the relations between Slovaks and Czechs, Austrians and Germans. But Bauer's "national character", even if admitted, as by Stalin, as merely one of four characteristics, is sufficiently exposed to controversy and wishful thinking to prevent a clear and unequivocal answer to the most contested issues.[4] As regards the Jews, Stalin, not as a theorist, but as the ruler of the U.S.S.R., was to find their specific psychological make-up sufficiently important to open Jewish schools and to allow people to claim Jewish nationality in the census in spite of the evident absence of at least two of the necessary characteristics.[5] If one merely wanted to express a desire for the gradual merging of this specific people, characterised by backward and mediæval traditions, into other nations, one need not deny its present national character.[6] The description

[1] *ibid.*, p. 7.

[2] *ibid.*, pp. 7–8.

[3] *ibid.*, pp. 9–11. Where Stalin reproaches Bauer with confusing the historical category "nation" with the ethnographic category "tribe". Later (p. 32) Stalin himself speaks of Jewish "national minorities" and—much as does Bauer—of the objective conditions "undermining the (evidently, hitherto granted) existence of the Jews as a nation and driving them towards assimilation".

[4] See above, p. 220 and note 2.

[5] Territory and economic unity. A common Jewish language exists only in the Western parts of the U.S.S.R.

[6] See above, pp. 220–1. It is hardly necessary to emphasise that Soviet policy in Birobidjan, and even Zionist nationalism, do not necessarily contradict Stalin's theory of nationality. Rather do they support it by their attempt to provide the hitherto lacking characteristic of nationality which is evidently considered desirable, if not necessary. The theoretical difficulties arise with those Communist Jews who profess and cultivate Jewish nationality in the U.S.S.R. without any desire for a special economic and cultural unit.

of " nation " as a mere product of *capitalist* evolution might have been helpful to Stalin the Georgian, when speaking of his own nationality,[1] but it was less fitted to the neighbouring Armenians, unless capitalism were defined in a way which Stalin, the Marxist theorist, was later to reject.[2] In Stalin's definition the historical evolution of the characteristics of a nation is mentioned ; but, applied literally, his theory would imply that there were no nations prior to capitalism. The nationalities policy of the U.S.S.R. would thus have lost many of its most fruitful applications. Outside the U.S.S.R. Communist policy would have been of little help if Stalin had argued on the lines of his 1913 writings, that the Riff-Kabyles and the Abyssinians were not as yet nations welded by Capitalism, and therefore able to make solid claims for self-determination.

Certainly there is with Stalin, as well as with Otto Bauer, a strong element of truth in the description of the modern national struggle as an outcome of capitalist development. But even if Stalin's occasional[3] distinction between " nationalities " and " integral nations " economically consolidated by capitalism is accepted, thus overcoming the difficulty of how there could be pre-capitalist multi-national states, there remain serious difficulties in describing " the national struggle under the conditions of *rising* capitalism as a struggle of the bourgeois classes amongst themselves ".[4] Stalin himself describes as characteristic instances of national struggles, apart from the typical Czech-German issue (petty bourgeoisie *versus* big bourgeoisie), examples of the rural bourgeoisie of an oppressed nation[5] struggling against landlords of the dominant nation (Ukrainians in Poland), and of the whole national bourgeoisie of oppressed nations fighting the ruling nobility of a dominant nation (Poles, Lithuanians, and Ukrainians in Tsarist Russia).[6] The second issue at least is typical also of pre-capitalist periods. Surveying the Asiatic parts of Russia, Stalin could easily discover quite a number of un-

[1] *op. cit.*, pp. 6–7.

[2] When, in 1934, he insisted strongly on rejecting the category of " merchant capitalism ", hitherto current in Russian, including Marxist historiography. Typical " merchant capitalism ", i.e., the so-called capitalism prior to the industrial revolution, is a commercial superstructure upon an essentially pre-capitalist society, and Stalin's main argument was that Marxism distinguishes socio-economic formations by their methods of *production*, not of distribution. But once such a sharp definition of capitalism is accepted, the recognition of many East European and Asiatic nationalities would become still less possible, if, as in Stalin's 1913 book, nationality is described as essentially a product of modern capitalism.

[3] See note 6 on p. 328.

[4] Stalin, *op. cit.*, p. 15.

[5] A description of the peasantry.

[6] Stalin, *op. cit.*, p. 13.

doubtedly national struggles in which capitalism was not involved on either side.

If capitalism is accepted merely as an important stage in the development of a nation, but not as an essential condition of its existence, Stalin's four characteristics lose some of their impressiveness. Community of territory may certainly be a highly important element in furthering economic cohesion and community of psychological make-up, but it is not an essential condition of nationhood, unless the cohesion of the nation is, by hypothesis, that of a rising capitalist industry serving an internal peasant market. Community of territory is often a condition of the formation of a nation, as community of religion may be also. Stalin would not deny the existence of such cases,[1] although he would not like them, but in spite of this he quite rightly avoided including community of religion in his list of the characteristics of a nation. In the cases of most modern nations community of religion is certainly not a necessary condition of common nationality, but community of territory can also be dispensed with in some cases of nationalities of pre-capitalist structure. Jews and Armenians are only typical instances of a feature widespread in Eastern Europe and Asia from ancient times.

Stalin strongly attacked Bauer for basing his theory of nationality upon a "community of psychological make-up". The existence of such a community is hardly accessible to objective scientific investigation and seems to indicate only some subjective feelings of community which certain members of a particular nationality may share and others not. But Stalin still included the point among his four characteristics, although, in practical application, it may lead to endless disputes as to whether anti-Prussian feelings are strongest among the Austrians, the Bavarians, or the Berlin workers. Bauer himself recognised [2] that there was a strong connection between his somewhat psychological conception of nationality and his Kantian philosophy. No special Marxist orthodoxy is needed to see the connection between Bauer's theoretical conception of nationality and the restriction of his policy on the national question to a mere demand for cultural autonomy. But it is also not difficult to see some connection between Stalin's increasing readiness to recognise the Jews, in fact if not in theory, as a nation,[3] and the fact that

[1] *ibid.*, pp. 42–3.
[2] See above, p. 219, and note 1.
[3] See above, p. 329.

national issues within the U.S.S.R. now mean in essence granting cultural facilities in the mother-tongue. A group may reasonably be recognised as a nationality for those purposes, while it would have been very unreasonable to recognise it as important enough to receive a share of the political estate of the former Tsarist Empire. So the definition of nationality seems to depend on the political purposes its application has to serve: the primary decision is that on the true objects of the national struggles, and this decision implies an answer to the question what social groups are the characteristic and essential subjects of those struggles.

The strongest argument, indeed, in favour of Stalin and against Bauer is a comparison between the political results each has achieved in some degree of dependence on his theory of nationality. On the one hand there is the recognition of the essential economic and political forces behind nationality, on the other the Labour movement's self-restriction to the cultural side of the problem, leaving the world of material realities to the bourgeoisie. It is a comparison between objectivism and subjectivism. But this is no argument against Bauer's thesis [1] that community of historical experience is the essential condition in forming nationality; although any objectivist is bound to agree that community of economics is a necessary condition for preserving it. Certainly there is no nationality without a common language and without a certain community in at least some of its cultural achievements, distinct from those of other parts of mankind. Without community of past experiences these cultural characteristics of a nationality could not be produced, and without community of economics they cannot be preserved.

To do justice to Stalin's conception of nationality we must discuss it from its author's point of view, that Socialism "can reckon only with real nations, which act together in time of peace and in time of war, and therefore insist on being reckoned with".[2] This, according to 1913 Bolshevist conceptions, had to be done under the conditions of rising capitalism in Russia. Therefore Stalin's definition, whether or not sufficient to decide what *is* a nation, might have been quite sufficient to decide *with which* national movements, and under what conditions, Russian (and probably not only Russian) revolutionary Socialism should *compromise*. Certainly only the bourgeoisie of a nation fulfilling

[1] Which, it is true, was emphasised rather in the second, post-War edition of his book, many years after Stalin had written. See above, pp. 219–20.

[2] *op. cit.*, p. 11.

Stalin's conditions could seriously attract its own working classes, threatening the Labour movement with disruption unless it could give a reasonable answer to demands which the workers and peasants of an oppressed nationality shared with their fellow-nationals. It might further be true that, from the point of view of revolutionary Socialism, it was undesirable to help to preserve the existence of nations whose specific outlook was bound to be destroyed once the rule of Rabbi or Mullah had come to an end,[1] and also unnecessary, for the simple reason that such a pre-capitalist nation would be unable to endanger the Russian revolution. According to Stalin and the Bolshevist programme the Russian workers, as Socialists and Democrats, ought simply to oppose any kind of national oppression, and to demand full equality of rights as regards language, schools, etc., for all members of any nationality, wherever they lived.[2] Evidently these demands had nothing to do with the specific question whether a certain group was to be recognised as a nation or not ; they were simply conclusions from general democratic principles. On the other hand, the Bolsheviks would oppose any special organisation within a given territory of workers who differed from their fellows merely in race, religion or mother-tongue. As regards the true nations, as defined by Stalin, the Bolsheviks would support their right to full self-determination in the sense described above,[3] including the right to set up their own national state. The Great-Russian Bolsheviks would take upon themselves the obligation of opposing by every means any attempt by a Tsarist or bourgeois Russian government to retain by force within the framework of the Empire nations that desired to establish a state of their own. But this does not imply that the Bolshevists would themselves suggest such a solution : [4] they would suggest that the hitherto oppressed nationalities remain voluntarily in the Russian political community, under the condition of regional territorial autonomy which was to be granted to Poland, Lithuania, the Ukraine, the Caucasus, etc.[5] For the larger nations (though in the Caucasus and Turkestan, with their strong intermixture of nationalities, not always for each one separately) this involved the prospect of dominating the political and economic life of a part of the Empire, within the framework of the rights granted them by a future Constitution. There would have been guaran-

[1] See note 1 on p. 331. [2] *op. cit.*, pp. 50–1. [3] P. 326.

[4] A mistake very often made in the literature on the subject, to be explained partly by confusion with post-War international Communist tactics.

[5] Stalin, *op. cit.*, p. 50.

tees for the cultural life of the minorities, but there would also have been good chances for the large nationalities to absorb peacefully the more backward of their local minorities, and even the Russian minorities in the towns—a process of which Stalin would not disapprove.[1] Not the preservation of the existing nationalities, but an approach to Democracy and Socialism undisturbed by national struggles, was the aim of Bolshevist policy on the nationalities question.

(*d*) Bolshevist Nationality Policies during the Revolution

Of all the possible applications of the right to national self-determination which Stalin had discussed in 1913,[2] federalism with the Bolsheviks was certainly the least popular.[3] The right of the oppressed nationalities of the Tsarist Empire to secede completely, if they so desired, was defended both before and during the War as an essential tenet of the Bolshevist faith, against a Left-wing opposition within the party's ranks which disapproved of the dismemberment of the old economic unit because of what was called bourgeois prejudice, and also against the Kerensky Government which denied the Finns the right to secede.[4] At the worst, the Bolsheviks considered that the recognition of unavoidable facts such as the eventual secession of Poland would be a relatively cheap price to pay for the friendly neutrality of a neighbour of Bolshevist Russia. At the best, it would be an easy means of furthering the conquest of power in the particular country by the Workers' Party, which could no longer be reproached with being an agent of a foreign oppressor. But federalism had always [5] been suspect to the Bolshevists as a danger to the internal unity of the Workers' party. The theoretical recognition of full national self-determination, prior to a revolution in which it might become a practical issue, would simply be an effective slogan of agitation amongst the oppressed nationalities. But federalism, once it was recognised by the

[1] See *op. cit.*, p. 43, for the prospect of "drawing the backward nations and peoples [of the Caucasus] into the common stream of higher culture" (the whole phrase is printed in italics by Stalin), and pp. 96–7 for the prospect of the towns of the Ukraine and Byelorussia being nationalised and deprived of their Russian character, as recognised by Stalin in 1921.

[2] See above, p. 326.

[3] See note 4 on p. 326.

[4] Stalin, *op. cit.*, pp. 55–6, and the resolution of the April Conference, 1917, *ibid.* (appendix), pp. 240–1. Lenin had stressed the point in all his writings on the national question. The classical document is the article "On the Right of Nations to Self-Determination", *Works*, Vol. IV, pp. 249 ff.

[5] See the closing pages of Stalin's 1913 article, where the danger of organisational federalism is used as a main argument against the slogan of national cultural autonomy" as a plank in the Socialist platform.

Socialist Party in theory, might be immediately applied by opportunist opponents to weaken the Party's internal coherence. In the minds of the Bolshevists the indisputable fact that, whether a unitary or a federal state was aimed at, power could not be conquered without a united party, was translated into highly abstract conceptions about the world of the future. Even in 1920 Lenin [1] defended federalism merely as " a transitional form to the complete unity of the toilers of all nations ". Lenin, it is true, did not bother very much about constitutional niceties : as examples of socialist federalism he mentioned the alliance then existing between the R.S.F.S.R. and the other (Ukrainian and Azerbaijan) Soviet Republics, as well as the internal relations within the R.S.F.S.R. ; the former in the current terms of constitutional theory, being much looser, the latter much closer than in a true federation.

Against the left-wingers in his own party, especially Bukharin, Lenin defended the principle of national self-determination [2] as well as that of federation, even for backward peoples within the R.S.F.S.R. who could not as yet attempt to build socialism and would therefore remain, for the time being, under the leadership of their national bourgeoisie.[3] Self-determination, if restricted, as Bukharin proposed, to the workers of the nation concerned, would simply produce the impression that the Soviet desired to export its internal social system by force. But unity with the Bashkirs, for example, could be achieved only by propaganda and by a voluntary alliance. For the Bashkirs distrusted the Great-Russians just because the latter were the more cultivated people and had formerly used their higher civilisation to exploit them.[4] The argument we have just quoted is of 1918, but its spirit dominated the whole Bolshevist policy leading up to the establishment of Soviet federalism.

Such federalism, in fact, was impossible before the conclusion of the Civil War. During the Revolution itself, Bolshevist policy on the decisive national problems, those for whose solution the party had long before envisaged regional autonomy, was dominated by a simple proclamation of the right of national self-determination, including the right of secession. This, as well as the abolition of all national privileges and all restrictions on the rights of national minorities in Russia, was proclaimed by the Soviet of People's Commissaries in a decree called " The

[1] Vol. X, pp. 233–4.
[2] Vol. VIII, p. 344.
[3] *ibid.*, p. 342.
[4] *ibid.*, Vol. VII, p. 366.

Charter of the Nations of Russia ", of November 2, 1917 (old style), one week after the Revolution.

The Bolshevist revolution in the Russian centres was answered by declarations of independence in border regions, even those like Georgia, where before the Revolution no one had dreamed of anything beyond mere autonomy.[1] In regions whose essentially Russian character had never before been in doubt, and especially amongst the Cossacks, " National Councils " were formed by Great-Russian White officers, with the intention of organising a Great-Russian counter-revolution under the cover of " regional self-determination ". While, of course, simply fighting the " Independent National Councils " of this latter type, the Soviet Government recognised without reservation the independence of clearly national states such as Finland (December 12, 1917) and Georgia, in spite of the bourgeois character of their respective governments. In the Ukraine, on December 4, 1917, the recognition of full independence under a bourgeois government was combined with a hint at the possibility of exercising the right of self-determination by negotiating with the Russian Soviet Republic " about the establishment of federal or similar relations ", and with a direct ultimatum that the new State would be regarded as in a state of war with the Russian Republic unless it immediately ceased to support Kaledin and other Russian counter-revolutionaries.[2] The proclamation on December 16, 1917, of a state of war because of the failure of the Ukrainian Rada to comply with this demand was followed within four days by a proposal to re-establish peace if the Rada would cease to support Kaledin. But six weeks later the whole Ukraine was under the control of a local Soviet government which would have been ready to enter into a close alliance with the Russian Soviet Republic, had the latter not been prevented from accepting it by the Treaty of Brest-Litovsk.[3] In Finland, Azerbaijan, and Turkestan, as well as in Latvia after the collapse of Imperial Germany, the national bourgeois governments were

[1] For a statement on this point by a distinctly anti-Bolshevist writer, see Avalishvili, *op. cit.*, p. 3.

[2] The document (*S.U.R.* no. 90) has been published, December 6, 1917, in the official collection of enactments under the title " On the recognition of the *Ukrainian Republic* and an ultimatum to the *Central Rada* in view of its counter-revolutionary activities " (italics mine).

[3] See Narkomnaz, *Politika*, pp. 106 ff. In consequence of the international developments it was only on July 17, 1919, that the treaty with the Soviet Ukraine was signed (*ibid.*, p. 113). Agreed under the pressure of the Denikin offensive, this treaty grants to the Soviet Ukraine merely " complete autonomy ", while registering (Art. 4) its readiness " to enter into closest political union with the existing Soviet

very soon overthrown by working-class revolutions, The Socialist governments established by these revolutions, except in Turkestan, restricted their relations with the Russian Soviet Republic to political and military alliance.[1] Evidently they did so with the intention of avoiding exposing themselves to nationalist reproaches for bartering away national independence. Save for Turkestan, which during most of the Civil War period was isolated from Soviet Russia by a large belt under the control of the Kolchak régime, all these Socialist governments [2] were overthrown by the intervention of the Germans, the Allies, or both in succession, as in the Caucasus and in Latvia. Thus Soviet Russia retained, as the first political fruits of her application of the principle of national self-determination to the border regions, nothing but some Allied Governments in exile. Some of them were reinstated after the Whites and foreign intervention had been overcome by the Red Army,[3] while Finland and the Baltic States were definitely lost, and their independence under bourgeois régimes recognised. Byelorussia, the smallest of the border republics, which until 1939 was never to control the bulk of her national territory, was the only one among the later members of the U.S.S.R. the recognition of whose independence by the Russian Soviet coincided with the proclamation of the local Soviet régime (February 10, 1919), and with a declaration by the first local Soviet congress in favour of federation with Russia.

A region not racially distinct, but far distant from Central Russia, the Far East, was proclaimed an independent parliamentary republic by an international compromise after the downfall of Kolchak's régime. Otherwise the Japanese would not have withdrawn their occupying troops. The arrangement had no internal basis. The first elections to the National Assembly resulted in an absolute Communist majority which

republics". Even in October, 1920, Stalin (*op. cit.*, p. 70) described the Ukrainian status as "wide political autonomy", analogous to that enjoyed by Turkestan, but distinct from merely contractual relations as then existing only with Azerbaijan. But during the next year the Soviet Ukraine acted as a merely allied power, and entered the U.S.S.R. as such when the latter was formed, December, 1922.

[1] The treaty with Soviet Latvia (Narkomnaz, *Politika*, pp. 54 ff.) contained a mere recognition of Latvian independence, under a constitution of its own, without mentioning federal relations of any kind.

[2] In Finland a Soviet régime was never established. The territory controlled by the Socialists was administered by a Provisional Government, based on the Socialist M.P.s and municipal governments.

[3] Before this was to be achieved, Kiev, for example, had to be taken three times by the Red Army, fighting only once against a bourgeois Ukrainian group, on the other occasions against Great-Russian Whites under Denikin, and against the Polish invasion in 1920.

administered the country in accordance with the policies of Soviet Russia, and formal reincorporation into Russia was proclaimed the moment the Japanese became unable, after the Washington Conference, to continue their threat of reoccupation. Although, at that time, the federal constitution of the U.S.S.R. was already in preparation, nobody was concerned to secure an autonomous status for the Far East, which in its previous history had never demanded it.

So, in view of the loss of all her border regions whose autonomy or independence had been discussed among Russian Social Democrats before the Revolution, Russia proper alone remained as a possible field for applying federalism during the revolutionary period itself. Russia proper was itself a multi-national country. But, apart from the Tatars, nearly all the non-Russian nationalities were very backward, and the few which were not were separated from Soviet Russia for long periods by the progress of the White armies or of the interventionists. Thus the first declarations of Soviet federalism were highly theoretical. They could not appeal directly to the most highly developed border regions, the natural partners in a federation, and their appeal to the backward peoples of Russia proper was in most cases directed to territories in enemy occupation. On the other side the proclaimed federal character of the Russian Soviet Republic was to be used even in international propaganda to the working classes abroad. The proclamations were not likely to gain in concreteness from the fact that the same formulas had to serve to incite the Bashkirs to rise against Kolchakist generals, and to answer the questions of German workers about what régime in the event of a successful revolution would replace the bourgeois democratic republic.

The first document of Soviet federalism is Lenin's draft of the *Declaration of the Rights of the Toiling and Exploited People*,[1] which was accepted on January 27, 1918, by the Third Soviet Congress, and was to form the introductory section of the first Soviet Constitution. For the sake "of creating a really free and voluntary, and therefore a more complete and lasting union of the toiling classes of all the nations of Russia" it was proposed to establish "the fundamental principles of a Federation of Soviet Republics in Russia, while leaving it to the workers and peasants of each nation to decide independently at their own Soviet Congress whether they should participate in the federal

[1] Lenin, *Works*, Vol. VI, p. 454. The text as included in the Constitution is in Batsell, *op. cit.*, pp. 80 ff.

government and in the other federal Soviet institutions, and on what terms ". This declaration goes beyond the *Charter of the Nations of Russia* [1] in envisaging not only a voluntary union but also a certain degree of administrative devolution. But, according to the resolution on " The Federal Institutions of the Russian Republic " enacted by the same Soviet Congress,[2] the degree of that devolution was left to later agreement, apart from the general statement in point 6 of the resolution : " All local matters are decided exclusively by the local Soviets. . . . The central Soviet authorities must control the execution of the fundamental principles of the Federation and represent the Russian Federation of Soviets ". The phrase contains the framework of Soviet federalism, but no more than the framework, for it does not answer the question who is to be given local autonomy, or what matters are to be regarded as local. It must not be forgotten that, at that time, far-reaching local self-government, in the sense of the traditions of the Paris Commune, was regarded as an essential of the Soviet régime. Thus the term " federalism ", as then used, must not necessarily be interpreted in the same sense as in the later solution of the national problem in Soviet Russia. It can also be understood in another way, as when, in Paris, the visitor is shown " the wall of the federated ", i.e. the Paris Communards. The latter were much nearer to Proudhonist a-nationalism than to the Stalinist conceptions of multi-national union.

During April 1918, in the sub-committee elected for drawing up the Constitution, there were discussions between those who, like Reissner, advocated economically delimited regions, and desired to use federalism for general administrative devolution, and those who, with Stalin, wanted to restrict its application to solving the nationalities problem.[3] The latter won, and Chapter V, Article 11 of the Constitution, as enacted in July 1918, recognises the right of " Soviets of regions which are distinguished by a particular national and territorial character " to " unite in autonomous regional unions " which may " enter into the R.S.F.S.R.[4] on a federal basis ". There was still no description of what federalism in fact would mean, and Article 50 of the Constitution granted the central authorities a virtually unrestricted right to expand their powers. There was no provision

[1] See above, pp. 335–6.
[2] Batsell, *op. cit.*, pp. 79–80.
[3] *ibid.*, pp. 60–1, and Averev, *op. cit.*
[4] Russian Socialist Federative Soviet Republic—the official title of the State.

for any distribution of the national territory other than that according to traditional administrative needs. In fact, there was only one attempt, at the time of the shaping of the Soviet Constitution, to realise federalism as it was later understood, i.e. as a solution of the nationalities problem. A decree of March 24, 1918,[1] provided for the establishment of a Tatar-Bashkir Republic, and delegated the Commissary for Mohammedan Affairs in the People's Commissariat for Nationalities to organise the first Soviet Congress of the new republic. There the eventual political and economic relations between the Tatar and the Bashkir territories were to be decided. It was a failure, for Tatar-Bashkir antagonism prevented further steps until, in the storms of the Civil War, the link between the two national problems, as well as the competence of a special Commissary for Mohammedan affairs, was destroyed.

Stalin had intended the Tatar-Bashkir attempt to be an experiment with wider implications. An instruction by him, of the same date,[2] complained that hitherto only the Tatar-Bashkir districts had proposed to make use of the declaration by the Third Soviet Congress that Russia was to be a federal republic, and appealed to the revolutionary organisations of the peoples concerned for concrete plans for a federal organisation. Azerbaijan Turks, Georgians, Armenians and Kirghiz were mentioned as obvious candidates for autonomy. Evidently Stalin at that time hoped to solve the Transcaucasian problem within the framework of the Russian federation. His attempt made probably with the intention of influencing the central discussions just mentioned on the interpretation of Soviet federalism, failed, although, as we know, he got his way in these discussions. At that time it was impossible to get Transcaucasia into Soviet Russia, and it was later proved that Tatar, Bashkir and Kirghiz claims presented the most thorny problems. More than a year was to pass before the first " federal " organs of the R.S.F.S.R. were constituted, and more than two years before they began to work regularly.

But even the very general and vague declarations of principles quoted above gave a certain incentive to the clarification of problems which had formerly been strange to Bolshevist thought. It was in preparing for the Eighth Party Congress that Lenin made the statements mentioned above[3] on federation with

[1] *S.U.R.*, 1918, No. 180. [2] *ibid.*, No. 179, Batsell, *op. cit.*, p. 139.
[3] P. 335.

national units not sharing the Bolshevist outlook. The Party programme as adopted by that Congress,[1] in view of the adaptability of the Soviet system to various conditions, interpreted the "federation of states of the Soviet type" as "one of the transitional forms" of a system even of socially heterogeneous units "on the way towards complete unity". The question who was to exercise the right of each nation to decide its own fate was to be decided according to its stage of historical development: "whether it is evolving from mediævalism to bourgeois democracy, or from bourgeois democracy to Soviet or proletarian democracy, and so on". To put it in another way, it was to be decided according to whether the working classes, or only the middle classes of the nationality in question were sufficiently developed to make possible a stable Soviet policy based upon their support. Tramin,[2] who quotes the resolution, rightly refers to the difficult position of the Soviet republic as against Kolchak at that time, and to the importance of gaining the support of the East Russian peoples for defending the Revolution. It was by offering an alternative to the peoples threatened by or immediately liberated from Kolchak that the first steps were taken in establishing real national autonomy in the R.S.F.S.R. On October 29, 1918, the autonomous Commune of the Volga Germans, and in March 1919 the Bashkir Autonomous Republic were established. One year later, on the basis of a resolution of the Central Executive Committee of February 15, 1920, a number of new republics followed.[3]

(*e*) Development of Soviet Autonomy in the R.S.F.S.R.

The first steps of Soviet federalism were obviously dictated by the needs of war, and not of normal constitutional life. The status of what was later to be called a "Union Republic" was established first in essentials in Byelorussia. At the height of the Civil War, recognition of national independence had been combined with the establishment of a local Soviet government,[4] and that government, on the eve of the Polish War (January 16, 1920), established a military and economic union with Soviet Russia by a treaty of alliance. The most important People's Commissariats, those for Defence, Foreign Trade (but, strangely enough, not Foreign Affairs), Finance, Labour and Communications, as well as the Supreme Economic Council, were to be

[1] Text in Stalin, *op. cit.* (appendix), pp. 256–7.
[2] *op. cit.*, pp. 11 ff.
[3] See below, p. 344.
[4] See above, p. 337.

common to the republic and the R.S.F.S.R.[1] In spite of the formally independent status thus granted to a border region, this was evidently a revolutionary movement in a small and undeveloped country completely dependent on its " big brother's " help against threatened foreign oppression, and highly satisfied with securing for itself what might virtually mean incorporation under a guarantee of autonomy in cultural matters. On the other hand, in the internal relations of the R.S.F.S.R. with some sections that were not immediately to be granted the status even of mere Autonomous Republics, we occasionally find much more bartering and compromise.

The first autonomous unit, or " Commune ", to be established was that of the Volga Germans.[2] It was conceived as a " regional union of Soviets of districts distinguished by a specific national character ", as originally intended by the framers of Article 11 of the Constitution,[3] i.e. merely as an instrument for securing local self-government and education in the mother tongue. Only in cultural matters was the Commune completely autonomous, while for all other issues its powers were concurrent with those of the respective Gubernial Soviets, the Central government deciding conflicts over competence (Article 6 of the Decree).

The next attempt at autonomous organisation was undertaken along lines hitherto rejected by the Bolsheviks, namely, on the principle of national autonomy on a personal basis. This attempt was made in a territory where a wide economic differentiation between nomads and settlers coincided with the national cultural division between Kirghiz and Russians. A decree of June 10, 1919,[4] established a Revolutionary Committee [5] for the adminis-

[1] Batsell, *op. cit.*, p. 204.

[2] *ibid.*, p. 165, *S.U.R.* no. 831, 1918. According to a recent Nazi source (Vorbach, *op. cit.*, p. 470) the Commune formed an answer to a bourgeois-nationalist " Federation of the Volga Germans ", established by the settlers themselves in February 1918, and consisting merely of German villages. The Commune—and, of course, the later Autonomous Republic also—included a Russian-Ukrainian minority of about one-third. Doubtless the Bolsheviks were glad to include amongst what was bound to become a representation of the well-to-do section of the peasants to which most German settlers belonged, some representation of the poorer (Russian and Ukrainian) strata, as reliable guardians of the Soviet interest. But even apart from this the Bolshevist conception of territorial, as opposed to cultural-personal, autonomy, excluded the establishment of purely national units in territories with racially mixed settlements.

[3] See above, p. 339.

[4] *S.U.R.* no. 130, 1919. The decree is signed by Lenin, but not by Stalin, who was then at the front.

[5] This virtually nominated emergency organ applied in those days where, under actual war conditions, the normal Soviet system would not work. The content of the decree suggests its interpretation as an attempt to overcome actual civil war between Russian and Kirghiz inhabitants of Kirghizia.

tration of the Kirghiz territory. In favour of this committee the Kirghiz department of the People's Commissariat for Nationalities, and the local committee established to prepare for a Kirghiz Soviet Congress, were dissolved. The Revolutionary Committee had to organise the local Soviet system in all nationally mixed territories, with separate sections for Russians and Kirghiz, if so desired by the local population (in other words, by the local minority). Each nationality retained the land actually in its possession, and the Kirghiz were to regain what had been expropriated from them for Russian settlement, but had not yet been actually settled (Article 9). The Kirghiz were also granted virtually full—not only cultural—autonomy as regards the use of their land, and justice was to be administered according to their national customs. For this purpose, apart from the Kirghiz sections of the Soviets, special Kirghiz People's Courts were also to be established. The plenum of the Soviets remained competent only in so far as questions concerning members of both nationalities, or of a third, were concerned.

The terms of the settlement just described suggest an attempt at a compromise between Russians and Kirghiz on the land question. The establishment of the autonomous region of the Kalmuks was prepared for by a proclamation of Lenin, of July 2, 1919,[1] which combined an appeal to rise against the Whites with an amnesty for those Kalmuk leaders who had hitherto supported them. On July 24, 1919, a decree followed on the land conditions of the Kalmuk people,[2] establishing the general principles of a land reform that would restore to the Kalmuk masses the land taken from them in favour of well-to-do settlers, mostly Russian. But there were also strong warnings against a continued anarchic approach to the question of land reform and the application of force against other parts of the population, including those who during the Revolution had exploited the backwardness of the Kalmuks. Here again an attempt was made at conciliation between the native population and the Russian settlers, this time on the basis of an ordered redistribution of the land. Only one year later, by a proclamation of the local Soviet Congress, an Autonomous Region was established, and the "Declaration of the Rights of the Kalmuk Toiling People" was enacted.[3]

The first Autonomous Republic within the R.S.F.S.R. was that of the Bashkirs. We have already mentioned [4] the failure

[1] Batsell, *op. cit.*, pp. 166 ff.
[2] *S.U.R.* no. 136, 1919.
[3] Batsell, *op. cit.*, pp. 170 ff.
[4] Above, p. 340.

of the attempt, a year earlier, in consequence of the antagonism between the two middle-Volga Mohammedan peoples, to create a Tatar-Bashkir Republic. But meanwhile Kolchak's oppressive policies towards the Bashkirs drove the left wing of their bourgeois-nationalist government towards agreement with the R.S.F.S.R.[1] This agreement, of March 23, 1919,[2] recognised the Bashkir Provisional Revolutionary Committee (i.e. the local nationalists) as the local government until the first meeting of the regional Soviet Congress, and also recognised a separate Bashkir army as a safeguard for internal security. The Right-wing nationalists answered by insurrection,[1] but the revolutionary authorities, both local and central, succeeded in suppressing them. A year later (May 19, 1920) the All-Russian Executive Committee of the Soviets decreed [3] the establishment of the autonomous Bashkir Republic and its powers. There were to be separate People's Commissariats of the Bashkir Republic for all important internal functions, and only Foreign Affairs and Foreign Trade were completely transferred to the R.S.F.S.R. Defence and Political Police were to be administered by local organs under the control of the respective Russian higher authorities. The Bashkir People's Commissariats administering essential economic functions were to be subordinate to the corresponding Russian offices. The Bashkir Commissariats for the Interior (excluding the sections for Posts and Telegraphs, and, as already mentioned, the political police), Justice, Education, Health, Social Welfare and Agriculture were independent of the Russian Commissariats, but responsible to the All-Russian Central Executive Committee.[4]

Bashkir autonomy was to form the model for that of the Republics of the Tatars (May 27, 1920), the Kirghiz (August 26, 1920), Daghestan (January 20, 1921), the Crimea (October 18, 1921) [5] and a whole series of other Autonomous Republics established in 1923–4: Yakutia (April 27), Karelia (July 25), Buryat-Mongolia (September 12) and Volga-Germans (February 20, 1924.[6] The last-mentioned three had previously enjoyed the status of Autonomous Regions. After the establishment of the Karelian Republic the decress granting Republican status also

[1] Stalin, *op. cit.* (notes), pp. 265–6. [2] Batsell, *op. cit.*, pp. 140–1.
[3] *ibid.*, pp. 141–2.
[4] The People's Commissariats correspond to Ministries in the Western sense, while the All-Russian Central Executive Committee of the Soviets (V.Ts.I.K.), in spite of its name and of a greater share taken by its Committees in administration, was the counterpart of a Western parliament, as the permanent representative of the Soviet Congress, which met only for short periods annually.
[5] Batsell, *op. cit.*, pp. 142 ff. [6] *ibid.*, pp. 152 ff.

contained rulings as regards the languages, equality of which was to be granted in the new republic, with due provision for Russian.

Apart from the first test case, Bashkiria—and even here the character of the compromise arises rather from its history than from the form of its definitive enactment—Republican status is clearly looked upon as something granted by the central organs of the R.S.F.S.R. to the new republic, just as, for example, legislation in the U.S.A. promoted former Territories to the rank of States. In the early history of the R.S.F.S.R. there is only one other example of the opposite procedure, and this in fact points not to the status of an Autonomous Republic in the R.S.F.S.R., but to that of a separate member of the later U.S.S.R. In Turkestan throughout the Civil War local forces had successfully defended the Soviet régime against the regional (Kokand) " pan-Mohammedan " reactionary government under Shagi-Akhmetov and Tchokaiev, as well as against the Great-Russian White generals. When all was over, the local Soviet Congress, on September 24, 1920, enacted a constitution declaring Turkestan an Autonomous Republic within the R.S.F.S.R., but claiming for it rights far beyond those usually granted to Autonomous Republics, especially as regards taxation, labour, and the disposition of land, water, and mineral riches. These special powers were claimed " in consideration of the long distance of the Republic from the centre, its vast territory and its ethnographical character and customs ".[1] So it seems that no fundamentally divergent conception of the normal functions of Soviet autonomy prevailed. The All-Russian Central Executive Committee recognised the status of Turkestan by a decree of April 11, 1921,[2] as usual without reference to the local decision,[3] but in a sense clearly compatible with the September Constitution. Apart from Foreign Affairs and Foreign Trade, as in the other Autonomous Republics, Defence was claimed as a distinctly federal concern, but, of the other People's Commissariats in Turkestan, only that for Food and the Supreme Economic Council were subjected to federal supervision and agreement on the personal qualifications of the local ministers. As regards all other matters complete autonomy was granted to Turkestan. Thus, in spite of the fact

[1] *ibid.*, pp. 133–4.

[2] *ibid.*, pp. 145 ff.

[3] There has never been any tendency in Soviet legal ideology to derive the rights of the Federation from anything but supposed agreement amongst its constituent parts, and local decisions are quoted as the ultimate source of Public Law. But it has always been the tendency of the central authorities to enact federal law of their own motion, and thus to preserve for themselves the right of eventual amendment.

that Turkestan entered the U.S.S.R., at its formation in 1922, only as a member of the R.S.F.S.R., its status as a Union Republic, to use the later term, was virtually granted.

To the facts just mentioned corresponded distinct changes in Soviet political ideology. The original Bolshevist theory had stressed the right to national self-determination, including the right of secession, and on the other hand the amalgamation of nationalities as the immediate organisational aim within the Labour movement, and as the ultimate aim of Socialism. Federation was reduced rather to the rôle of a compromise temporarily bridging the gap between these poles. Now it was emphasised that the new Party programme of 1918 made no mention of national self-determination, apart from its extreme form, the right of secession.[1] But the practical exercise of this right would be detrimental to the small nationalities of the former Russian Empire, which by secession would simply be transformed into colonies of some foreign imperialism, as well as to Russian socialism, which would be deprived of essential raw materials.[2] On the other hand, however, interpretations of federalism as merely a short-term transitory stage were rejected.[3] It was stated that "Soviet autonomy" on a territorial basis [4] was the right solution for the problem of the relations between the Russian working classes and the various types of border regions in the former empire, varying greatly as they did in cultural and economic development. All the possible adjustments we have mentioned, from "narrow administrative autonomy", as with the Commune of the Volga Germans, up to "the supreme form of autonomy", mere contractual relations, as in Azerbaijan, were regarded as only differences of degree, not of kind.[4] A few months later, in the theses proposed to the Tenth Party Congress, Stalin [5] spoke of federation as the desirable "general form of political union of the Soviet republics", and distinguished between "federation based on Soviet autonomy", as in the Autonomous Republics of the R.S.F.S.R., and "federation based on contractual relations between independent Soviet republics". It is evident that, in the terms of current Western constitutional terminology, mere autonomy granted to a number of territorial units without those units having a distinct share in the Federal government, would not be regarded as federalism, while, on the other hand, the second type of relations mentioned by Stalin

[1] Stalin, *op. cit.*, p. 93. [2] *ibid.*, pp. 68–9. [3] *ibid.*, pp. 73–4.
[4] *ibid.*, pp. 70–1. [5] *ibid.*, pp. 81–2.

would come under the definition of confederacy, if not of alliance. Stalin's use of the term—and, later, of the legal forms—of federalism simply implied a conception of the union of the nations of the former Russian Empire as being essentially voluntary and the sharp rejection of the former Tsarist or Liberal policies of Russification. It involved coöperation with the local non-Bolshevist national intelligentsia and the adaptation of the operations of the régime to the feelings of people who were ready to follow the Communists " on the basis of the Shariat ",[1, 2] together with the strict exclusion of all tendencies " towards the dominant-nation spirit, the colonising spirit, the spirit of Great-Russian chauvinism ".[3] With the same energy the authorities rejected all tendencies on the part of the local Communists, and even more of the bourgeois-national intelligentsia of the formerly oppressed nationalities now coöperating with the Communists, towards a " petty-bourgeois " or " bourgeois-democratic " conception of nationalism, and towards such ideologies as Pan-Islamism and Pan-Turanianism.[4]

The form of autonomy, not to say federalism, thus adopted, has its obvious limitations. It is based upon what the Party controlling central and local government considers suitable in the interests of the toiling masses of both peoples. But this party rejects *expressis verbis* any conception of uniformity in the tasks to be solved within the various parts of the federation. The need " to help the toiling masses of the non-Great-Russian peoples to catch up with Central Russia " is emphasised, together with their need " to develop and consolidate their own Soviet state system in forms consistent with the national character of these peoples ", and their right is recognised to have administrative, economic, legal, educational and cultural institutions of their own, " functioning in the native language and recruited from among local people acquainted with the customs and psychology of the local population ". As regards those regions which " have not yet progressed beyond a semi-patriarchal, semi-feudal form of life " (like most of the Mohammedan territories), the overcoming of the precapitalist organisation of society was regarded as the main task of the Soviet. Lacking an indigenous working class, the Soviets in such regions were conceived as essentially " Soviets of the toiling peasants ", which were evidently to work

[1] The religious Mohammedan Law. [2] Stalin, *op. cit.*, pp. 74–5.
[3] *ibid.*, p. 85.
[4] *ibid.* For a similar analysis by Communists strictly opposed to Stalin's general views, see Safarov, in Narkomnaz, *The Nationalities Question*, p. 62.

with the support of the local liberal-nationalist intelligentsia. As regards the most backward of the Russian peoples, which had been subject to colonisation by Russian settlers and driven back to nomadism, the special task of the Soviet system, apart from the general tasks described above, was " to help them in every way in the struggle for emancipation from the kulaks in general and from the predatory Great-Russian kulaks in particular . . . and thus to provide them with land suitable and essential for human subsistence ".[1] Thus, Great-Russian Communists undertook the task of effecting an anti-Russian land reform in the interest of backward non-Russian peoples.

Such a policy might very easily have been opposed by the alleged demands of Marxist orthodoxy. The local Communists might have asserted that there were, plainly, no Kirghiz working classes, and that therefore the state apparatus had to be built up by Russians.[2] It is true that sometimes these Russians were old-Russian bureaucrats, or even kulak settlers, who tried to enter the Party after it had become clear that no help for a bourgeois Russian régime was to be expected from the Russian centres.[3] But actually no help was to be expected at all for Russians who oppressed the local population.

(*f*) First Central Organs of Soviet Federalism

During the first period of the Civil War, as we have seen, the Soviet régime was virtually restricted to Russia proper. Only gradually, as the Red Armies advanced, did the grant of autonomy to non-Russian peoples, or alliance or federation with non-Russian Soviet republics, become a practical issue. Thus there is no reason to be surprised that, in spite of the theoretical description of the Russian Soviet Republic as " Federative ",[4] there was in the beginning nothing resembling the central organs of a federation. What really existed from the very first days of the Revolution was a " People's Commissariat for Nationalities " (*Narkomnaz*) under Stalin, the Bolshevist party's leading expert on the nationalities question. This was essentially an organ for regulating the execution of Bolshevist policy in regard to the formerly oppressed nationalities, as laid down in the Nationalities Charter of November 1917,[5] but it was not envisaged as the central organ of a federation.

One of the leading officials of the People's Commissariat for

[1] Stalin, *op. cit.*, pp. 82–4. [2] Narkomnaz, *op. cit.*, p. 58.
[3] *ibid.*, pp. 55–7. [4] See above, pp. 338–9. [5] See above, pp. 335–6.

Nationalities, speaking of its first four years of activity,[1] distinguished between three periods. During the first, the Commissariat's main task was to preserve contact, mainly of course by underground propaganda, with the non-Russian nationalities, then under the domination of the Germans, of Kolchak, or of other counter-revolutionary régimes. During the second period, following on the liberation of the territories, its main task was to make proposals to the supreme organs of the R.S.F.S.R. for constituting distinct Autonomous Republics and Regions. Only after this had been done was the third stage reached, when the practical task of equalising the backward with the more advanced territories could begin in the cultural and economic fields, especially as regards land reform and the settlement of peoples hitherto condemned to a nomadic existence.

From the formal democratic point of view any nationality question would have been settled as soon as a satisfactory political solution—autonomy, federation, or political secession—had been achieved. But according to the Bolshevist view, the issue of real—that is, social and economic—equality arose only after that of political equality had been settled.[2] The Bolshevist nationalities policy differed from the Austro-Marxist policy of "national cultural autonomy" in two ways. It did not recognise the existing national cultural units as given facts which had simply to be accepted in the name of "national self-determination".[3] The Bolsheviks tried to change the structure of these units, for example, by replacing the old clerical intelligentsia in Central Asia by a new, liberal, and as far as possible Communist one.[4] But they also went beyond the opinion of Renner and Bauer that the oppressed nations had merely a right to their own cultural institutions.[5] The Bolshevists tried to make good whatever economic harm the former Great-Russian rulers had done to the oppressed nations. In the Kirghiz territories Russian ownership of land had increased from 35 to 70 per cent. since the defeat of the 1916 rebellion, but at the beginning of 1921 all this land was returned to the Kirghiz, sometimes by bringing back whole Russian "kulak villages" from Kirghizia.[5]

However helpful such a policy was for the development of the backward nationalities, it can hardly be described as "federalist". It was a revolutionary policy, drawn up at the centre

[1] Tramin, in *The Nationalities Question*, pp. 28–9.
[2] Stalin, *op. cit.*, pp. 102–3.
[3] See note 1 on p. 341.
[4] Safarov in Narkomnaz, *op. cit.*, pp. 59 ff.
[5] Stalin, *op. cit.*, p. 99.

in accordance with theoretical views which were held to be true, whatever might be the actual belief of the people immediately concerned, although it was applied with due regard for these people's own, and not for assumed Great-Russian interests. This policy was not to be executed mechanically in accordance with a theoretical pattern, but in accordance with local views and needs.[1] Therefore it had to be drawn up under the lead of the central organs of the Bolshevist state, but with the collaboration of representatives of the border regions, although, naturally, such representatives must accept the fundamental Bolshevist views. It was for this reason that, in December 1920, the representatives of the various nationalities participating in the work of the People's Commissariat for Nationalities were assembled in a " Soviet of Nationalities ". On the other hand, representatives of the People's Commissariat were sent out to the various Autonomous Regions and Republics. From the statute of the People's Commissariat for Nationalities, decreed on May 26, 1921, by the supreme Soviet authorities,[2] it is evident that the Commissariat was regarded as a normal state office at the centre, not as an organ of an assumed federation. According to Article 1, it had to secure the peaceful and fraternal collaboration of all nationalities and tribes [3] not only of the R.S.F.S.R., but also " of the Soviet Republics linked with her by treaties of friendship ". The latter were, from the constitutional point of view, mere Allies in regard to which a state organ of the R.S.F.S.R. had no legal competence at all, but over which it might exert moral influence in so far as it could make suitable proposals to the central organs of the party which dominated both the allied republics. The People's Commissariat had " to collaborate in the material and cultural development of the nationalities, with due regard for the special features of their way of life, culture, and economic situation ", and " to supervise the execution of the nationalities policy of the Soviet régime ". Among its duties were the protection of national minorities within the whole territory of the R.S.F.S.R., and the formulation of advisory opinions on all proposals from the People's Commissariat which

[1] See note 2 on p. 347.

[2] Reprinted in Narkomnaz, *Spravochnik*. The decree is signed by Lenin, President of the Soviet of People's Commissaries, and by Kalinin, President of the V.Ts.I.K.; i.e., it had the force of a law of the R.S.F.S.R.

[3] Ethnographical, not political units. An organ commissioned to make suitable proposals for the political satisfaction of ethnographical needs had to start from " nationalities and tribes ", and not from " autonomous regions and republics ", as a constitutional organ of established federalism would do.

concerned the Autonomous or allied Soviet Republics (Art. 2, *e, f.*). The Commissariat had representatives in the centres of all the Autonomous and allied Republics (Art. 2, *h*). On the other hand, according to Article 2, *b*, it had to co-ordinate the activities of the representatives of the Autonomous units (Regions and Republics) of the R.S.F.S.R., who were nominated by the local authorities, but confirmed by the Central Executive Committee (Art. 5). Thus they were at the same time representatives of the autonomous units, and responsible directors of their respective sections within the People's Commissariat of Nationalities. With its other leading officials [1] they formed the " Soviet of Nationalities " (Article 4). They were allowed to communicate with other People's Commissariats of the R.S.F.S.R. only through the Commissariat, the policies of which they could influence in the Soviet.[2] On the other hand, the People's Commissariat for Nationalities itself was allowed to influence the execution of nationality policies only through the normal administrative channels of the R.S.F.S.R. and its constituent units.

Evidently the Commissariat for Nationalities, and its " Soviet of Nationalities ", were institutions for co-ordinating central policies with due regard for the needs of the periphery; but the system did not involve the determination of central policies by constitutional representatives of the periphery. On the other hand, the foreigner should avoid the mistake, suggested by current conceptions of nationality, of thinking that the activities of the Soviet Commissariat for Nationalities were restricted to, or even mainly concerned with, essentially cultural matters. In the report of the Commissariat for the year 1921 we find only occasional references to such activities,[3] as well as a reasonably limited concern for the boundary questions raised by the various autonomous units.[4] Most of the activity of the Commissariat was evidently devoted to the economic needs of the various national regions. As is easily to be understood in a year of

[1] Apart from the five members of the leading Collegium, nominated, as with all Commissariats, by the Central Executive Committee on considerations of general policy, and the representatives of the autonomous units themselves, there were also the directors of the sections of the Commissariat dealing with minorities spread over various territories, with no autonomous units of their own, such as Jews, Poles, Finns, and political refugees from the Baltic States. In 1921, the Soviet of Nationalities had 26 members, including the officials.

[2] This was a merely internal regulation of the Commissariat, in the " Instruction for the National Representatives at the Narkomnaz ", Art. 12 and 14 (*Spravochnik*). But it doubtless lay in the intention of the general statute for the Commissariat.

[3] Preparation of literature in the national tongue for the Tatars (*op. cit.*, p. 24), and sending students of various nationalities to the central universities (pp. 22–8).

[4] Tatars (*op. cit.*, p. 24), Kirghiz (p. 27), Mari (p. 34), Buryats (p. 39).

famine, the average representative of an Autonomous Region or Republic was mainly concerned with securing supplies, however limited, of various kinds of goods, machinery, medical stores, and, last but not least, of money for local needs. But some of the Republics, though with rather doubtful success,[1] tried to procure specialists from the centre for the reorganisation of their economic life and scientific expeditions to study the natural resources of their soil.[2] Here we can see the germs of tendencies which were to arise at a later stage ; but actual needs were evidently served when Kirghiz, Volga German, or Buryat-Mongolian representatives intervened in order to secure central support for the local land reform.[3] In consequence of the poverty of the country, especially of the border regions, cultural questions receded into the background : [4] the nation had first to survive before it could organise higher education in the mother tongue. But after all, as we have seen, the concentration on the economic needs of the various nationalities as such was no mere makeshift dictated by hunger, but an essential feature of Bolshevist nationalities policy.

(*g*) First Steps towards Inter-Republic Federation

All the developments we have just discussed concerned only the R.S.F.S.R. The border regions of the former Tsarist Empire, during the whole Civil War period, were either under counter-revolutionary rule, or, wherever the Red Army had been successful, in a state of mere alliance with the R.S.F.S.R. Only in the case of Byelorussia [5] did the Treaty of Alliance contain distinct elements of a future federation. As early as June 1, 1919, a decree of the supreme authorities of the R.S.F.S.R.,[6] based on a proposal of the Soviet governments of Latvia, Lithuania and Byelorussia, established a commission for preparing a firmer union between the Soviet republics, including the Ukraine and the

[1] Daghestan was accorded, on paper, 550 specialists, but only 133 were actually sent.

[2] Daghestan (*Report*, pp. 21–2), Turkestan (p. 30), Mari (p. 35), Komi (p. 40).

[3] *ibid.*, pp. 28, 33, 39.

[4] Even the representatives of mere minorities without territory of their own seem to have bothered more about material questions. In the discussions of the Jews especially (*Report*, pp. 43 ff.) the relations with relief organisations abroad seem to have been central. In any case they also discussed problems relating to the transfer of their co-nationals within the Soviet republics to productive activities, as well as the protection of Jews abroad (especially those in the territories ceded to Poland by the Riga treaty) against the danger of pogroms (*ibid.*, p. 49), Poles, Lithuanians, etc., were, apart from the material needs of the refugees, concerned mainly with cultural work among the latter.

[5] See above, p. 337.

[6] *S.U.R.* 97 1919, Batsell, *op. cit.*, pp. 243–4.

Crimea.[1] Defence, Railways, central direction of Economics, Finance, and Labour legislation were envisaged as falling within the competence of common supervisory organs. The great concern for the susceptibilities of the allied republics as regards "sovereignty" was evidently the reason why the union was planned as a mere confederation, and also why Foreign Affairs were omitted from the fields to be centralised, while almost complete centralisation of economic affairs seemed natural in any union of Soviet republics.

But the western chain of Soviet republics, whose needs the June project of 1919 was to serve, broke down during the following half-year. When the Soviet territory again expanded, separate treaties of alliance were concluded according to the particular situation in each case. The treaty of December 28, 1920, with the Ukraine[2] provided for an organisation nearer to federation than confederation.[3] There were to be joint People's Commissariats for Defence, Economics, Foreign Trade (but not Foreign Affairs !), Finance, Labour, Communications, and Posts and Telegraphs, within the framework of the R.S.F.S.R. government. For the supervision of their activities and for legislation in those fields the Soviet Congress of the R.S.F.S.R. was to be enlarged by the inclusion of a proportionate number of Ukrainian representatives. The system recalls that existing in 1867–71 between the North German Federation and its Southern allies, with the difference that, in the Soviet case, not one very important field of competence alone, but all the usual powers of even a highly centralised federation were transferred to the common organs. The other People's Commissariats of the R.S.F.S.R.

[1] The latter is sometimes mentioned in the course of the decree (although not in its preamble) as one of the intended partners, although it never formed an independent Soviet republic.

[2] Batsell, *op. cit.*, pp. 246–7.

[3] The (from the electorate's point of view) indirect nomination of the Ukrainian representatives in the common organs was almost irrelevant under the Soviet system, where all elections to the higher organisations were then indirect. Point 2(*b*) of the Transcaucasian Constitution of 1922 (see Batsell, *op. cit.*, pp. 409 ff.) provided for the election of the delegates to the Federal Soviet Congress by the Republican Congresses, or, if the latter should not meet earlier, directly by the Town and County Soviets. The alternative might have had a certain political importance, in view of threatened Georgian opposition which was evidently in the minds of the framers of the Transcaucasian Federation. Should the worst come, and a Georgian Soviet Congress make use of the possibilities of boycotting federal organs involved in any indirect method of election (see above, Part III, p. 185), there was still the possibility of getting a Georgian delegation to the Transcaucasian Congress by directly approaching the local electorate, 30 per cent. of which were non-Georgians. Evidently it would be a gross overstatement to regard such a close and centralised union as the Transcaucasian Federation as a mere "confederation" so long as it worked in the normal way.

had special representatives in the Ukraine. They were responsible, it is true, to the Ukrainian Soviet organs, but, as frequently happens in confederations, the actual relation of forces between the Allies resulted in the adoption by the People's Commissariats of the R.S.F.S.R. of a rather dictatorial attitude towards the Ukraine. This state of affairs resulted in the Ukrainian suggestions [1] made at the Party Congress of March 1921, for replacing the alliance by a true federation, into which the R.S.F.S.R. should be merged.

The degree of unification demanded and achieved during the expansion of the Soviet power into the Caucasus was much more restricted. The treaty of September 30, 1920,[2] with Azerbaijan provided only for coöperation between the economic and financial organs of the two allies, with supervision of the Azerbaijan finances by the organs of the R.S.F.S.R., in so far as the latter had to subsidise her ally. Azerbaijan retained control of her foreign trade, though under the supervision of the R.S.F.S.R., and after reserving a certain quantity of oil for the latter's needs.

The Treaty with Armenia, December 2, 1920,[3] was a combination of political intervention with a purely military alliance. The transfer of authority from the hitherto existing bourgeois-nationalist to a Soviet government was combined with a guarantee for the participation of the left-wing nationalists in the Soviet government, and an amnesty for the former anti-Soviet activities of Armenian officers. In Article 7 of the document the R.S.F.S.R. took upon herself responsibility for the military defence of Armenia's independence against Georgia and Turkey. Evidently it had been the need for Russian support against threatened external oppression that had induced the Armenians to introduce the Soviet régime. Perhaps because it had been introduced in view of an all-national demand, that régime was to prove highly successful in Armenia, which was to experience fewer internal crises than most other non-Russian Soviet republics.

[1] See Satonsky on the XIIth Party Congress, in Narkomnaz, *The Nationalities Question*, p. 67. The argument dominated the discussions on the transformation of the mere alliances into a federation. To regard it, with Batsell (*op. cit.*, p. 277), as naive for the reason that under the one-party system the R.S.F.S.R. would in any case dominate the other partners, begs the question, by regarding the Party as identical with the R.S.F.S.R. as opposed to the other Soviet republics, an estimate for which the C.P.S.U. has hardly given any justification (see below, p. 360). Besides, the U.S.S.R. would not be the first federation where susceptibilities, or consideration for the prestige of the weaker partners were felt to be important, even if the satisfaction of such susceptibilities made little change in the actual relation of forces.

[2] Batsell, *op. cit.*, pp. 255 ff.

[3] *ibid.*, pp. 258–9.

Only a year after the first Treaty of Alliance (September 30, 1921) it was supplemented by an agreement for financial assistance to Armenia, subject as in Azerbaijan to the supervision of her finances by Russian officials.

On February 25, 1921, the Soviet régime was established in the last of the Transcaucasian republics, Georgia, which under a bourgeois-nationalist government in 1917–18, had taken the lead in establishing a Transcaucasian Union (November 15, 1917) and in proclaiming its independence from Russia (April 22, 1918). But within a few weeks that union had been broken in consequence of German intervention from the one side and Turkish from the other, revolution in Baku, and the subsequent British intervention. Now the Bolsheviks, after having got rid of the interventionists, also destroyed the Georgian nationalist régime by essentially military means, although with the support of the bulk of the industrial working classes and of the non-Georgian national minorities.[1] The widespread desire to end the internecine strife of the Transcaucasian nations formed the main political support of the Bolshevist reconquest of Transcaucasia, and on the other hand secure relations with Turkey were impossible without some guarantor. Thus the re-establishment of some kind of Transcaucasian union was among the obvious tasks of Bolshevist policy, whether or not the national pride of the

[1] As having formed a main bone of contention between the Second and the Third International, the Georgian case has become the most contested incident in Soviet international policies apart perhaps from the case of Finland in 1939, where the Soviet would hardly deny that it acted simply from considerations of military security. The main argument for the description of the events given above is the fact that, at the time when Georgia's independence was recognised by the Soviet, it was considered necessary to admit, by a special secret treaty (reprinted by Batsell, *op. cit* pp. 253–4), the legality of the Georgian Communist Party. This procedure could hardly be understood, from either point of view, unless that party formed a considerable political force, in view of the *very* small size of the industrial proletariat (the mass support of the Mensheviks was, essentially, based upon the peasants). Avalishvili (*op. cit.*, pp. xviii ff.), a distinctly anti-Bolshevist source, reproaches the Mensheviks with having themselves prepared the peasants for the acceptance of Bolshevist agrarian revolution by their attempts at land reform. Such a reproach would be quite meaningless unless all parties agreed that part even of the peasants was *not* dissatisfied with the Bolshevist invasion. As regards the national minorities the fact is hardly disputed by the Mensheviks themselves. It gives a very simple explanation for the geographical basis of the pro-Soviet insurrection, and also for Stalin's later (see next page, note 1) policies towards those minorities and "Georgian national chauvinism". The chief Menshevik author, K. Kautsky (*Georgien, eine sozialdemokratische Bauernrepublik*, Vienna, 1921) in any case concedes the existence of an extreme economic crisis. Thus the existence of a revolutionary movement will surprise no one who is not *a priori* convinced of the infallibility of Menshevik government. Besides, Kautsky himself (*op. cit.*, p. 57, with a distinctly German imperialist attitude) as well as Avalishvili, gives an explanation of Georgian independence as essentially an instrument of varying Great Powers. Certainly, with the Bolsheviks, the desire to get rid of this puppet played an even more important rôle than interest in the fate of their Georgian sympathisers.

Georgians should countenance the establishment of such a union under conditions that excluded Georgian hegemony and prevented oppression of the non-Georgian minorities in Georgia proper.[1] The first joint action of the three Transcaucasian Soviet republics was their peace treaty with Turkey, concluded with Russian mediation on October 13, 1921; the second was a railway agreement with the R.S.F.S.R., concluded on January 14, 1922. On March 12 in the same year, the Transcaucasian Federation was established.[2] There was to be a conference of 25 representatives from each Republic, and a corresponding joint Supreme Economic Council. Joint People's Commissariats were established for Foreign Trade, Finance, Communications (including Posts and Telegraphs), Labour, Defence, Economics, Political Police and Workers' and Peasants' Inspection.[3] The four last-mentioned Commissariats were to be preserved in the three republics; they thus formed, to use the language of the later U.S.S.R. Constitution, "Unified Commissariats", administered locally, but working under federal supervision and legislation, which the member state was allowed only to expand in detail, but not to amend. The Federal People's Commissariats for Labour, Finance, and Posts and Telegraphs had their local representatives in each of the three republics, and they automatically joined the local Soviet of People's Commissaries. Thus this federation, especially in economic matters, must be regarded as extraordinarily centralised, especially if we remember that the agreed powers of the unified Supreme Economic Council included such matters as (Art. 1, e of the Constitution) "development of agriculture, forestry, questions of nomad life", and (Art. 1, l) decisions about what state enterprises were to be retained as such, even if there were an unavoidable deficit to be covered out of the Federal budget, and about which were to be transformed into "self-supporting factories"

[1] See Stalin, *op. cit.*, pp. 139–43. The issue is one of those that played an important part in the factional struggles between Stalin and Trotsky. But only the former has given a material explanation of the argument for his point of view which was accepted by the Party Congress in 1923, at a time when he with his narrower circle of friends could not even dream of controlling a majority. The fact that a born Georgian took a clear position against Georgian nationalism, and in favour of such "backward" races as Azerbaijan Turks and Armenians, seems a sufficient explanation for the bitterness of the struggle, although, within the framework of the Bolshevist outlook, it does not necessarily form an argument against Stalin.

[2] Batsell, pp. 701 ff.

[3] A special Soviet institution that combined the functions of a general organ of restraint against abuses in any kind of administration with those of a central body for necessary investigations, and of a Court of Account, based upon delegates of the people, as opposed to the bureaucracy.

in accordance with the New Economic Policy. Such a decision might easily involve the closing down of a factory that, however inferior from a wider point of view, might be most important in regional economic life. Thus it must be regarded as doubtful whether the members of the Transcaucasian Federation, under the Provisional Constitution of March 1922, enjoyed even as much autonomy as the Autonomous Republics of the R.S.F.S.R., which, apart from the central suggestions of the Party, were completely autonomous in agricultural, and enjoyed a fairly high degree of autonomy in Labour matters.

When, on December 13, 1922, the Transcaucasian Soviet Congress had to replace the provisional Constitution by a definitive one,[1] it also ratified the proposal for forming a general union of the Soviet republics. It seems that the immediate decision to form this union might have originated not only from the dissatisfaction of allied republics with the inevitable hegemony of the stronger partner in a mere confederation,[2] but also from the desire of the Transcaucasian republics to transfer powers to an all-Soviet union that might be regarded as neutral in the inter-Caucasian issues, rather than to a body composed only of neighbours who were not always friendly. In consequence of the formation of the U.S.S.R., the powers of the Transcaucasian Federation in all important fields were reduced to those of an intermediary organ between the central and the republican authorities.[3] The hyper-centralist tendencies of the first Transcaucasian Constitution might easily be explained by the fact that the current preparations for the establishment of the U.S.S.R. followed a course that was later to be rejected as hyper-centralist by the supreme Party authorities.[4]

(*h*) Establishment of the U.S.S.R.

As we have seen,[5] the intention to constitute a federation of the Soviet republics was in the air almost from the first moment that more than one of them was in existence, and its realisation was undertaken as soon as the course of the Civil War allowed. The resolution of the Tenth Congress of the Russian Communist Party,[6] in March 1921, clearly described "a federation of Soviet republics based on common military and economic affairs" as "that general form of political union which makes it possible (*a*) to guarantee the integrity and economic development both

[1] Batsell, *op. cit.*, pp. 409 ff.; see also above, p. 353, note 3.
[2] See note 1 on p. 354. [3] See below, p. 367. [4] See below, p. 360.
[5] Above, pp. 352–3. [6] Stalin, *op. cit.*, p. 244.

of the individual republics and of the federation as a whole; (*b*) to embrace the various social, cultural and economic conditions of the various nations and peoples, which are at different levels of development, and accordingly to apply one form of federation or another; and (*c*) to bring about the peaceful co-existence and fraternal collaboration of the nations and peoples which have in one form or another thrown in their lot with that of the federation". Quite apart from its relations with its Autonomous Republics, the R.S.F.S.R. already formed the nucleus of such a federation, for many powers had been transferred to it by the allied republics, whose delegates took part in the deliberations of the Russian Soviet Congresses in regard to the transferred powers. But a description of the R.S.F.S.R., at that stage, as "in reality a union of Soviet socialist republics" [1] seems one-sided, especially if the central importance of administration as opposed to legislation in the Soviet system be kept in mind. The participation of non-Russian delegates twice a year in congresses that supervised the Russian People's Commissars did not suffice to give the activities of the latter a truly federal character, so long as they were elected by Russian organs for essentially Russian considerations, and had to devote by far the greater part of their attention to purely Russian [2] affairs. Even if it were agreed that the latter would still be the most important in a future federation,[3] the very fact that the allied republics had to submit not to Russian but to federal People's Commissariats, distinct from the parallel Russian offices, meant a great deal, not only to the national susceptibilities of the smaller partners in the union,[4] but also to the actual attention non-Russian interests would succeed in attracting in Union administration.

The treaty of Amalgamation, as adopted by the Soviet Congresses of the separate republics, and immediately after by the First Joint Soviet Congress of the U.S.S.R., on December 30, 1922,[5] united the R.S.F.S.R., the Ukraine, Byelorussia, and the Transcaucasian Soviet Federation "into a single federal state". There was to be a common Soviet Congress, and a common Central Executive Committee of the Union. In this first draft

[1] Batsell, *op. cit.*, p. 276.

[2] "Russian", of course, here covers all the nations of the R.S.F.S.R.

[3] Although with the structure of Soviet economics at that time the Ukrainian Donetz basin, for example, could hardly be regarded as anything but a main interest of the Supreme Economic Council.

[4] See note 1 on p. 354.

[5] Reprinted in Stalin, *op. cit.*, pp. 117 ff.

of the Constitution, the federal character of the Union was expressed only in the demand that among the four chairmen of the Praesidium of the C.E.C. there should be one representative of each Republic (Article 10). The Commissariats for Defence, Foreign Affairs, Foreign Trade, Communications and Posts and Telegraphs were to be amalgamated and retained only in the Union government. The Commissariats for National Economy, Food, Finance, Labour and "Workers' and Peasants' Inspection", in short all economic powers apart from Foreign Trade, were to be "unified": these fields were to be administered by federal as well as by republican Commissariats, the latter being subordinate to the former. There was also, with a similar system of subordination, a Supreme Court of the Union, and a Supreme Union organ of the Political Police. The highly centralised character of the organisation as at first conceived was also expressed in the ruling (Article 20) that the budgets of all the Union Republics were to be subject to endorsement by the C.E.C. of the Union, and that the budget totals were even to be fixed in advance. Yet it was not the enormous amount of economic centralisation, but the lack of consideration for the special political features of the constituent republics that gave rise to criticism.

Part of this opposition was directed against the political conception of "a single federal state", based, apart from the Ukraine and Byelorussia, on two intermediary federations with the right to interfere with those powers that were still left to the constituent republics in the field of "unified administration".[1] In the R.S.F.S.R.[2] and in Georgia,[3] a member of the Transcaucasian Federation, there was a certain tendency to dissolve the intermediary federations, and for the national units to join the U.S.S.R. directly. The Twelfth Party Congress rejected these tendencies, and those of the Ukrainian "confederates"[4] who wished to restrict the powers of the Union, especially on the question whether the control of the Political

[1] The powers assumed by the U.S.S.R. for "unified administration" were nearly identical with those assumed by the R.S.F.S.R. as well as the Transcaucasian Federation. So the two sub-federations would have been transformed into mere regional offices of the U.S.S.R.

[2] See Stalin, *op. cit.*, p. 111. This discussion took place at the All-Russian Soviet Congress, December 1922, i.e. before those next mentioned at the April Party Congress. Stalin's argument was distinctly centralist, from the point of view that amalgamation in itself meant progress.

[3] See note 1 on p. 356.

[4] The use of this term by the majority to denounce people who advocated a looser form of federation is an interesting example of the popularity of federalism, as opposed to confederation, with Central and East European democratic opinion.

Police, the G.P.U., should be a federal or a republican concern. But, while intransigent as to the issues of real power, the Party Congress took into full consideration the susceptibilities of the non-Russian nationalities to what it described as " the anti-proletarian and reactionary conception " of " a considerable number of Soviet officials in the centre and the localities ", who " regarded the Union of Republics not as an alliance of equal political units, whose mission is to guarantee the free development of the national republics, but as a step towards the abolition of these republics and as the beginning of the formation of what is called the republic ' single and indivisible ' ". Special criticism was devoted to " the endeavour of certain departments of the R.S.F.S.R. to render the independent Commissariats of the Autonomous Republics subordinate to themselves, and to pave the way for abolishing the latter ".[1] As opposed to such tendencies, the Party Congress ordered, as directives for the Party members participating in the shaping of the Constitution of the U.S.S.R. and responsible for making it work :

" (*a*) that in establishing the central organs of the Union, the equality of rights and duties of the Republics be ensured both in relations between themselves and in their relations with the central government of the Union ;

" (*b*) that within the system of the higher organs of the Union, a special organ be instituted representing, on a basis of equality, all national republics and national regions without exception, possible provision being made for the representation of all nationalities forming part of these republics ;

" (*c*) that the executive organs of the Union be so constructed as to ensure the real participation of the representatives and the satisfaction of the needs and requirements of the peoples of the Union ;

" (*d*) that the Republics be granted sufficiently wide financial and, in particular, budgetary powers to enable them to exercise their own initiative in matters of state administration, culture and economy ;

" (*e*) that the organs of the national republics and regions be recruited chiefly from among the local inhabitants acquainted with the language, social life, manners and customs of the people concerned." [2]

[1] Stalin, *op. cit.*, p. 253.

[2] *ibid.*, p. 254. Points (*a*), (*d*) and the last sentence of (*b*) were lacking in Stalin's and the Central Committee's original draft of the theses (*op. cit.*, pp. 127–8). Thus the assumption may be justified that these points were added in consequence of discussions at the Party Congress itself.

Points (*a*), (*c*), (*e*) and the last sentence of point (*b*) were essentially instructions as regards the principles which were to dominate the elections of the state organs under the new constitution. Point (*b*) was realised by the establishment of a two-chamber system, with the "Soviet of Nationalities", hitherto an internal committee of a consultative organ of the R.S.F.S.R., transformed into one of the two equal bodies within the supreme legislative and administrative organ of the Union. Each member-republic of the Union as well as each Autonomous Republic within any Union Republic had five representatives in this Federal Chamber, each Autonomous Region only one.

The desire of the constituent republics for the recognition of their autonomy was satisfied in the definitive text of the U.S.S.R. Constitution [1] by Article 3, according to which "the sovereignty of the Union Republics is restricted only within the limits stated in the present Constitution, and only in respect of matters referred to the competence of the Union. Beyond these limits each republic exercises its sovereign authority independently". Article 20 enacted a federal power to repeal acts of the constituent republics, but, as distinct from the rather vague Article 13 of the Treaty of Amalgamation, that power, according to Article 1, *w* of the definitive Constitution, could be exercised only when acts of the republicans were *ultra vires* from the point of view of the Union Constitution. There was also some progress, from the autonomist point of view, in Article 1, *k* of the definitive Constitution, on the budgetary powers, in comparison with Article 20 of the Treaty of Amalgamation. In both documents the budgets of the Union Republics were regarded as forming parts of the budget of the Union, and from this ruling general supervisory rights for the Union organs might be derived. But in the definitive text it was explicitly stated that the Union Republics had to draw up their budgets themselves; the federal powers included merely the decision regarding "deductions from, and additions to, federal taxes forming part of the dues of the Union Republics, and the authorisation of additional taxes and dues forming parts of the budgets of the Union Republics". Thus the members of the U.S.S.R., apart from the fundamental

[1] The text reprinted in Batsell, *op. cit.*, pp. 303 ff., together with the Treaty of Amalgamation, and later Constitutional Amendments up to 1928. Batsell's comparative text must be read carefully, for he did not always realise the political changes involved in what he considered a merely formal change of structure from the Treaty to the Constitution.

fact that one highly centralised party controlled their various policies, were, as regards their financial autonomy, in a very similar position to that of the German *Länder* under the Weimar Constitution. They depended, as regards the sources of their revenue, upon federal authorisation, but within certain limits they could decide how to spend the money, and its raising depended largely on their administrative abilities. The present tendency in the U.S.S.R. is to centralise finance in so far as it is essentially dependent on federal activities (the profits of big industries, the indirect taxes on food, etc.), but to leave to the constituent parts, and even to the local governing bodies, the disposition of revenue whose raising depends largely on their activities, such as half the proceeds of internal loans raised in agricultural districts, and the whole proceeds of the agricultural income-tax which, at the time of the 1924 Constitution, was still a main pillar of the Union budget.

On January 30, 1924, the first Constitution of the U.S.S.R. was adopted, in its definitive form, by the Soviet Congress. But the establishment of the Union was concluded only in the following year by the admission of the last territories under Soviet rule. In the two Central Asian Khanates of Khiva (or Khoresm, as it was renamed after the Revolution in accordance with its ancient traditions), and Bokhara, the feudal-autocratic rule of the Khans who had been vassals of the Tsar had been replaced, with Bolshevist support from Turkestan, by progressive-nationalist régimes, so-called " People's Soviet Republics ". These régimes recognised private property and private capitalist enterprise,[1] and tried to solve the thorny cultural questions by a parallelism between state-supported, undenominational education and religious education left to the administration and financial maintenance of the believers. Politically they were based upon elected organs called " Soviets ", with discrimination in favour of the Red soldiers, but not of the very few workers, against the peasants, and with disenfranchisement of the former feudal ruling strata and active counter-revolutionaries, but not, as in Soviet Russia, of the aristocracy, bourgeoisie or clergy as such.[2] Lenin[3] described the two states as " Peasants' Soviet Republics ", but most of the members of the ruling group called

[1] See for Bokhara, Batsell, *op. cit.*, p. 234, and for Khoresm Art. 14–16 of the Constitution, reprinted *ibid.*, pp. 444 ff.

[2] *ibid.*, Articles 19 ff.

[3] *Works*, Russian ed., Vol. XXVI, p. 27.

themselves "Communists",[1] without finding a necessary contradiction between such an allegiance and a continuation of those political affiliations they had entered earlier, as members of the various liberal-nationalist groups,[2] whose "non-Communist" members collaborated on equal terms in the government of these republics. The Soviet concluded military and political agreements with the two People's Soviet Republics [3] as between completely independent states, with a mere promise of mutual agreement on economic policy in matters of common interest. In the agreement with Bokhara there was no interference with the latter's internal organisation other than that, subject to Russia's returning all the nationalised industries in Bokhara formerly owned by Russian private capitalists, the republic would administer them as state concerns, and would also "prevent, by all possible means, the penetration into her territory of foreign bourgeoisie".[4] The R.S.F.S.R. took upon herself the obligation of granting Bokhara the necessary imports and, if she were unable herself to do so, to help her in dealings on the world market, without receiving any monopoly even of her foreign trade.

To admit states of this type to the U.S.S.R. at the time of the latter's organisation was considered incompatible with its essentially socialist character.[5] Two years later, in September 1924, the political evolution of the Central Asian republics, as regards not so much the social and economic [6] as the national and political character of their régimes, was considered sufficiently advanced to warrant the decisive step. Within the pre-revolutionary progressive or anti-feudal movement in Central Asia, and also within the ruling groups of the later People's Soviet Republics, nationalist-romantic movements of a Pan-Turanian or even Pan-Islamic character had been interwoven with modern left-wing nationalism of the type supported by the Soviet,[7] and had been regarded by the Tenth Party Congress [8] as tendencies which the Party ought to criticise, although it did not expel Party members who shared such opinions. Even among those who

[1] A fashion which was then current even in China and Turkey, where there were no Soviets at all.

[2] See *Court Proceedings*, 1938, Khodyayev (pp. 212 ff.) and Ikramov (pp. 334 ff.).

[3] The text for Bokhara in Batsell, *op. cit.*, pp. 261 ff.

[4] *ibid.*, Articles 8–9, pp. 268–9.

[5] Stalin, *op. cit.*, p. 111.

[6] But see below, pp. 376–8. It must not be forgotten that the membership of economically pre-capitalist states in the R.S.F.S.R. was then quite normal. See above, p. 335.

[7] Say of the type of Kemalism, or the Kuomintang under Sun Yat-sen.

[8] See note 4 on p. 347.

cherished a modern conception of nationalism, Uzbek chauvinism was widespread against the Turkmens, the backward nationality in both People's Soviet Republics, and also in Soviet Turkestan, forming an Autonomous Soviet Republic within the R.S.F.S.R. It had to be rejected by the Twelfth Party Congress as one of the more dangerous forms of chauvinism dividing the formerly oppressed nations of the Empire.[1] The formation of the two "People's Soviet Republics" within the historical boundaries of the two Khanates, both dominated by an Uzbek leading stratum, had been a compromise between all these trends. In 1924 the Party felt strong enough to end this compromise. The Uzbek as well as the Turkmen territories of both People's Soviet Republics and of the Turkestan A.S.S.R. were united into two national Soviet republics, which were to enter the U.S.S.R. as separate members, thus increasing the latter's membership to six Union Republics. The more backward Central Asian nations, Kirghiz and Todzhiks, had at first to be content with forming autonomous districts and republics of their own within the R.S.F.S.R. or Uzbekistan, and thus being only indirect members of the U.S.S.R.

(*i*) Position of the Union Republics under the 1924 Constitution

There is, in principle, hardly any scope for cultivating the ideology of "sovereignty" among members of a socialist federation.[2] "Autonomy", the name the Bolsheviks had always used, would have been a much more fitting description of what individual nations could claim within a socialist commonwealth. But at the Twelfth Party Congress Stalin [3] had to answer the question, which he described as "purely scholastic", whether after their amalgamation the republics remained independent or not. Of course they did not, in consequence of the transfer of powers, "but the elements of independence of each republic undoubtedly remain, for each republic retains the right to leave the Union at its own discretion". This right was granted them by Article 4

[1] Stalin, *op. cit.*, p. 139.

[2] The question whether Socialists, in the field of international relations between states of differing social and political structure, have to defend the sovereignty of individual nations as against interventions by other systems, is quite different. In this sense Bolshevism, as opposed to most Western left-wingers, is a strict defender of "old-fashioned" views of sovereignty. See my article in *Modern Law Review*, December, 1942, pp. 36–7, and my book, *Soviet Legal Theory*, published in this Library, 1925. pp. 288–9.

[3] *op. cit.*, pp. 134–5.

of the 1924 [1] Constitution, and Article 6 stated that no repeal of this right, and no alteration of the boundaries of the Union republics, could be effected by mere constitutional amendment, but only with the assent of the republics concerned (i.e. for amending Art. 4, of *all* the Union republics).[2] The function of the much-discussed " right of secession " within Bolshevist constitutionalism (as distinct from Bolshevist policies in capitalist states) is purely ideological. It emphasises the essentially voluntary character of federation and amalgamation as opposed to any conception of " hegemony ", " higher civilisation ", " master races " and so forth. But there is not the slightest reason for holding that the Bolshevists have at any time changed their fundamental opinion that secession from a Soviet state would be detrimental to the interests of the workers of both the nations concerned.[3] In the discussion at the Twelfth Party Congress Stalin also reminded his hearers that besides the right of nations to self-determination, there is also the right of the working class to consolidate its power, and to this latter the right of self-determination is subordinate ".[4] Where the right of secession is provided for in the Constitution of the U.S.S.R. it cannot be exercised without provoking the reproach, which within the framework of the accepted state ideology is quite justified, of being a counter-revolutionary act, detrimental to the interests of the workers. But in the Constitutions of the R.S.F.S.R. and of the Transcaucasian Federation,[5] that is, where it might eventually be exercised as a mere structural change within the Soviet régime, no right of secession has been granted. For the Party could not legalise in advance a demand of, say, the Georgian Communists to become direct members of the U.S.S.R., which it might criticise as politically mistaken,[6] but could hardly suppress as counter-revolutionary. Therefore we seem justified in setting aside all phraseology about " sovereignty ", " elements of independence " and so forth as mere verbal concessions to the deep-rooted ideological residuum of

[1] Article 17 of the 1936 Constitution.

[2] Batsell (*op. cit.*, pp. 285 and 297–8) misunderstands this article by interpreting it to mean that, according to Article 6, the consent of the other republics to an eventual exercise of the right of secession is demanded. The plain text of the Article does not restrict the right of secession, but quite on the contrary includes it among those guarantees of State rights which no ordinary constitutional amendment can overrule.

[3] See above, p. 346.

[4] *op. cit.*, p. 148.

[5] To demand the assent of the sister-republics (as in Transcaucasia) or of the central organs of the Federation (as in the R.S.F.S.R.) is, of course, only a more polite way of rejecting the right of secession.

[6] Stalin, *op. cit.*, pp. 140–1.

former national struggles, and in discussing the position of the Soviet republics in accordance with their description by present Soviet writers,[1] as a specific form of autonomy.

The powers granted in 1924 to the constituent republics, especially as regards Agriculture, Health and Justice, were somewhat wider than in many an undisputed federation. It is true that Article 1, §§ *m–r* of the Constitution,[2] established the Federation's right to enact general principles for the legislation of the Union Republics in those fields left to the latter's autonomy, but no one has disputed the federal character of the Weimar Republic on the mere ground that the Articles of its Constitution enacting the school compromise restricted the autonomy of State legislation in the field of education. Nor would anyone deny that the U.S.A. was a typical federation for the reason that the Supreme Court, in explaining what it considers the implicit meaning of the Constitution, may restrict State autonomy in fundamental economic matters to a much narrower field than the States might feel essential. There was and undoubtedly is a remarkable degree of real autonomy and diversity in the fields left to the constituent republics of the U.S.S.R., for example in the codification of law in matters not immediately concerning the economic foundations of society. A federation, some of whose members, before the legislation of July 1944, recognised, and some rejected, *de facto* marriage, was certainly not over-centralist in cultural matters, although the different approaches to the problem under different conditions [3] may result from the application of an identical political philosophy. Whenever greater centralisation is desired, as in 1929 in the organisation of agriculture, it is realised not by an indirect administrative approach, or by mere use of the Party machinery, but quite directly, in the case mentioned by transferring agriculture from the autonomous to the "unified" powers.

True, the autonomous powers of the immediately con-

[1] See Levin, *op. cit.*, pp. 1 ff. Virtually the same view is taken by Trainin ("On the Question of Sovereignty", in *Sovietskoe Gossudarstvo*, 1938, No. 2, p. 95), where "sovereignty" under Soviet conditions is explained as (*a*) derivation of the Soviet states from decisions of the participating nations themselves, and (*b*) cultural development granted to each of them by the Soviet régime.

[2] Article 14 of the 1936 Constitution.

[3] The central issue of matrimonial legislation in the Asiatic republics was fighting religious and similar forms of marriage, with the polygamic and other customs they involved, by enforcing registration of marriage; whilst the legislation of the more advanced parts of the Union was more concerned with securing the material position of the wife, for example her share in the achievements of the common household, even if the latter had not been established by a registered marriage.

stituent units of the U.S.S.R. might be restricted by further decentralisation. The Transcaucasian Federation enjoyed few powers over its constituent units beyond those which it had transferred to the U.S.S.R. So it would act mainly as the latter's sub-agency towards the local republics. Internal Trade was the only reserved power of the Transcaucasian Federation not transferred to the U.S.S.R., and this, together with Finance, Labour, and Workers' and Peasants' Inspection, were the only powers represented in the Transcaucasian Federal Government by its own People's Commissariats.[1] The position of a constituent republic of Transcaucasia might be even weaker in its relations with a smaller nationality granted the status of an Autonomous Republic, say Georgia in her relations with the "Treaty Republic of Abkhasia".[2] The government of the latter was formed by the usual autonomous People's Commissariats for Internal Affairs (i.e. virtually supervision of local government), Justice, Education, Health, Agriculture, Social Welfare, and the local Council for National Economy, together with representatives of the Georgian Commissariats for Finance, Labour, and Workers' and Peasants' Inspection, powers that Georgia herself could administer only under Transcaucasian, and Transcaucasia only under U.S.S.R. supervision. A four-step administration, with 300,000, three million, eight million, and 150 million inhabitants in the respective units, is not unreasonable in the administration of an empire of continental dimensions, and a delimitation of the administered areas so far as possible in consideration of national differences is certainly the most reasonable solution in a multinational state. In a socialist commonwealth it is very natural that some—mostly cultural—functions should be concentrated at the lower end of the hierarchy, and some, amongst them the most important economic ones, at the top, but very few at the intermediate steps. Only in appearance is such a system complicated by the use of "State" terminology as regards all the constituent units, and the apparent complication might not be too high a price for sparing national susceptibilities.

Difficulties might arise where the territorial unit, dominated by a certain nationality, and therefore enjoying national self-

[1] See Article 23, in the definitive (1925) constitution Articles 35 and 44 (Batsell, *op. cit.*, p. 432). In the first (1922) text, "Food" took the position as did later "Internal Trade". It seems that only after the enactment of the first text the full importance of the "New Economic Policy" was realised by the Transcaucasian leaders.

[2] Articles 87–8 of the Georgian Constitution (Batsell, *op. cit.*, p. 439).

government, was too small to fit well into the administrative scheme suggested by economic considerations, and such difficulties arose especially during the "regionalisation" of the R.S.F.S.R., i.e. the process of replacing the ancient administrative divisions by modern ones. A backward dwarf-nation could easily accept what, even with the title of an Autonomous Republic, was in fact the position of an autonomous county. But a strong and self-conscious people like the Tatars would demand that even apparent economic expediency should be sacrificed lest they be deprived of direct access to the Moscow authorities in matters of economic administration. They had a strong case, since the Bolshevist conception of national autonomy as including not only cultural, but also economic self-government would support their essential demands.[1]

While the powers transferred to the exclusive administration of the Federation did not go beyond what is usually considered normal,[2] the crucial point in the working of the division of powers between the Union and its constituents was that of the competence of the "unified Commissariats'[3]; or virtually, the whole field of economics. Every Socialist is bound to regard centralised planning, in this field, as a main advantage of socialism as well as of federation. On the other hand, the Bolshevist nationalities policy demands, as a corner-stone of true national emancipation, that each nationality should share in the administration of economic as well as of cultural matters. Therefore a compromise must be found between centralisation and devolution in the economic field, and to find the right solution of this problem is the essential of socialist federalism. The 1924 Constitution (Chapter I, Article 1, *h*) left the formulation of that compromise to the Federation, by charging it with "the establishment of the foundations and the general plan of the whole national economy of the Union, and the definition of branches of industries and separate industrial undertakings possessing general importance to the Union". The latter are under the direct control of the federal organs. Thus the Federation itself has to decide, in the most important field of national life, what functions it claims for itself and what it leaves to its members.

[1] See Batsell, *op. cit.*, pp. 648–9. For a Soviet description of the contradictions between economic "regionalisation" and the constitutional structure of the U.S.S.R., as based upon national, i.e. not necessarily economically homogeneous, units, see Kursky, *op. cit.*, p. 149.

[2] Apart from the monopoly of Foreign Trade, inevitable in a socialist economy.

[3] See above, p. 359.

As long as the Federation exists, there is no other guarantee for the economic foundations of national autonomy than the weight attributed to the latter in federal decisions.

The most important organ by which the member-states have been able to influence federal decisions, since the 1924 Constitution, has been the "Soviet of Nationalities". Each Autonomous and Union Republic, i.e. each indirect as well as each direct member of the Union, was represented equally in this Second Chamber. As the R.S.F.S.R. contained by far the largest number of autonomous Republics, she thus enjoyed an absolute majority within the Soviet of Nationalities.[1] But it is hardly justifiable to draw political conclusions from this fact, as has often been done.[2] Under the One-party system the eventuality of a division between the representatives of the R.S.F.S.R. and those of the other Union Republics is purely academic. What really matters is the fact that each republic has the possibility of lodging complaints against the economic-administrative, and naturally centralising, tendencies within the state overruling those decentralising forces that form the basis of national autonomy. And it can complain before a forum which, by its very structure, will be inclined to favour the interests of national autonomy. What matters from this point of view is not the division between representatives of the R.S.F.S.R. and those of the other republics, but that between Russians and non-Russians. And in this regard there can be no doubt that the Second Chamber of the 1924 Constitution gave the non-Russians reasonable guarantees and really worked as a check against administrative centralism.[3] It worked in a very similar way to the former People's Commissariat for Nationalities, and in fact the purposes of the latter were regarded in 1925 as fulfilled.

[1] On the changes under the 1936 Constitution, see below, p. 389.
[2] See, for example, Batsell, *op. cit.*, p. 289.
[3] See above, p. 368, note 1.

CHAPTER XIV

CENTRALISM AND FEDERALISM IN THE PRACTICE OF THE SOVIET GOVERNMENT

(1) The enactment of the federal constitution of the U.S.S.R. coincided with the NEP, which involved concessions to the middle classes and the kulaks, who still played a dominant part in the life of most of the non-Russian nationalities. Thus the autonomy of the national republics involved a certain amount of freedom for non-Communist elements.

(2) During the Five-Year Plans, the economic resources of the non-Russian territories were systematically developed. This as well as the collectivisation of agriculture involved a strengthening of the social basis of Communist rule amongst those nationalities. At the same time, the cultural development and emancipation of the most backward, "non-historical" nationalities was systematically encouraged, at the expense not only of the Great Russians, but also of the other "historical" nationalities with traditionalist middle classes, clergy, etc. The resistance of the "bourgeois-nationalist" elements to these developments was broken by means of the dictatorship.

(3) Constitutional development during these years centralised all the economic functions needed for central planning and war-economics. At the same time, new decentralised functions were created by cultural development and by the need to decentralise sections of the national economy in the interest of preparation for War. During the present international crisis, new republics have been admitted under constitutions that allow of a much larger variety in social structure than existed before the War, and some degree of autonomy in matters of defence and foreign policy has been granted to the member-states of the Union.

(4) The theoretical evaluation of Soviet federalism must start from the fact that the Soviet constitution admits that restriction on the autonomy of the constituent members which elsewhere is merely implied, namely that this autonomy cannot be exercised save within the framework of a given socio-economic system which is regarded as the foundation of the constitution. The freedom of the constituent parts of the U.S.S.R., in constitutional theory rather extreme, is restricted by the fact that it cannot be exercised save under the control of a centralised party. But the political power of that party, and the international strength of the U.S.S.R., are based upon the application of its nationality policies, i.e. such a use is made of its controlling power that the distinct development of the individual nationalities, within the prescribed framework, is encouraged.

(*a*) Working of Soviet Federalism under the NEP

Soviet federalism had been accepted, in political theory, during the successful offensive of the Red armies against the Whites. But its real establishment coincided with the "New Economic Policy" (NEP), which was a policy of compromise with small capitalist enterprise and with capitalist tendencies among the peasantry. In view of the Bolshevist interpretation

of nationalism as a typical bourgeois phenomenon,[1] the question arises whether the establishment of Soviet federalism was not simply a political consequence of the temporary economic compromise with the small bourgeoisie, that was bound to be dropped once it had fulfilled its purpose.

The Bolshevists would describe " the class essence of the national question " in the 1923 U.S.S.R. as establishing " definite and correct relations between the proletariat of the former sovereign nation and the peasantry of the formerly oppressed nationalities ", by " eradicating all remnants of distrust towards everything Russian, a mistrust implanted and fostered for decades by the policy of Tsarism ". And " in order that the Soviet government should become dear also to the peasantry of other nationalities, it must be comprehensible to that peasantry, it must function in their own language, the schools and government bodies must be recruited from among the local people acquainted with the language, manners, customs and traditions ".[2] This description of Bolshevist nationalities policy, essentially identical with what Stalin was later to describe as national forms for a socialist content,[3] does not necessarily imply federalism as defined in this book. But it is certainly independent of the existence or non-existence of capitalist elements in the society. It is bound merely to some distinction between peasants and the industrial working classes, a distinction clearly surviving even to-day, after the collectivisation of the peasantry. It does not include many things which people with whom the Bolshevists then collaborated, included in what they expected from national autonomy.

Stalin, in 1923, recognised that the NEP, by strengthening the bourgeois elements in society, also strengthened nationalism, and in its least desirable chauvinist forms. While strengthening Great-Russian centralist chauvinism, it also strengthened chauvinist attitudes among the more developed of the formerly oppressed nationalities towards their backward neighbours.[4] The Bolsheviks fought all these varieties of chauvinism, but they were ready to compromise with indisputably bourgeois-democratic nationalists among the formerly oppressed nationalities, and rejected criticism of these compromises by Russian or local Communists as a " left deviation ".[5] True, Stalin justified the most far-reaching of these compromises, that with the Bashkir

[1] See above, p. 328.
[2] Stalin, *op. cit.*, pp. 132–3.
[3] See *ibid.*, p. 228.
[4] *ibid.*, pp. 138–9.
[5] *ibid.*, pp. 153–4 and 158.

right-wing national revolutionaries of 1919, as a merely temporary necessity, imposed by the desire to divide the nationalist ranks. But in the same breath he described Pan-Turanianism and Pan-Islamism, so long as they were propagated from the merely ideological point of view, as things still to be tolerated even within the ranks of the Party, although to be criticised as a deviation.[1] Evidently Bolshevism in the Eastern national republics did not at that time feel strong enough when supported only by the left-wing of the local national movement. It acted very carefully even in matters on which all progressive elements among the bourgeois-nationalists (those corresponding, for example, to the Kemalist Turks) agreed, but all Conservatives resisted. It was not until 1928 that in the Eastern territories marriage by purchase was prohibited, instead of merely discouraged, and that murderers of women who had abandoned the yarmak were likely to be punished, even if the crime were committed in the streets of Bokhara.[2] When, in 1930, in breaking the resistance of the kulaks to collectivisation, the conception of counter-revolutionary crimes (i.e. offences threatened with capital punishment) was extended, and a kulak who fired a collective granary was sure of being shot, a proposal of the Supreme Court to cover acts of violence committed against emancipated women in the Eastern republics was rejected as too far-reaching, and only cases of actual murder were included.[3]

During this period the decisive steps were taken in the East. The readjustment of the Central Asian political organisation[4] was followed by a radical land reform to break the power of the feudal strata. The redistribution of land and water, indeed, was carried through with due regard for local custom, including the need of having the reform sanctioned by a "fetva" issued by progressive mullahs. But in spite of all the formal regard for religious custom, the necessary measures were taken in Uzbekistan to prevent the "voluntary" return of land by peasants to the clergy under the pressure of clergy-moulded "public opinion".[5] Seventy-one thousand Uzbek peasant households—

[1] Stalin, *op. cit.*, p. 155.

[2] See Halle, *op. cit.*, pp. 129 ff. (with the text of the decrees), and Strong, *op. cit.*, p. 270.

[3] See O–v, "On the Revision of the Criminal Codes of the Individual Union Republics", in *Sovietskoe Stroitelstvo* (Russian), 1929, Nos. 5–9. As simple murder, for non-political reasons, is punished by Soviet law with no more than 10 years' imprisonment, the measure even in the form adopted was of an emergency character, from the Soviet point of view.

[4] See above, p. 364.

[5] See Tchokaiev, *op. cit.*, pp. 358 ff.

about a fifth of the total—thus received land, cattle and the necessary implements of production.[1] Even some of the Uzbek nationalist leaders who were already highly dissatisfied with dependence on Bolshevist Russia supported the measure, as a realisation of the liberal conceptions they cherished.[2]

As regards the small autonomous regions in the Northern Caucasus, an unbiased observer [3] stated that even by 1927 the Revolution had hardly touched the inequality in the possession of cattle, and that among the officials of the régime were many people " of good origin ".[4] The Soviet relied on the support of these small nations which, as old adversaries of the Cossacks, had supported the Reds during the Civil War. But however restricted the economic achievements, education was nationalised as far as possible. In the Ukraine the tendency towards the wholesale nationalisation of all cultural life was already so far developed that the Party found it necessary to protect the interests of the Russian, mostly working-class, national minority against enforced " Ukrainisation "[5].

In the case of the Volga-German Republic even later Nazi critics conceded that the teaching profession, with its strong influence on the population," supported the educational experiments of the Soviet in opposition to the formerly dominating ecclesiastical influence ",[6] and that the period of the NEP meant economic prosperity for the Volga Germans. Even avowedly Church-influenced agricultural coöperatives might prosper.[7] True, the setback caused by the following period of agricultural collectivisation, directed against the well-to-do peasant, the main supporter of the Volga-German agricultural coöperatives, and by the connected decree of April 8, 1929, prohibiting religious

[1] Moor, *op. cit.*, p. 160.

[2] Compare the position of Ikramov in Stalin, *op. cit.*, p. 156 (i.e., in a discussion of 1923) and in the *Court Proceedings* of 1938, pp. 332–3.

[3] Platzschke, *op. cit.*, pp. 692 ff.

[4] This means, in these districts, not a non-existent nobility, but the most famous tribes.

[5] See Stalin, *op. cit.*, pp. 201–2, and also Batsell, *op. cit.*, p. 654. I remember the strange experience I had in 1931, when addressing, as a guest, a meeting in an Ukrainian factory with workers predominantly Russian (at least as regards the skilled men, who were the most regular attenders at all factory meetings, in Russia as in other countries). In spite of my none too good Russian I was simply envied by the other speakers (the manager, leading engineers and the secretary of the Party organisation) for being allowed to address the workers in Russian, their mother-tongue. All the other speakers, in spite of the fact that they were, without exception, Russians, had to speak Ukrainian, according to a directive of the Ukrainian Party Committee with due regard for the workers freshly arrived from the village (who, of course, then failed to attend meetings on industrial organisation in Russia and abroad).

[6] Woltner, *op. cit.*

[7] See Vorbach, *op. cit.*, p. 466.

organisations with aims other than that of organising worship, especially those for educational or economic purposes, was all the harder.

There can be no doubt that the period of the NEP was one of prosperity for all the national cultures set free by the Bolshevist revolution and by the relentless struggle of the Soviet against any revival of the Tsarist policies of Russification, even under a pro-Soviet mask.[1] As distinct from the subsequent period, with its greater development of mass-education, all national achievements during this time were still restricted to the forward minorities of the various peoples. But there was then much more political freedom for dissenters than in the following period, and in the special national field there was ample political freedom for simple bourgeois-democratic elements in the Eastern republics. Even the fact that the Right-wingers of the Party, who tended to compromise with the bourgeois-democrats, represented "an overwhelming majority", as in the Bashkir and Tatar republics,[2] did not at that time cause Stalin any excessive alarm.

While accepting the temporary strength of the non-bolshevist elements in the federated republics as an inevitable outcome of the given economic structure, the Communist Party tried to change it by overcoming that structure. "Formally", Stalin said in 1923, "all the backward nationalities and all the tribes enjoy all the rights enjoyed by the other more advanced nationalities of our federation. But the trouble is that some nationalities have no proletarians of their own, have never passed through the stage of industrial development or even entered that stage, are frightfully backward culturally and are entirely unable to take advantage of the rights granted them by the revolution. That . . . is far more important than the question of schools. . . . The schools are developing, and so are the languages; but actual inequality is the basis of all discord and friction. . . . Apart from schools and languages, the Russian proletariat must take every necessary measure to establish centres of industry in the border regions, in the republics which are culturally backward—and they are backward not through any fault of their own, but because they were formerly looked upon as sources of raw materials".[3] In 1923 this was a mere programme, and the Soviet was very glad to have individual factories transferred from the old centres to some hitherto backward region, in order to create there at least

[1] See Stalin, *op. cit.*; for example, pp. 135–6. [2] *ibid.*, p. 157. [3] *ibid.*, pp. 137–8.

the nucleus of a national working-class. But what was a mere programme during the NEP became a reality during the following period of industrialisation and agricultural collectivisation.

(*b*) Non-Russian Territories of the U.S.S.R. during the Five-Year Plans

It would be a mistake to regard the accomplishment of Soviet industrialisation as the fulfilment of a programme for the economic equalisation of the formerly backward nations with the Great-Russians. Some controversial issues regarding the localisation of this or that newly-built factory may have been decided according to considerations of the character just described. In general, of course, the Soviet built what it needed from the point of view of economic autarky and of defence, and it built where the most favourable conditions, raw materials, transport, etc., could be found. Russian territories like the Urals, Siberia and the Far East headed the progress of industrialisation with projected increases of 500, 620 and 730 per cent. respectively in industrial investments during the First Five Year Plan, while long-developed non-Russian territories like Transcaucasia with 102 and the Ukraine with 108 per cent. were only a little above the all-Union average projected increase of 89 per cent. The old Russian industrial centres of Leningrad, Moscow and Ivano-Vosnessensk were well below the average, but non-Russian Union Republics such as Byelorussia (242 per cent.), or Uzbekistan and Turkmenistan (294 per cent.) were among the most highly developed,[1] in spite of the tendency of the First Five Year Plan to further the heavy industries, for which these territories were not altogether the most suitable.

In a discussion of Bolshevist nationalities policy the interesting question is not whether, in a period of enormous investment, some non-Russian territories made great progress, but whether the Soviet system as such contributed to render the share of those territories in the all-Union advance greater than it would otherwise have been, assuming that such an advance would have been possible at all under any alternative system. In this regard, two points are obvious. In the first place, the Soviet system, while it naturally did not cease to regard some regions as sources of certain raw materials, was not burdened with any consideration for vested interests in developing those materials in the traditional industrial centres. On the contrary, if, for example,

[1] See Grinko, *op. cit.*, p. 326.

an increase of the cotton cultivation in Central Asia was likely to produce political resistance on the part of traditionalist or separatist elements,[1] the Soviet system had a political interest in strengthening its local political support by having the cotton worked up in local textile factories, with a strong indigenous working-class ; in other words, by doing the exact opposite of what any capitalist power would have done in what was virtually colonial territory. Secondly, the Soviet system, for the political reasons set forth above, had no reason to let the question of the supply of skilled labour decide the argument in favour of the well-developed industrial regions. It was very interested in spreading industry, partly by transplanting skilled Russian labour, but in an even higher degree by developing a local non-Russian working-class. It is in this regard that the Bolshevist nationalities policy directly entered the field, as a counterpoise to purely technical economic argument. The latter, under any alternative system, even of planning, would have tended to preserve the privileged position of the existing centres.

Another field where the specific features of the Bolshevist system, though not its nationalities policies themselves, tended to tip the balance in favour of the formerly oppressed nationalities, was the collectivisation of agriculture. In general, the fact that the formerly isolated peasant is now an organised factor in Soviet society tends greatly to increase his specific weight in Soviet policy in relation to the industrial workers, and this fact forms the key to the understanding of the political and ideological developments in Stalinist Russia. As the non-Russian territories were, and still are, much more peasant-dominated than the rest, that tendency increases their specific political weight. In spite of all the splendid achievements in building up Central Asian industries, it is still the increase of the rural, not of the urban population that determines the numerical weight of any non-Russian republic, apart from the Ukraine, in the total population of the U.S.S.R. [2] Thus it is still mainly

[1] See below, p. 398.

[2] The population, in 1939, amounted, in percentages of that of 1926, to :

	Rural.	Urban.	Total.
Uzbekistan	136·1	142·8	137·6
Kirghizstan	135·2	221·2	145·7
Tadzhikistan	133·1	237·6	143·9
Armenia	128·1	214·3	145·4
Azerbaijan	123·1	178·7	138·7
Union average	94·9	212·5	115·9

In spite of having the lowest increase of the urban population in the whole U.S.S.R., Uzbekistan was among the five republics with the largest total increase. On

in terms of agricultural, not of industrial population that the position of the Eastern republics should be discussed.

In some of those republics at the beginning of the First Five Year Plan the most elementary tasks of the democratic revolution still remained to be accomplished. In Buryat-Mongolia, in 1928–9, 53·9 per cent. of the total number of farms were settled, but of those belonging to Buryat peasants, only 9·3 per cent.; 11·6 per cent. of the latter were nomads, 78·6 per cent. semi-nomads.[1] Thus the collectivisation of agriculture had to be combined with land reform, against the exasperated resistance of the threatened Russian and well-to-do and ecclesiastical Buryat interests.[2] This is an extreme example; but on the whole there seems to have been in most of the Eastern republics some combination of agricultural collectivisation and the most elementary steps of land reform. This combination rendered collectivisation acceptable to broader strata of the population than in the Western parts of the Union, where, since the 1917–18 revolution, the average peasant controlled at least sufficient land, if not the implements necessary to cultivate it. At the beginning of 1933, when, after the first excesses, the voluntary character of collectivisation was almost secured, in the whole territory of the U.S.S.R. 61·8 per cent. of the farms were members of Kolkhozy, but in the Ukraine 69·9 per cent., in Turkmenistan 66·3 per cent., in Uzbekistan 70·5 per cent., in Kirghizia 66·1 per cent., in Bashkiria 66·0 per cent., in Kazakhstan 69·7 per cent.[3] These numbers must not be compared without due regard for local conditions. The low average of the U.S.S.R. as a whole was essentially due to the northern parts of the R.S.F.S.R., which were little suited to grain production and less important from the point of view of agriculture in general; so that they received less state help in the form of tractors, etc., while the enormous grain-producing areas in the Ukraine, Uzbek cotton-growing, or Kazakh cattle-farming regions were much more likely to render the first steps in agricultural collectivisation a success. But the numbers show that, in spite of the indisputable

the other hand Kazakhistan, with an enormous increase in its urban population (328·7 per cent. over the 1926 level), had almost no increase in total population, partly in consequence of migration of Kazakh peasants into the neighbouring industrial areas of the R.S.F.S.R.

[1] I.e., depended on nomad life for part, generally the most essential cattle-holding part, of their husbandry.

[2] Kireyev, *op. cit.*, p. 142. At the time of the revolution there were in the Eastern parts of the republic forty-one (Buddhist-Lamaist) monasteries, and of every thirteen inhabitants one was a lama!

[3] Slavin-Khodyayev, *op. cit.*, pp. 173 ff.

nationalist resistance to collectivisation in the non-Russian territories,[1] the forces behind collectivisation were certainly not weaker, on the whole, than in Russia proper. Nor were the successes. During the First Five Year Plan the cultivated area increased in the whole of the U.S.S.R. by 13·9 per cent., in Byelorussia by 14·1 per cent., in Transcaucasia by 15·0 per cent., in Turkmenistan by 19·6 per cent., in Uzbekistan by 28·0 per cent., in Bashkiria by 27·5 per cent., and in Tatary by 36·4 per cent. Most of this increase was due to the " technical cultures ", i.e., the branches of agriculture producing industrial raw materials like cotton, oil-seed and sugar ; these cultures increased, during the same period, in the whole of the U.S.S.R. by 69·1 per cent., in Byelorussia by 81·8 per cent., in Transcaucasia by 102·4 per cent., in Tadzhikistan by 109·6 per cent., in Tatary by 137·5 per cent., in Kirghizia by 183·9 per cent., and in Bashkiria by 227·2 per cent.[2]

Thus the former colonial regions have not ceased to be essentially sources of raw materials. What they have ceased to be is *mere* suppliers of raw materials to be worked up elsewhere. The first decisive step in the policy of economic reconstruction, taken long before the enactment of the Five Year Plan, together with the building of the Dnieper dam—also constructed in non-Russian territory—was the construction of the Turkestan-Siberia railway, for bringing sufficient imports of Siberian grain to Central Asia to enable the latter to concentrate on cotton-growing. Nor has the U.S.S.R., in spite of all the propaganda for industrialisation, failed to regard agriculture, especially the production of agricultural raw materials for industry, as the main item in developing its Eastern territories. Of 218 thousand million roubles[3] invested in Uzbekistan during the decade 1924–34, 850 million were spent on improving agriculture, and 640 on industry. Of the latter 197 million were for industries producing machinery, fertilizers, etc., needed for cotton-growing, and 191 million were for manufacturing cotton ; 330 million were invested in transport and communications, 160 million in public utilities, 90 million in building new schools and other educational institutions, and 58 million in health institutions.[4] This example shows the essential tendencies followed in the development of the border regions.

[1] See below, pp. 397–8. [2] Slavin-Khodyayev, *op. cit.*, pp. 173 ff.

[3] The amounts are evaluated in (stable) Budget roubles, so that the depreciation of the rouble since 1928 can be left out of consideration. The total amount would be some £200 millions. [4] See note 1 on p. 373.

Without ceasing to develop the various regions according to their particular raw-material facilities, Soviet policy rendered that development less one-sided. Uzbekistan did not become a region of heavy industry in the usual sense of the word,[1] but, apart from growing 60 per cent. of the Union's cotton, it also became one, though not the most important, region for manufacturing cotton and for producing the machinery needed for cotton-growing. The old industrial areas also became less one-sided than they have been before : in the Second Five Year Plan only 44 per cent. of the total investments in the heavy iron industries, and 39 per cent. of those in coal-mining, were assigned to the Ukraine, which then produced 55·7 per cent. of the Union's cast iron and 48 per cent. of its coal. Transcaucasia, then producing 64 per cent. of the Union's oil, received only 32·6 per cent. of the new investment in oil production, the remainder being distributed among territories formerly without heavy industries. The tendency to what was later called " complex economics " [2] was as old as the Five Year Plans ; [3] in fact, it formed an essential element in the desire to make the U.S.S.R. secure against all the contingencies of the expected war. But whatever the reasons for this course of industrialisation, and however restricted the influence that may be attributed to theoretical considerations of Bolshevist nationalities policy as such, there can be no doubt that the result corresponded, in a very high degree, to those theoretical and political demands.

The total number of workers and salaried employees in the big industries in 1933 amounted in the U.S.S.R. as a whole to 190 per cent. of the 1929 standard, in Transcaucasia and the Ukraine (both republics with heavy industries of long standing) to 172 and 192 per cent. respectively. But in Byelorussia it was 246, in Bashkiria 212·6, in Tatary 247·5, in the Crimea 290·7, in Uzbekistan 265·1, Turkmenistan 344·2, Kirghizia 295·5, and Kazakhistan 401·1 per cent.[4] The enormous percentage increase in the second group of republics, indeed, represented a very modest rise in absolute numbers ; only Byelorussia had an absolute total of more than 100,000 workers and employees. It is also true that, in view of the former backwardness of the Eastern nationalities, even so modest a number of workers in

[1] Although the share of the heavy industries in the Soviet definition, as including the production of all implements of production, *e.g.*, that of electricity, rose from 2·15 to 8·4 per cent. of the total investments, Moor, *op. cit.*

[2] See below, p. 396. [3] Slavin-Khodyayev, *op. cit.*, pp. 185 ff.

[4] *Ibid.*, pp. 173 ff.

the Eastern republics did not necessarily imply a corresponding industrialisation of their nationalities: in many places the majority of the workers were still Russians. It was regarded as a remarkable success that, from 1931 to 1933, i.e. during the completion of the First Five Year Plan, the percentage of the "leading" nationality among the total workers and employees of the respective republics rose in Bashkiria from 15·5 to 24·3, in the Tatar Republic from 26·9 to 36·4, and in Kirghizia from 8·7 to 27·2 per cent.[1] In Kazakhistan the total number of workers and employees (not in the big industries alone) rose from 216,000 in 1927 to 660,000 in 1935. Again, it was thought a great achievement that the percentage of Kazakhs in the total number increased from 30 to 40 per cent.,[2] i.e. among 440,000 additional workers and employees some 200,000 were Kazakhs. Moderate as this may seem from the numerical point of view, it was of enormous cultural importance: the percentage of the literate population, a mere 4·4 in 1920, had risen to 61 in 1935. In republics with industries formerly little developed, relatively small investments might imply revolutionary changes in the life of a small nation, as can be seen from the following tables.[3]

FIGURES FOR 1935 (THOSE FOR 1927–8 IN BRACKETS).

	Georgia.	Azerbaijan.	Armenia.	Kazakhistan.	Kirghizia.
Capital of the big industries (in thousand million roubles)	0·6 (0·05)	1·6 (0·5)	0·17 (0·02)	0·5 (0·06)	0·09 (0·04)
Workers (000)	55 (17)	85 (35)	17 (6)	74 (14)	15 (3)
Schools (000)	4·1 (2·5)	3·2 (1·5)	1·1 (9·8)	7·8 (4·0)	1·8 (0·5)
Students in high Schools (000)	21·4 (10·1)	11·4 (4·5)	4·5 (1·6)	4·0 (0)	0·6 (0)

The republics here compared are of very different size and structure: one (Azerbaijan) contains one of the most important industrial centres of the U.S.S.R. (Baku), but also a very backward peasantry; two (Georgia and Armenia) have a relatively high traditional cultural level, but had almost no important industries prior to the Five Year Plans, while the two last-mentioned had to be developed in every respect from the very beginning. The comparative results are very similar in all these cases. In 1923 Stalin had stated that it was not so much the schools as the industrial workers that mattered.[4] In fact, with the industrial workers came the schools.

[1] See Slavin-Khodyayev, *op. cit.*
[2] See Aliev, *op. cit.*
[3] Based upon Kursky, *op. cit.*, pp. 154 ff.
[4] See above, p. 374.

(*c*) CULTURAL POLICIES OF THE U.S.S.R.

Some fundamental principles of Bolshevist policy in the cultural field are evident in all the available material; foreign controversy centres rather round their evaluation than about the facts themselves, which are hardly disputable. It is evident that the U.S.S.R. tends to grant the maximum education to all its citizens in their mother-tongue, though taking due care that as many as possible also learn Russian, as the inter-Union language. The heritage of the Tsarist régime confronted the Soviet system, in most of the nations of the Empire, with rather elementary educational tasks.[1] But no limit is set to the development of each national civilisation. It is evident, too, that the Soviet recognises no historical or other claims by particular nationalities for a monopoly or privileged position for their national civilisations in any territory. The minorities, even in the non-Russian territories, are protected and furthered in every conceivable way, not only by giving them their own schools,[2] but occasionally even by granting them personal cultural autonomy, which the Bolshevists do not regard as a sufficient solution of the national problem in general: [3] once a minority has attained a certain strength, it might be allowed to form national Soviets of its own.[4] The same principle is recognised as regards the definition of the nation, whose cultural development is to be encouraged: in the discussions, familiar to any student of East European [5] or Asiatic nationality problems, whether certain kindred tribes form one nation or more, the Soviet is always inclined to side with the defenders of the latter point of view.

Certainly, few of the "historic" nationalities—to apply the Austrian term—in Russia, however much they may have been oppressed under Tsarism, are completely free from "historic" aspirations opposed to those of local minorities, weaker neighbours and kindred tribes living in what they regard as their "historic" sphere of influence. The traditionalist-chauvinist elements

[1] Amongst the productions of the Central Publishing Organisation, catering for the nationalities, there were more than 25 per cent. of textbooks for schools, 20 per cent. of political literature of all kinds, 8 per cent. of books on agriculture, and a mere 4 per cent. of fiction—the other groups being even smaller (see Rychlevsky, *op. cit.*, p. 87).

[2] In Soviet Armenia the number of pupils in Turkish minority schools (i.e. schools of that nationality to which traditional Armenian nationalism is most opposed) increased between 1927–8 and 1934–5 by 400 per cent. See Martokian, *op. cit.*

[3] See above, pp. 227 and 333.

[4] For the Ukraine see Maynard, *op. cit.*, p. 395.

[5] See above, p. 299.

among those nationalities are likely to criticise the main features of Soviet nationality policy. Whatever freedom is granted them for the development of their own civilisation, the mere fact that the study of the Russian language is encouraged in addition will be criticised as " Russification ". So also the protection of local minorities (as of the Jews in the Ukraine) may be attacked as a clever Russian policy to undermine the national homogeneity of the territory.[1] The encouragement by the Soviet of the development of " unhistoric nationalities " is likely to be denounced, by fascist critics of the U.S.S.R.,[2] as an artificial splitting-up of peoples into Lilliputian elements " for the sake of preventing their coöperation, for example on Pan-Islamic lines. The Soviet may answer that its policies on all the contested points correspond to the most elementary principles of democracy. If the application of these principles interferes with the realisation of some cherished " historic " aspirations, so much the worse for the latter.

It cannot be denied that the U.S.S.R. regards the struggle against Pan-Islamism, Pan-Turanianism, Pan-Mongolism, and similar inventions of nationalist romantics or aggressive imperialists, as an act of self-preservation,[3] and that Stalin has dropped his somewhat appeasing attitude of 1923 towards such by-products of the struggle of the Eastern nations for emancipation from Tsar and Sultan.[4] But we must remember that the same necessity was felt by Kemal Atatürk, and that political opposition to the officially accepted course of progressive nationalism in Kemalist Turkey corresponded to that in the U.S.S.R.[5] The Pan-Turanian might answer that this correspondence proves the existence of the nationality he claims. But the Soviet could reply that no one doubts the existence of certain connections between the reactionary groups in all Mohammedan countries, and that progress consists in getting rid of these, and shaping cultures nearer to the feelings, the life and the languages of the peasant peoples. As regards the latter, it was evident to com-

[1] See Maynard, *op. cit.*, pp. 395 amd 398.
[2] See, e.g., Woltner, *op. cit.*, pp. 623–4, or Benzing, *op. cit.*, p. 188.
[3] See Silberstein, *op. cit.*, January, p. 144. [4] See note 1 on p. 372.
[5] Apart from the (Young Turk) " Committee for Unity and Freedom " of Enver Pasha, disturbing equally the Soviet and Kemalist Turkey, there was the Pan-Islamic Right (corresponding to the right-wing opposition against Kemalism in Turkey) and Pan-Turanianism, represented in Soviet Central Asia by the " National Alliance " (see *Court Proceedings*, 1938, especially Khodyayev, pp. 212–13), and in present-day Turkey by the right-wing, anti-Soviet trends within the Nationalist Party. To the left of this group, in the U.S.S.R., stood Ikramov's group " Milli Istiklal " (National Independence) (see *Court Proceedings*, *ibid.* and p. 339), roughly corresponding to classical Kemalism itself.

petent observers long before the Russian Revolution [1] that the national differences between the Mohammedan peoples of the former Tsarist Empire were very great. The linguistic basis for Pan-Turanianism is rather smaller than for Pan-Slavism, and there is no reason to regard the cultural difference between Sunnite and Shiite Mohammedans (Uzbeks and Tadzhiks, for example) as less important than that between Catholic and Orthodox Southern Slavs. Whatever the political interest of the Soviet in splitting up a potential separatist opposition, it cannot be denied that the struggle for the cultural independence of the small nationalities in Central Asia, and for giving each of them a literary language as close as possible to the peasants' popular idiom,[2] is helping to make the people literate. If the cultural emancipation of the small nationalities undermines their dependence on the feudal-minded strata of the old Uzbek intelligentsia,[3] that is certainly desirable from the Soviet point of view, and may be fostered simply for such reasons of political expediency. But that is no reason for denouncing it as " national oppression " of any people.

The positive policy of the Soviet in nationality questions is certainly dominated by its desire to strengthen support for its general social and political conceptions, independently of the specific national character of that support. Even to the detriment of the formerly overwhelming rôle played by Great-Russians within the intellectual élite, as well as within the Labour movement, the Soviet aims in all the non-Russian territories at " korenisatsiya ", that is, " making indigenous " all local cultural and political life by providing full education, including the highest, in the national tongue, and by fostering the promotion of the young national intelligentsia. In Kazakhistan, after an increase in the numbers of the pupils in the elementary and secondary schools from 81,000 to 640,000, only 41 per cent. of the pupils were Kazakhs. But at the fifteen High Schools they formed nearly half of the students.[4] In its educational policies, the Soviet evidently desires to go ahead of the actual demand for Kazakh teachers and intellectuals, and local candidates for scholarships and appointments in the cultural field are preferred, if available.

To those critics who reproach the Soviet for furthering the development of young and backward peoples at the expense of

[1] Williams, *op. cit.*, pp. 105–6 and 111–12.
[2] Silberstein, *op. cit.*, January, p. 146. [3] *ibid.*, pp. 144–5. [4] See Aliev, *op. cit.*

the " historic nationalities " it can answer that it also did not attempt to interfere with the restriction of the part played by the Great-Russians even in such territories as the Ukraine, so long as this did not impair the social outlook it desired. Stalin accepted a gradual Ukrainisation of the working classes of the Ukraine in consequence of the migration of the Ukrainian peasantry to the towns as a natural result of economic progress. What he rejected was " *compelling* the Russian working-class to renounce the Russian language and Russian culture and to adopt the Ukrainian culture and language as their own ". He further rejected an interpretation of Ukrainian national culture as " a fight against ' Moscow ' in general, against Russian culture and its supreme achievement, Leninism ". He rejected Ukrainian demands for " the *immediate* de Russification of the proletariat in the Ukraine " and for the isolation of Ukrainian poetry from Russian literature and its style.[1] Thus the Soviet opposed any tendency to over-emphasize the linguistic differences between the Ukrainians and their Great-Russian sister-nation, as well as any kind of Ukrainian nationalist mysticism.[2] It is not necessary to base one's opinion about the relations between certain varieties of Ukrainian national mysticism and fascism on the utterances of the public prosecutor in Soviet trials—a glance at, say, the publications of the *Prométhée* group would prove exactly the same. It is also an established fact that, during the present war, some groups of Ukrainian extremist nationalists have collaborated with the German invaders. Oppression exercised by the Soviet against such trends can hardly be described as anything but an act of self-preservation. Certainly it provides no argument against the sincerity of the Bolshevist nationalities policy.

During the last few years there has been a tendency to emphasise the rôle of the Russian language in the schools, its importance having been stressed somewhat theoretically during the period when the educational system was disorganised. At present the pupil's mother-tongue completely dominates the curriculum during his first years at school, and is also of primary importance in the higher forms,[3] where it has to share with

[1] Stalin, *op. cit.*, pp. 202–3 ; his italics.

[2] Apart from the Soviet sources, see Silberstein, *op. cit.* (January), p. 143, dealing also with the analogous case of Byelorussia.

[3] The Soviet school is unified, with the first four forms constituting the elementary, the next three the " lower secondary " school, as frequented by most industrial workers, while the last three forms lead up to matriculation.

Russian and—if the pupil's mother-tongue happens not to be the dominant one in his particular republic [1] with the language of the local majority. In the latter case, there is a kind of equilibrium between Russian and, say, Ukrainian.[2] But the Soviet Government takes care that no pupil passes through the higher forms without acquiring such knowledge of Russian as is needed for successful work in the professions, the Civil Service or the higher ranks of economic administration.

In this connection the reform of the alphabets of the smaller, especially the Eastern, nationalities must be mentioned. The need to get rid of the ecclesiastical Arabic alphabet, the main obstacle to successful mass-education in Mohammedan countries, is not disputed by progressive Easterners, Kemalists or Persian reformers for example, who are certainly not Communists. Nor is the solution originally arrived at by the Soviet, namely, the adoption of the Latin alphabet for these peoples, disputed. By 1933, 72 nationalities of the U.S.S.R., which had formerly had none,[3] had received alphabets of their own. Sixty-nine of them were on a Latin basis.[4] At the same time, the Soviet in theory fostered the latinisation of all national alphabets, including the Russian itself, as desirable in the interest of international relations. This policy was reversed during the change in ideological perspective from "World Revolution" to "Socialism in One Country," and the Russian (modernised Cyrillic) alphabet has been introduced for all the Eastern nationalities in spite of the tremendous loss involved in printed books and in educational efforts. Long before these steps were taken, non-Russian observers,[5] opposed to the course of latinisation, had expressed the opinion that the Cyrillic alphabet was more suitable than the Latin for reproducing the highly complicated phonetics of some Asiatic tongues. There can be little doubt that the change, in 1937–8, was due partly to the desire to further instruction in Russian, by sparing non-Russian children the trouble of learning not only two languages (unavoidable in a multi-national state), but also two alphabets, and partly to the desire to establish a wall against, for example, pan-Turanian propaganda by creating

[1] As in Jewish or German minority schools in the Ukraine.

[2] See Silberstein, *op. cit.* (April), pp. 155 ff., with detailed reproduction of the Ukrainian standard curricula of 1935.

[3] I.e. which were either completely illiterate, or had only ecclesiastical (Mohammedan or Buddhist) alphabets and literature, divorced from the mother-tongue.

[4] Slavin-Khodyayev, *op. cit.*, p. 177.

[5] Silberstein, *op. cit.* (January), p. 146.

a common alphabet that almost [1] all the peoples of the U.S.S.R. shared with each other, but with no one else.

There can be no doubt that there is real, and not only theoretical, equality of opportunity for all Soviet citizens whatever their nationality, and that an attempt is even made to undo past inequalities by preferring local and indigenous candidates. But certain limits are set to such a policy by considerations of efficiency. In practical life it may still be an advantage for a child to have grown up, if not as a Russian, yet as an Ukrainian, Tatar, Georgian, Armenian, Uzbek, or Azerbaijan Turk—i.e. as a member of a nationality that has a fully developed educational system,[2] including real universities of European standard and not only what are called universities for reason of Kazakh or Buryat national pride. The Tadzhik or Bashkir intellectual, for instance, at a certain stage of his development, will face the alternative of either devoting his or her life—certainly with all the support the Soviet state can grant—to the long and arduous task of helping to build up a national civilisation, or to enjoying and developing a more advanced culture. As regards the smallest and least developed nationalities, e.g., in the Caucasus, a friendly observer [3] stated in 1928 that the Soviet nationalities policy, by eliminating every kind of pressure and the national oppression that is the main producer of nationalism, may have furthered Russification much more than did the tyrannous policies of Tsarism. Because they have been granted elementary and, as far as possible, secondary education in their national tongue, and have had wider horizons than those of their tribal surroundings opened to them, the children of these nationalities may feel that, for themselves and for their people, the Russian language and civilisation offer the simplest way of making use of all the possibilities the Revolution has produced. Probably the Communist Party, while rejecting the concept of a "withering away" of national differences in the isolated U.S.S.R. as a "leftist deviation",[4] would not oppose the automatic amalgamation of certain backward nationalities; and certainly the Russian Communists, confronted with such an evolution, would prefer it to favour Russian rather than Uzbek or Georgian civilisation. But they further the cultural emancipation of even

[1] The Georgians and Armenians, having an alphabet of their own, were spared the first (Latinisation) as well as the second (Cyrillisation) reform. The latter was not extended to the Baltic States, which have indigenous literatures in Latin script.

[2] Silberstein, *op. cit.* (April), p. 173.

[3] Platzschke, *op. cit.*, pp. 696–7.

[4] Stalin, *op. cit.*, pp. 224 ff.

the smallest nationality, independently of whether a new and distinct national civilisation or the absorption of the newly civilised people by some more advanced civilisation is the more likely ultimate result. A general spiritual outlook emphasising allegiance to the Soviet fatherland and to Communism in general, but regarding nationality, the Russian included, as a secondary issue, will probably influence the decisions of hundreds of thousands of young people, upon whom the future of all Soviet nationalities depends. It may easily come about that the development of some hundred nationalities of which the Soviet is proud, and even of some of the 57 languages in which elementary instruction is given,[1] will prove to be only a transitional stage. On the other hand it is quite evident that the U.S.S.R., whether with some hundred or merely with scores of nationalities, will remain, and intends to remain,[2] a multi-national state.

(*d*) Constitutional Development

In essentials, the growth of Soviet federalism during the reconstruction period was a mere adaptation of the 1924 Constitution to the economic and cultural developments already described. There was no increase in the number of higher administrative units between 1923 and 1936, but there was a systematic promotion to higher degrees of autonomy.[3] The number of Union Republics was increased by the promotion of Tadzhikistan (1929) which had previously been merely an Autonomous Republic within Uzbekistan, and by the promotion in the 1936 Constitution of Kazakhistan and Kirghizia to the rank of direct members of the Union. At the same time the Transcaucasian Federation, whose task[4] was regarded as fulfilled, was dissolved, and its members became direct members of the U.S.S.R. In a similar way the formal Union Republican status of the Eastern republics was improved by the dissolution, in 1934, of the intermediary bodies that had linked them together: the joint secretariat of the Central Committee of the C.P., the joint Supreme Economic Council and some of its commissions.[5] The number of the Union Republics, eleven under the 1936 Constitution, was increased to sixteen by the territorial expansion of the U.S.S.R. in 1940–1: the three Baltic States again became Soviet Union republics, as they had been in 1918–19, and, after

[1] See note 4 on p. 385.
[2] Stalin, *op. cit.*, pp. 224 ff.
[3] See Kursky, *op. cit.*, pp. 149 ff.
[4] See above, pp. 355–7.
[5] Podvorkov-Vainstayn, *op. cit.*

the acquisition of the Finnish Viborg district and of Bessarabia, the former Karelian Autonomous Republic of the R.S.F.S.R., and the Autonomous Moldavian Republic in the Ukraine, were promoted to direct membership of the Union.

While the share, both absolute and relative, of the leading republic, the R.S.F.S.R., in the total Union territory decreased, the centralisation of powers grew in connection with the progress of economic planning. In 1929, in view of the collectivisation of agriculture, a joint People's Commissariat for Agriculture was established to coördinate the activities of the corresponding Commissariats of the separate republics. Thus one of the most important offices that was originally fully decentralised, was transferred to the category of " unified Commissariats ", i.e. decentralised administration under federal direction. In the 1936 Constitution Justice and Health followed. In 1939 the same principle was applied to the building industries, which had formerly been under merely local administration. In the decisive, economic field the 1936 Constitution cleared the situation by putting the Heavy Industries (including the armament industries), as well as the most important factories for consumers' goods (for example the biggest textile factories), under the direct management of Union organs. The bulk of the factories producing consumers' goods were left under the traditional " unified " administration. For industries of essentially local importance, full local administration, without the establishment of a corresponding Union Commissariat, was preserved. (It would be a mistake to conclude from this development that there was a gradual absorption of all economic functions by the Union : the June 1939 session of the Supreme Soviet created new local Commissariats, not answerable to a corresponding Union authority, for motor transport ; and we shall see [1] that recent economic developments do not merely imply a growth in those economic functions preserved for the Union.)

As regards the distribution of powers the 1936 Constitution implied the progress of centralism. The Union Republics got some moral compensation by having their status enhanced, not only by the dissolution of organs intermediary between some of them and the Union, described above, but also by a change in the structure of the Soviet of Nationalities. The number of its members was increased, and direct election was introduced for this Second as well as the First Chamber. (As compared with

[1] Below, pp. 396–7.

the 1924 Constitution [1] the Union Republics got a higher representation (25 delegates each) in the Soviet of Nationalities, in comparison with the Autonomous Republics (11 each) and, as in 1924, in comparison with the Autonomous Regions (5) and Districts (1 each). Thus, even before the 1940–1 increase in the number of Union Republics, the R.S.F.S.R., even taken together with its member-republics, no longer elected a majority of the Soviet of Nationalities. More important, from the practical political point of view, is the fact that the Slavonic nations taken together have less representation in the Soviet of Nationalities than, for instance, all the Caucasians taken together, or the peoples with Turko-Islamic traditions and, since 1941, than the Baltic peoples. There is, under the One-Party system, not the slightest possibility of this structure resulting in divisions, but it creates an atmosphere favourable for fulfilling the real function of the Second Chamber of the Supreme Council: to advance and discuss complaints by the non-Russian nationalities.

The most interesting point in the post-1936 constitutional development, apart from the establishment of new federal and local powers, and the accession of some new Union Republics, is the character of the constitutions of some of the latter.[2] In all three Baltic Republics an economic structure has been recognised roughly corresponding to that of Russia proper under the NEP. Article 4 of the new constitutions speaks only of nationalisation of the *big* industrial enterprises, while Article 8, together with the private economies of peasants and craftsmen (mentioned also in the corresponding Articles of the constitutions of the older Soviet Republics) cites as forms of economic activities "small enterprise in industry and commerce, within the limits prescribed by the law", and simply mentions socialist economics, without describing them as the dominant factor (as was done in the older republics). Thus also, in Article 7, any mention of the non-existent kolkhozy has been avoided, and the land reform has been restricted to distributing the land exceeding 75 acres per family among labourers and smaller peasants. Consequently, "the complete abolition of any exploitation of man by man and the building of a socialist society" are mentioned, in Article 4 of the new constitutions, merely as the intended *aims* of development, not as achievements, as in the constitutions of the U.S.S.R. and its older constituent units. Only in the Karelo-Finnish republic (the Karelian part of which has a Russian majority) is

[1] See above, p. 361.

[2] See Trainin, *op. cit.*

equality of rights granted to the Russian language (Art. 54), while in the Baltic Republics (in spite of the strong Russian minority in Esthonia, whose claims even formed part of the Soviet case for intervention) full status is granted only to the predominant national languages. (It seems obvious that, in order to absorb territories that have not shared all the experiences of the Russian revolution, the Soviet system has to sacrifice part of its rigidity, and perhaps also part of its centralism.)

Consideration for the national pride of the peoples which for some time have enjoyed at least the appearance of independent statehood, and for the increased interest these peoples may take in Soviet institutions which continue the tradition of national distinctness, as well as the expectation of an increased weight for the victorious U.S.S.R. in international councils and (the desire to let its voice be clearly heard as that of a multi-national federation rather than merely as "Russia", have led to the last step in the development of Soviet Federalism :) (the resolution of the Supreme Soviet of February 2, 1944, to transform the People's Commissariats for Foreign Affairs and Defence into "unified" Commissariats, i.e., to allow autonomous activities by the Union Republics in these fields under the general supervision of the Union. (This is, indeed, a very extraordinary step in the history of federalism in general and in the U.S.S.R. in particular; hitherto Foreign Affairs and Defence have been the first fields to be centralised in any federation, even in those which are much less centralist than the U.S.S.R. in economic matters. But the Soviet system has always been much more accommodating in political forms, where the national pride of the constituent units might be involved, than in those economic fields that were felt to be essential for the success of joint planning.) (The One-Party system remains a guarantee that the new republican competences will be merely the national forms for a common content.) (During the first years after the victorious conclusion of the Civil War there were national corps within the framework of the Red Army.) (The return to a similar structure, after the defeat of the German invaders, may be intended as a proclamation that the period of crises and national oppositions,[1] connected with the preparation for this war, has passed, and that the maximum of national autonomy is regarded as the best guarantee for the maximum strength of the Union.) (The opportunity now opened to the Baltic republics to develop diplomatic

[1] See below, section (*f*).

activities of their own in the Scandinavian countries, and to the Central Asian republics to take an active interest in Persian or Afghan affairs, though within a framework established by one leading Party, will make for greater diversity and discussion, and for wider popular interest in Soviet foreign policy. The framers of the Constitutional Amendment may simply have intended to avoid the strange situation that, at the coming peace-conference, the world's strongest land power should be represented by a single delegation, against six from the self-governing units of the British Commonwealth of Nations and a score from the American republics which are likely to echo any declaration of the U.S.A. They may have felt that White Esthonia, Latvia and Lithuania can be more easily reconquered for the U.S.S.R. by national Red Armies of the respective nationalities, acting under the Supreme Command of the U.S.S.R. but not exposed to the reproach of being "Russian". They may be right in both expectations: but in serving the immediate interest of their country's external strength, they have probably decided its future internal development.

By now it seems fairly clear that Soviet federalism has been more than a merely transitional stage in the reconstruction of "Russia". The glories of old Russia, neglected during the first post-revolutionary period, have been revived in this War: but the armies decorated with the orders of Alexander Nevsky and of Suvorov have conquered the invader in order to secure the development of the multi-national Commonwealth, into which Russia has been merged as *primus inter pares*.

(*e*) Position of the Autonomous Units under the 1936 Constitution

By the increase of their relative representation in the Second Chamber the status of the Union Republics, as compared with that of mere Autonomous Republics within a Union Republic, already acquired a certain prestige. The natural result was that at least the more developed of the Autonomous Republics demanded promotion to the higher status, and a few of them achieved this goal.[1] But Stalin, in his report on the 1936 Constitution,[2] rejected the demand for linking Union Republican status with a certain stage of economic and cultural development as, for example, American territories when sufficiently settled

[1] See above, p. 387.

[2] *op. cit.* (1936), pp. 35–7.

were entitled to become States). While explicitly recognising the much higher stage of development achieved by some Autonomous Republics in comparison with some of the new Union Republics, Stalin based his case upon the right to secede from the Union as the characteristic of a Union Republic: no Autonomous Regions should be granted Union Republican status unless, according to the local conditions, that right had a certain actual importance; although, as he said, no one considered the exercise of this right as topical. Three conditions, therefore, were to be fulfilled before a republic could be granted the status of a direct member of the Federation: it had to be situated on the borders of the U.S.S.R., so that it would have somewhere whither to secede; a majority of its inhabitants had to be members of its leading nationality, so that the secession would really mean the exercise of the right of self-determination by that nationality; and it ought to have at least a million inhabitants, "because it would be wrong to assume that a Soviet republic with a very small population and army could hope to maintain an independent state existence".

In view of the most recent developments in Soviet constitutional life,[1] there are some arguments in favour of linking the status of an independent member of the Soviet Commonwealth of Nations with the elementary conditions of activity in the international field. But, made as it was in 1936, and based upon the theoretical right to secede, Stalin's case was extremely weak.[2] Stalin knew that for many years [3] the actual use of that right would be fought by the Soviet, and with good reason, as counter-revolutionary. A good case could be made out by stating that the highest degree of autonomy involved direct subordination to the highest organs of the Union, and that it was very inexpedient to grant such a direct connection to units of less than a million

[1] See above, pp. 390–1.

[2] I can remember only one equally weak case Stalin has ever made in his own particular field, the nationalities question, and this was in essentials identical with the above issue: namely when, in 1922, he opposed the desire of the Autonomous Republics of the R.S.F.S.R. to become direct members of the U.S.S.R.* Such issues cannot be clearly decided unless it is established for what purposes autonomy is being granted. If it is done in order to secure free cultural and economic development, as Bolshevist nationality policy claims, there can be no differentiation in the degree of autonomy granted, apart from that caused by the different stages of development reached by the individual nationalities. If it is done in order to strengthen the community in its international relations, any differentiation caused by expediency is justified, but it ought to be made completely clear that it does not involve a higher status in the internal life of the community.

[3] See above, p. 346.

* See note 2 on p. 359.

inhabitants, in an Empire of 170 millions. But there was no sense in asserting that a state of more than a million inhabitants could preserve its independence, or even a Soviet system, after seceding from the U.S.S.R. This nonsense was very soon to be refuted, and certainly not without Stalin's approval, when great publicity was given to the confession of Khodyayev, defendant in the 1938 trial, that he had convinced himself that his dream of an independent Uzbekistan (a flourishing state of five million inhabitants) was a mere utopia, and that " if you sail from one shore you must make for another ".[1] The whole policy of the U.S.S.R. towards the Baltic States, each of which had more than a million inhabitants and was granted the status of a Union Republic after its incorporation, is completely indefensible unless we start from the realistic assumption that the lower limit of real political independence in modern times lies much above the size of most member-states of the U.S.S.R.

Stalin's second demand for the future Union Republics, that the leading nationality should form an absolute majority, was reasonable in itself even without reference to an unreal " right to secede ".[2] It is a Bolshevist principle to grant each nationality autonomy on a territorial basis which, of course, cannot be delimited from a purely ethnographical point of view, and to grant, if possible, such a " national home " of its own to every nationality represented in the U.S.S.R. The application of this principle was bound to result in the establishment of a number of republics, like the Crimea in Stalin's example, where the nation whose cultural development was to be furthered, formed a mere minority of the total population. Nothing harmful can arise from such a position so long as the Autonomous Republic is under sufficiently strong supervision in cultural and similar matters so that the rights of the " minorities " (i.e., taken together, of the majority of the local population) are secure against the self-assertion of a freshly liberated nationality. It is reasonable that if such a nationality desires " favourable " frontiers, i.e. the inclusion of all its splinters, and inevitably of a majority of " strangers " also, it must pay the price by contenting itself, in the interest of the majority of the citizens of its virtually multi-national state, with a smaller degree of autonomy. But, as Stalin introduced the theoretical right of secession into the argument, he might be asked whether he really would be ready to

[1] *Court Proceedings*, 1938, pp. 229 and 671.
[2] See Vostokov, *op. cit.*, pp. 314 ff.

sacrifice the rights of the non-Kazakh inhabitants of Kazakhistan, totalling 43 per cent. of the population, to the whims of a perhaps narrow majority of the "leading" people.

There remains of Stalin's demands only the first, that of a border position for the nation demanding the status of a Union Republic. This demand is, indeed, beyond argument if the "right of secession" is put where it belongs, into the textbooks on the history of Bolshevist policy. If the function of the Union Republics, as in the recent amendment to the Soviet constitution, is interpreted as involving functions in the field of defence and foreign affairs, a new and much stronger case can be made for this criterion. But even so, this case is not quite convincing. Once the integrity of the U.S.S.R. is taken as an established fact, as it is, some nationality in its interior may have just the same interest—a commercial one, for example—in relation to a certain foreign country, as some small border-republic. And certainly the importance of its army within the framework of the all-Union Red Army depends much more on its numerical strength and the other contributions it can make to Soviet war potential, than on the question whether or not it has some part of the common frontier to guard. Quite apart from these more recent developments, if direct membership of the Federation is defined as the highest stage of autonomy (and the increased representation in the Soviet of Nationalities suggests that it is), it forms the logical consequence of a certain degree of development of any nationality, with perhaps the proviso that no nation could claim such rights unless its national home were really inhabited mainly by its co-nationals.

In fact, recent Soviet legal theory [1] has been disposed to deny the existence of any fundamental difference between the legal status of Union and mere Autonomous Republics. Most of the former, as well as the latter, have been established not by a treaty between independent partners, but by a unilateral act of the former sovereign. On the other hand, by the 1936 Constitution of the U.S.S.R. the rights not only of the Union but also of the Autonomous Republics are granted, so that the latter cannot be overruled by a mere constitutional amendment in the Union Republic of which they form part. Apart from the theoretical right to secede and from the strength of its representation in the Soviet of Nationalities, the rights of an Autonomous Republic, if it is sufficiently developed, prior to the constitutional amend-

[1] See Levin, *op. cit.*, pp. 7 ff.

ment of 1944, did not differ from those of a Union Republic. The former as well as the latter has, within the limits granted to Soviet autonomy, all those autonomous People's Commissariats demanded by its economic structure. True, between the government of the Autonomous Republic and that of the U.S.S.R. stands that of the Union Republic to which the former belongs. But in view of the fact that nearly all the Autonomous Republics [1] belong to the R.S.F.S.R., and because of the structure of the one governing Party, this difference is really less relevant than it seems on paper: the Moscow Party organs controlling the Union and R.S.F.S.R. governments are identical. Thus, in fact, an appeal from Kazan to Moscow means just the same as one from Tiflis. Weaker than the position of the Autonomous Republics is that of the Autonomous Regions and Districts, which enjoy merely administrative autonomy, with power to control education and local government (including the Courts), but without legislative competence.[2] But, in the case of these units a claim to promotion to the rank of an Autonomous Republic is generally recognised, once a certain stage of economic and cultural development has been reached.

More important than the legal powers of self-government in the U.S.S.R. is the question of its de facto extent. The budget figures give some help in ascertaining its dimensions. In 1939 the total public expenditure—which, in a socialist state, means the bulk of the national income—amounted to 155,500 million roubles for the Union, 11,700 million roubles for the central administration of the Union Republics, and 27,000 million for local self-government, which also includes the Autonomous Republics within the various Union Republics. Thus about 20 per cent. of the total budget is administered autonomously. In times of economic improvement and relative external peace there is a tendency to increase, in comparison with the total budget, the importance of expenditure for cultural and similar needs left to autonomous administration. From 1932 to 1937 the budget of the Union rose by 167·2 per cent., that of the Union Republics by 226·1 per cent. (excluding the share of the local budgets in the income of the Union Republics), and the local budget, on which falls most of the expenditure for education,

[1] Since the granting of Union Republic status to Moldavia-Bessarabia, the system of Autonomous Republics outside the R.S.F.S.R. is reduced to a few Transcaucasian and Central Asian units, all of them forming separate fragments of nations that are represented in the U.S.S.R. by a Union Republic of their own.

[2] See Kurpitz, *op. cit.*

by 298·3 per cent., i.e. almost fourfold.[1] With the increase of the expenditure on armament, during the last pre-War years, the situation changed again. From 1938 to 1939, when the value of money was completely stable, there was an increase of 25 per cent. in the Union budget, but only of 12·4 per cent in the average of the budgets of the Union Republics, which varied between 7·1 per cent. (Georgia) and 22·4 per cent. (Turkmenistan).

An increase of the part of the national income devoted to cultural purposes will generally imply, under the division of powers that holds in the U.S.S.R., an increase of the part to be administered autonomously, and vice versa. But in one very important field the growing threat of war has contributed to decentralise the administration of national income even in the classical field of Soviet centralisation, national economy. The Third Five Year Plan put its whole emphasis on the development of " complex economies ", i.e. regional autarky based on the use of all available medium and small factories in order to satisfy as much as possible of local needs for goods whose main production was concentrated in other parts of the Union. It is quite evident that the need to save transport, and to enable the country to survive the temporary loss of certain territories in war-time, played the decisive part in this decision regarding the perspectives of economic development. However, increased emphasis on, and increased financing of, small and medium industries implies the expansion of local administrative activities. The course of the present war worked in the same direction : it is hardly possible to imagine a more thorough execution of the Soviet policy of industrialising the formerly backward areas than that effected by the removal of whole industries to the East in 1941 and 1942. These measures have been taken, of course, for purely military reasons, without any regard for nationality policies, and they are likely to have strengthened the Asiatic territories inhabited by Great-Russians (the bulk of Siberia and the Urals) at least as much as the national republics in Central Asia and Transcaucasia. But there can be no doubt that these republics also have been strengthened enormously, especially in

[1] The actual relation between the respective increases of these budgets of various kinds is not so sharp as these figures suggest. For in the Union budget, expenditure in kind (e.g. for arms), still assessed in theoretical " plan roubles ", played an important rôle, while the bulk of the local and republican budgets is made up by salaries, which had to follow the devaluation of the rouble during those years. But, in essentials, the graduation between the three kinds of budgets was similar to that indicated by the figures.

the cultural field, by the temporary hospitality they offered to Russia's most renowned scientific and artistic institutions. This by-product of the War is likely to have its historical results long after the end of hostilities.

(*f*) Local Oppositions to Soviet Federalism

The political régime of the U.S.S.R. is highly centralised, and in its methods dictatorial. Whether such a régime can be regarded as federalist at all depends, in a very high degree, on the evaluation of the forces against which oppressive measures are applied. The critics of Soviet nationality policy identify these oppressed forces with local nationalism as such, so far as the latter aspires to more than the mere use of its mother tongue and aims at real self-government. The Soviet does not deny that the national forms which it recognises are merely varying moulds for one, and in essentials an homogenous, socialist content. But it will add that it regards a variety of such national forms and a blossoming of national cultures [1] as essential for the development of at least the first stages of the future socialist society. What is oppressed is merely *bourgeois* nationalism, such as the use of national feelings for sectional aims by those social groups which it was an essential aim of the Bolshevist revolution to overcome. The simplest way to verify these contradictory statements is to compare the material content of the complaints of non-Russian critics of the U.S.S.R. with the contentions of the Soviet as regards their character.

The first and probably the largest group of these complaints is directed at the socialist transformation of economics, and (in view of the social structure of most of the non-Russian nationalities) especially of agriculture. The collectivisation of agriculture in the whole U.S.S.R. with its predominantly peasant population was the outcome of a sharp social struggle, in which the policy of the government was opposed by large strata of the population, and even by a section within the ruling party. Within all those non-Russian territories which had not as yet a strong indigenous working class, and especially among those nationalities, such as the Volga Germans, where the well-to-do peasant played a larger part than in the average Russian village, the collectivisation of agriculture was bound to be felt by the interests threatened as not only sectional, but also national oppression. There was nothing unexpected in the alliance

[1] Stalin, *op. cit.*, p. 228.

between the leaders of national opposition to agricultural collectivisation and the Right wing within Russian Communism. Nor is there anything astonishing in the assertion made by the national leaders during the trials, that, after they had attempted in vain to give the First Five Year Plan a shape more reasonable from their point of view,[1] they executed the version forced upon them in such a way as to foment all possible opposition.[2] It is difficult to see how an opponent working in the guise of a loyal Soviet official could act otherwise. Abroad, a fanatical enemy of the Soviet [3] would not be afraid to state in public that the Central Asian mullahs made what use they could of primitive superstition in order to hinder the collectivisation of agriculture, the increased cultivation of cotton and the construction of the Turksib Railway [4] by which the Soviet intended to make this increase possible. It is not difficult to imagine that the Soviet, on its side, felt the battle against popular superstitions, and the mullahs who fomented them, to be an important step not only in popular education, but also in getting cotton. While the mullah would describe the engine of the new railway, or the tractor of the collective farm, as the Devil, the emigré leaders of Pan-Turanian or Pan-Islamic nationalism would explain in a vast literature that the increased dependence of Central Asia on Soviet grain, and Soviet markets for its products, was an obstacle to the national independence at which they aimed.

There is, indeed, a certain case to be made out for either point of view. The Soviet régime avowedly fights the influence of the mullah as an obstacle to the collectivisation of agriculture and as a defender of the traditional way of life which includes the yarmak, the symbol of the serfdom of women, the giving away of little girls by their parents to whatever man may offer the highest bride-price, and the indissolubility of marriages concluded in this way. This traditional way of life is rejected by the modern-minded critic, and not only in the U.S.S.R., which regards the emancipation of women as a step preparatory to their participation in production. But in this, as in most similar controversies, there is a case to be made out for the traditionalist. The Soviet, less radical in this respect than, say, modern Turkey or Albania, fights the yarmak merely by propa-

[1] *Court Proceedings* (Khodyayev), pp. 223–4.
[2] *ibid.*, pp. 227–9, and (for Byelorussia), pp. 205–8.
[3] Benzing, *op. cit.*, p. 193. There were quite a number of Turkestan emigré publications (mostly in Berlin, even in pre-Hitlerite times) which, with a certain pride, emphasised such feats.
[4] See above, p. 378.

ganda, and the woman who wishes to continue wearing it can remain a serf as long as she likes. But one who wishes to drop it is protected by Soviet law, and against the most serious forms of pressure by the full rigour of that law. Anyone who stones her to death, in order to purge his family from the shame she brings upon it, even though Mohammedan customary law allows him to do so, is in the eyes of Soviet law a murderer, bound at best (i.e. if he is an uneducated peasant) to spend many years of his life in making a productive contribution to the building of water-communications. The mullah or village elder who has instigated him to his act will be regarded by the Soviet Court as an active counter-revolutionary, and be shot. But in the eyes of his fellow-believers he may be regarded as a martyr. Those who complain of " religious persecution in the U.S.S.R. " may contend that the traditional way of life, with the external security it offers to the woman who keeps " in her proper place ", has some advantages in comparison with the sudden invasion of modern into ancient civilisation. Such an invasion, in the U.S.S.R., is not connected, as it is elsewhere, with material want and insecurity : but there are imponderables for the loss of which the *laudator temporis acti* may mourn, without his argument being so easily refuted as the primitive mullah's identification of the engine with the devil.[1]

Against the traditionalist, or the mere reactionary who makes use of the former's prejudices,[2] the average intellectual in a Central Asian Soviet republic of the " bourgeois-democratic " type, to use the friendly Soviet terminology of 1921, or the " bourgeois-nationalist " in the less friendly terms of 1936, would support Soviet policy in these matters. But as he has grown up in the atmosphere of an oppressed people struggling for emancipation and is himself usually of middle-class origin, he would strongly oppose the tendency of collectivisation " to split up the national unity of the Uzbek people ", as he would call it. In the language of the Soviet this attitude would be described as " protection of the kulaks and a bourgeois-nationalist misinterpretation of the Soviet nationalities policy ".[3] If he went a

[1] The reader will receive a good impression of this atmosphere from the books of F. Halle and A. L. Strong cited in the Bibliography.

[2] Under twentieth-century conditions reactionary nationalists in an Islamic country would occasionally behave very similarly to the extremist representatives of the feudal past : as when in Azerbaijan, under the Musavetist rule in 1918, separate women's cars in railways and closed women's boxes in theatres were introduced and made obligatory. See Efendiyev, *op. cit.*, p. 53.

[3] E.g. by Lebedensky, *op. cit.*

stage further and tried to free his people from what he considered national oppression, by preparing for secession from the U.S.S.R., he would be shot as a counter-revolutionary, and, from the Cummunist point of view, quite justly. For he himself [1] would not be able to deny that, in the given international situation, secession from the U.S.S.R. meant a change of the internal régime in the direction of capitalism. To call him a traitor, a spy, and so on, may be left to the propagandist activities of the Public Prosecutor. He might be sincerely afraid of the possible exchange of one " foreign rule ", as he would call it, for another.[1] He might have hoped, with the Byelorussian nationalist Sharangovich, to make use of foreign support " to weld together all the nationalist and anti-Soviet cadres . . . and, by offering a Protectorate over ' independent ' Byelorussia to Poland, to lure . . . the Polish General Staff ".[2] In short, he would be exactly what we call a " Quisling " if we use the name seriously, and not merely as a propaganda term. He might have acted in complete sincerity, and from his point of view even consistently.[3] But the Soviet, from *its* point of view, would be completely justified in shooting him. At the political end of the road which the bourgeois nationalist entered when trying, as he believed, to make use of foreign help for securing the independence of his

[1] See note 1 on p. 393.

[2] *Court Proceedings*, p. 204.

[3] In view of the attitude taken up by the bulk of Western public opinion, during the Moscow trials of 1936–8, it may be advisable at this point to explain to the reader why and in what degree I have used the *Proceedings* of these trials as a historical, though certainly not unbiased, source. The very fact of the " purge " with all the prejudice it was bound to create in various ways against the U.S.S.R. and its government proves in itself that there were most serious political antagonisms. Certainly it was in the interest of the defendants to explain the political reasons for their opposition, in defence of their historical reputation. Some, like Bukharin, have successfully tried to explain the political motives of their acts. The hope of getting the chance of such a last political explanation may, with some of the defendants (and those who did not confess that they had been politically wrong, died without getting the publicity of a public trial), even have been among the reasons why they brought their declarations, during the preliminary examination, into such a shape that their natural desire to explain the reasons for their reckless struggle against the régime met the desire of the régime itself to prove that political opposition, under the given circumstances, was bound to stop nowhere short of treason. I have felt justified in quoting the *Court Proceedings* as an historical source in so far as the defendants gave political explanations for the reasons of their opposition, confirmed by their past record and declarations made at various times when they were responsible officials of the U.S.S.R. (Stalin, *op. cit.*, especially pp. 130 ff., 152 ff., 201 ff. and 224 ff., as well as the *Proceedings* of the Party Congresses, are full of such examples of the years 1921–30). For the specific character of Soviet jurisdiction, especially in political cases, see G. W. Keeton, *The Problem of the Moscow Trial* (London, 1933), especially pp. 90 ff., where, as opposed to the current reproach of " lawlessness " in the U.S.S.R. it is explained how, under different economic circumstances, actions that might appear trivial under Western conditions are bound to be regarded as criminal.

nation, would stand proposals like those of " Ingrian national leaders ", who, from their Finnish asylum, suggested " an independent Ingria, bordering on Finland and Esthonia ", with Leningrad (with a population twenty times as numerous as the whole supposed Ingrian people !) reduced to a free city,[1] or like those of Russian Whites who in 1936 still spoke of the Don Cossacks as " the nucleus of some future Russian Belgium ", or of a " Green Ukraine " to be shaped round Vladivostok ![2] It is very difficult to distinguish, in such proposals, exasperated political opposition from simple treason in the service of foreign powers.

The oppression of the forms of " bourgeois nationalism " described is a simple act of self-preservation, and can hardly be interpreted as a contradiction of federalism, i.e. of a certain form of autonomy *within* the accepted social and political framework. The difficulty arises from the fact that separatist tendencies may enter just that field where the Soviet claims to grant autonomy, namely the development of national culture. The issue is fairly simple when the advocates of the " historic nationalities ", Pan-Turanianism, etc., complain of the " artificial creation of dwarf nationalities " in consequence of the Soviet policy towards the small nations.[3] It is also fairly simple when fascist critics of the Soviet Constitution complain that Article 123, which punishes the instigation of national hatred, is an expression of the alleged hostility of Communism to national life, " which is impossible, in the long run, without a certain discrimination against other races ".[4] But it is against this very discrimination that Article 123 of the Constitution is directed. For a non-Nazi it is very difficult to see why a federation should cease to be a union of different peoples merely because it outlaws pogroms.

But there are much more complicated issues. Under a régime like that of the U.S.S.R. the discussion of the interpretation of, say, Ukrainian national culture will be transferred into the framework of the official literary organisations. People who have no other opportunity of political expression will, within those organisations, express what the Soviet considers " bourgeois nationalism ".[5] The Soviet will tend to fight such tendencies by explaining the extreme consequences that may arise from them in the political field. In some cases, as in that of Skrypnik in

[1] Smal-Stocki, *op. cit.*, p. 51.
[2] *ibid.*, pp. 53 and 59 ff.
[3] See note 2 on p. 382.
[4] Uxküll, *op. cit.*, p. 673.
[5] Silberstein, *op. cit.* (January), p. 151. See above, p. 384.

1933, it will be able to prove a connection between a " deviation " in the cultural field and political separatism. But obviously the discussion of at least immediately cultural issues is bound to be complicated by permanent questions as to the ultimate bearing of certain solutions of these issues upon essential issues of state security. The victorious conclusion of the present war is bound to reduce these complications by removing external threats and potential interferences which might make use of certain forms of " bourgeois nationalism ". On the other hand, the increasing social homogeneity of the Soviet population since the success of agricultural collectivisation [1] has strongly reduced those social differences that in many parts of the Union still coincided with the national ones. Since 1939, when the Communist Party abolished the restrictions on the admission of non-working-class members to its ranks, the term " bourgeois nationalism " has lost much of its meaning. But after what we have learned in this section, it is obvious that nationalism, with most of the Soviet peoples, is open to different interpretations, and that there may be various conceptions of national culture, not all of them compatible with the basic conceptions of the régime. Those which are not may be supported only by insignificant minorities of the respective peoples—indeed, the course of the present war has shown that this is the case—and amongst those which are, there may be a variety of choice, in the use of which national autonomy consists. But, in order to understand the bearing of the Soviet experiment on the general problem of the multi-national state, it is essential to observe that the Soviet does not claim, nor even intend, to make possible the cohabitation of all possible conceptions of nationalism among the constituent nationalities. The U.S.S.R. tries to federate various national moulds of a certain social content : it grants national freedom so far as its basic social principles are accepted.

(*g*) How Far is Soviet Federalism a Reality ?

The U.S.S.R. describes itself as " a federal state, formed on the basis of the voluntary union of the . . . Socialist Soviet Republics ",[2] and includes in its Constitution all the customary

[1] See, e.g., N. Krassavin, " The First Results of the Consolidation of Collectivisation ", in *Na Agrarnom Frontem*, 1934, no. 12, with tables (pp. 40–1) showing that, in the ethnographically mixed territories of the Tatar republic, the former backwardness of the Tatar, as compared with the Russian peasantry, was largely overcome during the years 1928–33, i.e. during the collectivisation of agriculture.

[2] Article 13 of the 1936 Constitution.

characteristics of federalism, leaving the residuary powers with the member states,[1] guaranteeing their existence and territory unless they are ready to give their own consent to modifications,[2] and establishing a Federal Second Chamber completely equal in status with the First, which is elected in proportion to population.[3] From the point of view of formal analysis the Constitution of the U.S.S.R. is a much less fruitful object for learned controversy than most others. From the sociological point of view this proves nothing except that federalism is a sufficiently popular conception to induce serious politicians to devote due attention to its generally accepted characteristics, in their attempt to popularise a political document. It does not prove that the constitutional term, in the U.S.S.R. or elsewhere, corresponds to any sociological reality clearly distinguishable from other possible types of decentralised state.

If a more than formal appreciation of the term federalism is desired, the simplest approach, though it is not an entirely satisfactory one, is the historical. A conception specially widespread in Bismarckian, but found also in Weimar Germany implies that a political unit based upon a division of power between central and regional authorities must be regarded as a federation, if the regional authorities are the original holders of full political power and have merely transferred part of their original functions to the Union. From this point of view the really federalist character of the U.S.S.R. can hardly be denied: the relations of the R.S.F.S.R., not only to the other constituent units of the 1922 Union and to the "People's Republics" of Central Asia that were to become members of the Union in 1924, but also to some Autonomous Republics within the R.S.F.S.R. (Bashkiria and Turkestan) have developed from agreements between states which recognised each other's independence, after the downfall of the Tsarist Empire and the "Declaration of the Rights of the Peoples of Russia" of November 2–15, 1917.[5] They had all, it is true, formed part of the former Tsarist empire; but up to the present time, no federation has been formed without such a common historic background.[6] The agreement of the component parts of the U.S.S.R., moreover, was possible only in consequence of the victory of a certain political party in each of them, so that the opponents of that party may regard the fact

[1] Article 15. [2] Article 18. [3] Articles 37, 38, 39, 47.
[4] See above, pp. 24 and 115. [5] See above, pp. 335–6.
[6] A. P. Newton, *Federal and Unified Constitutions* (London, 1923), p. 3.

of federation as itself an act of oppression. But the same is true of most federations, especially of the most famous of them, the U.S.A.[1] The political conditions necessary for the entry of most of the members of the U.S.S.R. into the federation were also brought about with the support of the Russian Red Army. The political character of the Army's support has varied ; it helped in the defence or the re-establishment of Soviet régimes set up by the local population and endangered by foreign intervention, as in Byelorussia, Azerbaijan or Turkestan ; it participated in local civil wars decided by essentially local forces in favour of the Soviet, as in the Ukraine ; it tipped the balance between opposing local forces in favour of Communism, as in Georgia and Latvia ; it simply conquered such territories as the U.S.S.R. considered necessary for its security, as in the case of those ceded by Finland in 1940. But the membership of Texas or California in the U.S.A. is based upon very similar facts, and no one denies the federal character of that Union. Even in bringing the last two of the original States into the U.S.A., pressure exerted by the majority played an important part.[2] The U.S.A., like Switzerland, exists as a federation to-day only because the majority of the States won a civil war against the almost solid resistance of other members. The purely voluntary character of most federations is a political myth, accepted by public opinion as true if the federation has proved a success for a long period. The student of the sociology of government will accept this myth as relevant only in so far as the official propaganda of a federal state demonstrates how its rulers desire its structure to be interpreted, i.e. in so far as the federation, however it originated, wishes to work in such a way that it can explain its acts as the result of the voluntary consent of its constituent parts. There is no stronger way of expressing such a desire than the right, theoretical as it may be, of the Union Republics to secede from the U.S.S.R. : for the very reason that no political reality backs up this right, its retention in the Constitution can be explained only by the desire to interpret the Union's working as that of a true federation.

But all this is only political ideology. We enter the realm of social realities when we ask whether the powers granted to the constituent parts of the U.S.S.R. by its Constitution are sufficient

[1] See, for example, C. and M. Beard, *The Rise of American Civilisation* (London, 1942), Vol. I, Chapters VI and VII, and C. Beard, *An Economic Interpretation of the Constitution of the U.S.A.*, New York, 1914.

[2] See *op. cit.* (1942), pp. 335 and 351.

in their actual operation to allow of the states being described as autonomous units. Quite apart from the special state functions arising from the socialist character of Soviet economics, the distinctly coercive functions are supervised by federal organs to such an extent that local government hardly means more than a guarantee that the Law will be administered in the local tongue and its general principles be adapted to local needs,[1] that the members of each nationality will be given their due share of positions in the Civil Service and in the corps of officers. But Education, Arts, Social Welfare, Public Utilities and local transport, and all industries of merely local importance, are left to the autonomous administration of the individual republics, while agriculture, building, and the bulk of the industries producing consumers' goods are administered locally under central supervision. Besides the profits of the enterprises they administer, the autonomous units control certain financial resources of their own. Even if the typically socialist part of these powers is left aside, as it ought to be in making a comparison with non-socialist countries, they comprehend all that is usually considered necessary to make a territory, especially a national territory, completely autonomous. The Austrian republic, while describing itself, and being accepted by its members, as a federation, granted no more far-reaching powers to its Provinces. True, the autonomous powers granted to the constituent parts of the U.S.S.R. must be exercised within the framework of its general legislation. But Weimar Germany,[2] as well as the Austrian Republic,[3] set very narrow constitutional limits to State autonomy even in such typically local matters as religious or secular education, and the U.S.A. decided by amendments to the Federal Constitution such typical issues of social welfare as Prohibition. Autonomy is always a relative conception. In discussing descriptions of the Soviet system as a unitary state with a certain degree of Provincial autonomy [4] it ought to be kept in mind that the "Provinces" are, in essence, identical with the settlements of certain nationalities, and that their local powers certainly include all those generally considered essential to establish national autonomy.

Denials of the federalist character of the U.S.S.R. usually start from its peculiar political and social structure. It is, of course, possible to define federation in such a way that the

[1] See above, p. 366 and note 3. [2] See above, pp. 104–5.
[3] See above, pp. 271 and 285. [4] For example, by Timashev, *op. cit.*, p. 173.

members of a federation must be given freedom to choose the foundations of their constitution. From such a point of view we might, with Timashev,[1] deny the U.S.S.R. a federal character for the reason that its Constitution prescribes a certain type of constitution for its members. But no one, save some post-1918 Bavarian monarchists, has seriously denied the federal character of the U.S.A., Weimar Germany or republican Austria on the mere ground that in all these cases the republican character of the member states, and even some details regarding suffrage and parliamentary régime, were made conditions of membership, and that failure to comply with these demands was sometimes even made a justification for federal executive action.

A more thorough criticism of a federalist conception of the U.S.S.R. may be based upon the essential characteristics of socialist economics. It may be said that socialism presupposes central planning, and that, according to Marxist theory, centrally planned economics are bound to determine the whole cultural and political life of the territory affected by them. Thus no freedom would remain for the exercise of any autonomous right in any other sense than that determined by the central plan. The logical consequence of such an argument would be to deny the possibility of federalism except in a capitalist society permitting free competition, and such a consequence has in fact occasionally been drawn.[2] Few would be inclined to accept such an interpretation of federalism ; if it were generally held, the term would certainly lose all practical connection with the actual social facts of our time. For it is evident that a private capitalist monopoly located beyond the reach of State legislation, but controlling an important part of the economics of a member of a federation, is even more likely to reduce its virtual autonomy than socialist planning by a central authority, in whose working the member state has some share. Once *de facto* restriction of local autonomy, not only by constitutional machinery, but also by economic dependence, is taken into consideration, there may be even more scope for regional autonomy within a socialist system that grants the constituent units some economic powers of their own, and allows them to exercise a certain degree of influence upon the central administration of the planned economy, than within a capitalist society dominated by monopolies beyond the sphere of government influence. From this argument may be drawn the

[1] For example, by Timashev, *op. cit.*, p. 168.
[2] Prof. Hayek in the *New Commonwealth Quarterly*, Sept. 1939.

consequence that federalism in its classical forms, like many other conceptions of liberal politics and orthodox economics, belongs to a past state of society. (But it is illogical to conclude that federalism, as a form of political organisation, is compatible with monopolist capitalism, but not with state socialism.)

A stronger argument against the recognition of the federal character of the U.S.S.R. can be drawn from its political structure, based on the One-Party system. (Under this system any constitutional guarantee founded on a division of powers is obviously bound to remain merely formal.) For the party which enjoys a monopoly of power can with certainty carry any measure it considers necessary through both Chambers, without any need to resort to the machinery for settlement of conflicts provided for in Article 47 of the Constitution.[1] It can also ensure the assent of the constitutional organs of any republic to any measure which the leading organs of that party demand—for example, a reduction of that republic's territory by the formation at its expense of new autonomous units. The argument is absolutely decisive against any assertion that Soviet federalism is more than formal in character, so long as that assertion is based merely on the formal terminology of the Soviet Constitution. But it is not true that the argument completely answers the question.

Legitimate as it is in sociological analysis to look beyond the words of a constitution to the dominating fact of the party system, it is incorrect to stop at merely ascertaining the existence of that system. The Communist Party of the U.S.S.R. has a certain organisation and certain policies, and it enjoys its monopoly of power only because it is not a dictatorship " in general ", but one exercised by definite political and social forces for definite political and social aims. Now it is quite evident that Bolshevist policy on the nationalities question is one very essential element in the working and success of the One-Party system in the U.S.S.R. Based as the Communist dictatorship originally was on the overwhelmingly Russian working classes, it could not be " rooted ", as the official term goes without deliberately encouraging, amongst all nationalities, political and economic develop-

[1] This machinery, very similar to that provided by the Australian Constitution, is purely political. The U.S.S.R. Constitution (Article 104) provides for a Supreme Court without any political functions, merely for " supervision of all the judicial activities of all the judicial organs ". Interference of judicial organs with policies —or, to put the matter the other way round, a purely legal approach to political problems—is completely alien to Soviet political thought.

ments likely to strengthen its political support everywhere.[1] The furthering of the development of all nationalities, although certainly not undertaken to advance nationalist aims, was and is bound to result in strengthening the national consciousness of all the peoples of the Union.[2] Certain traditional forms of developing nationalism in the U.S.S.R. are attacked as "bourgeois nationalism"; others are encouraged as necessary conditions of a prosperous socialist society. Whatever the indeological conceptions of the Communist Party as regards the ultimate future of mankind, it clearly rejects as an expression of "Great-Russian chauvinism" the theory that, within the present U.S.S.R., an amalgamation of all nationalities, with the Russians as nucleus, is desirable.[3] Certainly, the C.P. associates no special feelings with the continued existence, and even less with the present scope, of any particular nationality. But it is quite convinced that an absorption of all, or even most, especially of any of the more developed nationalities of the U.S.S.R., is impossible, and that even mere dreams of such an absorption are detrimental to the cohesion and coöperation of the peoples of the Union.[3]

Certainly, the main aim of Communist policy in the U.S.S.R. is the development of a common Soviet patriotism. If, as generally in Western theory, nationalism is identified with political allegiance, it is mere tautology to say that out of Soviet nationality policy a new unified nation is growing, with the

[1] See Kohn, *op. cit.*, p. 74, and the highly interesting statistics of the (1930) national structure of the C.P.S.U., given on pp. 158–9. Unfortunately, the latest available statistics are those of April 1, 1932 (i.e. of the culmination point of the First Five Year Plan), given by S-ich, *op. cit.* They evidently reflect the support, or lack of support, that the policy of industrialisation and collectivisation met with among the various nationalities, but not the definitive outcome of these policies as regards the national structure of the Communist Party. In 1932, compared with 1922, the percentage of Party members belonging to the locally leading nationality was stable, on as high a level as might be expected in view of the percentage of the respective nationality amongst the working classes, in Armenia (90 p.c.) and amongst the Georgians, Komi, Chuvash, Kirghiz (60–70 p.c.). Progress was greatest amongst the Kalmuks (from 30·8 to 73 p.c. of the total of Party members of the respective republics), the Byelorussians (from 21·7 to 60·4 p.c.), the Ukrainians (from 23·6 to 59·2 p.c.), in Daghestan (from 20·3 to 66·2 p.c.), and in the Tatar republic (from 19·8 to, 41·6 p.c.) and satisfactory, in view of the ethnographical structure of the local working class, in Azerbaijan (from 39·5 to 44·4 p.c.). The one setback was in the Volga German Republic (from 67·5 to 48·9 p.c.), and this is the more interesting as our statistics date from pre-Hitlerite times. The Volga-German Republic was the one where the locally leading nationality had already enjoyed a leading cultural position before 1917, but had been restricted to agriculture. Emancipation of the Ukrainian and Tatar peasant minorities, and increased political influence of the predominantly Russian industrial workers, resulted in a reduction of the German share.

[2] Kohn, *op. cit.*, pp. 80 ff.

[3] See Stalin, *op. cit.*, pp. 224 ff.

historic nationalities as mere subdivisions characterised by special features that are essentially cultural. If an analogy with Britain is being drawn in this connection,[1] the comparison may be very close in so far as the " major nationality " is characterised by a particular way of life, although most Soviet people, including Great-Russian Communists, would fiercely reject a perspective which reduced Ukrainian or Uzbek nationality to a rôle like that of the Scots or Welsh. Certainly Russian Communists hope that the definitive economic and social structure of the Union will be determined in its essence by their own outlook, and will have good reason, as that outlook is shared by the economically more developed parts of most other nationalities in the U.S.S.R. But in the cultural field no one hopes that the Russian language and civilisation will be more than one element in a multi-national synthesis. In all spheres of Soviet cultural life [2] the position of the smallest and formerly the most backward nationalities has improved, in comparison with pre-revolutionary times, more rapidly than that of the " historic " nations, and the relative, though not the absolute, progress of the former ruling nation, the Great-Russians, has been the slowest. This does not mean that the Great-Russians have ceased or intend to cease to be the leading nationality, but it certainly expresses a distinct tendency towards " levelling up " [3] the position of the various nationalities of the former Empire. The Union's political influence in the West, and even more in the East, depends on its not being merely a Russian achievement. An essentially Russian state would have no influence in Mongolia and Central Asia, nor would it be especially attractive to the Southern or Western Slavs.[4] It could not even defend its present territory against the attractions of external nationalism. The leaders of the U.S.S.R. have long been conscious of all these facts.[5] Hence it would be completely wrong to assume that the enormous power of the Communist Party will ever be exercised so as to destroy national variety and autonomy.

This once granted, the existence of the One-Party system may be an argument against a naïve proof of the existence of Soviet federalism on the basis of the Articles of the Constitution, but not against its actual existence. Federalism is merely transferred

[1] *Nationalism*, pp. 80 and 289.
[2] For the share of the various nationalities in publications, see Rychlevsky, *op. cit.*, p. 90.
[3] Maynard, *op. cit.*, p. 402.
[4] See above, pp. 160–1.
[5] Stalin, *op. cit.*, pp. 232–3.

from the formal constitutional organs to the Party caucus, within which all important decisions are taken; and this is only an extreme, not an isolated, expression of a general tendency of modern constitutional development.[1] The groups of the Party organisation, together with the village Soviets, the kolkhozy and the trade-union groups, are the only places where something like really free election exists in the U.S.S.R. Thus even for anyone who tends to interpret federalism as something essentially connected with democracy, no additional difficulties arise if it is agreed that the federalism, or regional autonomy, that exists in the U.S.S.R. is working predominantly within the Party caucus.

Soviet federalism does not mean so little as it may seem to do when seen from outside. If a socialist society is judged from the capitalist, or a capitalist one from the socialist point of view, all particular features over and above this fundamental distinction seem secondary, and the fact that within a given political union a certain general social system is enforced, appears sufficient proof that within that union there is no variety and no autonomy at all. From this point of view the Soviet critic will regard the obvious inability of any State of the U.S.A., under the present Constitution and with the Supreme Court playing its present rôle, to nationalise the essential spheres of economy, or that of any member of the former German or Austrian federations to disestablish the Church and to introduce purely secular education, in just the same way as most foreign critics regard the suppression of what is called "bourgeois nationalism" in the U.S.S.R. But if the indisputable fact is accepted that every federation is based upon common answers to certain fundamental social and political problems, there remain, beyond these fundamentals, quite a number of issues where a large variety of solutions is both possible, and compatible with preserving the Union.

At first glance the U.S.S.R. exhibits a rather larger variety of social systems than German or Austrian federalism showed. From the first compromise with the Bashkir Republic up to the admission of the Baltic Republics under a constitutional régime permitting small-scale capitalist enterprise, the general economic system of the U.S.S.R. has shown itself able to allow of the local

[1] Apart from the Austrian republican experiences, discussed in this book, Australia presents a very interesting example. Before the first World War, a Labour majority in the Second Chamber (that destined to represent the State interest in decentralisation) worked in the centralist sense, against a Conservative and somewhat devolutionist majority in the First Chamber which, according to the spirit of the Constitution, has to represent the need for centralisation. See H. B. Lees-Smith, *Second Chambers in Theory and Practice*, London, 1922.

and temporary preservation of systems which Marxist economists ought to classify under essentially different categories. Certainly, this fact ought to be appreciated in connection with the others, (*a*) that the U.S.S.R. is a continent rather than a large state, and unites in one union what would elsewhere be a ruling state and its colonies; and (*b*) that such differences in essential economic features are tolerated merely as transitional stages, and while wide variety is admitted in the actual organisation of society, no state can enter the U.S.S.R. unless its political control is completely in the hands of forces working for the gradual achievement of the same structure as is aimed at in the more advanced parts of the Union.[1] But the variety exists, and although it is difficult to imagine any private property in the means of production surviving in any part of the U.S.S.R. after, say, another thirty years, it is also difficult to imagine that agricultural coöperation will then take exactly the same form in Central Asia as in Byelorussia. In a much higher degree the same holds true in the cultural field. The "bourgeois nationalist" may sincerely feel that the independent life of his people is destroyed once the traditional structure of Tadzhik society is broken up, modern standards as regards the position of women are enforced, education is completely separated from the Church, and the mere upholding of the existence of Pan-Turanian or Pan-Islamic unity is prosecuted. Socialists will believe that all this is mere A B C, and that the real problems of Tadzhik civilisation begin only beyond these points. But in the authoritative utterances of the C.P.S.U. there is nothing which answers any questions beyond that A B C, apart from the general rejection of uniformity in the future civilisation, and the statement that it will be based upon a variety of national forms.

The most serious argument against the recognition of federalism in the present U.S.S.R. is the way its government works, and under conditions of war and revolution is bound to work. With the possible exception of a few years of the NEP, such conditions have prevailed during the whole history of the Union. It is certainly essential to the working of a really federal system that there should be a certain balance between influences which reach downward from the top, and those which rise upward from the bottom. The Russian revolution has certainly eman-

[1] This is the essential reason why the Central Asian People's Republics (where considerations of foreign policy could not play any part, as they may do in present Mongolia) were kept outside the Union until they could be transformed into Soviet Republics.

cipated the formerly oppressed nationalities of the Tsarist empire. But it has done so mainly by destroying, with Russian revolutionary support, those local feudal forces upon which Tsarist rule had been based, as in Central Asia,[1] or by using preponderatingly Russian forces to effect an anti-Russian agrarian revolution in favour of the native population.[2] The most essential feature in recent Soviet developments, the "Second Revolution" of 1928–33, especially in the field of agricultural collectivisation, has been described by authoritative Soviet sources as a "revolution from above", although supported by strong forces from below.[3] It did not originate in Georgia or Uzbekistan.

However important this consideration may be, it must not be over-emphasised. Firstly, it does not cover the most essential cultural field. (Moscow can decide, with due information from local Uzbek sources, what tendencies in Uzbek cultural life it is desired to encourage, which to discourage, and which simply to suppress.) (But no tendencies of Uzbek cultural life can be created in Moscow.) The only thing that can be done is to follow a general policy that encourages the Uzbek people to work in directions likely to further those trends that are felt to be desirable. Moscow can really direct how Uzbek children are to be taught the Russian language, literature and history (for in Samarkand they do not know very much about Russian history).) But as the general policy of the Soviet is to give the main education in the mother tongue, education in Uzbekistan will be the result of a synthesis, and will not be dominated by central influences.

Secondly, it is one thing to say that the Soviet Constitution has hitherto worked mainly from above downwards, and another to say that it is unable to a certain degree to work in the reverse direction. Nearly all the history of the U.S.S.R., although it covers a quarter of a century and has been crowned with remarkable success, is a history of war and revolution. The closest objects of comparison are federations that were either distinct failures, such as Germany or Austria, or can be considered successful only in view of a very long record, as the U.S.A. and Switzerland. Most Americans, including those who are very proud of their country's achievements during such periods as 1787–1812 or 1850–1875 would indignantly reject the suggestion that they should prove the federal character of American political

[1] See Lobanoff-Rostovsky, *op. cit.*, p. 247. [2] See above, pp. 343, 348 and 352.
[3] See the official *History of the Communist Party of the U.S.S.R.*, Engl. ed. (1939), p. 305.

life by the historical record of those years. A study written in 1812 or 1875 on the achievements of federalism in the U.S.A. would not be likely to be regarded as authoritative to-day. Why should we go beyond the study of principles, as attempted above, in our judgment of Soviet federalism in 1943?

There is in the fundamental principles of the political structure of the U.S.S.R. nothing incompatible with true federalism, although its political record has certainly so far supplied more opportunities for realising the centralising than the decentralising aspects of this political system. But it should also be remarked that in many cases [1] the very centralism of the Soviet system may have proved essential for creating the foundations of a new civilisation for the non-Russian nationalities, and of true federation between them and the Great-Russians.

In so far as federalism is compatible at all with modern, centralised economics, capitalist or socialist, the limits of Soviet federalism (in general, and not only in the first twenty years of its existence) lie not so much in the distribution of powers as in the fact that one of the component republics, the Russian, is so strong as to enjoy a virtual hegemony in economic and cultural matters. Its leadership in this field is recognised by Soviet ideology, which emphasises the desire to help the more backward nations to catch up with the economic and social development of Central Russia.[2] It is consciously strengthened by the fact that the Russians, who form half the population of the whole Union, are the undisputed leaders of the R.S.F.S.R., which includes 60 per cent. of the Union's population. The membership of many non-Russian nationalities, not backward ones only, in the R.S.F.S.R., cannot be explained except as a conscious desire to strengthen Russian leadership in the economic field. Thus, it is better to speak of autonomy of the non-Russian republics, i.e. of some measure of variety in the ways in which they are allowed to pursue a fixed common aim, than of true federalism. In the cultural field, Soviet ideology and policy deliberately envisage the multi-national state as the definitive achievement of the revolution, and there is no reason to deny that, in this field, a true

[1] See, for an example, the story reported by Strong, *op. cit.*, pp. 267 ff., where the District Court, the organ of Uzbek autonomy, "for lack of sufficient evidence", i.e. under the pressure of local conservative public opinion, fails to protect progressive women who have dropped the yarmak, until, on the appeal of their local supporters, the G.P.U. intervenes. Certainly the latter represents centralisation, from the point of view of the Constitution. But which represents, in this case, the future of Uzbek national culture?

[2] See note 1 on p. 348.

synthesis between equal nations is its aim. (As regards cultural development, Soviet federalism is certainly a reality, and will become progressively more so.) (It is a highly interesting question whether such state activities as international policy, hitherto strictly centralised in all federations, are a suitable field for a federalist synthesis.)

BIBLIOGRAPHY TO PART IV

Preliminary Note. There is no monograph on the subject, and even such partial approaches as exist in the literature suffer from the very rapid evolution of the question itself, so that nearly all of them are partly obsolete. In view of the fact that some highly important works have been published as mere articles, I restrict myself to giving a single, unclassified list of the sources used, after having given some general suggestions to the English reader who aims, if not at complete knowledge of the material involved, yet at the possibility of thinking for himself on the subject. I hardly need emphasise that suggestions in such a field cannot but be subjective to a certain degree, though I try to give both sides their hearing in those fields where they have made the most interesting contributions.

The best general introduction is Kohn, *op. cit.* A general introduction to the way in which the Soviet system under the first Constitution, i.e. prior to 1936, worked will be found in B. and S. Webb, *Soviet Communism, a New Civilisation* (last ed., London, 1942), although this work devotes very little attention to the special issues we are here concerned with. Stalin's collected articles are by far the most important source as regards the development of Bolshevist views on the matter since 1913. An enormous amount of important material prior to 1929 (more than I could find anywhere else in this country) is collected in Batsell, *op. cit.*, although occasionally the statements of this author are not only partial, as happens with all of us, but simply mistaken. The only detailed legal analysis of the 1924 Constitution (in German) is by Timashev, *op. cit.*, while the 1936 Constitution has not met with any detailed analysis—of course not in the present book, the interests of which are sociological. The general atmosphere of Stalinist Russia, though with only restricted attention to the special issues we are concerned with, has recently been well described by Maynard, *op. cit.* Stimulating and interesting information about the social conditions under which Soviet federalism has to work in one of its most important fields of application is given in the works of F. Halle and A. L. Strong mentioned below, and the value of this information is not lessened by the fact that these two women have devoted most interest to the emancipation of their Central Asian sisters.

As regards the following list of publications used it should be noticed that I have consulted various Soviet publications which I cannot check and quote at the moment, because of the results of the 1940 " Blitz " on the British Museum ; but I have excerpted and used these in various manuscripts prepared in 1939–40. This refers mainly to the *Proceedings* of the Soviet Congress of 1922 and the Party Congress of 1923 preceding the enactment of the first U.S.S.R. Constitution, and also the results of the 1939 census, published in the Soviet press.

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PART V. INTERNATIONAL FEDERALISM IN CENTRAL AND EASTERN EUROPE

CHAPTER XV

POST-1919 PLANS FOR A DANUBIAN FEDERATION

(1) The 1919 settlement in the territories of the former Hapsburg monarchy carried through the emancipation of the formerly oppressed nationalities with a maximum appeal to national antagonisms and with a minimum of real social change. In the Eastern parts of the territory the new states were formed within the framework of an international system distinctly hostile to the U.S.S.R. The difference between the royal-military dictatorships created for those purposes, and the democratic republics of Austria and Czechoslovakia, together with the division between "victors" and "vanquished" amongst the Succession States and the ensuing minority problems, increased the difficulties of collaboration necessarily involved in the national revolutions. The destruction of the leading rôle of Viennese high finance, the industrialisation of purely agrarian parts of the monarchy and the desire of the purely industrial parts to become at least partially self-supporting in foodstuffs, destroyed the former economic links within the region. But these very changes may be regarded as necessary conditions for an eventual union between equals.
(2) The mutual antagonism of the Danubian states rendered their co-ordination an object of struggle between external imperialist influences. In the political field, the Little Entente and the system of the Rome protocols were mere by-products of French-Italian antagonism. In the economic field, the solution on the base of orthodox finance proposed by the Tardieu Plan was opposed by German barter-economics, which made full use of the inability of orthodox capitalist economics to absorb the export surplus of the Danube countries which they had rendered inevitable.
(3) The divers projects put forward during the War for a new Danubian union through a Hapsburg restoration or the creation of a Greater Hungary must be regarded as further attempts to organise the Danube basin by external imperialist pressure. They could not be realised without undoing the emancipation of the once "non-historical" nationalities, and suppressing all the social forces since evolved. Therefore a federation, i.e., a voluntary co-ordination of the Danubian peoples, on such a basis is a contradiction in terms. Whether a Danubian federation will be possible or not depends essentially upon how far the régimes which evolve on the ruins of the Hitlerite "New Order" prove similar in their outlook.

(*a*) General Conditions in the Danubian Countries after the Downfall of the Hapsburg Empire

In the territory of the former Russian Empire the most radical solution of the problem of the multi-national state, its complete dissolution, proved merely a transitional stage towards the restoration of a new unity on a basis of equality. In the territories of the former Hapsburg Empire there was no reunion.

In the absence of a common social ideal able to override purely national interests and to subordinate them to its own realisation, nationalism rose to the position of an ultimate value, instead of forming only one element, however important, within a new order.[1] Such an event was the natural outcome of the failure of those forces in the Hapsburg territories which stood for a new order of society to take the lead in the revolution that was bound to end the Imperial anachronism. Leadership passed into the hands of social groups that, from their very structure, could not stabilise and preserve their régime except by permanent appeals to the forces of aggressive nationalism that had brought them into power. In consequence, whatever kind of international organisation arose among the Succession States was dominated by the struggle of the international power-groups. The two decisive facts governing the alignment of forces in the Danubian basin were French hegemony in the post-Versailles European system, opposed with increasing strength by German and Italian revisionism, and secondly the efforts of French politicians to establish a *cordon sanitaire* between Germany and Russia, and to support everywhere the most reliable anti-Bolshevik forces, even at the risk of their proving unreliable in the anti-revisionist sense, as did Pilsudski's Poland and, after 1934, the Yugoslav regency.

The only kinds of international organisation evolved under such circumstances were, on the one side, the Little Entente between Czechoslovakia, Rumania and Yugoslavia, with its complement the Balkan Entente which the two last-mentioned concluded with Greece and Turkey, and, on the other side, the revisionist group backed by Italy and organised, after 1934, in the alliance system of the Rome Protocols. The latter group did not develop beyond a military alliance under the hegemony of an extra-Danubian Great Power, and thus can hardly be regarded as even an attempt at intra-Danubian organisation. The Little Entente, beginning in 1920–1 from bilateral alliances between its partners against the threat of Hungarian revisionism, was transformed by the collective agreements of 1929 and 1930 into a permanent group with a machinery for arbitration and consultation, and in 1933 took institutional form by the signature of

[1] Most critics of the obvious shortcomings of the post-1918 order have been induced to speak of nationalism, in general, in deprecatory terms, as opposed to historical, European, Christian, civilisation, or whatever synonyms are used for what the Hapsburgs represented. Such language only proves that there is, indeed, no bridge between the social ideas for which such critics are standing and democratic nationalism, one of the most powerful forces in modern life.

its Pact of Organisation. There was to be a Permanent Council, composed of the Foreign Ministers of the three countries, which was to meet periodically, and there was to be a Permanent Secretariat.[1] The decisions of the Council had to be unanimous, and the activities of the Little Entente were restricted to diplomatic and military defence against certain external dangers, with the intention, or rather the pious hope, of strengthening such coöperation in the international field by some degree of economic coöperation. The Little Entente had been prepared for during the period of Hungarian rule by coöperation among the oppressed Slovak, Rumanian and Southern Slav minorities,[2] and had thus some chance of developing into a new organisation for the collaboration of the nationalities formerly oppressed by the Empire. The fact that it did not evolve beyond the stage of an organised alliance, or, to use the most flattering description, a very loose confederation with greatly restricted aims, is the best proof of the reluctance of most people, in all the countries concerned, to accept far-reaching restrictions on their national independence. Even those few politicians who advocated some combination between the groups of states organised in the Little Entente and, later, in the revisionist group, preferred to speak of Danubian " confederation " rather than of " federation ". In a book devoted to the problems of federalism we have evidently to start, not from any real results of international organisation achieved in the Danubian countries, but from the conditions created by the downfall of the Hapsburg Empire.

In Austria and Czechoslovakia the revolution resulted, with a minimum of internal crises, in the establishment of progressive but non-socialist republican régimes. These were supported by the working classes, under an overwhelmingly moderate reformist leadership,[3] and by the democratic tendencies within the peasantry. In Czechoslovakia the régime was supported also by the bulk of the national middle classes, and in consequence proved very stable, apart from the minority questions. The post-1920 reaction resulted in no more than a partial shift of political leadership within the combination described to the

[1] See Freytag-Loringhoven, in *Hague Recueil*, Vol. LVI, and J. Neustadt in *The Czechoslovak Year-book of International Law*, London, 1942.

[2] See Hodža, *op. cit.*, pp. 25, 39, 40.

[3] In Czechoslovakia, a very strong wing (in 1938 probably a majority among the Slovaks, and also of the Czech organised workers) was Communist. But party allegiance is, in this connection, less important than the general conditions of existence : and Czech Communists enjoyed many more chances of positive reform work than, say, Hungarian left-wing Social Democrats, and made use of them.

moderate Right. The Agrarians, a party dominated nominally by the peasants, but in fact by the middle class, took the lead in a virtually all-national coalition. In Austria, as we saw in Chapter XII, High Finance succeeded in getting control of the peasant-dominated Catholic Party and in making use of it as an instrument of fascist reaction.

Austria and Czechoslovakia, both of them highly industrialised, would be competitors within any Danubian union. But they might have a common interest in establishing it and thus winning agricultural markets protected from foreign competition, and in protecting their own democratic development against dangers arising from military-fascist and landlord rule in less developed neighbouring countries.[1] But events in these latter countries took a course that rendered collaboration with Austria and Czechoslovakia on a democratic basis impossible, and thus deprived collaboration between those two countries of most of its attractions.

The failure of the Hungarian revolution, even in its Communist phase, to solve the agrarian problem, resulted in the restoration of a distinctly chauvinist and semi-fascist landlord régime. In the formerly Hungarian parts of Rumania and Yugoslavia the fact that the national revolution had to be directed against a Magyar landlord class eliminated the latter from the reactionary régime and permitted, at least in Rumania, of comparatively far-reaching agrarian reforms. But in these countries reactionary military dictatorships arose which, by their extreme centralism, drove the Croat and Transylvanian peasants into sharp opposition. In opposing these régimes, and, of course, the Hungarian, the Labour movement of these countries [2] had hardly any prospect apart from underground revolutionary activities, and was thus clearly distinguished from the strong reform movements in Austria and Czechoslovakia.[3] By creating very similar conditions in all the Danubian countries, the present war has probably overcome this split. Unless landlord rule or military autocracy is preserved by external intervention, the problem of Danubian coöperation, after the downfall of Hitlerism and its satellite forces, may be reduced to that of coöperation

[1] See Armstrong, *op. cit.*, p. 608, and Keeton-Schlesinger, *op. cit.*, 77 ff. and 134 ff.

[2] In Hungary a small Social Democratic Party purchased its continued legal existence, in a very restricted sphere, by unconditional support of the external, and of most of the internal, policies of the régime. To say the least, it is very doubtful whether this (even before 1933) sole legal Labour Party in the South-East Danubian countries represents anything like a majority of the Hungarian workers.

[3] See note 3 on p. 421.

between the Peasants' and the Workers' movements, each of which is strongly inclined towards international coöperation.[1] But during the period of which we are speaking, the fact that these two forces, while dominating two of the Danubian countries, were driven underground in the others, was not likely to further coöperation.

(*b*) WHICH OF THE FORMER CENTRALISING FORCES SURVIVED?

In the conditions described, the forces that had kept the Hapsburg Empire together degenerated or lost their binding force. The landlord class, in Austria proper and among the Southern Slavs never important, was expropriated in Rumania,[2] and in Czechoslovakia was reduced by a more moderate agrarian reform, which was sufficient to merge it into the new, more moderate, national land-owning class. In Hungary the landlord class regained complete control of the state, but only in alliance with the fascist-minded gentry. So the landlord interest in a Hapsburg restoration was mainly concerned to undo the Rumanian and Czechoslovak land reforms and was advocated only in strict connection with the "national" demand for restoring the historical frontiers of Hungary, whilst reserving the land for the lords and the jobs for the gentry. This attitude on the part of the only serious supporters of the Hapsburgs rendered the prevention of anything that might eventually further their restoration an elementary interest of the formerly oppressed Hungarian nationalities. Some of the Slovaks in Czechoslovakia[3] and certainly most of the Rumanian peasants in Transylvania were highly dissatisfied with the existing régime: the former for reactionary, the latter for democratic reasons. But it was certainly preferable to the restoration of Magyar rule.

Of the other interests that had kept the Hapsburg Monarchy together, Viennese High Finance lost most in the revolution. It took its revenge within Austria by supporting the extreme reactionary and pro-Hapsburg tendencies in the Catholic camp. But in the other parts of the former monarchy, in this regard including even Hungary, the abolition of dependence on Viennese finance was regarded as an indisputable achievement of the national revolution. In consequence of the necessity of paying

[1] See below, pp. 436–40.

[2] I am speaking, in this connection, of the Magyar landlord class in Transylvania. The landlords in the old Rumanian territories were not, of course, traditional supporters of the Hapsburgs.

[3] See above, pp. 300–1.

for the permanent deficit in the Austrian balance of trade by selling Austrian assets in other Successor States, the Vienna financial interest lost power abroad long before it was undermined in Austria itself, by the bank crisis of 1931, and after the Hitlerite invasion of Austria was finally destroyed.

While the Labour movement had been a principal centralising factor in the former monarchy, each of its more moderate forms simply accepted, in 1918–19, the platform of the local national revolution, which in Austria included the demand for the *Anschluss*. In the Austrian and Czechoslovak republics Labour worked, not without success, for friendly collaboration between the two countries. Like the democratic nationalists in Czechoslovakia, Labour strictly opposed any kind of union that might prepare the soil for Hapsburg restoration with its Catholic-fascist and Hungarian landlord implications. The Communist extreme left of the Labour movement in general promoted programmes for wider federations as an alternative to the difficulties of a social revolution in a small country and to its absorption by a reactionary German régime. But such projects were never generally agreed upon within the Communist parties, and were always subordinate to what revolutionary opportunity might suggest. In so far as a permanent line in Communist policy can be established, it would hint in Yugoslavia (and perhaps also in Rumania) at a Balkan rather than a Danubian federation, in accordance with the platform of peasant democracy in the Southern Slav countries.

So there remained, as unconditional advocates of reunion, the traditionalists, and especially the upper hierarchy of the Roman Catholic Church and the representatives of the traditions of the old officers' corps and Civil Service of the Monarchy. But it must be remembered that all these people were interested merely in the restoration of the Hapsburgs and all they stood for, and not in any kind of reunion between the Danubian peoples. Certainly, from the point of view of the Hungarian Church or of the Hungarian landlord monarchist, an independent Hungary in her present shape, and with as much power as possible, is better than a Danubian Union controlled by democratic, and perhaps socialist, forces. From the point of view of old Austrian Civil Servants like Schober, Hapsburg restoration might have been the first choice, but certainly the *Anschluss* was the second, as it enabled them to cultivate the nationalist and conservative elements in their ideology. To-day, the scion of an old Austrian

officer's family, while serving loyally in the Nazi army by reason of his traditional German loyalty and hatred of all things "Bolshevist", may be likely to cling to the ideal of Hapsburg restoration if he, say for Catholic reasons, has not accepted the whole Hitlerite creed. In Croatia the right-wing tradition is being continued by people who, while serving their German overlords as Quislings, may cling to their ancient Hapsburg loyalist tradition, just as their opponents, who formerly fought the Hapsburgs and the Greater Serbian monarchists in the name of a democratic Southern Slav federation,[1] are continuing their struggle in the ranks of the National Liberation Army. Probably, among all the examples discussed, the Hapsburg traditionalist element is strongest in Croatia, where there are not such strong competitors for ideological allegiance as Nazism and Slovak or Hungarian nationalism. But even here, evidently, Hapsburg loyalism is a symbol for a certain social and political attitude, and in any case old officers or civil servants tend to die out.

To say that the Roman Church is traditionalist, and therefore inclined to further Hapsburg restoration, means, in fact, much less than the face-value of such a statement would suggest, when taken in connection with the relative numbers of Church members. Roman Catholicism is, primarily, a way of life strongly rooted in distinct local traditions. The policies of the Church—or of the lower clergy, which alone counts as an immediate political factor—are subordinated, within certain limits, to the need to compromise with such desires on the part of its flock as would otherwise be strong enough to endanger the Church's hold on the people. To the Vatican, the historical fact that the Hapsburg Monarchy was built upon the destruction of the Hussite Czech national state may be an argument in favour of Hapsburg restoration, but to the average Czech priest this is something he has to explain away, for himself as well as for his flock, before they can bring their loyalty to their people into accord with that to their Church. No ecclesiastical leader, in the first days of the Austrian Republic, dared to set hierarchical, not to speak of dogmatic, statements before the peasant majority of the Christian Social Party, which included priests who drew from the events the conclusion that the Most Catholic Monarchy had definitely to be dropped in order to preserve the Catholic way of life amongst the people. The influence of the Church as such will never be thrown into the balance unless it is likely to stabilise an established

[1] See above, p. 233.

system : the charactertistic example of hierarchical barter is the Vatican's acceptance of a delimiting of the episcopal sees in accordance with the new state frontiers, which put an end to the ecclesiastical influence of Hungarian bishops on Czechoslovak citizens in exchange for an interpretation of the Czechoslovak land reform favourable to the Church. The papal blessings on Austro-Catholic fascism [1] are probably amongst those things the Church would prefer to have forgotten, and they were given to a system established before the Church took responsibility for it. It would be quite unreasonable to expect the Roman Church to run the risk of a Bolshevist form of disestablishment as the eventual outcome of a failure to restore the Hapsburgs, for which they had taken official responsibility, even if it could avoid such risks only by accepting another, but more convenient, form of disestablishment.

Thus the forces that were unable to preserve the past, could not and cannot restore it. But as the common past has created quite a number of common interests, the question remains whether these interests will be able to force a certain degree of coöperation upon whatever political system rules in these countries, once the link between economic intercourse and political oppression has been broken. The answer to this question differs as regards the economic and the political interests formerly linking the Danubian peoples. Economic intercourse cannot be abolished, although a system of sovereign national states is likely to undermine it by furthering autarky in place of the former mutual dependence, and in the Danubian States has done so. Political needs, in matters of defence, may turn into their very opposite, once states defence against which formed a purpose of the former union are regarded, by part of the Successor states, as co-nationals, as protectors of their internal order, and even as prospective helpers in revising an unsatisfactory settlement. The existence of strong minorities in each of the new states, co-national with the leading nationality of other Successor states, might work as an argument in favour of coöperation in order to ease the position of these minorities as well as to avoid international friction. But unless a satisfactory solution of these problems is achieved, the existence of the minorities, with claims that one part of the prospective community will regard as just and another part as indefensible, might create new barriers. It might transform what was before a somewhat

[1] See above, p. 290.

disguised form of the class struggle within the multi-national state [1] into an international struggle with the whole power of class-interest as well as of national feelings behind it.

(*c*) Economic Interests For and Against a New Union

The main argument in favour, prior to 1918, of preserving, or after that date of restoring some kind of union between the various nations of the Hapsburg monarchy was the economic interdependence that had developed during the existence of that empire. But it was also an argument against union. A certain degree of independent industrialisation, formerly prevented by the domination of Viennese High Finance and by the overwhelming competition of Austrian and Czech industries, was among the main aims of the national revolutions in the more backward territories. Its realisation was regarded as one of the main achievements of a newly-established independent nation, even in such a country as Hungary which, from the purely political point of view, had little reason to be dissatisfied with her former position. Hungary increased the number of her textile spindles from 67,500 in 1921 to 190,700 in 1926, and of her looms, during the same period, from 6,130 to 11,600.[2] Austria, on the other hand, was forced to establish some degree of autarky in agricultural production by the need to reduce her food imports to a point not too remote from what could be paid for by industrial exports under the new conditions. Thus Austria's sugar production rose from 5,210 tons in 1920 to 223,000 in 1934–5, and her total grain production from 22·6 per cent. of her consumption in 1922 to 57·8 per cent. in 1933, and that of rye alone from 77·4 to 97 per cent.

In consequence, in nearly all the Danubian states [3] a large reduction of mutual trade was inevitable, especially during the economic depression after 1929. The degree of dependence on trade with other Danubian countries,[4] and therefore the economic

[1] See above, Chapter IX, section (*b*). [2] See Ebel, *op. cit.*

[3] The only exception was Yugoslavia, and this only because of a temporary improvement of her trade with Czechoslovakia, in connection with the "economic Little Entente" (see Ebel, *op. cit.*).

[4] It should be remembered that this description is not identical with "former partners in the Hapsburg Monarchy". It includes over and above the latter, Bulgaria and large parts of Yugoslavia and Rumania, whilst, even if conceived in terms of historical trade-routes rather than in a narrow hydrographical sense which would exclude Bohemia and Northern Moravia, it excludes the Polish parts of the former Austrian Monarchy. Even if Bulgaria be left on one side, economic intercourse between the "Danubian countries" was certainly closer than between "the former Hapsburg territories". From the point of view of planning for the future it is, of course, the realities of the Danubian nations and their economic intercourse, not the ghost of the Hapsburg Monarchy, that matters.

interest in some kind of union, was very different in the various states : in the early thirties such trade amounted to about a third of the total exports of Yugoslavia, Hungary and Austria ; to little more than a fourth of those of Rumania, and to a mere fifth of the total exports of Czechoslovakia. The latter was the only one of the Succession States able to stand on her own in the world markets : her interest in eventual Danubian union is therefore based mainly upon defence against external aggression and reaction, and it would be quite senseless to expect her assent to any kind of union based upon the hegemony of an outside power likely to compete with Czechoslovakia, or in any way connected with the dangers of Hapsburg restoration. But even Austria, although by far the greatest loser by the 1918 separation, had alternatives to Danubian union. As regards iron ore, water power and wood, the main raw materials produced in the country, Germany was by far her best customer even before Hitler's accession to power, although she was the main and most dangerous competitor of the Austrian industries working for export. Even Viennese High Finance, doomed to hopeless ruin after the emancipation of the other Succession States, might win new, if modest, prospects as a sub-agency of German financial expansion towards the Balkans. For these reasons, after 1926 there was a strong, though contested, tendency within the Austrian upper middle classes in favour of *Anschluss*,[1] which was all the stronger as German capital already controlled the heavy iron as well as the hydro-electric industries. In 1931, under pressure of the economic depression, this tendency resulted in the Curtius-Schober agreement for an Austro-German Customs Union.

In preventing the realisation of the Curtius-Schober agreement France had to make positive proposals for a solution of the economic difficulties of the Danubian countries. After some hesitation the Tardieu Plan was developed.[2] The Danubian countries, by reducing all inter-Danubian tariffs by 10 per cent. and abolishing all import and export prohibitions and exchange limitations, were to grant preferences to each other, i.e. for industrial products to Austria and Czechoslovakia, and for

[1] This tendency must be strictly distinguished from the movements in favour of *Anschluss* during the first post-revolutionary period, based either (in 1918–19) on the working-classes, or (in 1920–1) on the right-wing peasants and provincial middle classes, and always opposed by the side not in harmony with the powers which were then in control of Germany, and especially of neighbouring Bavaria. See Keeton-Schlesinger, *op. cit.*, pp. 82–3.

[2] See Oberascher and Armstrong, *op. cit.*

agricultural to Hungary, Rumania and Yugoslavia. The non-Danubian countries were to make such a step possible by waiving the most-favoured-nation clause, with one-sided preferences for the agricultural products of the South-East in the background. Germany, which was not interested in furthering the Austrian and Czechoslovak industries by concessions of her own, countered with a proposal for unilateral preferences for the agricultural products of the Danubian countries, on condition that the latter came to no mutual agreement amongst themselves.[1] In the end, the equilibrium of forces prevented any solution, whether based upon the supremacy of a Great Power or upon the collaboration of the Danubian states amongst themselves, for it prohibited coöperation both in the form of the Little Entente, based on the *status quo*, and in the opposite sense, based on Hungarian revisionism, with the resulting threat to the independence of the states of the Little Entente.[2] The policies of all the Great Powers involved shared in the responsibility for the failure of all the plans, and a criticism not of Germany and Italy alone was involved when Beneš, on March 22, 1932, stated that all the Danubian states were so politically mature that they did not need to be patronized by Great Powers.[3] However justified such feelings as regards the Great Powers might have been, their expression, unhappily, implied an overstatement of the political maturity of the Danubian politicians, including Beneš's own ministerial colleagues. In the summer of 1933 the attempt was made to supplement the political agreement of the Little Entente by economic collaboration, but the resistance of the Czech Agrarians, as well as of the Rumanian industrialists, prevented any serious results.[4]

On the other hand, those Danubian states that, because of their revisionist policies and/or a desire for external protection for their reactionary régimes, had come under Italian influence, now became the victims of true colonisation. The Rome Protocols of March 17, 1934, obliged Itay to buy 100,000 tons of Hungarian wheat and gave her an option on another 100,000 tons, of which she never made use, while obliging Austria to buy 22,000 tons, against concessions for Austrian industrial exports which were never realised. Both Italian satellites were obliged to direct their exports via the Italian ports of Trieste and Fiume. In fact, Austria's share in Hungarian grain exports sank from 30·1

[1] Keeton-Schlesinger, *op. cit.*, pp. 132–3.
[2] See Macartney, *op. cit.* (1939), p. 23.
[3] Beneš, *op. cit.*, p. 288.
[4] See Ebel, *op. cit.*, p. 40.

per cent. in 1932 to 18·9 per cent. in 1935, as against a German share of 23·8 per cent., while Austria had to complain of Italy's failure to pay for the supplies of Austrian raw materials, demanded at the expense of Austria's own industrial development.[1]

An essential reason for the at least negative success of French policy in 1931 had been the dependence of all the Danubian countries on French banking capital.[2] The collapse of the main German banks in 1931–2 led to an almost complete annihilation of the financial influence of Germany, especially in Rumania, but also in Yugoslavia and even Czechoslovakia.[3] But very soon it was proved that, in our days, finance capital, without the support of a corresponding industry and influence on the markets, can have only the appearance of power. The French creditors who could not offer markets for the agrarian output of the Danubian states became powerless, while bankrupt Germany, whose planned war-economics was able to buy all the South-East European surpluses, very soon began virtually to dominate the Danubian markets at the expense not only of the West, but also of the Danubian industrial states. Between 1929 and 1938 the share of Austria and Czechoslovakia in Hungarian exports declined by more than fifty per cent., and that of the other Danubian countries by a third. The Danubian states, apart from Austria and Czechoslovakia, lost during the same years nearly half their share in Rumanian, two-thirds of their share in Yugoslavian, and four-fifths of their share in Bulgarian exports. During the same years, even before the annexation of Austria and Czechoslovakia, Germany raised her share in the exports of Hungary from 11·7 to 27·7 per cent., in those of Yugoslavia from 8·5 to 21·7 per cent., and of Bulgaria from 24·9 to 43·1 per cent. Offering to these countries the main market for their products, but unable to pay for them except in kind, Germany, during the same period, increased her share in the imports of Hungary from 20 to 29·7 per cent., of Yugoslavia from 15·6 to 32·4 per cent., and of Bulgaria from 22·2 to 54·8 per cent. After the annexation of Austria and Czechoslovakia, Germany absorbed more than half of the Hungarian, Yugoslav and Bulgarian exports, and provided an even larger part of the imports of those countries. Now she could dictate to them on what kind of agricultural products they must concentrate to satisfy the monopolist controller of their

[1] See Ebel, *op. cit.*, p. 43, and Keeton-Schlesinger, *op. cit.*, p. 134.
[2] For the German point of view, see Oberascher, *op. cit.*
[3] See Ebel, *op. cit.*, p. 36.

markets. Instead of coöperating with each other, they were subjected to the rule of a common overlord, and this even before military pressure could be exercised in overwhelming strength.[1] Planned industrial economics, although devised for the unproductive aims of war, had beaten their competitor, the traditional power of banking capital in orthodox economics.

In the Tardieu Plan from the one side, and the German barter-economics from the other, outside monopolist capitalism had made its attempt to organise the Danube basin. It would be wrong to draw, from the experience of the German variety of foreign capitalist intervention, the consequence that the other, international banking capital, variety was more inclined to satisfy local needs. "To the Danubian governments it must be said frankly", an American advocate of the Tardieu Plan wrote,[2] "that, though the lowering of tariffs will entail immediate loss and suffering to certain groups of their citizens, they have no choice but to accept the fact stoically and get through the subsequent readjustments as best they can. Prompt action will revive confidence in their good sense and good will, and will authorise them to expect the maximum help that the distraught money markets of the world are in a position to give. It may console them, too, to realise that unless they agree to coöperate they face complete ruin . . . to the accompaniment perhaps of uprising which would transform the whole established social order".

The last argument was certainly the most convincing, to those who received such kind advice. But driving large sections of their citizens into despair hardly seemed the most secure way of preventing undesirable uprisings, if the only reward for the application of orthodox restrictive financial policies was to be a legitimate expectation of the maximum help that the distraught money markets of the 1932 world were in a position to give. Unless the uprisings they feared created foundations for some new kind of inter-Danubian coöperation, the existing régimes might still choose another alternative: they might become the willing tool of one of the competing Great Powers in the hope of some political and economic reward at the expense of some neighbour, who would, presumably, choose the wrong protectors.

(*d*) Danubian Union as an Object of Imperialist Policies

Before Germany succeeded in winning economic, and consequently military, hegemony in the Danube basin, the actual

[1] See Keeton-Schlesinger, *op. cit.*, pp. 122 ff. [2] Armstrong, *op. cit.*, p. 614.

struggle for influence had to be fought out between a French- and an Italian-dominated combination. Milan Hodža, the Czechoslovak Premier, tried to bridge the gap between the states of the Little Entente and those of the Rome group in 1935–6. As regards Austria he was already confronted with the demand of the leading Austro-fascist group for Hapsburg restoration, and the lack of readiness on their part and that of their Italian supporters to coöperate with Social Democrats.[1] As regards Hungary the main difficulties lay in the Hungarian revisionist claims.[2] Hodža had to restrict himself to the economic field ; only future *increases* of duties, and indirect commercial wars by valutary restrictions were to be prohibited, and Yugoslav as well as Italian ports were to be favoured at the expense of German. Even such a modest economic programme needed some political complement : the states of both groups had to coöperate under an Anglo-French guarantee, to protect Austrian independence.

The Hodža plan failed in consequence of anti-Hapsburg and anti-Italian fears in Yugoslavia as well as of the powerful German influence in Rumanian commercial and right-wing political circles.[3] The Great Powers behind the scenes had been able to mobilise so much local resistance that the failure of all projects of coöperation appeared to be caused by the inability of the Danubian nations to agree amongst themselves. Even democratically-minded writers, then and later, were inclined to conclude from such experiences that the Danubian nations were unable to solve their own problems and needed the " political guardianship " of the Great Powers.[4] If such statements were intended merely to mean that without agreement between the Great Powers the latter's mutual antagonism would strengthen all intra-Danubian obstacles to coöperation, they were rather polite descriptions of the Great Powers' responsibilities. If they were intended to mean that agreement between the Great Powers could overcome the internal obstacles to coöperation, such as the desire of the Hungarian landlord class to oppress non-Magyar peasants within a Greater Hungary, or the aversion of the Czechs to an eventual Hapsburg restoration, they implied such a broad conception of " planning " that no over-emphasis on national sovereignty is needed to reject such utopias.

The conception of the Danubian countries as a natural object

[1] Hodža, *op. cit.*, pp. 127–8. [2] *ibid.*, p. 130, and Auer, *op. cit.*
[3] See Ebel, *op. cit.*, pp. 45–6, and Beneš, *op. cit.*, pp. 288–9.
[4] See, for example, G. E. R. Geyde, " The Crisis in the Danubian States ", in *Contemporary Review*, March, 1932, and " Danubian ", in *Fortnightly Review*, July, 1942.

of Great Power " planning " found its strangest expressions during the first stage of the present war. On the one hand, there was and is the conception of the " New Order ", under the leadership of the German " master-race ", which we shall discuss in the next chapter. But outside that camp also projects were advocated that were bound to meet with the resistance of an overwhelming majority of the Danubian nations with any freedom of decision. To one writer [1] " the lesson of the last twenty years is that democracy fails in what had been Austria-Hungary. The Danube is the region of vigorous and powerful monarchies. . . . If a powerful Danubian federation [2] could be reconstituted, it would work . . . to balance Europe. If Otto (Hapsburg) reigned in Budapest, he would do much to calm Slovakia, Moravia, Bohemia,[3] Transylvania and Austria ". It is no mere chance that such proposals were made within a general framework designed to appease Germany by the mediation of Italy, Spain and the Vatican, and based upon the argument that Germany's defeat would herald the rule of Bolshevism.

Within a framework of similar political conceptions, the advocates of Hungarian revisionism, during the first stage of the present war, made use of the fashionable slogan of " federalism " for propagating their old aims. Tibor Eckhardt,[4] with a rather wide perspective, proposed three groups of states in the area between Germany and the U.S.S.R., a Polish-Baltic, a Danubian, and a Balkan group, to be led by the Poles, the Hungarians, and the Southern Slavs, " not only because of their relative numerical superiority,[5] but also because of their historic past, their national feelings, and their military ability ". It may be argued that the Ukrainians, Czechs, or Rumanians also have strong national feelings, and that the use made by the Hungarians of their indisputable military abilities is not beyond reproach. But such arguments would meet with little understanding in the circles for whose consumption such propaganda is destined, especially if, as by Tibor Eckhardt, defence against the U.S.S.R. is regarded as the main task of the future order. Even the mere

[1] Sencourt, *op. cit.*

[2] Evidently, on a basis *opposed* to democracy and national self-determination.

[3] It is characteristic that the advocate of Hapsburg restoration, in denying the existence of the Czechoslovak people, goes even further than the Nazis, who have established *one* Protectorate for " Bohemia-Moravia ".

[4] *op. cit.*

[5] Besides, in none of the three regions does a majority of the suggested regional master-race exist, not even in the Southern one if, as by Tibor Eckhardt, Yugoslav unity is denied.

fact that a nation shares the East European civilisation, or like the Serbs and Rumanians, belongs to the Orthodox Church, is regarded by Eckhardt as a proof that " Western civilisation " ought to expand against it. Where the representatives of such " lower civilisations ", because of their numerical strength, rule over their born overlords, " the higher culture will always struggle against the overlordship of inferior elements ". Therefore their natural living-space, the intra-Carpathian territory, ought to be subjected to Magyar rule. Opposing national claims are not only inferior, but they do not even exist, according to such theories. The Czechoslovaks and Yugoslavs are merely " artificial nations ".[1]

The Hapsburg monarchists, and even more the Hungarian revisionists who desire to undo the national revolutions of 1919, illustrate very clearly some typical features of " geographical federalism ", as I have called it on an earlier occasion.[2] For reasons in themselves unconvincing unless one shares certain fundamental political assumptions of the authors of such plans, a certain territory is marked out as needing " federal " organisation. Even if the delimitation and the historical traditions of the selected " natural unit " do not already suggest a " natural " claim to hegemony for the proposed ruling group, competitors can be set aside by denying their national individuality, i.e. by putting them back into the category of " unhistoric nationalities " out of which, according to the traditionalist point of view, they ought never to have evolved. It is hardly necessary to explain that such a conception has nothing to do with federalism, which accepts the national unit, and its right to decide whether to enter a certain union or not. A given geographical unit, in itself, is an object of geology, hydrology,[3] agronomy, perhaps of technical military science, or anything else, but not of sociology

[1] *ibid.*, p. 9. For the same attitude see also Poka-Pivny, *op. cit.*, and in nearly identical words, Sir C. Robinson in *Danubian Review*, March, 1940.

[2] In my polemic against Poka-Pivny, published in *Union*, August, 1940.

[3] Mention of this rather harmless science in such a connection does not seem quite superfluous, as highly interesting proposals for making use, by common efforts, of the Danube water-power (see *The Times*, June 8, 1942) are sometimes connected with the delusion that such a " Danube Valley Authority " could replace, or involve, a political solution. In fact, if it were to become fully effective, the latter must be presupposed (although, of course, possibilities of co-operation in projects helpful to all the partners may be an argument in favour of political co-operation). The analogy with the Tennessee Valley Authority begs the question : the latter has been possible just because the U.S.A. was established long ago, for quite other reasons. To suppose, *a priori*, that the differences between the Danube states are not greater than those between the members of the U.S.A., also called " states ", is a very characteristic mistake of wishful thinking.

and politics. Perhaps the non-sociological factors mentioned may have helped, during a long history, to produce common tendencies among the nations inhabiting such a space, which may induce them to federate. Or the very opposite may have taken place, for example if, during the existence of an empire based upon such natural facilities, conditions evolved making impossible the restoration of any kind of union without a simultaneous restoration of oppression which was considered intolerable. Multi-national federation cannot be conceived as something destructive to the very existence of the constituent nations. Anyone who tries to replace the lacking assent of the nations for which he plans by some " superior " claim of geography, " the natural rights of a master-race ", " the historic rights " of a dynasty, and the like, ought clearly to say that what he is planning is an empire, serving imperialist purposes, and not a federation.

(*e*) Main Social Forces and the Issue of Danubian Federation

In 1934, Dr. Beneš stated that the reasons for the poor prospects of Danubian federation were of a psychological and moral rather than a political or economic nature. All the Danubian states had an instinctive aversion to a federal solution of the Danubian problem, because it reminded them, each in a different way, of the former Monarchy. Some were opposed to federation because it recalled to them their former oppression under the Hapsburg Empire ; others, who were once the dominant power, rejected the idea of a federation because they were afraid that, since they would constitute a distinct minority in such a formation, they might come under the yoke of those whom they had formerly oppressed.[1]

This description of the pre-Hitlerite position seems fairly correct. It is well known how the second group mentioned by Beneš solved the dilemma : they saw to it that, when some degree of unity was established by external force, it was established in such a way that old-fashioned democratic conceptions of majority rule could not endanger the " natural claim " of " born master-races " who understood how to keep on good terms with the foreign overlord. But what will happen once the latter's rule collapses, together with that of its satellite régimes ?

The only way to answer this question is to discuss the probable attitude of the various classes of the population when the issue of federation becomes topical. Only in Austria and Czechoslovakia

[1] Beneš, *op. cit.*, p. 285.

have the middle classes separate political importance. In Austria, especially since the complete destruction of their Jewish element, their majority is distinctly Nazi, and likely to regard any post-Nazi settlement as oppressive. In Czechoslovakia the national middle classes support resistance, but we must remember that even here they were never strong enough to exercise their main political influence through a political party of their own : the typical bourgeois parties always remained second-rate, and the political influence of the Czech bourgeoisie was exercised chiefly through the Agrarian Party, i.e. in alliance with the well-to-do peasants. In all the other Danube countries the middle classes must be regarded as mere annexes of the ruling systems, of the landlords, the gentry, or in Rumania, Yugoslavia and Bulgaria of military dictatorship. In Croatia they have the alternative of supporting right-wing military fascist groups and working as Quislings, or of joining the revolutionary peasants' movement and supporting the Army of Liberation. Apart from Czechoslovakia no decisive word on federation can be expected to come from the middle-class camp.

In view of their general ideology, their record in the former Monarchy and during the present struggle—with the single exception of the Hungarian Social Democrats—the working-class parties might seem the most natural promoters of federation. Fascist oppression has brought all of them under very similar conditions, and has thus rendered their former divisions [1] somewhat unimportant. In Austria, and especially in Czechoslovakia, collaboration between Socialists and Communists is very likely to survive the present war. This is all the more probable as the Czech Social Democrats in consequence of their strong national feelings, and the Austrian Social Democrats in consequence of their distinctly left-wing tradition, are very unlikely to let themselves be drawn into any future disputes between, say, American right-wing trade-unionism and its European appendages, and the U.S.S.R. But it should be remembered that, as already mentioned,[2] the working-class parties, with the only exception of the Southern Slav Communists, have no distinct programme for future federation and are likely to face future issues in accordance with political expediency. Such expediency might include, for the Austrian Socialists, federation with a Socialist Germany, and for Rumanian or Hungarian Communists, joining the U.S.S.R., if suitable occasions should arise. Probably all of

[1] See above, pp. 421–2. [2] P. 424.

them could be induced to find an intermediary solution in common, i.e. some kind of federation allied to the U.S.S.R. (and also to Britain), but not as a Soviet dependency, provided that such a solution enabled them to pursue their own aims over a wide area. In spite of some polemics in *War and the Working Classes*, provoked by right-wing advocates of Danubian union of the type described in the last section, such a solution would fit well into what is known of the political aims of the U.S.S.R. But it would lose its whole *raison d'être*, from the socialist point of view, if it were very incomplete, i.e. if Austria should remain within the German orbit or become the victim of a Hapsburg restoration, or if the present Hungarian régime should be preserved. Considerations of security would probably induce all left-wingers to find the maximum protection where it could be found, i.e. behind the bayonets of the Red Army.

The other great popular force in the Danube countries, together with the Labour movement a likely supporter of federation, is the Peasants' movement. In Czechoslovakia and Austria [1] it forms a political force second only to Labour ; in Rumania, Yugoslavia and Bulgaria it would certainly be in free elections an overwhelming political power. In Hungary, where agriculture is still dominated by semi-feudal conditions, a strong peasants' movement would inevitably arise out of the destruction of these conditions, unless circumstances forced the coming Hungarian revolution into Bolshevist forms. It is, indeed, from the political camp of the Peasants' movement that the most serious proposals for post-war Danubian federation come.

The real difficulty with such proposals from that side is the fact that, like the economic position of the peasant himself, the political attitude of the Peasants' parties is not unequivocal. Both of them can be interpreted in the terms of the rural middle-class which desires to preserve private property and the maximum amount of private enterprise compatible with the interest of a group that is unable to hold its own on the market unless organised by coöperatives and supported by the state. They can also be interpreted in the terms of that part of the working people which has still preserved ownership of the main instruments of production, and desires a way of transformation to the planned society of the future that will preserve a maximum of personal freedom. Both points of view have been represented in all the Peasants' movements concerned. Their mutual strife, with its complica-

[1] In the shape of the peasant wing of the Catholic party.

tions as regards relations to the Communist Workers' movement, was the main reason for the defeat of Bulgarian peasant democracy in 1923. Of course, from both points of view very different conclusions will be drawn as regards the character of an eventual Danube federation and the international system within which it ought to be realised.

The former Czechoslovak Prime Minister, Hodža, in his book published in 1942, has developed the first aspect of the problem. In accord with the general inclinations of the Western public which he was addressing, he started from a conception of democracy as essentially bourgeois, and a distinct tendency to oppose the suggested new order to the U.S.S.R., and to socialism in general. Democracy was to be based essentially upon middle-class leadership. But as there is no strong bourgeoisie in the Danube countries other than Czechoslovakia and Austria, the bourgeoisie must be complemented by a peasantry growing into a middle class.[1] No one will deny that such tendencies exist within the Central European peasantry, and that to a certain degree they can fulfil the political tasks allotted them in such plans. Whether, even with such support, any kind of bourgeois system will be able to rule the Danube countries after the present war in democratic form, without having to resort to extreme forms of oppression and some kind of dictatorship, is at least an open question. But even more doubtful is the possibility of the upper strata of the peasantry " growing into a middle class " without a long transitional period, during which they themselves would not be able to rule in any way. If the transition is to have the desired bourgeois result, strong political pressure ought to be exercised during the transitional period not only against the working classes, but also against the less well-to-do majority of the peasants. As in most Danube countries there is neither an urban nor an agrarian middle class sufficiently strong to exercise this pressure, it would have to come from a side distinct from the peasants and not predominantly representative of their interests. It is just this function that the military-monarchic dictatorships in Rumania, Yugoslavia and Bulgaria tried to perform. But they did so necessarily with due regard for interests opposed to those even of the well-to-do peasantry, such as existing national landlord classes, foreign investors and prospective protectors. And they could rule only by appeals to extreme nationalism, at the expense of national minorities, as in Rumania, or of the autonomy

[1] *op. cit.*, pp. 195–200.

of some of the nationalities forming the state, as in Yugoslavia, and at the price of difficult complications in their relations with their neighbours.

Hodža seemed to be conscious of the fact that the political basis he desired for his federation excluded a subsequent democratic régime in all the constituent countries. The concrete proposals he made for the constitution of his federation, although in general rather strict and going to the length of providing for a federal President,[1] common citizenship, and similar institutions not necessarily involved in federal union, nevertheless provided for the indirect election of the federal Congress by the national parliaments. The avowed aim of this proposal was to avoid interfering with the national ballots,[2] i.e. with such restrictions as the constituent parts might desire to put upon the working of democracy in their countries. So it would preserve, for example, the present Hungarian régime, which is certainly not peasant-dominated. The national autonomy in matters of disenfranchisement [3] proposed by Hodža would contradict not only the presumed democratic assumptions of his plan, but also the very possibility of establishing collaboration among the Danubian nations : it would work not only in the direction desired by him, i.e. in favour of the middle classes in general, but also against national minorities which were the co-nationals of other members of the federation. Thus, while possibly rendering easier its establishment without revolution, it would destroy the necessary pre-conditions for its surviving the first serious crisis.

A broader conception of the interests of the peasantry was explained, in the summer of 1942, by a declaration by representatives of the Peasant parties of Poland, Czechoslovakia, Hungary, Yugoslavia, Rumania and Bulgaria.[4] The social character of the régime desired is explained by the central slogan " the land for the peasant ", on the basis of an expropriation of large landholders. This platform certainly excludes appeasement of the present Hungarian régime. As regards the attitude towards socialism and collectivisation, the programme is somewhat

[1] It is hardly necessary to state that in the Danube basin, with only the supporters of Hapsburg restoration having an obvious candidate for such office, its proposal introduces an additional complication. It seems that, for Hodža, his experiences with Francis Ferdinand (see above, Part III, p. 226) did not belong to a completely closed chapter of Danubian history.

[2] Hodža, *op. cit.*, pp. 171 ff.

[3] In a territory where adult suffrage is generally, apart from the Hungarian régime, accepted as normal.

[4] Published in *Free Europe*, August 14, 1942.

equivocal, as is to be expected in a document signed by Michael Karolyi as well as by right-wing Czechoslovak and Polish Agrarians. " The main basis on which a sound and progressive agricultural community can be built up is the individual peasant-owned farm, but the desirability of voluntary coöperation in land cultivation is recognised ". According as the stress is placed on the first or the second half of this phrase, almost any kind of agrarian policy, from that of the Czech or Danish peasant coöperatives to the policy of the U.S.S.R. when in 1940 it acquired the Baltic territories, can be based on such an argument. The declaration also emphasises the need for stable agricultural prices, for a balanced agriculture (as opposed to staple crop culture with the resulting over-dependence on the markets for certain products) and, for similar reasons, for " a combination of appropriate industries with agriculture ". Few students of the subject will deny the reasonableness of this programme, or the ability of the authors who have succeeded in evolving out of the most ticklish issues of East European policies a number of points of agreement among the sectional interests concerned, which would probably be accepted also by the Socialist parties as planks in a platform of coöperation.

But, while certainly constituting a reasonable sectional platform, the declaration tends to leave open the issues of international policy. " Coöperation of the whole Peasant community from the Baltic to the Mediterranean " seems rather near to the current conception in Polish political circles of a " Middle bloc " between Germany and the U.S.S.R., a conception that is doomed not only by the power of the U.S.S.R., but also by the strict opposition of the Czechs and Southern Slav peoples, including the peasantry, and of the working classes of nearly all the nations concerned.[1] But, taken in its context, it does not necessarily imply more than the existence of certain common sectional interests located in a certain area, for the simple reason that the social and natural conditions of agricultural production are not of so world-wide a uniformity as those in industry, where Japanese and Indian wages and hours may influence those in Lancashire. If the programme is intended as a purely sectional platform, no conclusions regarding the political framework within which that sectional interest is to be represented can be drawn from it. But if it is to be interpreted as a claim for political leadership, the need to establish political federation between the signatories of

[1] See below, pp. 477–9.

the Peasants' Programme may be concluded from the sectional community of interest in the same sense as, say, within the Labour movement the desire for a world-wide Soviet federation could be concluded from the programme of the Communist International. But it is quite clear that, at least in the Western parts of the Danube basin, a claim for a peasant-controlled federation could be realised only against the resistance of a majority of the electorate.[1] If such difficulties are to be avoided by restricting the federation to the distinctly peasant countries of Eastern Europe, the question arises whether a federation of countries exporting the same commodities, but offering hardly any internal market for any of them, could, in the economic field, achieve more than an improved bartering position on world markets. Any commercial agreement would be quite sufficient for achieving such a purpose, unless other political needs demanded a federation. From what the various trends of the peasant movement have in common, no such common political needs, either in the internal or in the international field, beyond the actual interest in getting rid of the fascist oppressor, can be concluded.

(*f*) Chances of Danubian Federation

Having surveyed the probable attitude of the main internal forces [2] towards an eventual Danube federation, we can try to state the issue with which they will be confronted after the downfall of Hitler's régime, and the establishment in each country of stable governments that have some claim to represent the needs and desires of the peoples concerned. There is not the slightest reason to expect any popular support for any attempts to undo the post-1919 national revolutions. The slogan just mentioned, " the land for the peasants ", involves the consummation of those revolutions in all ethnographically heterogeneous areas. Experi-

[1] In Austria the maximum possible support for political peasant groups (peasant wing of the Catholics and Nationalist Farmers' Union together) never surpassed 30 per cent., while in Czechoslovakia under post-Hitlerite conditions a majority even of the three Socialist groups (National Socialists, Social Democrats, and Communists) can be taken for granted, apart from the urban non-socialist groups which would not support a peasant dictatorship. Hungary, the only Danube country where at present not the peasant, but the labourer on the lord's estate is the characteristic figure in the village, may be regarded as an open question : that she has an agricultural majority is certain, but it cannot be said whether, after the downfall of the landlord régime, the bulk of this agricultural population would join a distinctly peasant platform as distinct, say, from a Communist one.

[2] We are to discuss the external problems below, in Chapter XVII. Besides, being external, they form no part of the question whether federation, i.e. consent of the nations concerned, will be aimed at, but can only influence the chances of realisation of federal programmes.

ences under the Hapsburg régime, as well as in those territories where, since Munich, Hungarian rule has been restored, show very clearly that without a national political organisation no land reform in the interest of the oppressed nationalities can be achieved or secured. But the national revolution has not solved, and is not able to solve by any imaginary delimitation of the national boundaries, the problem of the national minorities in so heterogeneous a region. The platform " the land for the peasants " may provide a standard by which to decide the national character of the distinctly rural districts. But, quite apart from the urban population, even the peasant settlements of various nationalities are hopelessly intermingled. Unless rather drastic methods, such as an enforced exchange of peasant populations,[1] are accepted, the multi-national character of the political units cannot be avoided. Whether it will work in favour of, or against, federation between these units depends on the character of their political régimes.

As regards the international position it is fairly evident that, in our times, no bloc of 30, 40 or even 65 millions [2] can be " self-supporting in security ". But even if no delusions on this matter are cherished, and the neighbourhood of the U.S.S.R. is regarded as the best safeguard against renewed German or Italian aggression, there are strong arguments in favour of definitely preventing the disturbance of Danubian unity by the appeals of various countries to different protectors. The simplest way to achieve this is to agree that such issues as Hungaro-Rumanian minority problems, or the relations between Czechs and Slovaks, or between Croats and Serbs, shall be settled amongst the concerned peoples themselves. This supposes some kind of federal authority with a recognised right to overrule the national governments. So far, there are certainly political arguments in favour of federation.

On the other side, we have seen that the financial and industrial forces which formerly kept the Hapsburg monarchy together have diminished in consequence of the national revolutions. This does not necessarily imply an argument against federation, for it may be argued that only now have the con-

[1] It is not necessary here to discuss the merits or demerits of exchanges of populations in general. It is sufficient to state that nearly all the examples hitherto brought forward concern distinctly urban minorities, landlords, or public employees. The hardships connected with the enforced transfer of peasant populations that have been settled for many centuries are incomparably greater.

[2] The first number would approximately fit for Austria, Czechoslovakia and Hungary, the second for these with the addition of Rumania, the third the same countries if a Southern Slav group (including Bulgaria) should join.

ditions been shaped for a really free union of equals, as opposed to the former relations between ruler and oppressed. Even a certain degree of industrialisation of the predominantly agrarian parts, though "unreasonable" from the point of view of the dominant interests in the former Monarchy, may ease federation, for it may strengthen the readiness of those parts to enter it, as well as the position of the union as a whole towards foreign customers. Certainly, any kind of Danubian union, even if it included the industrial West of the basin, would be a greater exporter of agricultural than of industrial products: the more of the former it could consume within its own borders, the less the danger of those lands again becoming excessively dependent on one over-mighty customer.

Evidently, certain obstacles have to be removed before federation can become possible or even desirable from the point of view of the democratic forces. Oppressive internal régimes, dependent for their survival on extreme nationalism, would not only complicate the national issues as regards frontiers, minorities, or parts of the leading nationality which, like the Croats, desire a higher degree of autonomy, but by relying on foreign support they might also prevent any common international policy. Reduction of the consuming and purchasing power of the peasantry involves increased dependence on foreign markets for food exports, in all probability on Germany in consequence of her geographical position. The extreme, though not the only example of an internal régime obviously incompatible with federation is that of the Hungarian landlords, with their revisionist claims and their accordingly aggressive international policy, and with their determination to preserve the virtual serfdom of the majority of their own people, not to speak of the minorities that are unlucky enough to pass under their sway. Without their downfall no federation among the Danube peoples would be possible. But the problem of the Hungarian régime differs only in degree [1] from that of royal military dictatorships in Rumania and Yugoslavia.

It is clear enough that these obstacles must be overcome before Danubian federation can become a practical issue. It is likely that they will be, but it is not at all clear what régimes will follow. They may be of a very similar character in all the territories between Austria and Rumania or Bulgaria, whether

[1] As regards its social and national content it is certainly the most reactionary of them; as regards its outward forms, it is the most civilised.

liberal-democratic with elements of peasant coöperation as well as a socialist element, which would certainly be very strong in the West, or semi-Communist, or a hybrid régime, with probably more emphasis on the workers in the West, and on the peasants in the East. In such an event federation will be likely and necessary if the specific character of the national experiments is to be preserved. But if the evolution in the various parts of the territory takes different courses, either because of a Rumanian and Bulgarian desire to join the U.S.S.R., or because the collapse of the present régimes starts with the establishment of a Southern Slav federation which may not be inclined to join with its Northern neighbours, the question would arise whether Austria, Czechoslovakia and Hungary would still like to federate.[1] There would be strong arguments in favour of such a course if the systems evolved in all three of them were somewhat similar. No one can foretell to-day whether this will be so. Only hypothetical discussions of Danubian federation are therefore possible. But should such a federation arise, after more than a quarter of a century of independent development of the states concerned, it would be of high theoretical interest as an instance of federation between states the independence of which was not merely ephemeral.

[1] See Keeton-Schlesinger, *op. cit.*, pp. 136–7.

CHAPTER XVI

PAN-EUROPEAN PROPAGANDA AND HITLER'S "NEW ORDER"

(1) All attempts to create a "European union" labour under the fundamental disadvantage that there is no entity of Europe as opposed to the rest of the world. European civilisation, unless its division according to social structure is presupposed, includes as two of its fundamental pillars two world-powers which are not purely or even mainly European, Britain and the U.S.S.R. Any attempt to organise the rest of Europe is handicapped by the lack of equilibrium within it. If isolated, it is bound to be dominated by Germany, unless extremely oppressive measures are applied, support for which would have to come from outside. In neither case can a "European union" be a federation.

(2) A further complication arises from the dependence of European capitalist civilisation on the exploitation of colonial territories. Europe, as distinct from the U.S.S.R. and the British Commonwealth of Nations, must either drop any permanent connection with the colonial world, a policy incompatible with its present social structure, or apply extreme measures of oppression against the colonial peoples. This need, together with that of getting its share in the colonial world as against the U.S.S.R. and the British Empire, compels any "European union" to follow an extremely aggressive imperialist policy, while the enormous difficulties of such a task demand the enforcement of an iron discipline within Europe. Thus the Nazi policy in all its essential features, including the assumption of a "master-race" called to organise Europe, is merely the most consistent of the attempts at organising "Europe" within the limits described.

(3) In spite of its extremely oppressive features even in relation to the ruling classes of the non-German parts of the "New Order", it would be wrong to describe the latter as a system of mere military oppression. From the point of view of some sections of these classes the "New Order" is so consistent a conclusion from the "European" position, and so evidently the only alternative to the destruction of all their privileges, that they were ready to accept a position as junior partners in a system under German hegemony. But extreme measures of oppression would have to be applied continuously even against the large popular majority of those "junior partners", and against nearly the whole population of those European nations that would be condemned to the position of "unhistoric", i.e. non-industrial, nations by the needs of continental war-economics.

(a) The Evolution of "Pan-European" Propaganda

We have just discussed the problem of international federation within a limited geographical area formerly united in one multi-national state. The problem may be further elucidated if we enter on a broader scene, more remote from the internal problems of any historical state and from any concrete attempt at federation, but for that very reason nearer to the general problems of international order. In the actual political propa-

ganda [1] of European organisation everything that can be described as federalism in the strict sense of the word has been dropped. The Pan-European propaganda, it is true, used the mutual relations of the Swiss cantons as an example,[2] but from its very beginnings it has also used for the same purpose the existence of the Pan-American Union, which can hardly be described even as a serious confederation, and which has not been able to prevent wars amongst its members even during the heyday of Pan-European propaganda. In the one case where Pan-European propaganda entered the realm of practical politics, in the French proposals of May 17, 1930, for establishing a European Union,[3] the latter was described as " some kind of federal bond establishing between them (the twenty-seven European states which were members of the League of Nations) a system of constant solidarity ". But this so-called Federal Union " may in no case and no degree affect in any way the sovereign rights of the states which are members of such an association ". Evidently, what was under discussion was not federation in its usual sense. As we shall see below,[4] in the Hitlerian " New Order " federalist conceptions are explicitly rejected, no matter what appeal is made to " European solidarity ". The primary object of " European unity " is not this or that form of political coöperation, but the demand that the nations inhabiting a certain geographical area should in some way coöperate.

Now these nations have evidently very different social systems and political purposes. In some cases—the " New Order " is not the first instance—what is called " European coöperation " may even be demanded for the sake of jointly opposing other nations which, from the geographical point of view, are equally European. Of course, " if the aim is a union of Europe as a geographical unit, without specifying that this union only applies to states based on a given social and political system, it must be acknowledged that the participation of any particular state in this union must follow automatically from its geographical position, and this no discussion can modify ".[5] But difficulties

[1] Those projects, propaganda on behalf of which never became an important political factor, are left aside in our investigation.

[2] Coudenhove, *op. cit.* (1923), p. 153, and *op. cit.* (1939), pp. 47–8.

[3] Reprinted in *Documents on International Affairs*, pp. 61 ff. The answers of the European governments in League of Nations, Document A 46, 1930, VII.

[4] P. 457.

[5] Litvinov's answer, in the name of the U.S.S.R. Government, to the invitation to the Economic Conference of the European Union in 1931. *League of Nations Official Journal*, 1931, pp. 545–6.

arise if such specification is desired, while its open recognition is considered inconvenient. Briand's proposals solved the difficulty by emphasising [1] the necessary subordination of the new European organisation to the League of Nations, an organisation which then undoubtedly aspired at homogeneous universality [2] in the capitalist sense. The U.S.S.R. was therefore virtually excluded. On the other hand, by laying emphasis on regional military security as the main aim of the desired European organisation, and putting economic intercourse in the second place,[3] Great Britain was also repelled. Such policies resulted not only in the exclusion of those two Great Powers which were undesirable from the point of view of a French-dominated Continental bloc, but also in objections from most of its intended members either against the exclusion of the U.S.S.R. and Turkey, or against the priority given to military security.[4] The project consequently failed to get beyond the stage of discussion.

The unofficial exponents of " Pan-Europe " who had to make allowance for propagandist rather than diplomatic difficulties, tried to overcome the evident contradiction between a geographical conception of the desired unit and its socio-economic content by circumscribing its sphere by some " mock geography ",[5] i.e. by using geographical terms for describing what were in fact limitations not of geography, but of social character. As, even so, quite a large amount of social antagonisms would still remain within the boundaries of Europe, the " Pan-Europeans " further tried to find propagandist formulas fitting all the political systems existing in the desired area, i.e. within a certain social framework. Their Hitlerite successors forced on the countries desired that internal and external political order needed to fit them into the system.

For Coudenhove, " the eastern frontier of Western culture lies along the Polish-Russian boundary, as does the frontier of Christianity and of the European economic system ".[6] The latter seems rather the decisive point : if Russia were to return to capitalist democracy, not the Urals, but the Pacific would be the Eastern boundary of Europe.[7] Asiatic, and certainly non-Christian, Japan " stands in many regards nearer to Europe than semi-Asiatic Russia ".[6] Turkey, also not a Christian country, and, like the Bolshevists, devoted to the One-Party system, is to

[1] *op. cit.*, p. 66.
[2] Schwarzenberger, *op. cit.*, 1936.
[3] Briand's proposal, *op. cit.*, pp. 69–70.
[4] See note 3 on p. 446.
[5] Schwarzenberger, *op. cit.*, 1941, p. 422.
[6] *op. cit.*, 1939, pp. 98–100.
[7] *op. cit.*, 1923.

be included, and is even expected to form a bridge for European expansion towards Western Asia.[1]

On the other hand, at least before the present crisis, one country which is certainly European, capitalist, and Christian was to be excluded, namely Great Britain. Coudenhove's reason for excluding this country was its connection with non-European dominions that would involve "Europe" in extra-European conflicts, and would hardly be compatible with a European Customs Union so long as the members of the British Commonwealth of Nations were bound together by preferential agreements.[2] But, quite apart from its later West-Asian expansion, Coudenhove's "Europe" was from the very beginning intended to extend far beyond the frontiers of geographical Europe, and to include many millions of non-Christian subjects (although not citizens). The colonies of all proper European powers were to be pooled, and free access to them was the main inducement "Pan-Europe" had to offer to Germany and Italy. It is not quite clear how, without the protection of the English fleet, the French or Dutch colonies in the Far East were to be defended against aggression by "Eastern Asia", unless it is assumed that Europe's anti-Bolshevism and Coudenhove's sympathies would be sufficient guarantees of friendly relations with Japan, the prospective leader in that new World Power of Eastern Asia foretold by Coudenhove in 1923 and accepted in 1939.[3]

As Coudenhove has been bound to his geographical unit and has probably never taken seriously any ideological distinction except that against Bolshevism, he had to change the content of his "European" ideology with the change in the political structure of his Europe. Originally it seemed in accord with the current conceptions of liberal democracy, the rights of the colonial peoples apart, although even in 1923 due consideration had to be allowed to Fascist Italy as well as to scarcely democratic régimes in South-Eastern Europe. In this stage Pan-Europe represented the tendencies of those, such as Briand in France, who tried to come to a definite settlement with Germany so long as France's overwhelming military power could secure her favourable conditions. In Germany, Pan-European propaganda was supported by those who were ready to agree with

[1] Coudenhove, *op. cit.*, 1939, pp. 102 ff.
[2] *op. cit.* (1923), pp. 44 ff., and *op. cit.* (1925), p. 103.
[3] *op. cit.* (1939) (International Affairs), p. 625.

France without directly overthrowing the Versailles order, in the hope that Germany's overwhelming economic force would secure her eventual economic leadership in the union. Such prospects, together with its strictly anti-Bolshevist attitude, secured the support of German Big Business men, Conservatives, and Social Democrats for Pan-Europe.[1] In due course, together with the increased influence of Fascist Italy and the reaction following on Hitler's access to power, the liberal element was completely dropped from " Pan-European " ideology. Its main conception, now, became the collaboration, within some mystical " European " unity of civilisation, of liberal and fascist capitalist states, according to the " Four Powers " pattern. Even in June 1939, Pan-Europe was defended as a satisfaction of Germany's claim to participate in colonial exploitation.[2]

Coudenhove was, to use a British political term, only a partial appeaser, i.e. he did not desire to give Germany a completely free hand in Europe. Therefore, in the speech just mentioned,[2] he changed his original attitude and suggested that Britain, though not her dominions, should be admitted to the European Union. For, without Britain, France would never be able or willing to resist further German aggression. But this change entailed the abandonment of the whole foundation of Coudenhove's hitherto consistent conceptions. If, as the price of appeasing Germany, " the greater part of Africa " was to be left to the joint exploitation of the members of a European Union, and those members only, what would become of the British Commonwealth of Nations? How could Britain at the same time grant preferences to her Dominions and be a member of a European Customs Union? Or, alternatively, should she merely help in Europe's defence without enjoying the economic advantages of the European Union? How were the Far Eastern parts of the Pan-European Empire to be defended by merely English forces, without India and Australia being interested in that defence? And if the British Empire was to be divided into parts which entered the Pan-European Union and others which remained outside, what would be the defence value of Britain, the only reason for which Coudenhove was now including her in his scheme? And would the inhabitants of this island be ready to drop their old connections in order to be allowed to guarantee [3]

[1] Coudenhove, *op. cit.* (1939), pp. 66–7.
[2] Coudenhove, *op. cit.* (1939) (International Affairs).
[3] Of course, without the U.S.S.R., for this was an essential condition of " European solidarity ".

a new equilibrium between Germany and her Western neighbours?

Coudenhove was spared these and similar awkward questions by the fact that the war broke out and allowed him to drop his whole original position. After having for many years proposed agreement with Italian and German fascism, after having followed up a policy that would have made "Pan-Europe" a partner in the Italian rape of Abyssinia as well as in fascist intervention in Spain [1] and after having proposed resistance merely against *further* aggressions when Hitler broke his Munich promises by the invasion of Czechoslovakia, Coudenhove discovered, on the occasion of the German invasion of Poland, that dictatorships could not be trusted and were therefore obstacles to unity. Therefore a beginning ought to be made with Anglo-French federation.[2] This idea appears to correspond to Churchill's proposal in the last hour of France's resistance, but the appearance is only superficial. Churchill's proposal meant giving France an opportunity of joining the British Commonwealth of Nations, a union whose chances of surviving Hitler's onslaught were based on the very fact that it was *not* a European union, instead of becoming a German colony within the European "New Order". But Coudenhove's conception meant that France should provisionally join England, as a purely European power, until Germany and Italy, perhaps under a "civilised" military dictatorship, were ready to join the Union, probably for a joint anti-Soviet expedition, and certainly under German hegemony. In fact, the events of summer 1940 made clear the meaning of the Pan-European utopia: either it had to be accepted in its Hitlerite reality, or the fact had to be faced that the British Commonwealth of Nations and the U.S.S.R., the two European powers that Coudenhove had originally [3] excluded from his scheme, were the only forces standing between Hitler and the secure rule of German imperialism over the whole continent. Coudenhove's problem, equilibrium between Germany and the rest of Europe, is insoluble within the bounds of Europe, with Britain or without, for the simple reason that, within these

[1] In the first case Pan Europe would have been bound to support Italy against Abyssinia and Britain, in the later case the European interventionists against the U.S.S.R. backing Republican Spain.

[2] *op. cit* (1939), pp. 38–9.

[3] As regards the U.S.S.R., his attitude, in 1939, was rather sharper than before. See *ibid.*, pp. 133 ff. Besides, Coudenhove's book *Stalin & Co.*, published in 1931, was the nearest approach to direct propaganda for a war of "Europe" against any outside power.

borders, Germany is, and will remain, as strong as all the other now capitalist countries taken together, and would be very foolish if she did not make the maximum use of those prejudices of her antagonists which restrict the framework of the system of security so as to ensure German hegemony within that framework. If an attempt were made to destroy the present economic weight of Germany artificially by some " inverted new order ",[1] it would be answered by a German national revolution, more real than the series of events Hitler has called by that name, and the backing for the German revolution would be forthcoming in consequence of the self-limitations of that European order.

To understand the deeper reasons for the bankruptcy of the liberal form of the Pan-European ideology and its replacement by the Hitlerite reality, it is sufficient to read Coudenhove's polemic of 1939 against Bolshevism.[2] Apart from the usual arguments about private property, religion, etc., Bolshevism is reproached because " it recognises no European community either in blood (!), or culture, or destiny . . . it combats, it is true, European division, but also European solidarity . . . it seeks its converts among Chinese and negroes as readily as among Europeans ". Anyone who does not understand that the qualities just described are qualifications for any internationally successful ideology in our times must not be astonished when those who are most consistently anxious to preserve " white " supremacy over Chinese and negroes gather the strength necessary for such an attempt by subjugating the French or Poles under the rule of the " born master-race ". The Nazis are not even wrong, from the point of view of Coudenhove's own ideology, unless one is ready to argue that Jew-baiting is wrong, but negro-baiting right. If any attempt at all can be made to preserve the supremacy of a quarter of the whole population of the earth after their monopoly of modern techniques and arms has gone, it can certainly be made only after effecting an extreme centralisation of the forces of this minority, and the ruthless oppression of any part of it that may oppose the basic foundations of such a policy. Certainly it is quite consistent, from the point of view of such an ideology, to exclude from the European unity those who have tainted themselves by solidarity with " undermen ". We must not be surprised that, within the community

[1] P. Einzig, *Appeasement Before, During, and After the War*, London, 1941, pp. 205 ff.
[2] *op. cit.*, pp. 133 ff.

that remains, those who are most efficient not only in Negro- but also in Jew-baiting are likely to survive . . . .

(*b*) Specific Terms of Nazi Ideology

If we take for granted everything that is characteristic of any consistent imperialist ideology, such as the Pan-European or that of the advocates of Greater Hungary,[1] we have still to explain two specific and additional features of Nazi ideology which are important in the construction of the " New Order " : the biological explanation of social and national inequality, and the valuation of external conquest as an end in itself.

The former of these theories, in its broadest sense, is not a specifically Nazi achievement at all. It was a French catholic Royalist, Gobineau, who first applied primitive conceptions of the " natural inequality " of men of various colours to the justification of social inequality even within a " white " society. Nor was Hitler the inventor of the technique, well established among Central and East European lower middle-class parties, of using Jew-baiting as a slogan by which to attract any competitor of a Jewish lower middle-class man—and there are many such east of the Elbe. Hitler's teacher in this regard was the Austrian Catholic leader, Lueger. But Hitler's predecessors in the radical Pan-German movement in Austria [2] had already discovered what the Catholic with his religious argument for anti-Semitism could not establish, namely that the Jewish competitor may be beaten most effectively if one does not allow oneself to be misled by the holy water of baptism, but follows up the investigation to the camouflaged Jew's parents and grandparents.[3] Nor did Hitler and his " scientific " authorities, like Günther, invent the trend in modern racial theory that displaced the real nationalities, which are observable elements of actual history, though obviously mixed from the racial point of view and a quite unsuitable basis for attempts to establish their superiority by " biological " argument, and substituted for those nationalities certain racial characteristics accessible merely to craniometric and similar investigations, and therefore convenient objects for any praise or depreciation required for political

[1] See above, pp. 433–4.

[2] See above, pp. 204 and 304.

[3] As the best jobs justify the most thorough research, an S.S. man has to prove his " Aryan " descent back to 1800. As legal intermarriage between Jews and Christians was impossible before the French Revolution, he has indeed proved his " pure blood "—unless some peasant great-grandmother once forgot her racial honour in intercourse, say, with a Jewish merchant.

purposes. But Hitler, or his advisers,[1] have to their credit the practical political achievement that was needed to render these theories effective from the point of view of the social classes interested in their invention : he has combined the new theories with the old naïve superior feelings of the " white " man against the coloured, and with the hatred of the "Aryan" lower middle-class man for his Jewish competitor, as well as with Lueger's demagogic plan for mobilising this lower middle-class man against the Labour movement by proving the Jewish descent of some socialist politicians.

Of course, the Nazis also [1] know very well that " race " means quite different things according as one is speaking of a German as opposed to a Negro, of a non-Jewish German as opposed to one of Jewish descent, or of the fact that among " Aryan " Germans some have rather long, and others rather round, skulls, and that more of the former can be found among the Hanoverian peasants or the Prussian Junker class, and more of the latter among the Berlin workers or Austrian peasants. But it is not too difficult to produce certain emotional appeals by identifying these various conceptions of " race " and to " prove ", once one of these conceptions is accepted, any conclusion that may be drawn from any of the possible conceptions of race, especially if one has a monopoly of legal propaganda. Most Germans, like most Americans, are emotionally proud of being " whites " and not Negroes, and are quite ready to accept as very natural the exploitation of the latter by the former. Most Germans are also very proud of being Germans, and of not belonging to the French or Polish peoples, about whose inferiority they have learned quite a lot in patriotically inspired history courses. If there has been sufficient fascist propaganda they are also proud of not being Jews. But the man who accepts all this has also to

[1] The second volume of *Mein Kampf*, published in 1927, shows a distinct shift of the conception of " race " from that of the first which, published in 1924, proves the naïvety of the normal continental Antisemitic demagogue. In the first volume the race to be defended is called simply " Aryan ", i.e. described in terms that the Nazis themselves, after having assumed power (in the official comment on the Civil Service Law of April, 1933), were to describe as " not defensible from the scientific point of view, but helpful for a popular delimitation of the Jews from the rest of the population ". In the second volume, 1927, the conception " Aryan " is applied in a narrower sense, as describing the leading, predominantly German (see, for example, *op. cit.*, p. 316) race among the non-Jews. After 1933 the description of this leading element as " Nordic " becomes general, with the evident tendency to discriminate between the various social strata of the German people itself. The officially recognised " scientific " authority for the Nazi conception of race is H. F. K. Günther, *Rassenkunde des deutschen Volkes*, Munich, 1930. The title says that the book tries to differentiate *within* the German people.

believe, independently of the length of his own skull, that the National Socialist world outlook, by recognising the inequality of races, and therefore the innate superiority of the German over other peoples, also recognises the unequal value of individuals and " the fundamentally aristocratic conception of Nature " that demands " the subordination of the worse and weaker men " to their born masters.[1] So he must also recognise " the existence of various racial substances among our own people " and desire the leadership of his people to be concentrated in the hands of that race which, by its inborn heroism, created the German people out of a conglomeration of most varied elements.[2] Without mixture of races there could be no social order, for the essence of such order is subordination, and men of equal race, i.e. of roughly equal social value, would not be subordinate one to another.[3] The subjection of the lower to the higher race is the origin of social order as well as of private property, which could not be defended but for the fundamental assumption of the inequality of men.[4] Anyone who desires to preserve economic inequality must also accept the preservation of political dictatorship, even if he himself should not be one of those who, in consequence of their innate abilities, are called to leadership. It is rather a simple theory, and as long as men believed in the supra-natural wisdom of the Church, it was preached with rather more success in the much more simple form : " He who is a serf ought to remain one ". But evidently, in present-day Germany, it is felt necessary to give the old lesson a pseudo-scientific appearance.

It fulfils very essential functions in justifying a combination of internal and external oppression. One and the same person is called upon, by one and the same theory, to accept his employer, and also the *Blockwart* of the Nazi Party, as a naturally superior being, to be proud that he is neither a persecuted Jew nor one of the foreign workers transported from the occupied countries to Germany, and to hope that victory in this war will bring him his due share in the exploitation of undermen, say in the form of a job as foreman in some conquered factory, or as a policeman in the new German colonies, with the right of baiting undermen ! The theory, apart from ordering the general hierarchy of men and undermen of various degrees, is also useful for justifying the various gradations in the oppression of other

[1] *Mein Kampf*, Vol. II, p. 12.
[2] Hitler, *op. cit.*, 1933, pp. 33-4.
[3] *ibid.*, p. 35.
[4] *ibid.*, p. 38.

peoples. One can give friendly words to Dutch or Norwegians, and those who do not listen are obviously Communists or Jews. Whether the Slovaks or the Magyars are, in a certain instance, the higher race, depends on their respective ability to obey German orders, for the ability of German " scientists " to prove the results desired by the politicians stands beyond doubt. As no civilisation could be built up without a Nordic leading group, and as, therefore, the very existence of rule proves the Nordic blood of the rulers, even the Japanese could be successfully brought into the pattern. To return to the internal function of the theory, it is remarkable that even Allied bombing raids fit well into the scheme. Most casualties arise in overpopulated working-class districts whose inhabitants, as workers, are more likely than not to be " undermen ". Certainly any who become insane in consequence of air raids do so for obvious genetic reasons, and the air raid has had the highly desirable result of preventing them from having children.[1]

Such arguments seem rather insane in themselves, but they are merely the extreme culminations of an ideology based upon " the fundamentally aristocratic conception of nature ", according to which the rank of nations must be proved in war. The true justification of war is not that it solves this or that concrete problem, but that the nations at war find in it their true rank in the natural hierarchy.[2] The State has to conquer the *Lebensraum* needed for the development of the leading race by war, for all other ways of solving the population problem would be harmful from the Nazi point of view. Birth control is race suicide. Winning the means for increased population by industrial exportation involves increasing dependence on other countries, and therefore fewer possibilities of warfare. Agrarian reform would make possible an increase of the German agricultural population on land taken from the Junkers, but only at the price of diverting national forces into internal struggle instead of external expansion, and of creating the delusion that the Germans could win their livelihood by peaceful reconstruction. Therefore only one way of solving the problem of German over-population lies open : the conquest of foreign soil.[3] The

[1] *Zeitschrift für Rassenbiologie und Vererbungsforschung*, Spring, 1939.

[2] This argument, most common in domestic Nazi propaganda, has been used even abroad in papers probably intended to influence people in this country who are interested in international collaboration. See K. Schmidt in *The New Commonwealth Quarterly*, March, 1938, p. 344.

[3] *Mein Kampf*, Vol. I, pp. 138–45, and Vol. II, p. 315.

experiences of the Austro-Hungarian monarchy, it is true, show the failure of all attempts at the enforced Germanisation of non-Germans : therefore it is only the soil that can be Germanised.[1] The foreigners inhabiting it have to be destroyed, or concentrated in special reserves, and the land formerly cultivated by them will be given to German colonists of proved racial purity.[2] Thus, within a hundred years, a continental Empire of 250 million Germans will be created, sufficient to conquer the world, and to organise it as a master-race.[3]

(*c*) Theory of the New Order and the Hierarchy of States

While Hitlerite doctrine for internal consumption gave a somewhat ruthless impression of the future new order, German propaganda to the outside world, up to Munich, had to supply foreign appeasers with the argument that Germany did not demand anything but what was her due according to the principle of national self-determination and to the natural influence of a strong and prosperous country over its backward neighbours. In this situation a book like Triepel's *Hegemony* could try to explain the leadership Germany desired in terms of the voluntary subordination of the ruled, instead of simple oppression.[4] Hegemony in inter-state relations is explained as the application of the principle of leadership that, in the Nazi conception, dominates the relations between the citizens of a state. Leadership is more than mere influence ; it is determinative influence. But, although it may evolve into rule, it is not itself rule, i.e. pure application of force : leadership works through the coöperation of those who are led.[5] But leadership, however voluntarily it be accepted, is the strict opposite of democracy, which aims at the maximum participation of all citizens in political power.[6]

[1] *Mein Kampf*, Vol. II, p. 21. [2] *ibid.*, p. 38. [3] *ibid.*, pp. 12–13.

[4] Whether Triepel himself, with his Conservative past, wrote as a distinct representative of Nazi ideology, is in this connection unimportant ; some rather critical applications of the term " leadership " would suggest the contrary. But his book, even if meant as an act of veiled opposition, could not be published unless it explained certain features of official Nazi policy.

[5] *op. cit.*, p. 40. Triepel uses the term " Herrschaft ", which literally means " rule ". But his juxtaposition of " leadership " and democracy makes sense only if it is supposed that he understands by " leadership " a system in which no participation of the citizens in elaborating the policy of the state, i.e. the purposes for which coercion is to be exercised, is admitted. " Leadership ", as distinct from " Herrschaft ", is a system that tries to win the assent of the ruled to the coercion exercised as any modern dictatorship does.

[6] *ibid.*, pp. 47 ff.

Leadership in inter-state relations, i.e. hegemony, like any other kind of leadership, aims at the isolation of its subjects from competing influences, and claims to be exclusive. It desires to coördinate the united forces of all its subjects for opposing the outside world, but yet to preserve their individuality. Thus it is opposed to federation, which clearly subordinates the member-states to a central power.[1] Indeed, the unitary tendencies evolving within any federation are the main enemies of hegemony, for they tend to destroy the individuality of the leader as well as of those who are led.[2] It may be added, of course, that in doing so they shape the conditions for the participation in political power of all the really living elements in the various parts of the union, instead of preserving a ghost of provincial sovereignty at the price of virtual submission to the dictatorship of the strongest unit. In this Triepel's theory forms a bridge from Bismarck's compromise with the Princes to Hitler's unitary dictatorship. We must not be astonished by such conclusions in the theory of a nationalist who had never seen any other alternative to centralist tendencies in a federation than the particularism, or rather separatism, of the historic units.[3] As regards the nation-state, Triepel's approach was bound to lead to extreme centralism, for as regards inter-state relations he believed, even in 1938, that nationalism would result in a " law of diminishing coercion ". For, in future empire-building, direct rule and the absorption of nationally heterogeneous states would more and more be replaced by somewhat informal relations of a " hegemonic " character.[4]

In the actual practice of the Third Reich, absorption and the " merely hegemonical " approach were not at all contradictory. The absorption of additional territories, beginning, but not ending, with those which were racially German, had to create the military and economic power necessary to enforce German " hegemony " on states which were temporarily left their independence. The increase of German power by such methods of indirect rule and exploitation facilitated the direct absorption of further territories, if this should be considered necessary in the interest of the ruling group. Immediately after the annexation of Bohemia-Moravia an official German periodical[5] in a special article dealt with the problems of

[1] *ibid.*, pp. 134 ff.
[2] *ibid.*, p. 567.
[3] See above, Part I, pp. 13–14.
[4] Triepel, *op. cit.* (1938), p. 176.
[5] *Monatshefte für auswärtige Politik*, April, 1939.

" Protectorate and Protecting Rule ".[1] The old " liberalist " International Law is reproached with starting from the assumption of nations with equal rights, which was wrong according to the Nazi creed,[2] and with having neglected the necessary " relations of subordination " [3] and " the phenomenon of leadership in the international community ". The application of the principles of Protectorate (in Bohemia-Moravia) and Protective Rule (in Slovakia) [4] " involves the open proclamation that International Law can be based only upon the natural and historical hierarchy of nations ". Certainly it involved a change of tone in Nazi propaganda and a " step forward " from what Triepel had taught the year before, when he stated that modern hegemony would tend to work informally, i.e. within a framework of formal legal equality, by the evolution of indirect forms of " leadership ".

The " hierarchy of states ", natural or unnatural, has been built up by the progress of Nazi aggression. On the eve of Mussolini's downfall, which marked the beginning of the end, there was a very complicated system, hardly amenable to typification. There were the " Allies " of varying status : from Italy, formally a " Great Power " with equal rights, down to Slovakia, about which the Nazis were originally in doubt whether even to grant it formal independence or not.[4] There were (apart, of course, from real neutrals like Switzerland, which lay outside the system) the pseudo-neutrals of various types : from Sweden, which then, evidently under real duress, permitted the transit of German war materials, to Spain, where Franco's " non-belligerency " has been compatible with active participation in at least the propagandist and anti-Soviet side of the German war effort. There were German-occupied states with " independent " régimes which originated before the occupation, although in some cases under its shadow. In Denmark Parliament was expected, in accordance with concrete German demands,

[1] The German expression is " Schutzherrschaft ". The literal translation, given above, is not quite correct, as the author intended to deal with systems of rule *less* direct than the usual " protectorate ", i.e. with the Slovak as distinct from the Bohemian-Moravian system.

[2] See note 1 on p. 454.

[3] It is very difficult to see how traditional International Law, to which the institutions of " protectorates ", " mandates ", " capitulations ", etc., were well known, could be reproached with this kind of failure. In any case it did not satisfy the Nazi needs.

[4] Slovakia, in fact, became " independent ", in consequence of some alteration of the original German plan, as is evident from the article, which was written immediately after March 15, 1939.

to put this or that inconvenient politician out of office, to outlaw a political party in consequence of events completely unconnected with Danish policy, or to enact this or that economic decree considered necessary in the interest of the " New Order ". In France the whole structure of the régime and its leading political personnel were controlled by the occupying power. In Czechoslovakia Hacha can do little more than sanction the acts of the foreign administration, including those which had as their avowed aim the reduction of the economic and cultural life of the Czech nation. In consequence of these varying structures, the degree to which the " autonomous " régimes could influence actual policy varies, although nowhere were really important fields left open to local administration and possible sabotage. But even this restricted degree of autonomy was still regarded by its advocates as superior to more direct forms of oppression. Thus the Danish régime was recommended, by its supporters, as preferable to the rule of a merely formally national government of Nazi puppets without national backing, like Quisling's in Norway, and the Pétain régime was still defended as preferable to the rule of an army of occupation, as in Poland. In most cases, as in Denmark, restriction of formal autonomy proved the strength of the national forces of resistance with which the occupying power must reckon, and which would otherwise threaten to make a régime that was in any degree autonomous, merely for reasons of self-preservation, a tool of national resistance. The preservation of some degree of political autonomy, and therefore of a position in which they would be able to barter when the New Order should break down, was most important from the point of view of those who felt themselves threatened by alternatives seemingly more dangerous than the loss of national autonomy involved in the given state of things. In so far as these forces are concerned, Triepel's interpretation of " hegemony " as leadership distinct from mere oppression cannot be completely set aside. But it is, of course, quite another question what rôle these forces are bound to play in the life of the various nations.

(*d*) Social Content and Supporting Forces of the " New Order "

In a discussion of the aims of the Hitlerite " New Order " it is quite unnecessary to deal with the atrocities committed by the Nazis in most of the occupied countries, or with the hardships

and sufferings with which the transition to this order was connected. No serious advocate of the " New Order " would deny these facts. But he might claim that they are inevitable during the revolutionary period of transition to a new state of things, and that, because former conditions have been so unsatisfactory as to split Europe up into a multitude of small nation-states hostile to each other, a great deal of temporary suffering may be justified. He might claim that, as history had proved, this transition could not be realised except under the leadership of a great Power, and that the only Great Power within the European framework, as defined by Coudenhove,[1] able to realise this leadership, was Germany. Germany's chances of winning this war were not so great that much of the brutality on her side could be explained as the necessary price that had to be paid to achieve the desired result.

The real question is whether the result is desirable from the point of view of the nations subjected to German rule. This is the only question we are concerned with in a discussion of the bearings of the " New Order " on the problems of international federalism.[2] It can be argued, with Stauning, that " Germany is contemplating a division of labour in Europe, and if such a division is appropriate and reasonable we have no cause to raise objections." [3] But can it be " appropriate and reasonable " from the Danish, or any other non-German, point of view without failing to fulfil the tasks set it by that state which avowedly claims the monopoly of leadership in establishing such an order? Stauning recognised the fact that " Germany is taking her place as the central power which will in future dictate political and economic development ".[4] But he made his statement in connection with another made by Funk, German Minister of Economics, who was much more outspoken than his wishful-thinking commentator. " The peace-time economy ", Funk said, " must guarantee to the Greater German Reich a maximum of security, and to the *German* people a maximum of consumption of goods in order to increase their welfare. European economics must be directed towards this end." [4] Funk explicitly dismissed the idea of a European customs union that would encourage

[1] See above, pp. 447–8.

[2] The answer to the question whether the result, even if it could be achieved, would be desirable from the German point of view depends very much on whether alternatives outside the present social and political order are taken into consideration. In any case it does not answer the question of international coöperation in contemporary Europe.

[3] Gudme, *op. cit.*, pp. 93–4. [4] *ibid.*, p. 92.

economic development in all European countries in the most varied directions: the predominantly agricultural states ought to be discouraged from industrialising themselves, and Germany would be the great supplier of industrial products for the whole area. In the words of a not unfriendly critic [1] this would imply that the other countries would be satellite states, dependent on Germany both politically and economically, and forced to produce what she thought good for herself and for them. But to coördinate, with Guillebaud, the words "for herself" and "for them" is simply to palliate the real state of things explained much more clearly by Funk himself. It is quite evident that no power could have taken upon herself the difficult and risky task of establishing such an order, where the actual power would be completely within her hands, unless for the sake of realising her own interests, even at the expense of her unwilling partners, if there is a collision of interests. Germany must take precautions against any eventual secession of internal opponents of the "New Order" in future conflicts, and the most complete industrial disarmament of the less reliable partners is the best precaution against such eventualities. Quite apart from the specific needs of war economy under the specific organisation of Central European economics [2] it is evident that any hegemonic power is bound to attempt the stabilisation of its rule by getting control of the banking system that controls most industrial enterprises. That this has been achieved under the slogan of "Aryanisation", i.e. by the expropriation of the Jewish shareholders in banks and industries, may be a special feature of the Nazi régime, but any kind of "leadership" in a capitalist reconstruction of Europe involves securing control of the banking system, or collaboration with such groups within the banking system as are ready to become the tools of the leading power. There are no guarantees at all that the latter's interests coincide with the need to develop maximum efficiency of the controlled economics. Even in agriculture, the field that German continental economics certainly tried to develop, the well-known concentration of the lower Danubian countries on growing soya beans took place long before Germany could exercise any pressure other than as the main customer of these countries. Certainly it was irrational from a purely economic point of view, but no European political system could do otherwise, unless it was sure of access to the Manchurian soya beans.

[1] Guillebaud, *op. cit.*, pp. 454–5.

[2] See above, Part I, pp. 12–13.

Apart from these implicit consequences of establishing European unity in capitalist forms, under the leadership of an imperialist country and with due regard for the needs of an eventual war-economy, the New Order had, certainly, specific features conditioned by the fascist forms in which its imperialist leadership had been established within the leading country. Transfer of non-German workers, preferably from industries that had to be closed down in the interest of intra-continental war-economy,[1] was combined with transfer of skilled German workers to key positions in the occupied countries. Such a procedure, as well as agricultural colonisation by " defence peasants ",[2] served the double purpose of securing the German hold on the occupied countries, and the Nazi hold on all aspirants after lucrative jobs within Germany herself. If the twofold position of the foreign workers in Germany, and the German foremen, etc., in occupied countries, is taken into consideration, all the phraseology about the alleged " racial superiority of the Germans " loses much of the mysticism in which it is necessarily enveloped so long as the alleged superiority of a hypothetical " Nordic race " is used to justify only an internal class-relation, namely the superiority of the not always long-skulled and fair employer, the " leader of the enterprise ", over his workers or " followers ", to use the terms of the German " Law for the Ordering of National Labour " of 1933. The concrete, brutally oppressive forms in which the imperialist organisation of continental Europe has been achieved are the outcome of the political framework within which this has been done, namely against the German Labour movement and against the national resistance of the subjected countries, in the immediate neighbourhood of the U.S.S.R. and during the preparations for a war against it. This framework is now being broken, but still the Pan-European utopia remains. So it may be worth while to investigate whether some specifically oppressive forms of the Nazi régime apart, imperialist organisation of the " European space " can work in any other than an oppressive way.

[1] See Einzig, *op. cit.*, p. 42.

[2] See above, p. 456, and Duff, *op. cit.*, pp. 240 ff. By far the largest amount of German military colonisation has been done in Czechoslovakia and Poland. Internal German propaganda invited the German youth to join the Waffen-SS as the first step towards the career of the " defence peasant ", and emphasis seems to lie rather on the first than on the second part of this description. The perspective of becoming a " defence peasant " seems to attract to the special army of the régime a large number of people not of middle-class origin, who cannot expect service in the SS to form a step towards the higher hierarchy within the régime itself, as it was regarded during the first years of Nazi rule.

There is no logical impossibility in attempting to elaborate a theory of the inherent harmonies of imperialist large-space organisation, just as theories have been elaborated about the harmonies of free competition, of serfdom or slavery. Apart from their apologetic purpose, all such theories contain the same element of truth : no economic system can survive unless it feeds not only the exploiters but also the exploited, and the very fact that it survives proves that it has some inherent mechanism for feeding them. The case can be and has been made [1] that " it would be in Germany's long-term interest to choose those products and industries for which the other countries were best adapted, *so long as they were complimentary to her own economy and not in competition with it.* . . . It would also be in Germany's interest to keep them politically contented, and the more prosperous they were the easier this would be. *On the other hand, it is clearly indicated that considerations of self-sufficiency from the military point of view would be regarded as having predominant and overwhelming influence in the future of the Continental bloc.*" Here, the apologetic contains its own criticism—in the phrases we have underlined. In fact, there is no imperialist system in the world that could not be defended by exactly the same argument. Colonial peoples, since the days of the American War of Independence, have believed that they are entitled to possess even such industries as their rulers do *not* feel " suitable " for them, and even to compete with the motherland. History has shown that, in the long run, they are strong enough to make good their claim. But if it is argued that the East European countries are somehow predestined to remain peasant countries for ever, and if a capitalist system of economics is accepted as self-evident, a case can be made out to show that they have an overwhelming interest in stable markets. The " New Order ", therefore, while undesirable for Western European countries, might be preserved for the East, under a reasonably civilised German régime.[2] True, such an argument could be answered by the statement that the reduction of the East European nationalities to the rôle of suppliers of agricultural produce, in view of the present-day structure of industrial society, means throwing them back into the position of " unhistoric nationalities ", and that the brutal methods by which the Nazis try to achieve this purpose are merely an expression of an intrinsic tendency of the system, when once applied. But if the alternatives to such a " New Order ", apart from Free

[1] See note 1 on p. 461.

[2] Guillebaud, *op. cit.*, pp. 458 ff.

Trade utopias, are described as "Bolshevism" and therefore undesirable,[1] the argument is unanswerable from the point of view of those who consider the enslavement of whole nationalities preferable to "Bolshevism".[2]

Within the enslaved countries there were economic interests likely to profit from the New Order, even within industry.[3] More important still, there were serious forces which sided with the external oppressor against a conception of the national interest that might lead to, or preserve, social consequences undesirable from their sectional point of view. Probably no special German pressure was needed to induce French right-wingers to say, in the preamble to the Vichy "Constitutional Amendment" of July 10, 1940, that they not only desire the integration of France into "a continental system of production and exchange", but also that "France shall again become, to her advantage, agricultural and peasant in the highest degree". French right-wingers have said the same for a long time—it is true, in situations where it was not *so* evident as now that the phrase "agricultural and peasant" is synonymous not only with "conservative" but also with "colonial". Nor was extreme outside pressure necessarily needed to induce a right-wing political Catholic like Hacha, on June 22, 1941, to make declarations of solidarity with Hitler's struggle against Bolshevism,[4] although the majority of the Czech people (including the Catholics) may regard such declarations as treason. We cannot get over such facts by describing the utterances as "Quisling".[5] The New Order, indeed, involved features that from some points of view (and certainly from the point of view of the overwhelming majority of the peoples concerned) meant enslavement pure and simple, while from other points of view they might appear a necessary

[1] Guillebaud, *op. cit.*, pp. 458 ff.

[2] In fact the argument makes sense only if "Bolshevism"—as implied not only by Goebbels but also by critics like Guillebaud—is used as a synonym for any kind of socialist reorganisation of society. The specific methods for achieving such an organisation, as applied by the Russian revolution, have nothing to do with the alternative as such—unless the critics should advocate armed intervention against any attempt at socialist organisation in those countries, and thus aim at creating a situation that would probably result in the application of methods similar to the Russian.

[3] See, for example, Gudme, *op. cit.*, p. 101.

[4] Duff, *op. cit.*, p. 272.

[5] Besides, Quisling himself is the leader of the Norwegian Nazi party, whose political aims certainly cannot be realised without a Nazi-German victory in the present war. He has got his bad reputation because his party is backed by a *very* small minority of the Norwegian people, so that its actions contradict what the bulk of the people regard as the national interest. But so did the actions of Pétain and Hacha—in spite of the fact that they previously had the opportunity to win some right-wing sympathies abroad.

price for preserving or attaining what were considered essential elements of the national interest. If someone declares that France first of all needs a royalist restoration, which has been prevented by the influence of the industrial workers, or that the survival of the Czech people has meaning only within the social and political order described in the Papal encyclical *Quadragesimo Anno*, which certainly cannot take shape without the preliminary destruction of the U.S.S.R., their statements would be rejected by the majority of the French or Czech people ; but the forces expressing them would not cease to be political forces because they represented mere minorities. The fact that they are, and are bound to remain, mere minorities, gives the clue to the understanding of the fundamental features of the " New Order ".

If Pétain and Hacha did not represent something real, and did not speak a language that certain sections of their people understood, the business of the German armies of occupation could be considerably simplified by enforcing direct rule, with the intention of replacing such an " educational dictatorship " by local Nazi parties to be built up in due course. If the social forces likely to coöperate with the New Order with the maximum use of the propaganda machinery and all the suggestive force of power could win the support of a majority of the non-German peoples, Nazi theory and practice would not need to reject consistently any conception of a federal structure for the " New Europe ".[1] Within the " pan-European " boundaries the German people is strong enough to play the leading rôle even within a formal framework of equal rights. Certainly the outward establishment of such an equality would be a most helpful contribution to the political stabilisation of the régime. In the twentieth century it is impossible to establish a federation of national régimes backed in the respective countries by very small, sometimes almost insignificant, minorities. One can only establish the collaboration of local dictatorships whose internal strength is supplemented, in various degrees, by the physical power of the army of occupation. As regards those régimes which have a certain degree of local strength, and therefore a certain political value for the overlord, the latter, indeed, exercises his leadership essentially in the form of " hegemony ", i.e. he rules indirectly, and with the consent of his local backers. But he can never grant any autonomy that

[1] See above, pp. 457 and 460–1.

might turn into a rebellion of the national majorities against his system, and he cannot even allow his puppets to act as a body, as is unavoidable in a federation, for they would then cease to be mere puppets. To prevent his own system from becoming a focus of resistance, the " hegemon " must isolate his victims, not only from external influences, as Triepel stated,[1] but also from each other. This excludes federation within a system that cannot rely on strong support within the member-states against the eventual particularist tendencies of their rulers.

The question arises whether the system, apart from the external resistance it was bound to provoke during its rise, could become stable if, say, a stalemate were the outcome of the present war, in consequence of disagreement within the alliance opposing Hitlerism. Certain extreme features of oppression could certainly be dropped, once the needs of war were at an end. But the fundamental feature of the system, the reduction of the oppressed nations to the status of " unhistoric nationalities ", could not be abandoned. In our times, a nation without industry is a nation without history, just as, 300 years ago, was a nation without a ruling nobility. It might be supposed that, in due course, the Czechs would again be allowed to have a higher system of education for training agricultural specialists or artists and so on, but certainly they would never be allowed, under the New Order, to have an industry of their own, and this very fact would correspond to the destruction of their national nobility after the Battle of the White Mountain of 1620. I cannot imagine that, in our times, the emancipation of the majority of the European nations could be undone without making the system based upon such a policy extremely unstable. Perhaps Hitlerism, if successful, would succeed to some extent in bridging the class antagonisms within the German people by their common feeling of " racial " overlordship. But, at the same time, it would give extreme strength and clarity to most class antagonisms within the system by linking them up with feelings of national oppression.[2] A system based upon such internal antagonisms would be bound to break down in the first serious external contest, which its imperialist policies would inevitably very soon bring about.

[1] See note 1 on p. 457.

[2] See above, p. 219

CHAPTER XVII

PROBLEMS OF POST-WAR PLANNING

(1) The current fashion of "planning federations" implies a contradiction, in terms. (Federation, by definition, supposes that the policies of the larger unit are evolved by integrating the policies of the constituent parts.) (This is impossible without a certain homogeneity in their social and political order) (Such homogeneity cannot be "planned" or imposed from outside without destroying the very conditions of federation) The wide diversity in European conditions and trends makes it most unlikely that there will evolve from the internal development of post-Hitlerite Europe sufficient homogeneity to serve as a basis for federation.

(2) This argument is strengthened by the existing relations between the World Powers. The influence exercised by two of these Powers on the East and West of Europe respectively renders homogeneity in the internal conditions of the separate European states even less possible than it might be in view of their distinct history and internal structure. Any attempt by one or the other Power to organise on federal lines those parts of Europe near to it in geography and outlook is likely to provoke a corresponding counter-move from the other side. This would result either in a new conflict or in a permanent division of Europe into two spheres of interest whose further social and cultural development would probably diverge.

(*a*) Planning and the Problem of Federalism

The conception of "planning", so popular at present, can be understood only in connection with those conceptions to which it has arisen in opposition. Planning is the antithesis of *laissez-faire*, of the belief that the automatic interplay of social forces, especially in the economic field, with as little state interference as possible, produces the greatest amount of welfare for the greatest number of people. As opposed to such an attitude, planning can certainly be described as "foresight deliberately applied to human affairs".[1] Even in the economic field, where it originated and where its meaning is so clear, the conception of planning by itself is insufficient, for there remain the open questions, Who is to plan, and in whose interest, unless some harmony of interests between all conceivable planners and all those conceivably dependent on the results of such planning is supposed. In the political field, where hardly any important *laissez-faire* ideologies have to be overcome, planning has a much less distinct meaning. When the outcome of his actions has contradicted his political ideals, the politician has never been able to console himself, like the orthodox *laissez-faire* business-man who has just

[1] Mannheim, *op. cit.* (1940), p. 193.

dismissed his employees, with the belief that some inherent mechanism will produce the greatest amount of welfare possible in this world out of the harm he has done by pursuing his private interest regardless of general conceptions of social welfare. The success or failure of the politician has always been measured by the amount of foresight he has been able to apply to human affairs.

But in connection with federalism a new problem arises. We have [1] described federation, in accordance, I think, with all writers on the subject, as a kind of union based essentially on the coördination of all the constituent units and of their citizens in the federal Government. A super-state imposed on its constituent units from outside and unable to win sufficient allegiance in each of them to warrant a description of the Federal government as a régime based on internal forces, is no federation at all, even if the specially brutal methods discussed in the last chapter are avoided. (Federation is essentially based upon the principle of self-determination.) It is not necessary, at least under present social conditions, to interpret this as a demand for an international *volonté général* enabling the nations to agree upon the nature and purposes of the federation they would be willing to enter. But it is necessary that the forces supporting federation, though opposed by other forces, should yet be sufficiently strong to make it clear that the federal régime is not simply imposed and maintained by outside powers. It is the right of everyone, if he so wishes, to consider national self-determination a bankrupt slogan, and to regard the hegemony [2] of a foreign power or an authoritarian régime imposed by alien powers as the best means of establishing the larger units required under modern conditions. But he cannot without a serious misuse of words describe such a multi-national union as a "federation". In consequence, if planning is to be understood as the attempt to assess the probable outcome of one's political actions, no one can "plan a federation" apart from displaying foresight in the character of a citizen of his own country in attempting to influence its policies as regards eventually entering such a federation. By the mere fact that it is planned

[1] Above, Part I, pp. 41–2.

[2] Special obligations of certain Great Powers as regards the *defence* of a system which lesser powers are technically unable to defend do not, *a priori*, involve a claim by these powers to a hegemonic control of the conditions prevailing *within* that system, although a certain interrelation between both problems must not be denied. See Schlesinger, *op. cit.* (1941).

and enforced from outside, a union ceases to be a federation, unless it should in due course win sufficient allegiance to work on truly federalist lines, which is hardly a probable outcome of a settlement imposed by external force. It follows from these considerations that any planning for federations on geographical or similar lines is a contradiction in terms.[1] (Peoples alone can really create federations.) Foresight as applied to eventual federations, if the latter term is not to lose its meaning, must deal with the probable actions of such peoples, or the social groups of which they are composed. The latter approach is the more exact. There are many contradictory and controversial answers to the question what "the Austrians" desire, but a statement that within the Austrian nation the workers, the peasants (or, to be more detailed, the various groups of the peasantry), the Church, etc., have certain interests, follow certain political lines and are for these reasons inclined to accept or to reject this or that federation for these or other purposes, and with this or that constitution, is a scientific statement that can be checked like any other by facts independent of the particular critic's personal inclinations. So also can statements regarding the respective weight and probable political influence of the various trends within each nation, although completely unbiased judgments on such issues are beyond the power of any politically interested observer. From such statements, conclusions can be drawn with regard to the probability of the dominant forces within various nations being in favour of federation under certain conditions. If we like to call such an approach "planning", there is no objection, so long as the distinction is clearly preserved between it and the interpretation of planning discussed above, the forcing of certain plans upon peoples selected by the planners. Apart from "critically analysing the conceptions of professional plan-makers and digesting the multitude of ingenious suggestions into a typology of patterns,[2] the student of the objective conditions under which certain federations may be likely, can even make a positive contribution to their achievement, if desired. To state clearly which social

[1] See above, pp. 433–5. A characteristic example is quoted by Schwarzenberger, *op. cit.* (1941), p. 423. Things do not get better, but only worse, if in the benevolent conceptions of planners a certain pattern of constitution with due regard to the characteristics of federalism generally accepted (especially in the planner's homeland) is proposed. Agreement, if lacking as regards the coördination of certain political systems, cannot be replaced by enforcing in addition certain constitutional forms alien to the aspirations of the people to be coördinated against their will.

[2] Schwarzenberger, *op. cit.* (1941), p. 357.

and national groups are interested in, and which are necessarily opposed to, this or that concrete feature of this or that possible solution may further a realistic approach to that solution itself and its restriction to limits and purposes that can really command the support of the majority of the peoples concerned.

The student will very often find that, in the suggested federal solutions, two different conceptions of the forces expected to link together the elements of the proposed federation meet each other: homogeneity and variety. A certain homogeneity in the socio-economic structure furthers the establishment of a federation in so far as its prospective members may [1] be dominated by groups sharing certain fundamental conceptions and therefore also more likely to agree about the purposes and policies of the federation. This is likely to hold especially as regards the internal structure of the federating systems, and also their relations with external powers. But federations cannot be based, to-day, exclusively on defence. If they are regarded from the economic point of view it is evident that homogeneity simply implies the inability of the parts to supplement each other. The economic benefit they can reap from the federation is reduced to a certain strengthening of their common bartering position as buyers or sellers of certain commodities, and this only on condition that their combined strength, as distinct from their formerly isolated forces, is sufficient to influence world markets. On the other hand, variety in socio-economic structure implies the likelihood that the parts of the federation will supplement each other, but it also implies the need to reach a compromise between, say, the industrial and the agricultural interests dominating different parts of the proposed union as a basis for federal agreement. The conditions favourable for creating a federation are not therefore necessarily identical with those favourable to its success when it is once established.

(*b*) General Conditions of Federation

Federations are made up of political systems; therefore any investigation of whether particular federations are likely to be formed or not, has to start by asking what political systems are likely to exist in the various countries, and what probability there will be of their forming federations. There are certain

[1] But they are not bound to be. Similar social conditions in neighbouring countries may also result in producing, in each of them, régimes of an oppressive and aggressive character that render coöperation impossible. See above, pp. 438–9.

types especially of fascist systems whose avowed ideology [1] excludes any kind of international collaboration except in a hegemonical form and with a recognition of their leading rôle in the natural (or historical) hierarchy of nations. Certain systems not explicitly fascist, for instance the military-autocratic monarchies of the South-East European type, also seem to rule out federation : not because they are monarchical in form, but because they represent a policy of extreme nationalism that can hardly subordinate its claims to the need for compromise with other members in a federation. But even systems that are certainly able to federate with others like them are most unlikely to federate with systems that are politically heterogeneous. There is no historical example of a federation between monarchies and republics,[2] but there are quite a number of instances of interference by federal governments even with details of the political structure of their members, such as suffrage. Such " details ", if they concern the essential social relations within a state, are much more important than the " form of state ". Streit's statement [3] that, in an eventual federal union (under a constitution analogous to that of the U.S.A.) the English could retain their King and the Russians their Soviets, sounds strange to the sociologist not so much because it would really be impossible for a parliamentary republic with an hereditary symbol for representative purposes to federate with another whose citizens prefer to call their parliament by a name dear to them because of its revolutionary origin ; [4] but because these paraphernalia serve as symbols for very essential features of the two societies, which neither would for a moment think of sacrificing.

On the other hand, federation is not made possible by formal equality in the structure of states if it covers distinct political systems : only a very formalistic approach would conclude from the fact that pre-1938 Czechoslovakia and Poland both called themselves " republics ", that federation was possible between régimes of the Pilsudski and of the democratic Czechoslovak type. It is obvious, to mention the most important practical

[1] See sections (*b*) and (*c*) of the preceding chapter.

[2] Bismarck's Empire cannot be regarded as anything but a formal exception, for the " republics " included were self-governing cities of the mediæval type that had co-existed even with feudal monarchy.

[3] *Union Now*, p. 160.

[4] Apart from these associations, and their very clear implications as regards the sense in which the civil rights of the Soviet Constitution ought to de interpreted, the latter, from the purely formal point of view, could hardly be described as anything but an extremely consistent sample of parliamentary government.

difference in our times, that the co-existence of a one-party system in one part of a federation with a multi-party system in others would result in giving the former increased weight.[1] It would control the whole local vote as against partners with internal divisions, while some factions within the multi-party systems would probably coöperate with it.[2] The only result likely would be either a shift of the political leadership to one side, probably in a combination of civil and national wars, or dissolution of the union. It must be kept in mind that to produce the results just described it is not necessary for a one-party system to be prescribed in the Constitution: the totalitarian claims of parties dominating various parts of a federation, within a parliamentary system, may result in the same kind of development. On the other hand, the experiences of republican Austria as well as those of Canada seem to prove that under a two-party system, so long as neither of the two parties makes a claim to oppress the other, the very existence of party divisions may be a decisive argument in favour of federalism. Federalism grants each party the opportunity to realise its programme in some parts of the country with a minimum of compromise, while protecting those of its members who are in a minority in any other section. But if the creation of new federations is being discussed, it will generally be found that those parties only are in favour of it which hope to improve their political position in consequence of the prospective political structure of the intended partners. As the Austrians of various political descriptions were to discover,[3] gross miscalculations are likely if permanent political links are made to depend on ephemeral political structures. Any theoretical analysis, as well as any serious policy, will start not from the results of the last elections, and even less from the structure of some government in exile, but from the general trends observed in the history of the respective nations.

In the East European countries, where national antagonisms are in most cases hardly to be distinguished from social, it is not too difficult to discern certain trends of this kind. A Pole, for

[1] See above, Chapter XII, pp. 311–14.

[2] Within a federation, where a certain community of fundamental interests is assumed, they could hardly be reproached with "betraying the national interest". The American public has been accustomed to regard certain views, dissenting from the prevailing social and political system, as "un-American", and to regard restriction of the freedom of public expression of these views as compatible with the American conception of liberty. But a similar approach, say, to "un-Iowan", or "un-Minnesotan" views would sound at least strange.

[3] Keeton-Schlesinger, *op. cit.*, pp. 82–3.

instance, might easily describe the general trend of the history of his nation, and the consequences to be drawn from it, in the following terms: "While we are an essentially agricultural nation, we have, since the thirteenth century, been exposed to German urban and later industrial expansion, while on the other hand our aristocracy, the leading stratum in the evolution of our national civilisation, has been bent upon ruling over Ukrainian, Byelorussian and Lithuanian peasants. Therefore, if we desire to preserve our traditional way of life, we are bound to an anti-German as well as to an anti-Russian policy, the more so as the Soviet and, in the event of a German revolution, the Western socialist systems also are bound to cause our traditional social order to disintegrate. Being necessarily opposed to both our neighbours, each of them a first-class Great Power, we have to take from them as much territory as we can and, moreover, to seek support to ease our position, in any case a difficult one."

Such a statement would describe, as honestly as is possible in a few sentences, the traditional trend of Polish as distinct from, say, Czech [1] policy. But, being conditioned by "our traditional way of life", it could not command the unconditional support of the whole Polish nation. Therefore it might be simplified into another statement that still contains as high a degree of truth as the text-book interpretations of the history of other nations: "Germans and Russians are our traditional enemies; we must therefore be on our guard against them both". The second statement is insufficient from the scientific point of view, for it describes as permanent a position of the Polish nation that is bound to continue only so long as that nation is essentially agricultural, and therefore unable to meet German industrial expansion on equal terms, and is governed by an aristocracy which has past traditions and future aspirations of ruling the peoples east of ethnographical Poland, and is therefore bound to collide with them. Once these conditions are accepted as self-evident, as they certainly are by people brought up with a purely traditional conception of national history, the political consequences drawn in the first form of the above statement seem to be essential conditions for the survival of the Polish nation. A Ukrainian or, on the other side, a German nationalist statement would run the reverse way: the Poles would be opposed by the Ukrainians as traditional oppressors, and by the Germans as "born serfs" who do not know their place. The close connection of East

[1] See above, pp. 160–1.

European and Near Eastern national conflicts with class antagonisms explains the fact that such statements command the support of great majorities of the nations concerned, and explain also sympathies which the aspirations of the different nationalities may command in various sectors of public opinion in the Western countries and in the U.S.S.R.

Where class antagonisms are as strong as they used to be on the European continent, but do not, as in the examples just discussed, coincide with national differences, there will be no generally accepted interpretation of the "national interest" which demands some particular international combination. The so-called "Quislings" are but the extreme examples of class antagonism overriding national, and deciding what is the "true national interest".[1] In such a country as Austria people will be inclined to form their opinion about relations with Germany according to the affinity of their views with what they consider the permanent trend in German policy, and are likely to alter those opinions as political conditions change.[2] In an age when nationalism is generally accepted as one of the dominant forces of the time, changes in essentially sectional policies are likely to be formulated as varying answers to the question whether the Austrians, say, or the Slovaks, are separate nations or parts of a larger pan-German or Czechoslovak people.[3] There is usually some good argument from the national past to be advanced on either side of the case. So each party is likely to win only those who, for general social and political reasons, are already convinced *a priori* that the solution to be proved by "national" arguments is desirable. But whether the Austrians or Slovaks are, *at present*, separate nationalities or not, they would certainly *become* such if they were to maintain separate national states for a period, especially if, during that period, the peculiar elements in their economic life were able to develop, and those features in their national tradition which stress their nationhood could be emphasised with all the support the modern State can command.

National issues certainly have an important social background,

[1] See above, pp. 464–5.

[2] See note 1 on p. 428.

[3] This statement ought not to be generalised too much. Czechoslovak left-wingers (for example, Prof. Nejedli in *Istorichesky Journal*, Moscow, 1942, No. 7) are inclined to answer both the questions as to the existence of a separate Slovak nation and its need to have a national State jointly with the Czechs in the affirmative. Most Austrian Social Democrats are opposed to the continuance of the *Anschluss*, although they have not, as did the Communists, theoretically recognised the existence of an Austrian as distinct from the German nation.

and the decision of social issues is bound to affect the future influence of competing national civilisations. Where the local class-character of the national antagonism is evident, this is a mere truism. But even where such a connection is provided only very indirectly by the sympathies which the competing national civilisations enjoy among the leading Great Powers, the dependence of national developments on social decisions, perhaps in another corner of the world, can hardly be denied. The downfall of the *Front Populaire* in France was certainly one of the decisive factors which brought about the destruction of the Czechoslovak republic, and sectional antagonisms within the U.S.A. are not without influence on the attitude of that country in Polish-Ukrainian disputes. As national [1] allegiance is one of the great motive forces of our time, a given socio-political programme may command the support even of those nationalists who are not personally interested in the social issues. A Polish worker from Lvov may for national reasons be in favour of a solution of the Western Ukrainian problem that, socially, ought to be classed as landlord-rule ; while a Czech capitalist representative, after Munich, was in favour of the U.S.S.R. as " our only ally that has not betrayed us ".[2] National ideologies are certainly not the only ones which compete with social. Conceptions of social Justice may be subordinated, say, to religious conceptions of Morals.[3] In all these cases attitudes not directly [4] of a social character would determine the decision of some, or even many, individuals, and thus refute a primitive interpretation of Marxism as " economic materialism ".[5] But this would not eliminate the essentially socio-economic foundations and the importance of the alternatives between which these individuals had to decide.

The essentially socio-economic character of any federation is based not only on the fact that people who share the same social outlook and have a similar approach to fundamental problems are more likely than others to agree amongst themselves, and eventually to honour their mutual obligations, but even more on the impossibility of answering any concrete question as regards

[1] To be understood, in the East European sense, as referring to the cultural, ethnographical unit.

[2] Speech of the right-wing Deputy Schwarz in the first post-Munich session of the purged Czech Parliament. It was not allowed by the censorship to be published legally, but was circulated in illegal leaflets of the Right as well as of the Left.

[3] See above, p. 268.

[4] Indirect explanations by past social relations would still be possible.

[5] See the Soviet discussions, reported by the present writer, in *Zeitschrift für Sozialforschung* (Paris–New York), Vol. 1938, No. 1.

the functions and prospects of an eventual federation without certain fundamental economic assumptions. In our times, as distinct from the classical era of Free Trade, it is very difficult to consider mere defence as the essential competence of a federation, and one sufficient to give it sound foundations.[1] But even if that should be done, and federations for political reasons should be advocated between partners with no economic links, the needs of defence would themselves inevitably call for the creation of common economic foundations, once a federation was established.[2] But such foundations, implicitly or explicitly, presuppose a common socio-economic outlook. It is, for example, not too difficult to imagine social conditions in which the bulk of the Hungarian harvest would be consumed in the country itself. Hungary's dependence on foreign markets for grain would then be much less, and the dependence of, say, an Austro-Czecho-slovak-Hungarian federation on grain exports might even be reduced to nil. But evidently no one will decide whether there are to be landlords, small peasants, or *kolkhozy* in the Hungary of the future by what would be the most suitable way of reducing dependence on foreign markets or establishing a Danubian federation. On the contrary, Hungary's future position in the markets, and her value as a possible partner in a Danube federation, will depend on the way in which those fundamental questions of her social structure are decided.

The tacit or explicit assumption that certain answers are given to fundamental economic problems concerns also the international framework within which a prospective federation would have to work. A Rumanian politician, a representative of the Peasants' Party for example,[3] will have to decide whether to enter one or another actual federation not only according to the probable social and economic structure of the prospective partners, but also according to the likely results of his decision as regards the conditions under which his country's needs for foreign help in its industrialisation could be satisfied (*a*) from the U.S.S.R., (*b*) from the Western Danubian countries (Austria and Czechoslovakia), (*c*) from Germany, and (*d*) from Great Britain or the U.S.A. Unless he were convinced that sufficient help could come from (*a*) or (*b*), and were ready to accept all the implications of such a decision for the future of his country, he would

[1] *Cf.* J. S. Mill, *op. cit.* (to Part VI), p. 307.
[2] See M. Pragier in *Free Europe*, June 27, 1941.
[3] We choose him as an example, since he cannot be expected to have any *a priori* bias against any of the solutions discussed.

have to include in the argument expectations as regards the politics and economic structure of states which certainly are not potential partners of Rumania in any federation. As regards the Anglo-Saxon countries,[1] for example, the question whether they could be expected in their international economic relations to follow the principles of orthodox finance, or some kind of planned economy, and if so, what kind, may play an even more important part in our friend's deliberations than their attitude towards the non-economic issues in which he is interested, perhaps the Hungarian-Rumanian frontier and minority problems.

(*c*) Schemes of Federation Concerning Central and Eastern Europe

Apart from the suggestions discussed in the last section of Chapter XV, two bilateral attempts have been made during the present war to prepare, not a federation but a confederation between some [2] of the smaller nations lying between Germany and the U.S.S.R. The Czech-Polish agreement of November 11, 1940,[3] expressed the determination of the two governments in exile to enter, on the conclusion of the war, " as independent and sovereign states . . . into a closer political and economic association "—closer, evidently, in comparison with the none too friendly relations existing before the destruction of the Czechoslovak Republic by acts of aggression in which Poland had a share. In a later joint statement by the two governments [4] the organisation aimed at has been described explicitly as a confederation, not a federation, as many writers erroneously supposed. Indeed, whilst coördinating the policies of both partners in many fields, the agreement made no provision for common organs, apart from a joint General Staff, and excluded explicitly (Article 10) from the powers of the proposed union a function generally considered necessary for a federation, especially in those regions, the settlement of nationality problems. As regards the further states to be included, as well as the relations of the proposed confederation with the U.S.S.R., there was an evident divergence in the partners' interpretations of the project. The Poles desired to include at least Lithuania (a territory the U.S.S.R.

[1] The case could be even more complicated by considering Britain and the U.S.A. separately.

[2] See the leading article, " Europe's Middle Zone ", in *Free Europe*, January 1, 1943.

[3] Text in the *Czechoslovak Yearbook of International Law*, London, 1942, pp. 235–6, and notice p. 187.

[4] Text in *The Times*, January 24, 1942.

regards as an integral part of itself), to exclude Austria, and to regard the whole system as an "independent middle bloc" between Germany and the U.S.S.R., while the Czechs [1] took up an exactly opposite attitude as regards Lithuania and Austria, and regarded the consent of the U.S.S.R. to a Czech-Polish confederation as an essential condition of its realisation. Meanwhile the different attitudes of the two governments towards the U.S.S.R. on the one side, and the present Hungarian régime on the other, together with a minor issue,[2] has resulted in the suspension of the Czechoslovak-Polish negotiations,[3] and Czechoslovakia has concluded a Treaty of Alliance with the U.S.S.R. which allows Poland to join, provided that her relations with the U.S.S.R. are settled. This evidently presupposes abandoning all the dreams of a "middle bloc" which, on the Soviet side, is regarded as a revival of the *Cordon Sanitaire*. None of the numerous advocates of such a bloc has produced any argument in its favour other than the desire to defend the "independence" of those regions apart from, and possibly against, the U.S.S.R.—a desire that is evidently not shared by the majority of the peoples concerned.

The southern counterpart of the Czech-Polish agreement was concluded on January 15, 1942, between the exiled governments of Greece and Yugoslavia. In spite of some lip-service to the fashionable federalist ideologies [4] it makes it very clear that neither contracting party intends to aim at more than an alliance embodied in constitutional law, or—to take the extreme interpretation—at a very loose confederation. It was, in essentials, a revival of the Balkan Entente [5] without Rumania, but with economic powers included in the defence agreement from the outset. The authority of the two Governments in exile which have concluded this agreement is strongly contested in their own countries, but the content of the agreement is hardly

[1] See Ripka, *op. cit.*; and also his article in the *Spectator*, March 19, 1943.

[2] The question of the Dešin coal basin which, in 1919, was allotted to Czechoslovakia, with some injustice to a Polish minority, and retaken by overt aggression in 1938 by Pilsudski's Poland, with even more injustice to a Czechoslovak majority among the inhabitants of the territory ceded. The issue, to compromise upon which would not be too difficult with some good will on both sides, has fundamental importance only in consequence of the desire of the Polish government, which tries to defend the Riga frontier with the U.S.S.R. against any application of the nationalities principle, to defend such dubious acts of its predecessors as the participation in the German aggression of 1938.

[3] *The Times*, May 19, 1943.

[4] As in the description of periodical conferences of the ministers as common "organs" of the association.

[5] See above, p. 420.

controversial, and it may be accepted by the post-war Governments as an intermediary link in a security system. But it contains nothing which prevents one of the partners from entering a true federation with a third country, provided, of course, that that country's attitude towards her partner's ally is a friendly one.

Such an outcome of the attempts to create " nuclei of future federation " among the Governments in exile will surprise only those who expect the mere fact of war to do miracles and to solve all otherwise insoluble problems. The pacts between the exiled Governments reproduce the forms characteristic, in the pre-war period, of the Little Entente, the Balkan Entente, and the Oslo group as regards both the limited sphere of unification and the fact that such agreements could not prevent serious conflicts even among the partners. The unifying force within the local *ententes* was common opposition to some revisionist power: Hungary or Bulgaria. These two are, indeed, in the enemy camp, but so is Rumania, which formed part both of the Little and of the Balkan Entente. Poland has been added, which, up to 1938, was in the opposite camp, and even during the present war has shown strong Hungarian sympathies [1] and has hitherto been reluctant to break with Hungary.[2] The leadership of a traditionalist Polish Government has led the authors of such plans to circumscribe their sphere of union in accordance rather with their political aspirations than with economic needs,[3] and has involved all these projects in the defeats which all the plans for an organisation of Eastern Europe in opposition to the U.S.S.R. suffered at Stalingrad, Kursk and Kiev. It has provoked the open opposition of the Czechs,[2] who, in this matter, are certainly speaking for a large majority of the peoples concerned in the " Middle bloc " projects, and has certainly contributed to the schism between the Yugoslav Government in exile and the majority of the forces within the country opposing the armies of occupation. It has done as much harm as a mere project can do to inter-Allied coöperation, especially between the U.S.A. and the U.S.S.R.,[4] and has thus contributed to postponing the day of liberation. Whether it has helped to prolong the political life of its sponsors, history will show. In any case, a true federation on the basis of the " Middle bloc " conception is impossible, for the simple reason that it would have to be

[1] See above, p. 433.
[2] See note 3 on p. 478.
[3] See note 2 on p. 476.
[4] See, for example, *The Times*, March 16 and 24, 1943.

enforced against the wishes of the majority of the peoples concerned, as the avowedly anti-democratic sponsors of similar projects during the first stage of the present war [1] recognised.

All projects of regional federation should be considered in relation to the European order within which they are expected to work. It seems hardly necessary to dwell upon the projects elaborated during the first stages of the present war, all the more as an admirable survey and criticism of these projects has already been published.[2] All of them are based on the assumption that the Anglo-American system ought to be extended eastwards, and they differ mainly in estimating the degree of this extension, and therefore in their expectation of the amount of Soviet hostility to be incurred. There thus remain for discussion the plans for a European organisation based upon Anglo-Soviet coöperation, as provided for in the Treaty of Alliance of May 26, 1942. I see no need to go over in detail all the solutions advocated, especially as it is fairly certain that by the time this book is published their number will have increased without any essentially new conceptions having been introduced. What we have to consider here are the patterns into which all possible projects will fit.[3] There are two groups of possible solutions, each with two subdivisions, for the relations between the Anglo-Saxon world and the U.S.S.R.

The one way would be to keep the U.S.S.R. outside Europe. This might be done in a hostile spirit [4] in accordance with basic ideological assumptions which might be called "Christian civilisation", but for which Marxists would find other, and perhaps more fitting, names. The only serious argument that could be put forward in defence of the authors of such "presumptuous folly" [5] would be the expectation that sooner or later they would have to defend the Eastern boundaries of this civilisation against the Red Army and against the rebellion of

[1] See above, pp. 433–4.

[2] In Chapter XXXII of Schwarzenberger's *Power-Politics*.

[3] The patterns used here differ from those used by Schwarzenberger in so far as he, having to deal with projects of similar geographical scope, classifies his objects according to the way in which this sphere is to be organised. I am, here, interested only in the geographical sphere of organisation and have to classify my objects according to it. As regards the form of organisation, the subject of the present book restricts it to the question how far one particular pattern (federalism) is compatible with, or may prove helpful for, the one or the other sphere.

[4] Characteristic for such an attitude, apart from the periodical utterances of *Free Europe* and the *Nineteenth Century and After* is, for example, B. Newman, *The New Europe*, London, 1942. See also Mr. Taylor's review of that book and the subsequent discussion in *Time and Tide*, October, 1942.

[5] Carr, *op. cit.*, p. 197.

most of the peoples forcibly included in the Western sphere. It is also possible to imagine the exclusion of the U.S.S.R. from Europe but with acceptable frontiers, say those of 1941. Such a solution is not likely to be advocated in this country during the present war. People who, against the obvious resistance of the advocates of an anti-Soviet orientation, support the claim of the U.S.S.R. for an acceptable settlement, do so, of course, in the expectation of thereby gaining the support of the U.S.S.R. for the new European order. But it may easily turn out that the defenders of this point of view will not be strong enough to settle Russia's claims by mutual agreement, while the Red Army will prove strong enough to confront these allies with a *fait accompli*. In such an event Russia might easily turn away from a settlement she did not like, but had no immediate reason, and perhaps not even the power, to overthrow by armed force, if the invasion of such territories would stretch the Red Army's lines of communication too far. In due course such a delimitation of spheres of influence might be accepted by both sides, with the Soviet concerned mainly with internal reconstruction, while its former allies would attempt to organise, according to Western ideas and with—perhaps short-term—American support,[1] a territory where strong social and national forces would be bound to oppose them. Whether a Western-Central European union, confronted with such opposition, could work in a federal shape is at least an open question.

Other prospects would be opened if, instead of an attempt being made to exclude the U.S.S.R., her collaboration with Britain were secured for building up the new order. Such a solution might be approached in two different ways. Some advocate the division of Europe into two main spheres of influence by mutual agreement, and providing for mutual support against aggression.[2] Others would prefer joint Anglo-Soviet influence to be exercised for furthering collaboration all over Europe.[3] The differences between these two views are not insuperable: none of those who desire coöperation between two allied spheres

[1] The conditions for this support, without which the new order could hardly survive for one day, would be decisively influenced by the trends of public opinion in the U.S.A., which may be influenced by the percentage of a certain nationality within the U.S.A. electorate in a much higher degree than by the percentage of their co-nationals in the regions whose fate is to be decided. See *The Times*, April 1, 1943, and Prof. Brogan's article in the *Spectator*, January 15, 1944.

[2] This point of view has been expressed in a series of leading articles in *The Times*, especially March 10, 1943.

[3] See Young, *op. cit.*, and Schlesinger, *op. cit.* (1941) and (1943).

of interest would welcome a situation in which, for example, the forces of a French régime supported by Great Britain might have to shoot French Communist workers, or a Soviet-sponsored Polish régime to take oppressive measures against ecclesiastical resistance. They would expect the influence of both main powers to be exercised in such a way that both the local régimes and their local opponents would avoid a policy likely to result in such disastrous events. This would involve a mutual obligation not only to discourage opponents within the Allied camp from extreme forms of opposition, but also to prevent a British-sponsored French régime from adopting an extreme anti-Labour policy as well as a Soviet-sponsored Polish régime from taking an anti-ecclesiastical course.

On the other hand those who desire Anglo-Soviet coöperation over the whole of Europe, unless disposed to wishful thinking,[1] cannot pass over the fact that the régimes likely to arise in the various parts of Europe will tend to approach the British pattern in the West and the Soviet pattern in the East. For the British and the Soviet systems have themselves evolved out of conditions somewhat similar to those prevailing in the other West or East European countries respectively, and are therefore likely to command special sympathy in these regions, even without any attempts by the leading Great Powers to establish their hegemony. Any realistic conception will take account of the fact that the larger contributions which the Great Powers are to-day bound to make to the defence of the system are not likely to be forthcoming unless the policies of the lesser powers are kept within a framework acceptable to the greater. This has nothing to do with alleged " higher rights " of large nations as compared with small ones ; it is the simple consequence of the necessity of justifying before the citizens of the Great Powers the sacrifices that they are asked to make for the defence of the smaller members of the system, and which they will not be ready to make for conditions they consider unjust and harmful. If a Communist régime in Holland should try to set an example in the Dutch East Indies of what, in its opinion, the British ought to do in India, such a régime could not expect the protection of the British fleet to be forthcoming for defending its experiment against the Japanese. Nor could a Polish régime which shot strikers and explained such action by claiming that it was " defending Christian civilisation

[1] A criticism which some readers may raise against G. D. H. Cole's book, *Europe, Russia and the Future*, London, 1941.

against the Bolshevist danger" expect to be protected against any enemy by the Red Army. In consequence, even if the mutual agreement between Britain and the U.S.S.R. included the right of any people to establish any kind of régime between Communism and, say, political Catholicism, the former would be unlikely to prevail in the Netherlands, or the latter in Poland.

The actual freedom of each country to choose its government would be even more restricted by the need for economic help. Probably the whole "joint-leadership" pattern would be inapplicable unless Britain should apply, after the war, some kind of planned economy, and anyone who considers such a development impossible or undesirable, perhaps because he relies on orthodox capitalist economics in their present American form, is bound to oppose that pattern and to make his choice (unless he is a bellicose adventurer) between the more moderate variety of the exclusion, and the spheres-of-influence variety of the coöperation pattern. But even if some kind of planned economy in Great Britain is granted, it is highly unlikely that British capital for the reconstruction of the West European heavy industries would be forthcoming on the same conditions as Soviet help for building Rumanian tractor-factories. These obvious dependences would probably prevent the new régimes from conforming to a single standard over the whole of Europe, and therefore from being likely to federate immediately.

If the spheres-of-influence pattern is accepted, all-European federation would certainly be excluded for longer than this century. For the settlement might result in a split within what is still called "European civilisation". One half might find its centre of gravity in the Ural-Kusnetz basin, the other on the Western side of the Atlantic. The cultural split might persist even if both halves of the world at some time turned socialist.[1] Within each half of the system federation might be easier, but neither the Western nor the Eastern system would find it easy to work with the Ruhr workers included in the Western sphere, and the Soviet having to tackle Polish Catholicism. Especially if, as is not unlikely, the delimitation of the spheres of influence had to cut across Germany, the national and social forces of resistance would be so great, and would receive such encouragement from the very existence of the opposite system in the other half of Europe, that perhaps neither system would be able to

[1] As, for example, the Christian as well as the Islamic half of the mediaeval world turned feudal, in due course.

work on federal lines. At the best, a considerable space of time would have to elapse before a federalist constitutional integration of each system (i.e. in the East the incorporation of the new republics into the U.S.S.R., and in the West the establishment of a West-European federation on the lines discussed during the first phase of the present war) would become possible.

Thus, large-scale federation in Europe is hardly a practical issue. If conceived as a " Middle Bloc " of the smaller nationalities between Germany and Russia,[1] it would have to work against the resistance of a majority of the peoples concerned, and would therefore be unable to become a true federation. If conceived as a unification of Europe, or of the two halves of Europe separately, within the framework of Anglo-Soviet coöperation, the new system, without being purely coercive, could not become so close during the lifetime of this generation that its constitutional integration could rightly be called federalist. Thus there remains the possibility of regional federations, in the Danube basin and the Balkans, for very modest local purposes and not designed to form the main pillars of European security. If created within an international system that did not antagonise large parts of the peoples concerned, and restricted to countries between which agreement on generally accepted lines is possible, such regional federations might work, and even help to smooth the hegemonic features which will probably be unavoidable in the new system, whatever general course its evolution may take.

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Preliminary Note. There is a great deal of English book and pamphlet literature on Danubian problems, but most students will find difficulties in securing access to more immediate sources on the problems dealt with in Chapter XV, namely to articles published in various periodicals by authors immediately connected with the Danubian countries. So I shall mention, apart from those books I have used as sources, all those articles I should advise the more thorough student to read in order to acquaint himself with the various aspects of the problem, as seen from various political points of view, whether I have made much use of them or not. As regards Chapters XVI and XVII I do not attempt to give anything like a bibliography on Hitlerism or on European problems in general, but have simply mentioned those sources I quote in the notes.

Some books used for this part have already been mentioned in the bibliographies to former parts, so they are not again included, namely : Hodža, Keeton-Schlesinger, Macartney (1939) in bibliography to Part III, and Triepel (1938) in that to Part I.

[1] See note 2 on p. 477.

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PART VI. CENTRAL AND EAST EUROPEAN EXPERIENCE AND THE PROBLEM OF FEDERALISM

CHAPTER XVIII

THEORETICAL CONCEPTIONS OF FEDERALISM

(1) In its application under widely differing conditions, federalism has proved the appropriate method of combining the centralisation needed by the modern large-scale economic unit with the devolution demanded by its constituent parts, whose diversity is likely to increase with the size of the larger unit. In all successful federation there is a distinct tendency to centralise functions originally decentralised. But on the other hand, modern development also creates new functions suitable for decentralised administration. Thus there is no foundation for regarding federalism as a mere transitional stage to full centralisation, though constituent units based upon tradition alone are likely to lose their raison d'être.

(2) Federalism, as opposed to a system of hegemony, supposes some degree of equilibrium between the constituent parts in those fields where federalist integration is sought. While it may be helpful for overcoming temporary inequalities in social and economic development, it is incompatible with the permanent preservation of such inequalities, say between motherland and colonies.

(3) There is no reason to associate federalism with nineteenth-century conceptions of the liberal State, or to deny its compatibility with the One-party system. Fascist systems which claim a superiority for one of the integrated parts are, by definition, incompatible with federal association between equals. In any case there must be a common allegiance, based on common ideals looked upon as superior to the specific interests of the constituent parts.

(*a*) Characteristics of Modern Federalism

Whatever future applications of federalist principles there may be, it will be helpful to approach them with certain clear-cut theoretical standards, if only to render more difficult future attempts to call hegemonic and other non-federalist solutions by false names.[1] The Central and East European experiences, taken together, concern 320 million people, more than double the number of those who live under the Anglo-Saxon or Swiss

[1] This is no criticism in itself—at least not to people who are not bound, by their very upbringing, to regard the U.S.A. constitution as the ideal type of organisation for mankind. Hegemony has some evident shortcomings as against federalism, just as dictatorship has some in comparison with liberal democracy. But people who are not formalists do not choose constitutions *merely* for their constitutional merits, but also, and even more, from the point of view of whether, in a given situation, they are likely to further certain general ideals. Freedom of intercourse for persons and nations is only one of these.

type of federation, and conditions in Eastern Asia, the most likely field for new federal experiments, are in any case nearer to the East European than to the U.S.A. pattern. Unless the future order is to be dictated by a small minority of mankind, no general definition of federalism is applicable to international problems that does not fit both Anglo-Saxon and Eastern experiences and needs.

It is evident that the historical record studied in this book refutes the arguments of Calhoun and the German right-wingers [1] who regarded federation, together with confederacy, as a subspecies of a more comprehensive class, that of the *Bund*, as opposed to the unitary state. This conception, in Germany, represented only a transitional stage in the evolution of forces that were to produce extreme unitarianism. In Austria it appeared merely as an ephemeral tendency during the formation of the Republic, while in the mutual relations between the Danubian peoples after 1919 it failed to produce anything at all. In the U.S.S.R.[2] the confederate type of union had to be dropped at the demand of the smaller confederates themselves, who were in favour of federation which, even if very strict, granted them a stronger influence in the affairs of the union than did the former combination of formal sovereignty with actual hegemony. In this respect, the Soviet experiences with the *Bund* constitute the supplement to the theories of Triepel,[3] who recommended a loose confederacy just because it creates the best conditions for establishing hegemony and preserving inequality among the members.

Was Triepel also right in regarding federalism as a mere *genus mixtum* between the loose league and the truly unitary state? [4] The only instances that could be brought forward in favour of such an interpretation are two obvious failures: German federalism (from which Triepel started) and the Dual Monarchy. Neither was at any time a normally functioning federation. The former, throughout its existence, worked on essentially hegemonic lines (i.e. under the control of the Prussian state, or at least of the Prussian army); the second was merely a stage in the slow dissolution of a former unit, and was certainly an obstacle to the establishment of a true federation. German right-wing theory [5] regarded such failures as necessary consequences of the progress of centralisation, or at least of democ-

[1] See above, pp. 23 and 29.
[2] See above, pp. 353–4.
[3] See above, p. 457.
[4] See above, pp. 13–14.
[5] See above, pp. 29–30 and 136.

racy. The question arises whether, at least within the scope of our study, we ought not simply to acknowledge a consistent process of centralisation, destroying all states within whose framework the necessary centralisation was impossible (such as Austria-Hungary), and transforming all those that could be centralised, after a merely transitional pseudo-federalist stage, into centralist systems.

Continental democratic theory is disinclined to surround federalism with any specific merits, however much it cherished decentralisation. Preuss [1] regarded the member-state in a federation, and the autonomous self-governing unit in a decentralised unitary state, as merely historical phenomena, to be distinguished in some of their appearances, but not at all in principle. The Soviet [2] uses the terms "federalism" and "autonomy" for the description of its own political system; so it certainly sees no fundamental difference between them. The writers who generally describe federalism as a compromise between authority and liberty take virtually the same position. For it would be difficult for them to exclude from their definition the decentralised unitary state with self-governing units even if they did not include sectional units, or even heads of families,[3] among the autonomous units. If reduced to a general description of the relations desirable between state and subject, the term "federalism" may still form a valuable standard for evaluating political systems. But it does not then describe a definite political reality.

To decide whether federalism, as a distinct political system, does exist, and, even more important, is likely to survive, we have to turn to the characteristics mentioned in the Introduction to this book,[4] namely the guarantee of the separate existence of the constituent units, their autonomous powers, and their share in forming the will of the community to which they are subordinate. How far can these characteristics persist, apart from specific difficulties in singular cases which can be left aside in a general theoretical approach?

In discussing the protection granted to the constituent units of a federation we have first to disentangle certain ideas. From the very beginning of modern federalism [5] the current historical

[1] *op. cit.* (1923), p. 43.
[2] See above, pp. 346 and 364–6.
[3] See Proudhon, *op. cit.*, p. 67, and Schwarzenberger, *op. cit.* (1941), pp. 402–3. But see also Proudhon, p. 85, which makes it very doubtful whether his authority can be quoted for what, at present, is understood by federalism.
[4] Section (*c*) of Chapter III.
[5] See *The Federalist*, p. 57.

approach to the problem [1] has tended to discuss the functions and statehood granted to the constituent parts of the union. Such an approach is most natural in dealing with the establishment of a federation, when decentralisation is bound to be conceived in terms of rights granted to the original members of the union. But it is not so justifiable in later constitutional life, when the composition of the union is likely to differ from the original to such an extent that the majority of the existing members can be regarded as co-founders of the federation only by way of legal fiction, and when those essential issues which justify continued decentralisation are more likely than not to arise between units which did not share in the original establishment of the union. We have learned that the historical states helped to destroy German federalism, that in the Hapsburg monarchy the existence of traditional Hungarian, Bohemian, and Galician "state rights" prevented the building up of a true multinational federation, that the main success of Austrian republican federalism was the autonomy of Vienna, which was artificially introduced into the historical framework,[2] and that the best achievements of federalism in the U.S.S.R. have been its policies as regards the autonomy of the Central Asian and Caucasian nations, accomplished across all the traditional delimitations existing in these territories and in face of the resistance of "historic nationalities" which believed themselves called to leadership.[3] If we start, as did Triepel,[4] from the traditional units of such a federation, there is, indeed, hardly any other course but to prophesy that federalism is bound to form a merely transitional stage to complete unification or to the breakdown of the state. But in such a case it is the starting-point, and not federalism as such, that renders the conclusion inevitable. The traditionalist starts from something already condemned by history—for otherwise the issue of federation would not have arisen for him. He cannot hope to do more than delay an inevitable process. He is likely to concentrate his criticism not so much on the actual encroachments of modern centralisation on State autonomy as on dangers threatening the traditional delimitation of the autonomous units, for example on Article 18 of the Weimar Constitution, which authorised a redivision of the national territory, if desired by the local electorate, even against the will of the States concerned; or against the policy of the C.P. of

[1] See above, pp. 22 ff. and 170–1.
[2] See above, p. 263.
[3] See above, pp. 263–4.
[4] Above, pp. 13–14.

the U.S.S.R. that grants autonomy to sufficiently developed national minorities within the existing Union Republics, securing the necessary formal assent of the republics by party discipline. But, in a democratic conception, the essence of federalism is not the fact that it is based upon any particular units within certain historically given boundaries: the essential is self-government, granted on a territorial basis for safeguarding certain special features within the life of the wider community; for instance, Bavarian Catholicism or the national Uzbek civilisation. Federalism in this sense does not include a claim (based on historical traditions which democracy rejects) for Bavaria to rule Protestant Franconia, or for the Uzbeks to rule the Tadzhiks. Rather might we say that the possibility of traditional units hindering the establishment of more rational ones may cause the downfall of federalism, for they deprive it of living forces that might defend it against the centralist trends inherent in modern life. This was just what happened in Germany.

Centralist tendencies have worked everywhere to restrict the autonomous powers left to the member-states of the federation. But even in the U.S.S.R., where this fact is openly acknowledged by the State ideology, there has been, at the same time, an extension of decentralised functions even in the economic field and an enormous growth of the cultural activities left to state autonomy.[1] Apart from the need of preparation for war that has so greatly modified the whole picture of political life in the U.S.S.R., a proportionally higher growth of State, as distinct from Federal, activities would seem likely. For the U.S.A. Prof. Laski has stated that federalism was the appropriate governmental technique merely for an expanding capitalism, which could compensate for the delay inherent in local autonomy. "But a contracting capitalism cannot afford the luxury of federalism. . . . It is insufficiently positive in character, it does not provide for sufficient rapidity in action; it inhibits the emergence of the necessary standards of uniformity . . . it leaves the backward areas a restraint, at once parasitic and poisonous, on those which seek to move forward." [2]

Granted a progressive outlook, and a readiness to make use of state machinery to check capitalist monopolies,[3] this argument can hardly be refuted. But it should be kept in mind that, as

[1] See above, Part IV, pp. 395–6.

[2] Laski, *op. cit.*, 1939.

[3] If the opposite political attitude is accepted, Laski's argument, of course, will be used in favour of federalism. See below, pp. 505 and 507.

Prof. Laski has made clear, it refers merely to the economic functions of the state, and does not decide whether there should be a new field of decentralised development, as, for instance, in the U.S.S.R. in cultural matters. Nor has the argument any relevance as regards newly-established federations between states hitherto politically independent but connected by some business monopolies ; in this case the federation, however slow in comparison with the machinery of the trusts, would still imply an extension of State-ability to interfere with them. But even in the purely economic field, and within well-established political units, it might be very difficult to prove that *all* State activities are bound to be absorbed, in due course, by the federation. It can hardly be said that, even without the political catastrophe, Vienna's housing activities, or the activities of the Austrian Provinces and of some German states in the production of electricity, were bound to fail. Certainly they were exposed to sabotage by private banking ; but State powers in the field of taxation, as in Vienna, or federal control of the banks if exercised with due regard to State interests and those of State-owned enterprises would have been sufficient to counter such sabotage. On such foundations no political and economic State life independent of or opposed to the federation can be built. But autonomy, though bound to be exercised in some agreement with the larger unit, is still autonomy. And in cases like Austria, where the larger unit is prevented by its own small size (measured by international standards) and by the equilibrium of internal forces from pursuing positive policies, the smaller autonomous unit may alone be able to develop any active policies of reform, however limited their scope may be.

Certainly, units whose boundaries and functions change according to the needs of society can hardly be called states. But in all successful federations—in the U.S.S.R. as well as in the U.S.A.—the concept of regional " statehood " has arisen only as an ephemeral ideology during the revolutionary struggle against the empire, common subjection to which had created the economic links that led to eventual federation. The one characteristic of federalism that is unlikely to be found in a merely decentralised unitary state is the participation of the constituent units, as such, in the formation of the will of the union. In this regard we must not cling to traditional forms : in all the post-1918 federations we have studied, the working of democratic principles has reduced the part played by the Federal Second

Chamber to a degree incomparably less than, say, that played by the Senate in the U.S.A.[1] Generally it was restricted to a mere suspensive veto and (in Germany) to advisory functions, important as these may have been. But there is no theoretical proof that the very far-reaching powers of the Second Chamber, as in the U.S.A. and temporarily, though unofficially, in republican Germany, involve in fact additional powers for the States as such. They may merely imply the over-representation (as compared with the natural result of general and equal elections) of certain all-national interests that happen to be especially strongly represented in the smaller member-states, or in some bodies which are granted *ad hoc* representation in the Second Chamber, such as the Prussian Provinces.[2]

To understand the functions of synthesis exercised by the members of a living federation, we must neither cling to the rights of the Federal Second Chamber as opposed to those of the First Chamber elected by general and equal suffrage, nor must we accept, with Smend and Bilfinger,[3] any extra-constitutional, or even anti-constitutional, pressure exercised by the member-states upon the federation as a " right " arising out of their " state character ", tacit assumptions of course, being made as regards the " sovereignty " of " states " which cannot be coerced by a power independent of their will. In a living federation, one where the federal system of autonomy corresponds to real living forces in the national life, and not merely to the desire of the representatives of a defeated *ancien régime* to retain their jobs and influence, the very fact that State—or Provincial, the name is quite unimportant—autonomy furthers the development of certain components of the all-national life will find its expression in federal policies even under a One-Chamber system. Austrian republican federalism was not based on the extremely limited rights of the Second Chamber, the Federal Council, but on the fact that in its practical working regional interests were bound to play a most important, if not overwhelming, part within the caucuses of both the parties that controlled Austrian policies. The interests of Viennese self-government were of vital importance within the Socialist, those of the Alpine Catholics within the

[1] The only exception is the U.S.S.R., where the rights of the two chambers are completely equal. But, again, one must consider the actual working of the One-party system, which will reduce the actual influence of the Second Chamber to advocating the special interests of national autonomy, within a given general political framework.

[2] See above, pp. 107–9.

[3] See above, pp. 28–9.

Christian Social Party. Vienna's autonomy was protected not by the Second Chamber, but by the fact that the Socialists all over Austria were prepared to use their blocking vote in the First Chamber, and if necessary their arms also, to defend it. The rights of the Alpine peasants were defended (for example, against their fellow-partisans coöperating with Viennese High Finance) not by the Second Chamber, but by the fact that all over Austria, in both parties, there were strong sections interested in preserving federalism, as an opening for whatever reforms a regional majority, not sufficiently strong to conquer the federation, might demand.

Therefore we do not think that, even in the countries which our study has shown to be dominated by very strong centralising tendencies in politics and economics, federalism belongs to the past. It retains certain essential functions which may increase in importance if fascist threats and the needs of war economy are overcome, and if a larger part of the activities of the State is concerned with meeting the needs, mainly cultural, but partly economic also, that the smaller unit is more apt to satisfy, especially in nationally heterogeneous territories, or those with very different natural conditions or histories. But it is another question whether the general conditions for federalism will prevail everywhere.

(*b*) Political Conditions of Federalism

The three conditions established by J. S. Mill [1] for successful federation still hold good. There must be some mutual sympathy, to ensure that the mutual obligations will be fulfilled. None of the members ought to be so strong that it could, if necessary, stand on its own without the federation. And " there should not be any one state so much more powerful than the rest, as to be capable of vying in strength with many of them combined ". The first of these conditions is self-evident, although it may do no harm to emphasise it for the various planners of to-day. The second is now of little importance : the margin that divides a real world power from some pseudo-Great Power like Italy or France is not so large, under the conditions of modern total war, that any state, however powerful, would miss an opportunity to broaden the basis of its economics as well as its defence by entering a suitable federation or, if itself a federation, by admitting

[1] *op. cit.*, pp. 298 ff.

suitable new members to it, especially if its own leadership within the larger union was assured. The third condition demands further qualification, although its essential content, the exclusion of hegemony from the ideal federation, is certainly correct.

Mill, evidently, saw the correlation between the constitutional position within a federation and the actual relation of power on very simple lines. The federation he was dealing with was, *prima facie*, one between territories with white populations and on similar economic and cultural levels, and governed in accordance with the liberal principles then current, i.e. with suffrages that gave the various parts of the federation representation on the governing bodies corresponding roughly to their actual power as well as to their population.[1] But at the time when his book was published the Austro-Hungarian nationality problems had brought to the fore questions of federation between units, whose population and consequent demands for a share in the common government did not correspond to the historical distribution of actual power, and to that influence which the leader nations were prepared to grant to the nationalities hitherto oppressed. To-day all discussions on international federation are complicated by the desire to include such territories as India, whose numerical strength and national aspirations, even in the most modest account, contrast strongly even with the most liberal estimate of the share they could expect in a federal government.[2] It seems that, at least during a transitional stage, federation between such units is impossible. For it is impossible to fix the political influence of each part of the union without depriving some parts of the influence they are bound to regard as their just share, and therefore without causing at least some of them to feel oppressed. No nation will to-day accept any regulation that will not equalise the voting strength of its citizens with that of an equal number of citizens of its prospective partners. It is, on the other side, a very long way from the recognition of a formerly " colonial " nation, like China, as an equal world-power, to the readiness even of the U.S.S.R.—not to speak of the U.S.A.—to federate with her on a basis allowing its own citizens to be over-ruled by the superior numbers of the new partner.

[1] Educational and property restrictions on suffrage, as they existed in Mill's time, are unimportant as regards the relative importance of various members of a federation, so long as it is supposed that the cultural and economic levels are similar, so that there will be an equal share in the privileged classes.

[2] See Schwarzenberger, *op. cit.* (1941), pp. 425–6, and Keeton in Channing-Pearce, *op. cit.*

So long as the backward populations can be regarded as politically silent, as the Negroes were when the American Constitution was framed, they can be regarded as non-existent, and their masters can federate without taking notice of them except as a source of wealth.[1] But once they voice their political claims, and until these claims are fully accepted, their former masters have to adapt the constitutional structure, suffrage, and so on, to the need for oppressing the awakening nationalities. The need to preserve such artificial restrictions may prevent federation even among the leading nations, as it did in Austria-Hungary because the transformation of that union into a true federation would have rendered the virtual disenfranchisement of the Hungarian " national minorities " impossible. So, to-day, proposals are made for subordinating the British Commonwealth of Nations to the U.S.A.[2] as the price for an American guarantee of a settlement of the Indian problem that would prove less liberal to India than that offered by Great Britain herself by the Cripps proposals. Once the transitional stage has been passed, and the virtual equality of the former subjects is accepted by the former rulers without too much resentment, the issue of federation between them may be reduced to the question of its intrinsic merits, as we have tried to show in the chapter on Danubian federation. But then it may easily turn out [3] that the numerical inequality, accepted as an inequality in real strength, is so enormous that federation will become impossible.

It might be said that, in a transitional stage, some compromise might be possible [3] which weighed the numerical strength against economic and cultural development. But even if agreement on such lines could be found, it would very soon be overcome by the dynamic process of the economic and cultural emancipation of the formerly backward nations. Just because there is no real standard of equality between nations, apart from mutual recognition of their equal right to cultural development, there is no other way of compromising between them than by accepting the formal equality of equal numbers [4] as the basis of the formal juridical settlement and by leaving the virtual inequalities to

[1] *The Federalist*, Essay LIIII, pp. 380–1.

[2] As Carr, *op. cit.*, p. 180, correctly describes the working of the Streit utopia, if realised.

[3] See note 2 on p. 495.

[4] Apart from the protection usually accorded by federal constitutions to the weaker members, say, by the structure of the Second Chamber.

work behind the scenes, as they do in all federations, and indeed in democracies in general.

So, it seems, Mill's third condition ought to be enlarged. There must not only be some equilibrium in general between the prospective members of a federation, but this equilibrium must be (*a*) numerical and (*b*) based upon roughly comparable levels of economic and cultural development, or, as in the U.S.S.R., on the firm resolution to create them, so that the relative numerical strength will be accepted as a suitable starting-point for the federal agreement. With these qualifications Mill's third condition holds good, in so far as it states the contradiction between the essential conditions for the normal working of federal constitutions and any very large inequalities of material influence amongst the members. But this does not prove that where union of some kind is needed, and some virtual inequality in the natural units of the union [1] is unavoidable, a federal constitution is undesirable as a means of reducing the hegemonic features of the union to a minimum. Triepel, rightly as it would seem, proved that where virtual inequality exists, the leadership of the hegemonic state tends to be strengthened if its subject states preserve their formal independence, instead of merging their identity and the leader's in a federation.[2]

A union between virtually unequal units in the fields where they are unequal, may still from the formal point of view be described as a federation. Whether it can, in our days, preserve federalist forms of organisation depends essentially upon the ability of the leading unit to deal with its partners as equals in certain fields where they have a claim to equality, say on cultural issues. On the other hand, the ability of the 90 million Great-Russians to deal with the cultural claims of the one million Tadzhiks on an equal basis is certainly furthered by the federal form of their common political organisation, and the formal equality of status implied. In this regard there is a qualitative difference between federation and autonomy granted merely to certain special parts of a multi-national state, as to the Carpatho-Ukraine in Czechoslovakia. Modern constitutional technique [3]

[1] As distinct from purely traditionalist units that could be reorganised into more rational and equal ones, as has been desired by democratically-minded Germans.

[2] See above, pp. 456–7.

[3] See, for example, the Austrian rulings regarding the structure of the Second Chamber, above, p. 258. The Soviet constitution, without the One-party system, would work badly because of the excessive opportunities granted to the Second Chamber, i.e. to the smaller and backward nationalities, to produce a deadlock even in fields where no cultural interests at all are concerned. Only the dictator-

has the means of making a synthesis possible in all those fields where the partners ought to be dealt with as approximately equal, while preserving the majority principle in all those (mainly economic) fields where the formula not of State to State, but of man to man is valid, provided that the 90 million Russians, for instance, use their leadership in such a way that the one million do not feel they are outvoted as Tadzhiks. The fundamental condition for the partial replacement of the majority-principle by a conception of equality in those fields where equality is desired, is the existence of a common loyalty superior to that to any individual member state. Just because they approach matters first as Socialists, and only secondly as Russians,[1] in those fields where Russian socialist civilisation is distinct from Tadzhik socialist civilisation, the Russians are able to deal with the Tadzhiks as an equal cultural unit, while the Tadzhiks, for just the same reason, are able to submit to the majority in matters where socialism, and not its specifically Tadzhik forms, are concerned.

Although there exists no federation between virtually equal members, so designed that certain member-states are not more likely than others to be over-ruled by the majority, it is certainly true that the conceptions of hegemony, hierarchy and dependence are incompatible with that of federation.[2] A system works on federal lines just in so far as it works between equals, and tries to secure the maximum possible degree of consent from all the members. On the other hand, the inclusion of hegemonic or hierarchical conceptions in the state ideology of the leading members of a union (it is not very likely with the others) is a certain proof that they do not desire the union to work on federal lines; the opposite argument would be less certain. However convincing this argument may be, it seems wrong to extend it to the point of making the general characteristics of federalism, which distinguish it from hegemony, depend on a

ship of the Communist Party prevented this influence from being exercised, for example, against agricultural collectivisation. In a federation without a One-party system, but with differences in the size of the constituent units similar to those in the U.S.S.R. or in Austria, the Second Chamber could not be granted a decisive veto in fields where its exercise would be regarded, by member-States comprising the majority of the total population, as a violation of democratic principles. In such fields a suspensive veto, as in Austria, would suffice to give the majority the opportunity to reconsider over-hasty decisions.

[1] This does not prevent the Russians (or Tadzhiks), in so far as their national civilisation is opposed to outside civilisations, from being proud not only of being citizens of the U.S.S.R., but also of being Russians (or Tadzhiks), and from preferring non-socialist parts of their national tradition to foreign traditions.

[2] Schwarzenberger, *op. cit.* (1941), p. 415.

certain political tradition, that of liberal democracy, and to regard federation between other types of state as possible only in the abstract.[1] Even if it be taken for granted that the relations between the members of a federation are bound to correspond to the internal relations of its member-states with their citizens, which could be argued only very indirectly,[2] it would be difficult to find more than formal features of the "Anglo-Saxon and Swiss tradition" that excluded the U.S.S.R. from the "true" type of federation, without at the same time describing the model type of that tradition as a very imperfect example of federation. The U.S.A. was founded by people who deliberately left property restrictions on suffrage within the autonomy of the member states, and regarded slavery merely as an extreme case of such restrictions.[3] It would be very difficult to prove that the actual prevention of citizens from voting because of their Negro descent, which is still practised in some Southern states of the U.S.A., is less opposed to the conception of equal rights and government by consent of the governed than the avowedly transitional disenfranchisement of people of aristocratic descent in the U.S.S.R. prior to 1936. And a citizen of a State in the "solid South" who has virtually no other influence than a choice in the first ballot between various candidates of the Democratic party, only one of whom has any chance of success, is, as regards his consent to the government, in a situation not different in principle from that of the citizen of the U.S.S.R. who has no other influence than that which he can exercise in the pre-election conferences, in choosing between candidates none of whom could be proposed without the consent of the Communist Party. The apologists of the U.S.A. can argue that only a minority of its citizens will feel oppressed thereby—but so can those of the U.S.S.R., and with considerable historical evidence to support their allegation. As long as the majority of politically active citizens supports the régime of a state, that state can participate in the normal working of a federation almost independently of whether its internal régime complies with ideal liberal standards.

[1] *ibid.*

[2] The argument would have to be based upon the internal difficulties arising out of a varying suffrage to elections to federal and State parliaments. But such different suffrages co-existed in Germany during the whole period from 1871 to 1918, and there were cases of backward revision of State suffrages away from the federal standard, but with the support of the Federal Government. See above, pp. 77 and 79. It is not the formal suffrage, but the real distribution of power that counts: in spite of general suffrage the German Federation was dominated by forces likely to further reaction in the States.

[3] See note 1 on p. 496.

In so far as a regional majority has to be oppressed, as in colonies,[1] the system is not federalist at all, whatever the relations between its leading partners and whatever their internal régime.

From this point of view we have to approach the question whether federation, besides presupposing a certain similarity in the internal régimes of the constituent parts,[2] is also subject to certain limitations as regards the character of those régimes. The difference between monarchies or republics, which formerly was strongly emphasised, can to-day be regarded as secondary, although the propensity of some monarchies to the recognition of etiquette and prestige may further the progress of the centralisation needed in any federation on rather hegemonic lines,[3] as happened in the German Empire. But the constituent units of the German Empire represented a type of monarchy intermediate between parliamentary monarchy and military-autocratic dictatorship, and this *forma mixta* is unlikely to be found in our times.[4] The purely parliamentary monarchy of the Belgian, Dutch or Norwegian kind [5] must hardly be expected to react to political situations in ways very different from those of a parliamentary republic, while the outspoken military-monarchic dictatorships of the South-East European type would present militarist-nationalist rather than purely monarchic obstacles to federation.

The really important alternative in our times is very often formulated as that between the liberal state, in the nineteenth-century conception, and what is called " dictatorship ". The latter description is rather wide. If it is identified with lawlessness, or with what is perhaps another expression for the same thing,

[1] See Schwarzenberger, *op. cit.*, pp. 416 and 424–6, and the contributions by Keeton and Schwarzenberger to Channing-Pearce, *op. cit.* For the attitude criticised see Streit, *op. cit.*, pp. 249–51. Coudenhove, with the same attitude, may here be left out, as not claiming to desire the establishment of a democratic federation, and honestly declaring that he regards coloured people on rather Hitlerite lines. See above, p. 451.

[2] See above, pp. 471 ff.

[3] Cf. Schwarzenberger, *op. cit.* (1941), p. 415, and the literature there given. Mill, *op. cit.*, p. 303, still considered federation between monarchies possible only in the case of personal union, i.e. if the problem mentioned does not arise at all.

[4] Apart from some Balkan régimes, with little chance of survival, moderate Japanese circles may cherish such prospects in the event of an Allied victory without subsequent revolution.

[5] We leave Britain aside, for, with a world power, monarchical traditions may constitute the ideological cover for its very natural unreadiness to submit to a " supra-state ". But they are not the cause of such an attitude. Streit's (*op. cit.*, pp. 160–1) remark that in his utopia the British could retain their King, and the Russians their Soviet, misses the point. Maybe they could be allowed to retain, even under the U.S.A. constitution, some traditional symbols of autonomy of their own. What they could not retain would be their individual positions among the great shaping forces of modern history.

the arbitrary rule of an individual " dictator ", it is a truism to state that it is incompatible with federation, since federation requires the submission even of the most powerful authorities to rules of Law which they cannot determine.[1] Certainly it is right to conclude from such an argument that common principles of Law require a common political philosophy and a similar system of government.[2] But this is only expressing in a juridical form what we have found to be confirmed by political experience.[3] It does not say anything as regards the specific form of political philosophy required, apart from excluding some rather crude forms of the fascist principle of " leadership " which imply that " the word of the Leader is law ". But these are already excluded by their more general formula " Right is what serves the . . . people "—for such a formula rules out any union except under the hegemony of the privileged . . . nation.

Unless it is proved that there can be no Law except within the system of nineteenth-century liberal conceptions of State functions, free exchange of commodities,[4] and the multi-party system, no case can be made out for using the above-mentioned argument against the compatibility of federalism with what is very often understood by " dictatorship ", namely a " totalitarian " extension of State functions beyond what was considered right in the nineteenth century or, in the political field, with the One-party system. We have seen [5] that, in the U.S.S.R., the One-party system does not exclude federalist practice where the monopolist party recognises and desires a variety of national cultures. On the other hand it would be a mere truism to say that, where dictatorship is felt to be necessary, a party exercising such dictatorship will certainly not recognise federal autonomy. But the system of two competing national parties, prevailing in the U.S.A., has been reproached in just the same way with overriding the separate life of the States.[6] Whether such reproaches are justified, in a one, or in a multi, Party system, depends essentially on the structure and policies of those parties. If, as in the U.S.S.R., a monopolist party has a certain fundamental interest in applying federal forms of government in certain fields,[5] or if, as in the Austrian Republic or in Canada, both partners in a two-party system are eager to protect the autonomy of those

[1] Greaves, *op. cit.*, pp. 121 ff. [2] *ibid.*, p. 122. [3] See above, pp. 471–2.
[4] For a discussion of this point for the U.S.S.R. see my article in *Modern Law Review*, December, 1942, and Chapter V of my book, *Soviet Legal Theory*, published in this Library, 1945.
[5] Above, pp. 407–10. [6] Calhoun, *op. cit.*, p. 305.

parts of the country where they enjoy the opportunity to realise their respective programmes, the party-system will be a guarantee, and, under modern conditions, the most essential guarantee, of federalism. If the ruling parties have essentially centralist interests, their multiplication, as in Czechoslovakia, will result only in linking up a larger number of interests with centralism.

To say that federalism is necessarily bound up with democracy is correct only if democracy is interpreted in a wide sense as direct connection between the rulers and the ruled. In this conception it forms an essential condition of the direct relation between the Federal government and the citizens which we have found necessary for federation. Laband's " republic of states ",[1] if it ever existed, would certainly not be a federation. It is for this reason that fascist and " authoritarian " régimes in general do not form a suitable basis for federation. Even in a combination of Catholic-fascist states of the Dollfuss-Austrian type, which would not, like most " authoritarian " régimes, be bound to adopt a chauvinist and hegemonic attitude towards their neighbours, it would be very difficult to imagine a " Patriotic Front " extending over all members of the federation without depriving them of their national individuality, in favour perhaps of Hapsburg monarchism. In the U.S.S.R. there is an inter-national allegiance compatible with, but superior to, nationality, so that the inter-national party can make the necessary federalist compromises within its own caucus. Fascist parties of whatever description could hardly do so : even if they were without aspirations for mutual subjection they would rather combine in forms of confederacy, or destroy the individuality of the members by unification.

[1] See above, p. 24.

CHAPTER XIX

FEDERALISM AND SOCIAL ORDER

In order to fulfil its function, federalism, while allowing of some degree of diversity in agriculture, housing, and other matters suitable for local regulation, presupposes common standards as regards the principles on which the large-scale industries, banking, transport, etc., are worked. This holds no more true under a socialist system, where it is explicitly laid down in the federal constitution, than under a capitalist system where it is secured by negative provisions against interference with capitalist freedom on the part of the members of the federation. Any federal system protects the presupposed common standards against social change: either by organising that change in a certain agreed direction, or by preventing it.

(*a*) Federalism and Variety of Social Structure

Fundamental as regards the possibility and desirability of federation under modern conditions [1] is the question whether it allows sufficiently for a variety of social structure among its members, and for at least a certain degree of autonomy in changing this structure. Purely formalist answers to this question [2] are without any value, and likely to mislead: what really matters is not whether certain particular powers would be left to the member-states of a given federation (as certainly most powers would be in a federation between hitherto independent states), but whether the unity essential for any kind of federation is not sufficient virtually to prevent the member-states from making any use of their legal powers outside a narrow framework established by the union. From this angle it is not legal but economic analysis and political experience that count.

In the experiences studied in this book certain fundamental lines can be clearly distinguished. The co-existence of varying social structures in industry and agriculture is everywhere tolerated so long as the local systems recognise the subordination of agriculture to the essential structure of industry and, in the dynamic conditions of the U.S.S.R., the development of agricultural society on lines corresponding to industrial development. The gradual subordination of the German peasant coöperatives to the control of High Finance, with the preservation of a fairly tolerant attitude towards local custom as regards rural inheritance, etc., until the establishment of the Nazi régime,[3] does not differ

[1] Not modern alone, as the history of slavery in the U.S.A. proves.
[2] Streit, *op. cit.*, pp. 160–1.
[3] See above, pp. 90 and 145.

fundamentally from the application of various types of agricultural collectivisation in different parts of the U.S.S.R., and the temporary toleration of private, peasant economics,[1] except in the fact that German development implied a mere evolution of the existing private capitalist order, which was overthrown in Russia by the revolution.

Some difference in the social organisation of industry, according to the distribution of political power, seems compatible with federalism. During the first stages of the Austrian Republic, when political power was divided between the well-to-do peasants in the countryside and a reformist Labour party dominating Vienna, the latter had its opportunity to effect considerable social reforms in so far as they did not threaten those essential features of the capitalist system for whose defence the peasant could be mobilised. But in Germany policies of social reform much more moderate than those applied in Vienna were prevented by the direct, and even unconstitutional, intervention of the Federal Government dominated by monopoly-capitalist interests, similar to those that put an end to the Vienna experiments and to Austrian federalism in general as soon as they had won political power in the country. On the other side, state socialism in the U.S.S.R., while ready to compromise with the peasants, tolerated the NEP-men in the towns only so long as it needed them, and fought any local tendencies connected with their interests as " bourgeois nationalism ".

The lessons of these experiences seem very simple : even within a federation there can be no division of the " commanding heights " of economics, to use the Soviet expression. Modern centralist organisation of industry and banking is bound to subject any variety of economic life to its own needs. Within industry itself it will oppress competitors and political opponents ; as regards agriculture, it will try to organise it along lines suited to the prevailing pattern of national economic life. Any freedom of economic intercourse within the union territory granted by the federal organisation, and any political influence of the federation as such, or of some member-states, on the internal life of any member of the federation, will serve as instruments enabling the dominant forces in modern society to effect their will. In the formerly colonial regions of the U.S.S.R. the " bourgeois nationalists " had to pay for the cultural emancipation of the various nationalities and the raising of their standard of living, by

[1] See above, pp. 372–3.

accepting the agricultural collectivisation enforced by Moscow state socialism. In Austria the High Finance interest, which was obviously too weak within the Province of Vienna to nullify the will of the majority, succeeded in mobilising part of the provincial peasant interest, which was dependent on it, against Vienna. These facts would seem good to the poor Uzbek peasants who were liberated from their landlords and usurers, or to the Viennese houseowners who got rid of the Rent Restriction Act, and bad from the opposite point of view ; but what matters is not with whom the reader sympathises in each country, but the fact that the problem cannot be solved by the central authority abstaining from action. A socialist or planning state will be activist, and will make use of all the federal powers to enforce the particular development of centralist economics which it advocates. If it is unwilling, or in consequence of the federalist division of powers unable, to do so, Big Business will centralise economic and political life in its own way.[1] Anyone who dare not be the hammer, will be the anvil. If Liberals,[2] describing such a state of things, find in federal deadlock " a consummation of the liberal principle ", they are right only in the very formal sense that, according to their conceptions, the state is prevented from organising economics. But they are not right if they mean that free competition will prevail within all parts of the federation : private capitalist monopoly will organise economics according to its own interests, as it has done in the national sphere in which it has developed under the protection of *laissez-faire*.

Any restriction of the federal powers in those fields of economics where big centralised interests prevail simply means allowing those interests to get out of control. Anyone who considers the organisation of society by Big Business, with or without the corporative state, desirable, should honestly try to let federal legislation and administration work on such lines. But it is simply undemocratic to let Big Business rule develop silently for the reason that in consequence of the constitutional structure neither the State nor the Federation is able to check it.[2] The Liberal must himself decide whether he regards such a state of things as the consummation of his ideals. The Socialist, from his economic point of view, will be conscious of the alternatives. The only question he may raise is whether it is worth while leaving the member-states of a federation any economic functions at all.

[1] See note 2 on p. 491. [2] Hayek, *op. cit.*, especially p. 146.

In this respect the Austrian experiment, during its successful period, may prove instructive. There is no reason why such functions as house-building, administering water-power, or furthering agricultural coöperation, in short all kinds of economic functions closely connected with local interests, should not be left for an indefinite time to local control. The exercise of such functions by authorities remote from local interests is likely to be felt as oppressive and to produce unnecessary opposition. Therefore, in these respects, decentralisation, and not centralisation, is the best way to ensure the maximum public activity, in whatever direction it is desired. What is needed from the centre for furthering such local activities is not necessarily active help, but merely the prevention of hostile interference. Private banking, with powerful international backing, proved detrimental to Vienna's housing policies. Nationalisation of the banks—of course by the federal, not by the local Viennese authorities—would appear the natural answer to any attempt of private business to interfere with the working of democracy. But, to safeguard Viennese policies, it would not necessarily have been essential to mobilise the resources of the Viennese banks behind the municipal building activities. If a compromise with what a Socialist would call the prejudices of the Catholic peasants as regards ground rent had resulted in a state-controlled banking system keeping aloof from the issue, and dealing with the Vienna municipality on exactly the same conditions as with any private *entrepreneur*, the result desired by the Socialists could have been achieved by the exercise of Vienna's power of taxation, and the economic use of the newly-built houses. The same, *vice versa*, holds true as regards peasants' coöperatives. National control of the " commanding heights " of economics, exercised by the organs of a federation, can respect local autonomy in all economic fields suitable for local management to a degree hardly achievable in the case of private control of the economic key-positions.

(*b*) Federalism and Social Change

If it is desired to discuss the very hypothetical problems of an eventual federation of hitherto independent states, we have, at least tentatively, to make certain general assumptions. It is very difficult to imagine any countries entering federations without having already enjoyed considerable economic intercourse, and experienced the interpenetration of economic monopolies. In

such a case [1] federation, however cautious, would imply the possibility of the central power controlling developments formerly anarchic. The question whether the federal constitution would favour private capitalist interpenetration, or the possibilities of checking it, or both together, cannot be answered without knowing the concrete structure of such a federation, the international situation in which it would be created, and the social and political structure of the countries composing it. The answer may also be very different for the various countries federating, and various sectional groups within them.

In general, it may be said that federation, under capitalist conditions, is likely to strengthen the obstacles to, rather than the instruments of social change. The Constitution of the U.S.A. was framed by men with the avowed [2] aim of preventing even a majority of the people from furthering their sectional interests if they seemed oppressive to the minority, and it can hardly be said that events have fallen short of their expectations.[3] Professor Hayek's argument [4] that nations hitherto independent would hardly transfer to a new federal government such powerful functions as are needed to check modern capitalist development is very strong, and few Socialists will be inclined to accept Barbara Wootton's counter-argument [5] that it may be worth while, from their point of view, to abandon the hope of establishing " socialist pockets in a capitalist world " for the sake of preparing for a later transition on a larger scale. Quite apart from countries bordering on the U.S.S.R. or able to get some support thence for independent attempts at social transformation, it may be doubted whether, say, New Zealand Socialists would be prepared to accept the Supreme Court of the U.S.A., in whatever disguise, as a limiting factor on their attempts at reform. A programme of social reform need not necessarily be very radical for it to be less likely of realisation because the country concerned enters some federation controlled by Big Business. But quite apart from such immediate results of federation for the countries concerned, the question arises whether, within the federation, social change would be possible at all without catastrophe.

This is not only a constitutional question, in the sense that a newly-established federation as well as its constituent states are most unlikely to possess the constitutional powers needed for

[1] See above, p. 402.
[2] *The Federalist*, pp. 58 ff.
[3] See Schwarzenberger, *op. cit.* (1941), pp. 384–5 and notes thereto.
[4] *op. cit.*, p. 142.
[5] *op. cit.*, p. 145.

efficient social reforms:[1] it is, even more, a question of what reforms are to be aimed at. In this regard, large-scale federation would be likely to produce results the very opposite of those hoped for by Barbara Wootton and other Socialist advocates of Federal Union. It is simply impossible for the necessary social transformations to take the same shape in countries with very different historical traditions and social conditions, least of all if these transitions are to be effected with a minimum of coercion. For they cannot command any wide support without being very carefully adapted to the specific needs and desires of the respective peoples. To remain within the framework of Streit's " Fifteen Democracies ", it is almost impossible for one and the same measure to command popular support both in France and in New Zealand, even if each country were to have a Socialist majority. In consequence, democracy would remain divided, unable to agree on any measure, and even less able to carry it through without antagonising parts of one, and probably of both peoples. Wall Street financiers would find it much easier to agree upon their programme for any country where they had invested their capital. Whatever politicians in the federated countries were allowed to babble (and they would not be able to babble very much about utopias without conflicting with some of Streit's " Fundamental Rights " [2] protecting capitalist property), the policies of the federation, as in Germany,[3] would be made by those who were united against those who were divided. There would be no change, except what might result from a catastrophic defeat of the federation in pursuing the aims it was by its very structure bound to pursue.[4]

In consequence, it seems impossible to presuppose that amount of voluntary agreement necessary for the normal working of a federation, unless the forces entering it are already in agreement on essential social issues. This does not imply the virtual equality of the social systems, which does not exist even in the U.S.S.R., nor even complete accord as regards the direction in which the social system is to be developed. If the High Finance interest had not intervened, Catholic Austrian peasant coöperatives and Viennese social reform could have co-existed in one federation for many decades, and, during that time, they would

[1] See note 2 on p. 505.

[2] See, for example, Streit, *op. cit.*, p. 326, the " Freedom from having property taken for public use without just compensation ", together with the establishment of a Federal Court to decide whether the compensation was just.

[3] See above, pp. 79–80.

[4] See below, p. 521.

have found their opportunity to look for a synthesis. So I see no fundamental reason why, say, governments led by the Peasants' parties in the countries of South-East Europe, with their local Workers' parties in the rôle of mere junior partners, should not federate with Austrian and Czechoslovak régimes of the opposite type, so long as the general system within which they worked created some guarantees against a repetition of republican Austria's experiences. But prevention of High Finance intervention, as in Austria, may involve a certain limitation on the variety of national economic régimes. On the other hand, only a limited variation of internal economics is possible for countries that are ready to federate with advocates of an orthodox capitalist system. A federation of peoples following antagonistic social aims, i.e. of nations aiming at a socialist development of industry with others aiming at an orthodox capitalist system, is bound to end, at best,[1] as the combination of American slave-holders and industrialists ended, in a clearing of the issues by Civil War.

[1] I speak of the best possible outcome for the reason that various combinations of this Civil War with World War would be possible, and even likely. See below, p. 523.

CHAPTER XX

FEDERALISM AND THE MULTI-NATIONAL STATE

Federalism is the only way of granting formerly oppressed nationalities full emancipation without destroying the large-scale economic unit. Therefore it is the obvious solution for the problem of the multi-national state. But this solution presupposes the general enforcement of common standards of social justice, to which the claims of the members of the formerly privileged nations also are subordinated. Only within the limits set by these standards can national autonomy be granted.

Federation can make possible the cohabitation of different social groups dominating various territories only on condition that the aims pursued by those groups are identical, or at least compatible, as were those of the reformist Socialist workers of Vienna and the Alpine Catholic peasants. Certainly, federation is not an instrument for bridging social chasms that are further widened by their identification with national antagonism. No federation can decide the question whether the Magyar landlords or the Transylvanian peasants ought to own the land. In the U.S.S.R. it was not federation that decided whether the Kalmuk steppes belonged to the Kalmuks or to the Great-Russian settlers : a certain political group among the Great-Russians, by enforcing against the Great-Russian settlers a solution acceptable to the Kalmuks, created the preliminary condition for a successful federation, and for the continuance of Great-Russian leadership in the political field, in spite of the hatred created by former oppression. If the Great-Russian Communists had not done this, and if the Kalmuks themselves had had to fight out a national revolution on the Czechoslovak or Rumanian pattern, the situation would have become more complicated. Everything Russian would have been suppressed by the victorious Kalmuks so that apart from the settlers who had lost their privileges many people who were not necessarily involved in the social antagonisms would have become the bearers or victims of national hatred. In the Succession States of the Hapsburg Monarchy events did, indeed, take the latter course. But, whatever the immediate solution of the socio-national issues, common needs in the field of economics or defence might force upon both partners to the dispute the need to combine.

It is at this point that the problem of the multi-national state

arises in its present shape. It is distinct from the problem of whether various independent national states, not interlocked by national issues, can federate, say in Streit's sense, or as a Socialist Germany or China might desire to federate with the U.S.S.R. The conception of the multi-national state supposes that a nation is a political reality. It expresses no mystical nationalism that accepts the claims of Ruritania as distinct from those of the individual Ruritanians,[1] but recognises that the Ruritanians are bound to feel various social and cultural needs as Ruritanians, and not just as atoms in an amorphous conglomerate in the Manchester liberal or Trotskyite conception of internationalism, or rather a-nationalism. A Pole in the Western Ukraine considers himself a Roman Catholic like his British fellow-believer, who prefers this kind of Christian worship to others, but he also regards his specific faith as part of a cultural tradition superior to that of his Ukrainian neighbours and connected with his Polish nationality. His Polish mother-tongue is for him not only the medium by which he desires to transfer to his children the cultural achievements of his people, but also the expression of their national claim to a political and social position superior to that of their backward and heretical neighbours. He will act according to this conception, even if he has no personal economic interest in preventing the incorporation of his home town in the Soviet Ukraine,[2] and even if the latter grants him complete freedom of worship [3] and the right to educate his children in their mother-tongue. The opposite view is held by Ukrainians. As the respective national claims are simply opposed to each other, it is impossible to satisfy all of them in every territory. But it is essential for the development of any national civilisation, that it should not be restricted to the lower strata of society, that is to say, that no national minority should enjoy social privilege. Therefore, any national civilisation must find its realisation where it is supported by the popular majority. No solution that is not supported by the majority of the people concerned is likely to be stable for a considerable period. For most of the inhabitants of Ruritania act, however foolishly, on the assumption that they

[1] Carr, *op. cit.*, p. 47. [2] See above, p. 475.

[3] Whether it can do so depends, on the other hand, very closely upon whether the Catholic Church regards itself as a religious, and not a national or political organisation. The Roman Catholic case, not only in the U.S.S.R., is greatly complicated by an attitude that rejects freedom of worship as a Communist conception, and interprets religious freedom as denominational education, state support for the priesthood, and prevention of any propaganda by rationalists (see *Religion in Russia*, London, Burns Oates, 1940), pp. 15–16.

are Ruritanians. What Prof. Carr calls " the crisis of self-determination " is partly an expression of the indisputable fact that modern conditions have rendered the independent existence of small nationalities, to say the least, very difficult, and that some solution on broader lines is needed. But that crisis is also the expression of a desire to look for such a solution on lines divorced from the essential political reality in the countries with which we are concerned, and on lines likely to give any settlement the character of foreign rule, because they are in accord with standards alien to the nationalities concerned. In a book on federalism we have to deal only with attempts at solutions that claim the support and consent of the governed for their establishment and working.

The Austrian Social Democrats have evolved a solution [1] that is, at present, accepted by a very influential body of English public opinion : politics and nationality ought to be dissociated, and the cultural nation ought to be organised on different lines from the political nation.[2] Such a solution may seem reasonable to many people in this country, where the question whether someone desires his children to be taught in the English or Welsh language seems very similar to that whether they ought to be sent to the Baptist or the Methodist Sunday-school. They cannot see why any things should be organised by state machinery that ought to be left to the free decision of the individual. Even if, as is general on the Continent, education and the furthering of cultural activities are accepted as public tasks, it is difficult for the representatives of such a point of view to understand why the State should be burdened with other duties than securing a sufficiently high level of education from autonomous national bodies, by organising, supervising and, if necessary, subsidising them. We have seen above [3] that in social practice great difficulties arise at this point. Ought the respective levels of German and Slovene education to be decided by the contributions that Germans and Slovenes can make to their respective national education funds, or ought the State to intervene? And if it ought, by what rules should it distribute the funds available? Should the distribution be made according the present share of Germans and Slovenes respectively in the more highly educated section of the population, i.e. according to the present distribution

[1] See above, Chapter IX, Section *f*.
[2] See Macartney, *op. cit.* (1934), p. 463, and Carr, *op. cit.*, p. 62.
[3] Part III, p. 214, and note 4.

of the best and most influential jobs in the professions and the Civil Service, or according to their respective share in the total population, i.e. on the assumption that, according to democratic principles, complete social equality between the two racial groups ought to be achieved? And who is to decide the matter? Ought the local majority to decide—say the Slovene peasants against the German Civil Servants and middle class,[1] or the multi-national parliament, i.e. a combination of the Germans with, say, the Polish aristocracy, who have nothing to do with the issue apart from having agreed with the Germans to give each other mutual support against the Slovenes and the Ukrainians? But if the basic assumption is accepted that the citizen is for some purposes a citizen of the multi-national state, and for others a member of the "cultural nation", what reason has he to submit what he is bound, according to his whole social position, to consider the natural right of his "cultural nation" to the judgment of other people who are opponents of his nation, though citizens of the same multi-national state?

In the "purely cultural" field just discussed the issues are already complicated by the presence of virtually social, and therefore political, questions. The dispute loses all connection with the "purely cultural" issues once we enter the field of the decisive national questions in Eastern Europe, of landlord versus peasant, and Czech local industry versus Viennese High Finance. The downfall of the Hapsburg Monarchy and the failure of the attempts of the Austrian Social Democrats to keep even their own party together on the platform of "national cultural autonomy" have proved that only a political, i.e. territorial solution of the fundamental national-social issues is practicable. Anyone who takes the position of "dissociating nation from state" virtually leaves everything where it was. If he was a citizen of the Hapsburg Monarchy he left things under the control of Viennese High Finance; to-day if he is a planner for the future of Europe he envisages some European authority imposed by external power. But on what principles would such an authority act? Should it act according to the social *status quo* at the moment it took office, and according to legal standards derived from this status, though the opposition to it might form the strongest threat to the stability of the system, or should it act according to the desire of the local majority, and if so, why not let them solve the problem themselves, once and for all? Whatever they do, or

[1] See above, p. 203.

someone else does for them, is bound to appear unjust to those against whom the issue is decided. Is it really the task of Britain and the U.S.S.R. to take upon themselves the responsibility for betraying either the Hungarian landowners or the Rumanian peasants in Transylvania, or both, as would be most likely in the event of a compromise with which neither side would be satisfied?

The social issues behind national questions, especially in Central and Eastern Europe, are issues to be solved by the State, i.e. by the territorial organisation. Only *after* these social issues have been decided in some way, may nationality be regarded as a purely cultural problem. The solution of these cultural problems is made possible for the national majority by the establishment of a national state, with all the material facilities for the development of its own national civilisation. As regards the national minorities, unless mechanical oppression is desired, there remain three possible solutions of the problem of cultural autonomy: personal cultural autonomy, on the pattern of the Austro-Marxist proposals discussed above,[1] collective national autonomy for groups described racially, as demanded by the Henleinists in Czechoslovakia,[2] or territorial autonomy implying that within the established political framework[3] all issues of importance to the respective national cultures should be devolved to the lower units of self-government, to enable any minority, wherever it forms a local majority, to administer its own schools, etc. Democrats will reject the second solution for its obvious fascist assumptions and consequences. If there is any case for protecting a national minority against oppression, there is certainly no case for allowing a majority within that minority to oppress those who happen to have been "born into it".[2] So there remain, as acceptable solutions, the first and the third of those mentioned above. Expediency and simplicity of administration suggest the third, with units of self-government suitable for catering for particular needs,[4] as the norm, and personal-cultural

[1] But they change their character, once it is supposed that the social issues behind the national are recognised, and decided on a territorial basis. For then the problems discussed above (pp. 512–13) *are* solved and the cultural autonomy has merely to satisfy those cultural needs of each national group which correspond to its recognised social status.

[2] See above, Part III, pp. 305–7.

[3] If this is not assumed, territorial autonomy would cease to be an expedient for cultural minority protection, with which we are at the moment concerned, and would turn into the problem of multi-national federation, as discussed above.

[4] The unit adequate to cater for elementary schools is, of course, smaller than that proper for universities. There is, *a priori*, no special guarantee for freedom if the self-governing units are made as large as possible. See above, Part III, pp. 309–10.

autonomy as an auxiliary expedient for meeting the needs of groups which form minorities even locally, but are sufficiently strong and self-conscious to desire education systems, and so on, of their own. But the main problem of our study is not the discussion of various possible forms of local and personal autonomy within an established political framework, but the question how far multi-national federation between distinct political systems can further a reasonable solution of such minority problems as are likely to survive within each national unit.

It is evident that federation would help considerably to ease the difficulties arising from the dissolution of a multi-national complex, and the desire to combine the maximum of social justice, as conceived by the regional majorities, with a maximum of national justice, i.e. due regard for the cultural needs of every minority. Federation would help to reduce the size of the inevitable minorities, for it would in many cases [1] enable the territorial division to go into more detail, and therefore to correspond more closely to ethnographical features than if the defence and economic needs of completely independent states had to be taken into consideration.[2] It would, once certain standards of social and national justice were recognised as binding for the whole federation, allow the aspirations of some nationalities for a national home of their own to be satisfied without injustice to others, even if those nationalities should nowhere form a distinct local majority.[3] It would also give powerful support to any kind of autonomy granted to minorities whose co-nationals form majorities in other member-states of the federation.[4] Broad-

[1] See Keeton-Schlesinger, *op. cit.*, p. 131.

[2] As we suppose the members of the multi-national federation to be distinguished by having answered the socio-national issues in various ways, and having established distinct socio-economic formations, a complete abstraction from economic expediency is even in this case impossible. Even if a similar answer to economic issues should be enforced, as in the U.S.S.R., expediency demands a certain minimum size for the administrative units so that, under East European conditions, inclusion of compact minorities in units granted autonomy in some fields of economic administration (and otherwise it would be meaningless to speak of federation) may be unavoidable. For this reason, there is nothing contradictory between the application, at the same time, of multi-national federation, and territorial cultural autonomy for the remaining minorities. But it makes a big difference whether the necessary violation of the ethnographical delimitation is restricted to, say, leaving the peasants together with the town where they used to market their products within the boundaries of a member-state of a federation, or whether considerations of international traffic, perhaps of autarky for military needs, etc., are to be taken into consideration. The Transylvanian problems, for example, assume quite different aspects if approached from these two points of view.

[3] See above, Part IV, p. 393.

[4] It is essentially on such lines that the Soviet has solved the very difficult problems arising between the Transcaucasian nationalities, by giving each of them a Union Republic of their own, and as many Autonomous Republics within their partners' territory as possible.

minded dealing with the autonomy of national minorities would promote goodwill in the relations of those member-states interested in the welfare of their co-nationals. It is much easier to be broadminded [1] in a period of economic expansion, as in the U.S.S.R., than in conditions of economic depression involving a struggle for employment, and for this reason I cannot, as does Macartney,[2] regard the connection between the socialist economics of the U.S.S.R. and their progressive nationalities policy as mere chance. If their economic policy did not produce a permanent shortage of specialists, they could not exercise pressure in order to increase the number of men and women of a backward nationality enjoying higher education. Least of all can the socialist economics of the U.S.S.R. be separated from the fact that amongst the nations emancipated on the basis of complete equality of rights are many formerly typical colonial peoples. It is true, this has been made easier by another fact that could not be reproduced in the relations, say, of Britain to India,[3] namely the numerical superiority of the Great-Russians and even more of the Slavs over those colonial peoples. This fact makes federation on the basis of complete equality of rights possible while preserving Great-Russian leadership without violating, and even in the working of the majority principle.

As opposed to the opinion of those authors who see in the nationalities policy of the U.S.S.R. nothing but a reasonable, non-chauvinist, mode of dealing with the minorities problem in general, it might thus appear that the specific lesson of the Soviet success, the multi-national federation between territorial units,[4] was bound up with socialist economics. But this is very much a question of defining a subject outside the scope of our study. Certainly it would be difficult to prove a causal connection between the classical Marxist formulas for socialism and the

[1] Say, to let those nationalities that were formerly economically privileged enjoy their former absolute (not relative) share in higher education, so that the sons of the expropriated landlords, etc., might find their way into the professions without replacing the old privilege by a new one.

[2] *op. cit.* (1934), p. 464.

[3] See note 2 on p. 495.

[4] Macartney (see *op. cit.*, 1934, p. 459) misunderstands essential features of Soviet nationalities policy by quoting them as an instance for his own conception, which has been derived from the Austro-Marxist view. We have seen above (pp. 327 ff.) that the Soviet conception evolved from a criticism of the Austro-Marxist position. It has in all essentials been consistent in its application of territorial autonomy even if, in so far as the latter proved insufficient to solve, say, the Jewish problem, personal autonomy (i.e., special Soviets for administering Jewish minority schools) has been applied.

possibility, in general,[1] of a satisfactory solution of the nationalities problem by multi-national federation. Certainly, on the other hand, such a solution, especially in those territories where national antagonisms are poisoned by their identification with social grievances, would be furthered by the priority of conceptions of social justice over those of national solidarity. The former made possible the performance, by a predominantly Great-Russian government, of such acts of reconciliation as the expropriation of Great-Russian settlers in favour of Kalmuk natives.[2] Conceptions of national solidarity are bound to cause any decision of a majority to appear unjust in the eyes of the overruled but race-conscious national minority, representing the so-called "higher civilisation". Economic expansion, uninterrupted by depression, forms a very favourable condition for the settlement of complicated national issues—and the present writer, at least, cannot imagine such permanent expansion without continuous planning that starts from the needs of society as a whole, as distinct from particular capitalist interests. If fascist war-economics are excluded, such planning presupposes large elements of socialism.

It could hardly be proved that the solution of the nationalities problem effected in the U.S.S.R. would necessarily be bound everywhere to such narrow limitations of socio-economic diversity as are applied there. Especially as regards a future federation of the Danubian or Balkan peoples, it may be argued that part of those social transformations carried through by the Soviet dictatorship in a surprisingly short time will already have been effected before multi-national federation becomes topical, namely during the post-1919 national revolutions, the existence of the independent national states and the upheaval that is likely to follow the breakdown of Hitler's order. But certain limitations on the freedom of social diversity are implied in every federation, and in the case of multi-national federation they are likely to be even stricter than the purely social and economic factors discussed at the end of the last chapter would demand. Such a degree of difference in outlook as existed between the Catholic Alpine peasants in Austria and the Viennese Socialist workers becomes

[1] As distinct from the local success in Soviet Russia which certainly would have been impossible but for the Marxist ideology of the leading revolutionary party.

[2] Such an attitude, on the part of the revolutionary government, is—like any revolutionary action—opposed to conceptions of national solidarity, but not necessarily to national pride. It is evident that the Great-Russians, by actions like the one described, have established their hegemony among the peoples of the U.S.S.R. more firmly than any colonising policies in favour of kulak settlers could have done.

much more serious where it is complicated by national issues, as in the case of the Slovaks versus the Czechs. In general, it may be said that the wider the national divisions to be bridged, the stronger must be the bridge; the common supra-national conceptions of social justice must be able to justify the subjection of minorities, even if racially distinct, to the decision of the majority, and to planning in accordance with generally accepted principles.

On the other hand it is evident that the negative type of federation on Prof. Hayek's pattern [1] could not meet the needs of multi-national federation. This in itself would not be a sufficient refutation of his conception, as our whole argument has been based upon the conditions of the nationally mixed areas of Eastern Europe, something very different from the Western pattern for which Streit and Hayek have planned. But even as regards this specific field, a serious case has been made against that ignoring of the nationalist forces which is current among the advocates of the free trade, free banking utopia. "Nationalism . . is largely a reaction and a protection against the socially anarchic effects of universal free trade between competitive capitalist societies.[2] . . . The very condition of the political possibility of Federal Union is a suspension of free trade within the federated area. Industry and trade would have to be, from the beginning, centrally controlled. Otherwise, the economic anarchy and the straightforward suffering caused within the national states by the abolition of the tariff walls could not fail to create a number of violent nationalistic movements against which the federal government would be powerless".[3] But planning presupposes consent on the principles according to which economics ought to be planned. Nationalism is the most legitimate child of capitalism, and, indeed, its main ideology. So it is very difficult to see how, within the framework of capitalism, consent to any principles of planning overriding national particularism could be found at all.

[1] See note 2 on p. 505.

[2] This is a typical Western explanation which supposes all competing nationalities to have a similar class structure. We have seen that, under Eastern conditions, nationalism expresses not only competition between equals, but class-antagonism. The more difficult, therefore, would it be to overcome without solving the fundamental issues.

[3] Murrey in Channing-Pearce, *op. cit.*, pp. 157–8.

CHAPTER XXI

CONTINENTAL EXPERIENCE AND THE PROJECTS OF INTERNATIONAL FEDERALISM

Though allowing for diversity in the details of the social order and in the cultural aspects of national civilisations, federation presupposes distinct common answers to the fundamental social problems of our time. Therefore, world-wide federation is impossible in the present stage of historic development. Whilst likely to be applied in increasing degree in the municipal organisation of the states of the future, federalism offers no solution to the problem of organising the community of nations.

Our study has led us to the point where we can make our contribution to the discussion of international federalism. This discussion, it is true, was much more lively during the first than during the later stages of the present war. We are inclined to regard this recession of federalist utopias as connected with the facts we have studied. We have seen that federalism presupposes a very strong similarity in the social order of the nations federating. But the present war, by becoming a world war, has drawn into its orbit, and into the Allied camp, peoples of most varied social structure. It has burdened with the heaviest sacrifices, and rewarded with the greatest successes in fighting Hitlerism, a group of peoples that live under a social régime completely different from that under which the conceptions of international federalism originated. What, during the first stage of this war, might have seemed merely a short-sighted neglect of factors outside the camp from which the planners started, is now bound to appear as the formation of blocs against some of the nations which oppose Hitlerism. In this regard, there is hardly any fundamental distinction between Streit's conceptions of capitalist world-conquest and those primitive conceptions of world-revolution from which the Communist International started.[1] But in any case the conceptions of the Communist International were developed during a time when Soviet Russia had to defend herself against a hostile world, whilst Streit's project, including Finland and excluding Czechoslovakia,[2] was suggested as an alternative to collective security and active resistance to fascist aggression.

[1] Keeton-Schlesinger, *op. cit.*, p. 10.

[2] Streit, *op. cit.*, pp. 152–3.

As, under various possible circumstances, similar utopias may again become fashionable, it is worth while investigating the logical processes from which the suggestions of international federalism start.

Their essential feature, and, as I think, their essential mistake from the theoretical point of view, is an attempt to extend generalisations from historical experiences into fields fundamentally different from those where the experiences were made. We have discussed, in Chapter XIX, the application of federation as a constitutional technique for furthering the cohabitation of various parts of a nation living under different social conditions and cherishing different conceptions of social progress. In the last chapter, we have discussed the consequences of the complication of such social divergences by their combination with national divisions. On both these basic assumptions we have found certain limits to the degree of diversity compatible with federal union ; but a certain degree of diversity was permissible. It was based upon the assumption that the federating units must have some features and interests in common as opposed to other parts of the world, and that they must allow a certain degree of diversity in order to preserve certain similar features, based upon a common historic past. It is simply impossible to imagine various nations federating for joint defence against, or for granting each other economic preference over, no other nation. If a federation is intended not merely to improve the chances of survival and prosperity of its members in competition with other parts of the world, but to form the future organisation of international society, it loses all that might otherwise make for its internal coherence. World-wide federation is simply identical with a world-wide military and economic unit, and such assumptions do not become less utopian by being wrapped in American constitutional terminology.

The advocate of " Federal Union " will answer that he is not at all concerned with the internal life of the eventual world-wide federation, but aims at finding a practical way to its realisation by creating a " nucleus of future world-government ".[1] But how can this " nucleus ", established under the constitutional forms of federalism, become world-wide ? It is an indisputable fact that federation presupposes a certain degree of consent as regards the essential features of the social order. On the other hand, it is equally indisputable that no world-wide agreement as regards

[1] Streit, *op. cit.*, pp. 125 ff.

the desirable social order exists to-day, or is likely to exist during the next century. From the point of view of those who desire to proceed from their "nucleus" to real world-government, it follows conclusively that an international federation "should look forward to becoming universal, even through coercion of dissidents, at the earliest possible moment".[1] If such are the logical implications of the federal principle for shaping the new world order, it is not necessary to be a chauvinist to take pleasure in the evidently insurmountable obstacles that lie in the way of building up this instrument of the next World Wars.

It was only because a very short-sighted approach to the problem was adopted that the proposal to organise the world under the U.S.A. Constitution [2] entered into the discussions of a broader forum than that of over-selfconscious American citizens. The very fact that the idea emanated from that class ought to have given its elaborators some cause to think. Federalism is not a new invention. On the eve of the Hitlerite aggression, it was the political organisation of rather more than a fourth of mankind,[3] and the evidently unavoidable form towards which the two numerically strongest peoples of the world, forming together another third of mankind, were moving in their attempts to build up modern national states. A constitutional form applied, or aimed at for their internal organisation, by all self-governing peoples (or peoples hoping to become self-governing), with a few, mainly West European, exceptions, is certainly not simply one of the many varieties of the species "state" with which the West European constitutional theorist is concerned. It is, evidently, the form in which regional self-government within the large centralised areas demanded by modern economic and military development is possible at all. Certainly the Americans can be proud of having demonstrated the worth of this technique. But its usefulness for the purpose just described makes it more than doubtful whether it would be the right form of organisation for solving the quite different problem arising from the anarchical conditions which exist within the international community.

As we have seen, federalism presupposes that the nations entering a federation will be ready to sacrifice complete freedom

[1] Clyde Eagleton, in *The New Commonwealth Quarterly*, Sept. 1938, p. 128.

[2] See note 2 on p. 496.

[3] Whether the specific type of these federations corresponds to this pattern or that is completely irrelevant. Indeed, world-wide application of a constitutional form involves its application in very different patterns.

of choice in developing their social outlook [1] for the sake of winning the advantages of a larger unit of economics and defence. Within certain limits such a sacrifice is completely reasonable for two reasons. It is possible for neighbouring nationalities, or parts of a nation, with somewhat similar conditions of life, to find a type of outlook satisfying each of them, and secondly, small nations have no alternative to entering a federation but being destroyed or, at least, passing under the influence of a Great Power without being able to influence its decisions, as members of a federation can. Even these arguments in favour of regional federation are more convincing if there are a number of federations within the reach of smaller nations, offering them a certain choice of systems for which to sacrifice most of their sovereignty. But once the point is reached where a political system can hold its own, the sacrifices needed for federation lose that justification which the alternatives of complete destruction and the hope of finding similarly minded neighbours may offer. A proposal of federation would then be supported, in each prospective member-state, only by those who felt their sectional interests likely to be furthered by the forces prevailing in the proposed federation more than by any other alternative. A plebiscite in Latvia or Lithuania on the question of joining the U.S.S.R. is not *purely* a class-vote, and has some chances of being supported by interests wider than those of a mere class once it turns out that the small nation enjoys greater possibilities of economic and cultural development within the large union than it could expect in isolation. But a plebiscite in Germany or France to decide whether to join the U.S.S.R. or Streit's federation would be entirely a manifestation of the class-struggle. Once the question was put in such a way, the eventual minority would feel no moral obligation to submit to a mere majority judgment on what it considered the most important moral issues. To expect an international organisation to decide such issues is simply to ask for civil as well as external war, the avoidance of which is the main argument in favour of international organisation. If one sincerely believes, and says, that the social order for which one fights means peace, and the opposite order continuous war, an immediate war might be justified as a means to

[1] The contrary contentions, for example those of Streit (*op. cit.*, pp. 160–1), cannot be taken seriously in view of the implicit consequences of the Streit federation, as shown by Prof. Hayek *—unless they are simply meant in the sense that Social Democratic governments would be tolerated within such a system, as they were also tolerated in Denmark for a long period after the Hitler occupation.

* See note 2 on p. 505.

permanent peace.[1] If an advocate of international federalism takes this position, we ought to discuss with him merely the question whether his fundamental assumption, as regards the permanent peace-order, is correct. But if the alleged needs of international order are opposed to the right of each people to decide in what way it desires to build up its society, i.e. the very thing that internal and external political order are supposed to protect, the much depreciated conception of national sovereignty gains a new justification, especially with those who are likely to be confronted for some time with a majority in the community of nations that cherishes ideals opposed to their own. It is for this reason that the Soviet theory of International Law at present defends the conception of national sovereignty, as opposed to current tendencies among Western progressive lawyers and nearly all the promoters of international planning.[2]

There is some degree of immanent contradiction between the evident impossibility of overcoming war without strong international organisation, the strongest form of which would certainly be federation, and the fact that this form of organisation cannot be achieved without provoking war. Some trends in orthodox Marxism treat civil war as an inevitable phenomenon of social transition, but even they cannot justify an attempt to establish World Order by World War. Civil war may be fought out more sharply, and with even more atrocities than external war, for everyone knows what he stands for. But the wounds it inflicts are also more likely to heal once the society arising out of the civil war is able to convince the nation that it best expresses the needs of that nation's life. International civil war will always leave a combination of national and social resentment. Even if it were able to force a certain social order upon the whole world, it would perpetuate, in the form of national humiliation, social grievances that might have ceased if the defeated social group could have been absorbed.[3] But

[1] See note 1 on p. 521.

[2] See my studies quoted on p. 501. For a characteristic representation of the current Western progressive attitude to this issue, see Keeton, *op. cit.*, Chapter VII, and Keeton-Schwarzenberger, *op. cit.*, Chapter IV.

[3] This argument makes, within the alternative mentioned above, the Communist stronger than the Streit case. After one generation of the existence of the World Union of Soviet Republics the fact that someone's ancestors were capitalists would be completely forgotten and, if its economics were successful, the material position of such a person might be better than it would have been under the law of inheritance. After 200 years of " Union Now " there would still be capitalists and workers and, if the union had been forced upon socialist countries by intervention,* the workers of these countries would hardly have ceased to resent the fact.

* See note 1 on p. 521.

the most likely result would be a long chain of indecisive battles, such as have raged for more than a thousand years between Islam and Christendom. Human civilisation would be divided into antagonistic camps, and the aspiration for ultimate reunion—the original justification of the whole struggle—would be reduced to pious hopes which nobody would take any more seriously than those each religious body has of converting the world to its own particular faith. It is such a world for which all those who speak of " The New Roman Empire ",[1] " Federal Union Now ", and similar things are planning, whether they like it or not.

If there is any way of avoiding such an outcome, it must start from a fact which everyone recognises, but which most planners are inclined to condemn, namely the historically given diversity of national civilisations and the fact that, happily, none of them is strong enough to dominate all the others. If there are in the present world objective social needs that enforce transition to new forms of social and political organisation (as I, personally, believe there are) they will be realised not necessarily in specifically Latvian, Rumanian or Belgian forms, but certainly in a remarkable number of national forms. So, during the first century after the reformation, there were at least half a dozen national Protestant sects, each of which considered its differences from the others the most important things in the world, apart from its hatred of the " Papists ". To-day their theologians are in great difficulty if asked to define those all-important differences in a way twentieth-century people can understand, and the " Papists " are regarded as a sister-church with which they are ready to collaborate against more imminent dangers. Even the most convinced Socialist need not necessarily be afraid of the perspective that Socialism may make its contribution to human progress in ways similar to those by which Protestantism did—if possible, with less mutual antagonism during the first century or so. Those advocates of capitalism who cannot imagine the society they stand for making its further contribution in a variety of national forms do not seem to believe very strongly in its future. But if capitalism should be weak already, it will certainly not be able to overcome the strong national antagonisms of our time.

[1] Besides, the old one comprised only part of the civilised world and was confronted with similar " world empires ", each of which described its competitors as " barbarians " without being able to absorb them. They were " world empires " only from the Provincial point of view, and their claim to universality was a mere expression of their inability to coexist peacefully with each other.

If we assume, for some time at least, a plurality of national, or multi-national, units, all subjected to certain general laws of social evolution, but each meeting those needs in specific forms, the question arises whether there can be any integration between them at all. Federalism, as we have seen, is clearly excluded. On the other side, the present theory of International Law hardly attempts the task of finding certain common standards from which even the very modest links within the international community could be derived in an age of social transition, when very few ultimate values are universally recognised.[1] The history of the League of Nations has been an attempt to combine the fact that it could not ensure the homogeneous universality originally aimed at without losing all its influence, with the fact that heterogeneous universality was bound to result in dissolution.[2] Out of these conflicting tendencies no worse harm came than that the League's last resolution took notice of the principle of heterogeneous universality by silently passing over the fact of fascist aggression, whilst honouring the principle of homogeneous universality by expelling the U.S.S.R. But if the League had been able to dispose of real power, the harmless theoretical resolution, which very few people remember to-day, might have formed the starting-point for "switching over" the war to that combination of powers established in Munich, which conformed to the principles of the homogeneous universality of all capitalist powers. Such tendencies in fields of international organisation infinitely looser than Federal Union, make one not only *a fortiori* very sceptical as regards the latter, but even raise the question whether world-wide political organisation is the field from which international progress is likely to start. Power politics, whether good or bad, do not become any better by being disguised.

If we are not utopians, and do not expect lofty ideals to be realised without the use of power, and are conscious of the fact that the society to come is bound to develop under a variety of national forms, then it is impossible to conceive of the next stage of progress except as the intercourse of a plurality of national or multi-national states, each exercising power in the interest of those things for which it stands. If a real world order does evolve, it will do so from the intercourse of states. "Planned society, composed of a number of states with a high measure of social control and organisation, is equipped either for intense

[1] See the papers cited, by Friedmann and Williams.
[2] See Schwarzenberger, *op. cit.* (1936), and *op. cit.* (1941), pp. 198 ff. and 222.

nationalism, or for intense internationalism. The choice between them is a matter of politics. . . . For a nationalist world, state power is the final word ; for an internationalist world it is the necessary preliminary stage towards a fuller regulation of international relations." [1] Anyone who is standing as a realist for an internationalist future must not despise the only means by which this future can be realised.

But if we have to reckon with a world to be dominated for a long time to come by power politics, the question how small nationalities can survive and make their contribution to progress gains additional importance. As regards the larger nations, the prospect of a long period of continued need for centralisation raises the urgent question how to secure the kind of decentralisation that is needed if democracy is to survive. It is in both these fields that the experiences in federal organisation studied in this book may prove helpful for future developments.

[1] Friedmann in *British Yearbook*, pp. 140 and 148.

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