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## After the German November Revolution 1918: The Compromise on Religious Instruction in Elementary Schools in the Weimar Constitution

**Abstract:** A tiny section on the agenda of the National Assembly of the Weimar Republic from February to July, 1919 was entitled "Religious instruction and the public elementary school", part of the preparation for the new Constitution of the German Reich, the so-called Weimar Constitution [Weimarer Reichsverfassung; abbr. WRV], of August 11th, 1919. The three democratic parties, the moderate-socialist SPD, the Catholic Zentrum Party and the liberal-democrat DDP, were the political mainstays of the Weimar Republic, which existed from 1919 to 1933. But these three parties had absolutely different ideologies concerning the role of religion in public education, especially in the elementary school (Volksschule), the lower school system. While the topic 'religion and school' in the Weimar Constitution has been often presented from a politically leftist point of view in the past, here, following the principle of a plurality of historical perspectives, the interests of the Catholic Zentrum Party will be more strongly focussed upon. I would like to also show how difficult the circumstances were that eventually led to an agreement regarding the school articles of the Weimar Constitution. Article 146(1) WRV required a national school act which was to be the framework for further educational laws of the 'Länder' (states). All political attempts failed to produce such a national law (Reichsschulgesetz) during the era of the Weimar Republic (in the interest of standardization of state education) because of different policies in the 'Reich' and the 'Länder' (which were responsible for school education and its legal basis). Just like the parties' differences in school policy could not be bridged in the years after establishing the Constitution of 1919.

**Keywords:** religious education, religious instruction, Weimar National Assembly, Weimar Constitution, religion in German Elementary Schools

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**概要** (Hein Retter: 1918 年德国十一月革命之后：在魏玛宪法中，对小学宗教课程的妥协：在魏玛帝国宪法中，对国民学校宗教课程的妥协。本文涉及 1919 年 2 月至 7 月魏玛共和国国民议会上须完成的议程的一小部分：“宗教课程和公立学校”。当时的三个民主党派，即社民党、天主教中心党和自由民主党是 1919 年至 1933 年德意志帝国所在的魏玛共和国的政治支柱。但是，这三个党派对宗教在公共教育中的作用有着截然不同的看法，特别是在国民学校中。文章阐释了为达成最终的妥协，当时的情况有多么的艰难。虽然，教育史学家从政治左翼角度描述了魏玛宪法中“宗教和学校”这一主题，但从历史多视角的角度来看，天主教中心党的利益基础在此应更多地考虑在内。魏玛宪法的起草者们意识到，在学校文书中所涉及的关于宗教课程的妥协还需进一步的监管。在魏玛宪法第 146 (1) 条中，帝国教育法被要求作为国家立法的框架。在魏玛共和国时代，为实施这一帝国法律的反复尝试，一方面，导致了各州和帝国政府不同利益的落空；另一方面，各党派之间关于学校政策的差异亦无法弥合。

**关键词：**宗教教育，宗教指令，魏玛国民议会，魏玛宪法，宗教在德国小学

**Zusammenfassung** (Hein Retter: Nach der deutschen Novemberrevolution 1918: Der Kompromiss zum Religionsunterricht an Grundschulen in der Weimarer Verfassung): Der Kompromiss zum Religionsunterricht der Volksschulen in der Weimarer Reichsverfassung. Mein Beitrag behandelt einen kleinen Ausschnitt aus der Agenda, die die Nationalversammlung der Weimarer Republik von Februar bis Juli 1919 abzuarbeiten hatte: "Religionsunterricht und öffentliche Schule". Die drei demokratischen Parteien, die gemäßigt sozialistische SPD, die katholische Zentrumspartei und die liberal-demokratische DDP, waren die politischen Säulen der Weimarer Republik, die im Deutschen Reich von 1919 bis 1933 bestand. Aber diese drei Parteien hatten völlig unterschiedliche Vorstellungen bezüglich der Rolle der Religion in der öffentlichen Bildung, insbesondere in der Volksschule. Gezeigt wird, wie schwierig die Umstände waren, um schließlich doch noch einen Kompromiss zu erreichen. Während das Thema 'Religion

*und Schule' in der Weimarer Verfassung von Bildungshistorikern bisher eher aus politisch linker Sicht dargestellt wurde, soll hier unter dem Aspekt der Mehrperspektivität von Geschichte die Interessenlage der katholischen Zentrumspartei stärker Berücksichtigung finden. Den Vätern der Weimarer Verfassung war bewusst, dass der in den Schulartikeln ausgehandelte Kompromiss zum Religionsunterricht weiterer Regelungen bedurfte. Gefordert wurde in Artikel 146(1) WRV ein Reichsschulgesetz als Rahmen für die Ländergesetzgebung. Wiederholte Versuche, ein solches Reichsgesetz in der Ära der Weimarer Republik zu verwirklichen, scheiterten zum einen an divergierenden Interessen der Länder und der Reichsregierung, zum anderen waren die schulpolitischen Differenzen der Parteien nicht überbrückbar.*

**Schlüsselwörter:** religiöse Erziehung, religiöse Instruktion, Weimarer Nationalversammlung, Weimarer Reichsverfassung, Religion in deutschen Elementarschulen

**Аннотация** (Хейн Реттер: После ноябрьской революции 1918 года в Германской империи: Компромисс в вопросе преподавания религии в начальной школе, закрепленный в Веймарской Конституции): В статье рассматривается фрагмент документа, который должно было исполнять Веймарское учредительное собрание с февраля по июль 1919 года: «Уроки религии и школы». Три демократические партии - умеренная социалистическая СДП, партия католического Центра и либерально-демократическая НДП - являлись политическим оплотом Веймарской Республики, которая существовала с 1919 по 1933 год. Однако у этих трех партий были абсолютно противоположные представления о роли религии в образовательном дискурсе, в частности, в народных школах. В статье показано, насколько трудными были условия для поиска компромисса, которые в итоге все-таки был найден. В то время как тема «Религия и школа» в Веймарской Конституции ранее рассматривались специалистами в области истории образования скорее в духе левых политических сил, в данной работе, с учетом фактора исторической многоперспективности, больше внимания уделяется выявлению позиции и интересов в данном вопросе Партии католического центра. «Духовные» отцы Веймарской Конституции осознавали тот факт, что компромиссное решение по вопросу преподавания религии, закрепленное в соответствующих статьях Конституции, нуждается в дальнейшей регламентации. Статья 146 (1) Конституции предписывала распространить всеобщий закон о школьном образовании на законодательную базу земель. Неоднократные попытки реализовать данный закон на этапе существования Веймарской Республики провалились: во-первых, из-за того, что земли и правительство преследовали разные интересы; во-вторых, потому что по вопросу школьного образования было трудно подвести под общий знаменатель позиции политических партий.

**Ключевые слова:** религиозное воспитание, религиозная инструктория, Веймарское учредительное собрание, Веймарская конституция, религия в немецкой начальной школе

## 1. Introduction

In the late summer of 1918 it was foreseeable that the German Reich would lose World War I. When the Republic was proclaimed in November 1918, the German Empire collapsed. The November Revolution of 1918, which forced Emperor Wilhelm II into exile in the Netherlands, was carried out by leftist forces: moderate Social Democrats, radical Independent Social Democrats, and even more radical Spartacists. All were known as critics of religion and the churches. Well-known socialists had already announced years earlier that they would remove the role of religion from public life if they came to power. They demanded a strict separation of the state from church and an end to religious education in the public sector, separated as it was by confession, with a large amount of religious content, controlled by the Protestant and the Catholic Church local school supervising authorities, and practised by the local priest or pastor. Socialist and liberal parties, of course also teacher associations, would change this and claimed that religion should be a private matter (Stampfer, 1919).

Protestantism was the strongest religious denomination in the German Reich, especially in Prussia. But Catholicism represented a strong minority in Prussia, which dominated in traditionally Catholic areas. The Kingdom of Bavaria, which belonged to the German Reich, was traditionally Catholic.

With the end of the Prussian monarchy, the leading state in the German Reich, came the end of the Prussian Protestant state church. The alliance of 'Throne and Altar', which formed an essential part of the old order of values, no longer existed. In the flare-up socialist revolution of the November days in 1918, when workers' and soldiers' councils and socialist government commissioners took power, the Protestant church was part of the defunct order of values of the Empire. It was, at least at first, the big loser.

The Catholic Church, which in many respects played an oppositional role in Prussia, found itself in a completely different situation. The German Reich, which was founded after the Franco-German war in 1871, was an alliance of princes with their territories (Länder) under Prussian leadership, headed by the Prussian king as German Emperor. The representatives of the people in the newly-created Reich Parliament, the German Reichstag, were elected relatively democratically, with equal voting rights for all male citizens. This was quite unique in the monarchies of Europe in 1871. In European countries, in those days, the right to vote granted more political influence to the owning class than to the poor population. Even in the parliaments of the 'Länder' in the German Reich there was no equal and universal suffrage until 1918. Universal suffrage for women in Germany was introduced with the Weimar Constitution of 1919 - rather than by the victorious powers of the First World War. Until 1918, Prussia was ruled by three-class suffrage for men, graded according to income, which disadvantaged the working class.

The 'Zentrumspartei' (German Party of the Centre) was the oldest party in the German Empire, founded in 1870, and the party of German Catholicism. The Zentrum had survived the period of the "Church Struggle" that Chancellor of the Reich Bismarck had waged at the beginning of the German Reich, against the influence of the Catholic bishops and the Roman Curia. The Zentrum was represented in the German Reichstag from 1871 to 1933, a politically proven force that provided the Chancellor towards the end of the Empire - and then several times in the Weimar Republic. Now, in November 1918, there even seemed to be an opportunity to renew Catholicism in Germany. Leading Catholic politicians, such as Matthias Erzberger (1875-1921), were in the process of consolidating the alliance between the Catholic Zentrum Party and the Social Democrats (SPD) that had existed in the German Reichstag since 1917.

The Socialists had become the leading political power in November 1918 with the collapse of the German Empire that had lost the war. But they were divided. An opposition group that had existed within the SPD since the beginning of the war had become independent in April 1917 and founded the Party of Independent Social Democrats (USPD). It rejected the compromises that the SPD made with the bourgeois parties. Even after the split, the SPD, which now called itself the Majority Social Democrats (MSPD), was still strong enough to be the leading party of Marxism among the socialist groups. The Russian October Revolution of 1917 accelerated radicalization among the socialists. This was particularly true of the Spartakusbund, which formed the left wing of the USPD. It merged into the Communist Party of Germany (KPD) founded on 1st January 1919. Like the USPD, the KPD rejected parliamentarianism in favor of the Soviet model of Council representation. After many internal quarrels in December 1920 and the autumn of 1922, the USPD effectively dissolved itself in two waves. With the exception of a small remainder their delegates and members changed to either the KPD or to the SPD. The KPD in particular benefited most from the increase in membership.

On January 19th, 1919, the German National Assembly was elected. Their task was to draw up a new republican constitution. The election did not bring the socialists an absolute majority, but strengthened the bourgeois parties (including the Zentrum), which were supporters of the churches. On February 6th, 1919, the National Assembly in Weimar began its work because the capital Berlin was dominated by unrest and violence. The coalition of SPD, Zentrum and DDP had a majority of votes. From the very beginning, they were the democratic, constitutional parties in the Weimar Republic.

In addition to the Zentrum, the bourgeois camp of the parties represented in the National Assembly included three other parties. First, there was the German Democratic Party (DDP). It was a meeting place for left-wing intellectuals who supported Weimar democracy. Later, with increasing election losses, the DDP formed alliances with right-wing conservatism. The economic wing of German liberalism had gathered in the German People's Party (DVP). The leader of the DVP, Gustav Stresemann, showed himself to be an opponent of the Weimar Constitution in the National Assembly. After Stresemann became Chancellor of the Reich in August 1923, holding the office of Foreign Minister from 1924 until his death (1929), the DVP changed into a party supporting the Republic. Strong German conservatism was represented by the German National People's Party (DNVP). The DNVP wanted to restore the monarchy (by constitutional means). It was consistently critical of the Weimar Republic. Many national Protestant theologians also belonged to the DNVP. Even before 1918, the Zentrum and the Majority Social Democrats had already formed alliances in the Reichstag and represented common ground in certain political decisions. The left wing of the Zentrum dominated, actively supporting the coming republic. With the political overthrow in November 1918, the pressure for an agreement on fundamental political issues had grown much greater. A completely contrary attitude, which could not be bridged, was taken by both parties on the role of religion in public life. Social Democracy wanted to minimize the influence of religion; the Zentrum as the representative party of political Catholicism did not want to accept any political restriction of Catholic life. The left and right wing of the party agreed on this point. The following question was especially controversially discussed among the democratic parties. Should religious instruction in public schools be abolished, as the Socialists had always demanded, or should religious education be maintained to the extent that was the case in the Empire? That was the non-refutable claim of the Zentrum.

The following text describes the controversy over religious education/instruction in German public life, the teacher associations, the parents' associations and religious power groups as the background to the elaboration of the Weimar Constitution. The role of the Catholic Zentrum is the focus here, the basis of our consideration, following the principle of plurality of historical perspectives. The topic 'religion and school' in the Weimar Constitution has been often presented from a politically left view (Keim, 2009). Then, the Zentrum mostly plays the role of an extremely conservative reaction against all progressive forces.

The Zentrum was firmly anchored in political and social life, in the Catholic bourgeoisie, in a large number of Catholic institutions and the Catholic Church. It was clear that the Zentrum wanted to secure new opportunities for Catholicism by recognizing liberal democracy. Under no circumstances was the Zentrum ready to tolerate any restriction on Catholic life in the new republic after the fall of the Empire. This particularly affected Catholic education through Catholic schools, which was threatened by socialism, the leading political force. The Zentrum regarded the provision of Catholic religious education for children of Catholic families in public schools as its basic mandate for all constitutional work.

## 2. First Arguments About Religious Instruction After the November Revolution 1918

Today it is hardly known that the 1919 Weimar Constitution (WRV) gave religious education constitutional status as the only traditional subject of the state school. The fact that religion was enshrined as a "part of the regular school curriculum" (ordentliches Lehrfach) in the highest legal document of the German Reich in 1919 must astonish the unbiased observer in retrospect. The constitution of 1871 had no articles about matters of schools and education, because the federal states of the Reich (the Länder) were solely responsible for school matters. After all, the Marxist-



Socialist movement that ended the German Empire with the revolution in November 1918 - in the midst of the desolate situation of war defeat - had long been known for its criticism of religion and the church.

After the declaration of the "German Republic" by Philipp Scheidemann (SPD), on November 9th, 1918, Adolph Hoffmann (USPD), the Prussian Minister of Education, who had become known as an anticlerical, began to radically push through the separation of state and church in Prussia by decree. This was legally very questionable because it was not covered by law. Not only the church leaders protested against this, but citizens of both Christian major confessions suddenly came together to take joint anti-socialist action.

How great the excitement was, even in ecclesiastically not easily excitable Berlin, showed a rally which took place on New Year's Day 1919 in the Circus Busch Arena. It was directed exclusively against the church policy and cultural policy of the socialists. Despite the icy cold, about 60,000 people marched to the Prussian Ministry of Education at the end of the rally. And probably for the first time the Catholic *Te deum* "Thee, O God, we praise" and the Luther hymn "A Mighty Fortress is Our God" resounded together in the huge crowd (Scholder, 1977, p. 22).

Even before the elected representatives of the National Assembly had begun to draft a new constitution, the 'Liaison Council' formed by the provisional Protestant Church leadership in Prussia sent a petition to the future National Assembly on January 29th, 1919. The petition contained the signatures of almost seven million (!) Evangelic Christians who demanded maintenance of the Christian character of the state school. This was a thoroughly successful action that has remained unique in parliamentary history (Scholder, 1977, p. 23).

The radically negative church policy of Minister Adolph Hoffmann in Prussia had the effect of strengthening the liberal-democrat and conservative camp (including the Zentrum), as the results of the National Assembly elections showed. Konrad Haenisch (MSPD/SPD), who initially shared the office with Hoffmann, behaved more cautiously. After Hoffmann's resignation at the beginning of January 1919, Haenisch continued to run the Prussian Ministry of Education on his own - until 1921 Haenisch failed in his attempt to introduce an national School Act. Such urgently desired law which the Weimar Constitution required, was neither brought about in the school articles nor later in the era of the Weimar Republic until 1933, despite several attempts by the Reich government. So the role of religion and outlook on life remained unsettled in state schools.

The religious decrees from the Berlin Ministry of Education of November/December 1918 could be regarded, depending on ideological position, as a cleansing thunderstorm, or as a storm that caused severe damage. It was the time of workers' and soldiers' councils. In most parts of the German Reich where socialists were in power, e.g. in Brunswick and the small Thuringian states, the ministries were prepared to follow Prussia. In Hamburg, Bremen and Saxony religious instruction was completely abolished, initially at least (Goeschen, 2005, p. 27). However, the attempt to introduce the confession-free school in a surprise coup did not succeed.

Later decrees challenging church protests were revoked, mainly because they contradicted the then current constitutional law. But at the first moment of the turn of the political system there was the impression that the abolition of religion at school was only a matter of weeks - a development which the churches and broad social classes of believing Christians, especially in German Catholicism, regarded as extremely threatening. The religious hostility of the new socialist rulers in Prussia meant more power to the arm of the political separatists from Catholic-dominated Prussian provinces, like the Upper Silesia and the Rhineland. Their cry was - Forget Berlin, Forget Prussia, Forget the German Reich (Richter, 1996, 20, fn. 120).

On the other hand, it was clear that the former compulsory teaching and learning of Christian religion in Prussian schools in the Imperial era needed a clear correction. And this correction had

taken place with the religious decrees. In the Empire elementary school students had to participate in the lessons on religion and in extensive religious practice. The assignment of a Catholic child to a Protestant elementary school should not be against the parents' will, but only over a group size of 12 (Catholic) children did the law (Volksschulunterhaltungsgesetz, 1906, § 37) provide separate lessons in Catholic religion for these children in a Protestant school; practically this was often the starting point of an own Catholic denominational school (at least a separate school room with a Catholic teacher) with religious instruction; the same applied to children of a Protestant minority in Catholic regions. In the Imperial era only teachers who were members of the Protestant or Catholic church were employed in the state elementary school system (Volksschule), apart from teachers of 'technical' subjects, such as home economics or sport. The latter was the case in schools in urban areas with a great many students. In the predominant one-room school, the sole teacher had to teach religious instruction of his own denomination in accordance with the students' denomination. As a so-called 'free thinker', without membership of the Protestant or Catholic Church, a young man or woman normally had no chance of becoming a fully responsible teacher in the 'Volksschule'. But with the November revolution of 1918 there was much hope that this situation had changed. For the first time it was recognized by the legislator that religious instruction presupposes a positive decision of conscience on the part of the teacher. A teacher who does not believe what he teaches in Christian religion must not be forced to do so.

With an increasing number of dissidents among the teaching staff, this principle had been violated in the last decades of the Empire and had now become a problem which had to be solved. Even in that minority of territories of the German Empire in which not the denominational school but the simultaneous school prevailed - as in the Grand Duchies of Baden and Hessen (Hessen-Darmstadt), as well as in the Prussian province of Hessen-Nassau - religion was an ordinary subject, i.e. compulsory. That is why Gerhard Anschütz (DDP), a leading expert in constitutional and public law, was able to state in his commentary on the Weimar Constitution with reference to Article 149(1) WRV:

Religious instruction shall retain its previous position as an ordinary subject of instruction in schools in accordance with the provisions of paragraph 1 and 2, and Article 136 WRV, paragraph 4 (Anschütz, 1968, p. 689).

This means that the text of the constitution brings nothing new, apart from the fact that "no one may be forced to engage in an ecclesiastical act or solemnity or to participate in religious exercises or to use a religious form of oath", as WRV determined in Article 136(4).

The Zentrum and the SPD were political opponents on the question of religion, but as constitutional parties both had a common concern. So agreement, for instance, was possible in popular and community thinking as well as in some economic issues - and, of course, there was a basic consensus to build the new state, the republic. This was possible for the Zentrum by understanding the community not socialistically but in a Christian way. So both parties could assert their position as supporting the idea of community. Because the difference in political aims was not pronounced, the arsenal of common basic political concepts conveyed unity, which, however, only existed to some extent superficially. The mutual effort of gaining a certain congruity in basic political concepts was an important condition to ensure a coalition capable of governing.

In common with the DDP, the (liberal) democrats in the narrower sense, the Zentrum had to some extent their historical roots in the political movement of pre-March (i.e. in the era before the revolution of 1848), since political Catholicism as a minority party in the Rhineland had already demanded freedom for the Catholic Church in view of Prussian repression.

However, individual liberties, as represented by the DDP, never meant values per se to the Zentrum, but remained subordinate to the values of the church. Thus, from a Catholic point of view, it was quite logical for the education expert of the Zentrum, Joseph Mausbach, to attest to his own party as

a Christian People's Party that it was 'the safe centre' between the extremes of socialism (SPD) and liberalism (DDP) among the democratic forces of the Republic (Mausbach, 1920, p. 18).

### 3. Strategies of the Zentrum in the Dispute over Religious Instruction in the Constitutional Committee, 1919

The religious hostility towards political Catholicism from the Socialist camp in the days of the November Revolution in 1918 and afterwards lent the Zentrum unity, and they fought against any inter-religious relationship (Interkonfessionalität), liberalism, state socialism and state omnipotence (Tilly, 1987, p. 26). Prussia's economically important territorial gains since the 19th century, such as the Rhineland and Upper Silesia, were dominantly Catholic, but the Prussian state and its Protestant church did not treat Catholic minorities in a particularly friendly manner. For instance, Prussia instigated a policy of Germanization against the Polish population. This policy reached its peak in the years after 1900 when Polish children were forced to use German in the obligatory lessons of (Catholic) religious instruction in the elementary schools. Uprisings by the Polish people were the consequence, and the Zentrum party in Prussia and the Reich supported the Polish fight for religious freedom and Polish identity, at least with the heart.

Since 1871, when victorious Prussia sought to push back the influence of the Roman Catholic Church in its own country with the foundation of the Reich, the Zentrum as the party of the Catholics nevertheless tried to gain room for political action. In some respect, there was a difference between the Zentrum party and Rome. The Roman Curia fought against the principles of the Enlightenment, modern civil rights (especially against religious freedom and tolerance), against emerging liberalism and democracy, worldwide. This is shown by the "Syllabus Errorum" of Pope Benedict IX (1864) and the encyclicals of Pope Leo XIII (Immortale Dei, 1885) and Pius X (Pascendi Dominici gregis, 1907); this also hit Reform Catholicism hard. The Zentrum, however, although there were 'ultramontano' and dyed-in-the-wool conservative circles, on the whole argued more moderately, of course in a Catholic ductus, but the party was not the extended arm of Rome.

The papacy furthermore tried to counter the growing pressure of modernization and liberalism. In 1910, Pope Pius X opened the sad chapter of the Antimodernist Oath, which priests and members of ecclesiastical vocations had to swear. But this did not stop the development towards modern democracy. The Zentrum as a political German party played an important role in this process. Towards the end of the First World War, more and more liberal and left-wing forces gained influence in the party. They set the course for a new society. From 1917, active as a member in the Interfactional Committee, the Zentrum (together with SPD and the 'Fortschrittliche Volkspartei', the later DDP), was responsible for the democratization of the so-called October Constitution, which democratized the parliament, the German Reichstag - amidst the looming war defeat, ten days before the end of the Empire.

Democratization had become possible as a quite discreet 'revolution from above', after the Kaiser, Emperor Wilhelm II, and the Supreme Army Leadership were no longer able to disguise the war defeat with their persevering slogans. In any case they made clear their distance to the parliamentary system. It was convenient for those who were really responsible for the war not to have to face the question of war guilt publicly. Rather, they now wanted to leave full responsibility for everything that had to do with war or peace to Parliament. Nevertheless, such democratization was the aim of Social Democrats and Liberals. This became reality by law with the added sentence in the Constitution of 1871 that the government required the confidence of Parliament, the Reichstag (Mommesen, 1989, pp. 27-28).

It is typical that today the representations of contemporary historians do not depict the situation at that time, but rather the notions of democracy as an ideal that the experience of three-quarters of a century gained from mistakes makes possible. Political history thus becomes - without an



international comparative perspective - a picture of parties and politicians who from today's point of view are incapable, or half-hearted at best, of democratic action.

I think that the devaluation of the democratization of the Reichstag by the October Reforms in 1918, which respected historians have commented upon, is not justified in every respect. Even if it is true that the reason for this process had nothing to do with any preference for democracy of the Army Staff and the German Kaiser, this has no bearing on the facts. The motive to have proceeded in this process may be undemocratic – but this or any other motive does not play a role in the result, the creation of parliamentary democracy. Democratic processes live on majority decisions. How a majority of votes is achieved in each case is a completely different question.

What had previously been a dream for democrats, but had had no chance to happen in the German monarchy until then, became possible in the German Reichstag after October 28th, 1918, namely, a motion of no confidence from parliament, supported by the majority of the parliamentarians could force the Chancellor of the Reich to resign. With a view to the Weimar Republic, the Reichstag was endangered by a contrary development. In the Weimar era the respective ruling Chancellor of the Reich was often threatened by the problem of not finding a majority in parliament for his policy. Constant change of government as a result of government crises leads to political instability. It weakens citizens' confidence in parliamentary democracy. To gain political stability it is necessary to support not the extreme groups at the polls but the parties of the centre. This principle corresponded to the self-image of the Zentrum. Notwithstanding this, Germany's traditionally confessional separation played a negative role and increased the problem. However, what used to be regarded as weakness in the Weimar Republic had now become a positive feature of democracy: the democratic idea of a pluralistic society and the need to protect the rights of minorities.

The SPD, which before 1918 had always played the role of the opposition in the parliament of Reich and the Länder, had become the leading party in both the Prussian Landtag and the Reichstag. For the Zentrum, the step to becoming the constitutional party of a liberal republic from 1919 was far from big, even if the Zentrum left wing was more than once at odds with the conservatives of its own party and the German bishops. The Zentrum was the only party to have gained much experience in parliamentarianism, from the foundation of the Reich in 1871 to June 1933. It commanded experts in every field, viz. in matters of constitutional law, including education, whereas the SPD did not possess any of this. It was unfortunate that the Social Democrats lacked a highly qualified staff in relevant matters when the Republic was founded. As an education expert, Heinrich Schulz stood out above all others in 1919. Of course, there were personal relations between the Zentrum deputies on all sides, as well as a strong formation of wings in the party – and, of course, the party leadership pulled in the same direction as the church when it mattered, as in the school issue. However, this was by no means always the case in matters of day-to-day politics.

Social democracy failed to impose the secular school as the sole type of school in the Constitution, because of the resistance of the Zentrum and its conservative allies. This fact today is reported by some of my colleagues with sadness and moral indignation as a great narrative, namely as a missed opportunity at a historically favorable time. The greedy wolf of the Zentrum had eaten the Little Red Riding Hood of Secularity from a good SPD home, but a revolutionary hunter who might have been able to kill the big bad wolf and bring the school of unity into being had not been visible in the German Reich. This view is possible, but far from analytical neutrality, and it conceals an essential fact: the three Weimar constitutional parties (SPD, DDP, Zentrum) had completely divergent goals with regard to the school of the future from the very beginning:

- The German Democrats (DDP), supported by the German Teachers' Association (DLV) under the leadership of Johannes Tews, wanted the simultaneous school (with a comprehensive primary school of six years) which was then confusingly called the 'Gemeinschaftsschule' (community school);

- the Social Democrats wanted a secular comprehensive school without any loophole for a private school system;
- the Zentrum defended the existing confessional school in Prussia with church-based school supervision and a developed private school system - supported by conservative Protestantism, who found a home in the German National People's Party (DNVP).

The Zentrum was primarily a party of vested interests. Their policy was to secure the Catholic world in a modern society increasingly affected by religiously hostile socialism and by secularization. The pursuit of a political interest in no way excludes morally responsible action, but the interest pursued stood only for a defined part of the population. In contrast, the SPD's commitment to social justice affected the majority of the population, the working class – in general, all underprivileged people. Reading historians of later times you find that the SPD has been reproached for not really wanting the November revolution in 1918, or of losing any momentum even before it began. The well-known publicist Sebastian Haffner (1907-1999) wrote that the SPD in her political weakness did not serve the revolution, but counter-revolution (Haffner, 2012, p. 83).

That's a harsh verdict. Regarding the question of education, we must not forget that, even if the goal to reach unity and secularity in the educational system has not been achieved, the Social Democrats proved to be, on the one hand, a strict constitutional party, grounded in liberal democracy, and, on the other hand, a party of fairness, careful to weigh its own goals with the higher goal of not endangering the state of Weimar.

One could argue, however, that, after the fall of the Empire, the revolution and the pressure of the Paris negotiations of the victorious Allies (which took place under exclusion of the Germans), the overall task of creating a new constitution for a new state was much greater than the little dispute over school articles. The factually adequate answer to this objection is that, indeed, the drafting of the constitution by Hugo Preuß (DDP), who had the trust of Friedrich Ebert, was already a masterpiece. To discuss this draft in the conflict of political interests in the National Assembly in order to arrive at a law passed by a majority, the new constitution of the German Reich, meant a tremendous, much greater effort. No other section of the draft constitution led to such a heated discussion as the controversial topic of religious education among the school articles and their discussion in the Constitutional Committee - in view of the protests of church leaders and an unprecedented mobilization of the public by the representatives of parent, church and teacher associations. Actions such as school strikes or even, as indicated, the threat of political separation from the German Reich were an indication of the high degree of public tension.

German Catholicism in particular had a lot to lose with the threat of the exclusion of religion from public elementary education, so that the Zentrum made every effort to preserve Catholic school education for Catholic children in view of an uncertain future, threatened by anti-religious socialism. Looking at East Germany after World War II and the suppression of the Churches under the system of so-called Real Socialism, the Zentrum's view was realistic.

Furthermore, in 1919 the Zentrum was concerned with the maintenance of the private school system. It offered the only possibility in the case of a small Catholic diaspora to grant the Catholics Catholic instruction in school in the frequently occurring case that the number of children was below the limit of 12 children. The state school required a minimum of 12 children. Thus corresponded to the legal term 'operating an orderly school' (geordneter Schulbetrieb) – particularly as the current law, the Elementary School Maintenance Law (Volksschulunterhaltungsgesetz) of 1906 said in § 34: "No child may be refused admission to the public elementary school in his or her place of residence solely on the grounds of religious confession."

The Empire and Weimar followed the same idea - avoid small one-room school houses if possible, and furthermore - education is more important than religion.

In contrast to the Zentrum, the problem of 'religion at school' was not quite as important for the SPD and DDP. However, if one considers the close connection between the school articles and the church articles of the Weimar Constitution, then one should not underestimate the discussion about religious instruction in the Constitutional Assembly. As usual, Protestantism was completely fragmented, with no common basis for action. Those who mourned the monarchy and the old Prussian state church (as a number of important churchmen did) saw the DNVP as their home. But in Friedrich Naumann, Martin Rade and Ernst Troeltsch, the DDP also had well-known and famous liberal theologians in its ranks. And then there were the Religious Socialists, Evangelic theologians with their supporters, who had turned to Marxism and were not represented in parliament as a separate group. They supported the secular school.

## 4. School Articles and School Compromises in the Weimar Constitution

On such politically rugged ground and under considerable pressure of time due to the negotiations of the victorious allied powers in Paris, a new constitution was created for the German Reich in 1919. Whoever claims that the WRV was misconstrued or overtaxed can be countered with the historian Fritz Stern (1926-2016) who said it was a "successful compromise of the former opposites" - and overall, the "achievements of the Weimar Republic in view of its difficulties were quite astonishing" (Stern, 1999, p. 123). The legal historian and constitutional lawyer Christoph Gusy emphasizes today, "there is nothing to suggest that the WRV led to the downfall of the Republic" (Gusy, 2016, p. 314).

Religion was enshrined in the new constitution. This seems to be a victory for the Zentrum. But at the same time this victory was strongly relativized. First, the Weimar Constitution successfully abolished school supervision by the churches, i.e. by the priest at the local school and at the district level (Kreissschulbehörde) - against the intention of the Zentrum. Secondly, the text of the law determined that

"Religious instruction shall be part of the regular school curriculum with the exception of non-sectarian (secular) schools. Such instruction shall be regulated by the school laws. Religious instruction shall be given in harmony with the fundamental principles of the religious association concerned without prejudice to the right of supervision by the state."  
(Article 149(1) WRV)

The elementary school, however, remained exposed to various interests. It was a simultaneous school, but - as before - it was able to remain a denominational school. Moreover, by founding a new school, it could be a secular school. But this in turn is relativized by the addition that the parents' preference "should be considered as far as possible". It is obvious that there were some administrative difficulties in respecting the parents' will in any case. It was also clear that a school reform based on the will of parents would cost a lot of money.

On the other hand, the school articles with those sections concerning religious education (see below: Supplement 1) were formulated so far-sightedly that they were adopted by the Basic Law, the Constitution of the Federal Republic, in 1949, Article 7 (see below, Supplement 2) which is still today the legal basis for religious education in Germany; special regulations apply to Berlin and Bremen. Therefore, today teachers of Catholic or Evangelic religion have a secure job in Germany, which happily reminds university lecturers for religion of the Weimar Constitution (Kubik, 2018, p. 196). But, what were the so-called school compromises of the Weimar Constitution? The committee in which they were adopted discussed them in more than one reading.

At the start of negotiations the matter stood well for SPD and the Liberals, since they could intersperse the legislative authority of the realm for all school and university matters as relevant for the realm constitution. The Zentrum, whose Catholic electorate in Prussia was a much significant minority that formed majorities in closed milieus, was traditionally more interested in regulations by the laws of the Länder. But the signs of the times did not seem to be favorable for this: Socialists in a larger number of countries throughout the Reich formed the government; they had full control of the schools' religious instruction was the sole responsibility of the state; church interests could hardly be articulated through the school deputation (the local council of parents and citizens), either. That is why the Zentrum was interested in securing its interests more strongly at the Reich level, although here both groups, Socialists and Liberals, were usually opposed. In drafting the constitution, the Zentrum was indeed concerned with the preservation of the Catholic milieu with Catholic education for Catholic children – with no elimination of the church as demanded by the SPD and Liberals. The leadership of the Zentrum was under pressure. If central Catholic interests had been ignored by the party, it would no longer have made sense for Catholics to choose the Zentrum as "their" Party.

At the beginning of April 1919, the SPD submitted a proposal to the Constitutional Committee in which only primary and secondary schools were presented as one comprehensive system, without affecting the subject of religion. The Zentrum did the opposite, calling for "religion as an ordinary subject under the leadership of the religious societies (i.e. the Churches; H.R.) and extensive freedom rights for private schools", but without insisting on "securing the confessional school under the law of the Reich" (Wittwer, 1980, p. 91). The proposal was rejected by the SPD as completely unacceptable. Above all, any expansion of private schools would paralyze the idea of comprehensive school. In doing so, the SPD tried to pull the DDP on its side, as the German National Conservatives and the German People's Party on the other side supported the Zentrum's proposal. The SPD and DDP then presented the draft for an comprehensive national school system, which was also supported by socialist associations and the liberal German Teachers' Association. However, even here the SPD had to move away from its original goal, which was the abolition of religious instruction, in order to stress the complete secularity of state education.

Because the SPD and the DDP held the majority of votes in the committee, they would have passed their motion against the Zentrum in the National Assembly. But both did not want to endanger the tripartite coalition, because the Zentrum would have gone through with its departure as the ultimate weapon. The DDP signaled concessions to the Zentrum if it could be agreed to consider "religion as a proper, but not binding subject" for students, which in turn the SPD assessed angrily as "surrender to the Zentrum". But the Social Democrats finally agreed to follow the course of the DDP; this also applied to a certain flexibility in the private school question. And so, in the run-up to the later school compromises, an agreement was reached which the Zentrum considered as the choice of the lesser evil: the Zentrum affirmed the agreement.

There were losses on both sides, the SPD had to swallow the bitter pill that it had not got approval from its coalition partners for the separation of church and school, not only from the Zentrum but also from the DDP. The Zentrum reacted in an even more disappointing way after the first reading of the Constitutional Committee, when evaluating their own situation. Their members realized that the plan to secure the denominational school as the sole ruling type had no prospects of success.

The second reading came in June. The Zentrum could not be satisfied with the results of negotiations on the school issue. But a few days later everything had got another face. A dramatic political event changed the balance of power. The ultimatum given to the German Reich by the Allies to accept the Treaty of Versailles led to the resignation of the Scheidemann cabinet by the withdrawal of the DDP from the government on June 20th, 1919. The Zentrum told the SPD that it was prepared to work further in a new cabinet which had to be formed from one day to the next, the

Gustav Bauer (SPD) cabinet. However the Zentrum's condition was that the school question should be managed in the Catholic way.

This constellation, which of course included a weakening of the SPD, today still makes some German educational historians howl with the accusation that the evil Zentrum blackmailed the nice SPD and engaged in nasty "horse trading". I think it was a rather normal parliamentary practice of defending and pushing interests. But that's not all. First, the Zentrum leader Adolf Gröber (1854-1919) met the President of the Reich, Friedrich Ebert (they valued one another from the Reichstag, before 1918!). This prompted Ebert to appeal to all politicians to reach an agreement on the school issue in the interest of the state. Second, the Zentrum brought a completely new aspect to the deliberations: the role of parents and their decision regarding the school to be chosen for their child (Wittwer, 1980, p. 89) - just as the constitutional text in Article 146(2) WRV reflected it.

In terms of state policy, it was pure liberalism, because it was unbelievably risky not to determine the character of public schools regarding their outlook on life or 'Weltanschauung' and religion by means of a clear legal norm. Some people would just leave it to parental will and preference, but parents vote this way today, that way tomorrow, of course, because they always choose what they see as the best for their child. Neo-Marxist and leftish educationalists argued that the churches and bourgeois-conservative parties had made parents and the existing parents' councils an instrument of non-progressive school policy interests (Wagner-Winterhager, 1973, p. 69).

This critical view of the author mentioned makes it clear that the liberal democracy of Weimar only seemed 'democratic' to some interpreters of the '1968 generation' if the good socialist forces won out over outdated Christian conservatism. If one assumes that parents have their own interest in their children and the possibility of deciding on their further education, then from the point of view of very left educational historians these parents were victims of the ideologues of reactionary powers - especially if they did not opt for the educational programme of social democracy or communism. I don't support such an anti-liberal view, although no one should underestimate the particular value of politically critical thinking. That 'democracy' means diversity in the competitive situation of social goals and represents an open field for articulating political interests, on whose relevance majority decisions decide, seems to be beyond the willingness to learn of some representatives of neo-Marxist criticism.

The results of the negotiations between the parties, SPD and the Zentrum, for religious instruction in the elementary school system of Weimar Republic can be summarized as follows:

The core of the so-called first school compromise in Weimar was the equal subjugation of simultaneous, non-confessional and non-confessional (secular) schools to the will of the legal guardians, but taking into account the maintenance of an orderly school organization (Wittwer, 1980, p. 95).

All in all, making everything dependent on the parents was a clever move by the Zentrum. First, the draft constitution had previously invested the social significance of parents, as it were, with natural law priority - against the votes of the SPD: "The upbringing of young people to physical, mental and social proficiency is the primary duty and natural right of parents whose activities the state community watches over", Art. 120(1) WRV.

Secondly, the participation of parents in the school deputation in Hamburg had long been successfully put into action by Hamburg's Social Democrats.

Thirdly, 30 years earlier, Friedrich Wilhelm Dörpfeld (1824-1893), a well-known Evangelic school superintendent in the Rhineland, had advocated the reform goal of making school a cooperative matter for parents and the community, i.e. to grant the state only a framework competence, based on the model of the Netherlands. After all, in the Rhineland, in contrast to Prussia's far-flung power centre in Berlin, there was a Diaspora situation that called for independent parent initiatives; the idea of a cooperative was something like a quiet democratization 'from below' under politically



rather reactionary conditions in Prussia. This political approach played a certain role in socialist circles in the Weimar Republic under the term Guild Socialism (Retter, 2007, p. 734).

However, including the will of parents in the constitutional debate, a subject matter that socialists and liberals originally did not want to tolerate in any way, became a reality. Under different conditions, the confessional school was given a new *raison d'être*. It now functioned as an equal option to simultaneous and secular schools. Thus, the secularity of the state school - as the universal principle - was largely watered down and the idea of a comprehensive school system buried.

In both socialist and liberal teacher associations, which fought for the comprehensive idea this development provoked protest, which, however, was more of a reverberation, for everything happened almost at the last minute. Only one day passed between the consent of the parliamentary groups of the constitutional parties to the second compromise and the majority approval of the National Assembly on the constitutional text at third reading.

All that remained of the comprehensive school was formulated in Article 146(1), with the "general primary school for all", which was then set at four years in 1920 (in the *Reichsgrundschulgesetz*) - with the abolition of the 'preparatory schools'. In the Imperial era, education could also be done by a private teacher who wealthy families employed; also public higher education was fee-paying. Normally, (private) preparatory schools were attended for 3 years by those students who changed after that to the grammar schools for higher education and graduation. However, this affected only about 5% of all young people; increasing numbers of pupils and increasing educational needs were in favor of expanding the middle school system. Notwithstanding this, before the outbreak of the World War I, about 90% of school-age children attended elementary school (Nipperdey, 1998, p. 555). Higher education was separated from the lower system and involved fees. Until the end of the German Empire, particularly in Prussia, the Protestant population had a highly significant educational and vocational advantage over the Catholic population (*ibid.*, pp. 450-452). The phenomenon of modernization was mainly carried by Protestantism. On the other hand, the tendency towards secularization was much stronger among the Protestants than among the Catholics.

The lower educational system, elementary school, was free, and this also applied for the new type of primary school. Established by law in 1920, state primary education was then obligatory for all children, and preparatory schools for higher education were closed, after a transitory period. But the primary school could hardly give full justice to the social and liberal idea of integration of children of all social classes if the parent's decision for the confessional school required separation of confessions instead of allowing pluralist mixing in religious terms as well.

In the 1919 constitutional talks, it was important for the SPD and the Zentrum to include the third state supporting party, the DDP, in the first compromise found. This required a strengthening of the liberal position on the controversial school issue. That is why there was a further change to the text of the Constitution. In this second school compromise, it was a matter of giving priority to the simultaneous school, which the Liberals presented, inconspicuously, as a "normal" form of school over the denominational school and the secular school. This led to the final version of Article 146 WRV, § 2 as follows:

Nevertheless, within the municipalities, upon the request of those persons having the right to education, elementary schools of their own religious belief or of their own outlook on life (*Weltanschauung*) shall be established, provided that an organized school system in the sense of §1 is not thereby interfered with. The wishes of those persons having the right to education shall be considered as far as possible. Detailed regulations shall be prescribed by state legislation on the basis of a national law [Art. 146(2)].

What is decisive here is the word "Nevertheless", starting the quotation above. It refers to the final part of Article 146,1 – and it states that neither the status nor the commitment of the parents is decisive for admission to a particular school. It is useful to read §1 and §2 of Article 146 WRV as a whole. Article 146(1) finished with the words, "the admission of a child to a particular school shall be governed by his ability and aptitude and not by the economic and social position or the religious belief of his parents."

We see that the Zentrum was not the big winner of the dispute: although religious instruction is fully anchored in the constitution. But the denominational school type is not in a leading position, as the Zentrum had demanded. Rather, it is a special type which has to be applied for in deviating from the mainstream (simultaneous) school, which is not mentioned but assumed. The word 'nevertheless' draws attention to the fact that the application by parents or guardians to establish "primary schools of their confession or their outlook on life" is not the normally expected situation, but rather an exception to the rule of the legal text which preferred the simultaneous type – even if in practice the denominational school should continue to dominate. The latter was exactly the case in the Weimar Republic. The limiting accentuation of denomination schools is reinforced by the restrictive note that such applications must not interfere with the orderly running of the school, which will be endangered if the enrolments are too low. That meant, for only three Catholic children in a village no Catholic school would be established. The restriction is loosened by the addition: "The wishes of those persons of course having the right to education shall be considered so far as possible." The words "so far as possible" means that the state always has the last word.

The fathers of the constitution were not in a position to make this barbed roast edible for everyday school life in the new republic. This should be the task of a "state law according to the principles of a national law", as Article 146 WRV said. All hopes of better clarification of open questions and different interpretations were assigned to that imaginary national law (Reichsschulgesetz) as the place of fulfilment. But no-one ever considered later that in summer 1919 the contradictory pattern of interpretation of the school articles was solely due to the pressure of domestic and foreign policy constraints. This was the only way for the constitutional parties to reach agreement.

In the years of consolidation of the Weimar Republic, in which each party tried to defend its position, the mood was completely different - to the detriment of the expected national law and following the laws of the federal states of the Reich. Until its realisation, the old legal status was recognized as still valid, entirely in the sense of the Zentrum. Article 174 WRV stated: "Until the expected Imperial Act enters into force, the previous legal situation shall apply." It had been fixed in Prussia by the Elementary School Maintenance Law of 1906, which provided for the denominational school. On this basis, the school articles were incorporated into the Weimar Constitution at the third reading in the National Assembly on July 31st, 1919.

## 5. The Failure of the Reichsschulgesetz in 1928

As is well known, the Reichsschulgesetz, which was expected by so many people in the twenties, did not come into force, although several efforts by the Reich government had been made to this end, by different cabinets and ministers. Differences between the Reich government and the federal state governments became increasingly difficult to negotiate with regard to the parties' differing positions. Prussia demanded that the Reich should bear a significant share of the costs of the reform. In the Cabinet of Wilhelm Marx IV, after long, controversial debates between the parties forming the Reich government (Zentrum, DNVP, DDP, BVP), a draft version of the Reichsschulgesetz was published by the Reichsinnenminister von Keudell (DNVP) on 16th July, 1927, discussed in the Reichsrat, the Ländervertretung (which represents the German federal states), and rejected there in autumn 1927 in the final vote by 37 to 31 votes.

Nevertheless, the Reich government submitted Keudell's draft to the Reichstag, which referred it to the Education Committee in order to reach an agreement or, as the case may be, an agreement plus

changes. It was clear that the SPD, the DDP and above all the KPD were skeptical; the supporters were DNVP and Zentrum; the decisive factor was the behavior of the DVP, whose votes could have helped each of the two groups to a majority in the committee; but the liberal German People's Party, DVP, in particular proved to be a decisive critic of the draft; the Education Committee failed to come to an agreement; the project failed on March 15th, 1928 (Grünthal, 1968, pp. 186ff.; Tilly 1987, pp. 148ff.).

The bill also received criticism from the public in particular, from interest groups as diverse as the liberal 'Deutscher Lehrerverband' (DLV) and the 'Katholische Schulorganisation' (KSO), the Catholic School Organization. The Zentrum, too, which had come so close politically to the DNVP in 1919 on the school issue that one could speak of an alliance of the conservatives of the Protestant and Catholic church-faithful camp, was completely dissatisfied in some points with Keudell's draft law. However, as the German People's Party (DVP) proved to be a much sharper opponent of both the Zentrum and the Keudell bill, the latter was blamed for the failure of the law. A comment by the Prelate Johann Leicht of the (conservative Catholic) Bavarian People's Party (BVP) of December 18th, 1927, probably also applicable to the larger sister party, the Zentrum, was very fitting, "Better no school law than one that wants to rape us" (Grünthal, 1968, p. 239).

With the intensification of the opposition between the DVP and the Zentrum, the alienation of the Zentrum from the SPD grew, and the break of the governing parties in the Marx IV Cabinet on the school issue was not to be mended. The SPD opposition saw new elections as the most promising way.

It is of interest that in this muddled situation SPD education expert Heinrich Schulz emphasized the principle of constitutional loyalty in the situation of the mutual 'binding' of the political actors, as documented by the Weimar school compromises as part of the WRV. In the name of the Social Democrats, Schulz called for a return to the basics of the WRV after the v. Keudell bill and its changes had moved further and further away from the constitutional text. This was also a reminder to the Zentrum to remember the former common ground with the SPD - especially since in Prussia the Zentrum ruled with the SPD and DDP in a stable coalition - and Prussia as the leading federal state in the German Reich was much less dependent on a national school law to arrange its school system than was the case for the many small Länder (political regions). For Bavaria's BVP, too, the school issue was of little importance due to the dominance of the Catholic faith and the Concordat concluded in 1924 (which in part contradicted the WRV).

The late social democratic praise for what was achieved for the education system in the Weimar constitution is remarkable. After its concessions to the school compromises of 1919 (by moving away from the SPD demand for unity and secularity of the school), the SPD leadership had several reasons to feel this situation as painful. It could not be otherwise than that the adopted version of the relevant school articles aroused displeasure in the SPD base in 1919, even dismay, since unity and secularity no longer existed as principles. At that time Schulz defended the school compromise of Weimar Constitution to the party basis with the - correct - argument that political alliances also demand the willingness to make concessions (Wittwer, 1989, 99). At the beginning of 1928, however, the Social Democrat Heinrich Schulz appeared quasi as Lord Privy Seal of the school compromises and praised what had been achieved in the WRV. The potential for conflict among the parties, which prevented a Reich School Act from being passed, had now become much greater.

While the SPD in the Weimar Republic oriented its policy towards the preservation of democracy and demonstrated its willingness to compromise with its increasing endangerment, in the 1920s the Zentrum was far removed from the balanced attitude of 1919 during the constitutional discussion on religion and school.

The secular school, which according to 146(2) WRV could be established as an alternative to the regular school organized by the majority of denominations, was now, from the social democratic point of view, no longer a bad compromise, but a form of school that was well received and

successful among the population, even if it suffered from the lack of implementing provisions with regard to Article 146(2) WRV. However, it also became clear to the SPD that the number of 'secular schools' to be set up for children who (or whose parents) refused religious instruction was on the whole relatively low. Only in the large urban areas – in particular in the capital Berlin – and in regions with much industry there was some hopeful increase, especially in the early thirties. At any rate, Social Democrats would have risked a serious defeat if they had had to push through the principle of 'secularity of the elementary school system' (and thus the abolition of all confessional and simultaneous schools) in Prussia against the majority will of the non-socialist parties and the population.

From June 28th, 1928, the Cabinet of Müller II governed the German Reich - a grand coalition led by the SPD, which was to be one of the most stable in the Republic, under Chancellor Hermann Müller (SPD) and the governing parties SPD, DDP, Zentrum, BVP, DVP. But after all the futile attempts, there was too much resignation among the parties with regard to the resumption of the debt debate for the project to have had a chance of being concluded by a Reich law (Wittwer, 1980, p. 161).

## 6. The Myth of the Secular School

The lack of clarity in Article 146 WRV and further articles had direct consequences for the secular school, which at the time of the school compromises that came into force in 1919, as a term set in brackets, only existed on paper. In this function it had constitutional status, and, indeed, there were frequent cases of cancelling religious instruction in some regions or big cities, for instance in Berlin, Hamburg, Braunschweig, and in the industrial cities in Saxony and the Ruhr. But, officially, the Secular School was not allowed to exist because the law that would have given this school type validity was missing. Minister Konrad Haenisch (SPD) issued an emergency decree which allowed the municipalities to accommodate students who had been deregistered from religious instruction in 'class groups' (Sammelklassen). Usually they remained connected to the respective denominational school. If the number of such classes without religious instruction exceeded a reasonable administrative, human and spatial measure, the municipality could submit an application to establish an own independent school with its own headmaster, which the government then mostly granted. But such a school was not allowed to call itself a Secular School, neither on the letterhead nor by public subscription.

The law said, at age 14 a juvenile could decide on his own faith, independent of parental will, therefore, instead of participating, they were able to cancel obligatory religious instruction. Students who had cancelled were taught a substitute subject in group classes called 'Lebenskunde' (knowledge of life), a subject which implied moral behavior and social aspects (Theil. 1932). Statistics show that with a total number of 7 million students in the elementary school systems of the German Reich in the last years of the Weimar era, about 33,000 students participated in the instruction of 'Lebenskunde' (Geißler, 2011, p. 457).

On the question of the expansion and strength of the atheist school movement in Prussia in its commitment to the secular school, there is a remarkable statistic that challenges discussion with regard to the proportions identified. According to statistics, there were 33,405 elementary schools with 4,261,390 children in Prussia on May 1st, 1927. The number of general schools was 249 with 77,168 children. - 35,966 children in general schools were deregistered from Protestant or Catholic religious instruction, and 52,628 children in the general schools were free of confession; in 1932 there were 285 general schools in Prussia (Breyvogel & Kamp, 1996, p. 193f.).

In quantitative terms, secular schools thus played no role: their share of the general school system in Prussia was less than 1%, even though the share was higher in typical conurbations such as Berlin, as mentioned. The total number was also higher in a few other federal states of the Reich - such as the Free State of Braunschweig (Sandfuchs, 1994). At the beginning of the thirties there were 170,000 school-age children deregistered from religious instruction. The largest share is

accounted for by the most industrialized federal states of the German Republic, i.e. 88,000 in Prussia, and 47,000 in Saxony (Geißler, 2011, pp. 456-457). Statistics also show that at the beginning of the thirties 2,200 elementary teachers were not members of a denomination or church. They worked as teachers in subjects not relevant to religion or in secular schools (Geißler, *ibid.*). From an administrative point of view, general classes and schools were a considerable administrative burden for administrators and school authorities. In some places where general schools were established, hard school struggles broke out, dragging on for years and opening deep rifts between the church-bound middle classes and free thinkers. The opposing groups of parents and citizens knew their local press organs and the interest groups behind them. A good example of this is the school struggle in the town of Finsterwalde that went on until 1933 (Retter, 2018). The socialist formation of myths in the Internet, including Wikipedia articles, with regard to the 'secular school' type today gives in part unrealistic impressions. It hardly covers the entire spectrum of the school situation in the Weimar Republic. Later, under the rule of the National Socialists, the denominational character of German schools was abolished and replaced by National Socialist community schools.

## Abbreviations of the quoted parties (Weimar Republic)

BVP	Bayerische Volkspartei / Bavarian People's Party
DDP	Deutsche Demokratische Partei / German Democratic Party
DNVP	Deutschnationale Volkspartei / German National People's Party
DVP	Deutsche Volkspartei / German People's Party
KPD	Kommunistische Partei Deutschlands / Communist Party of Germany
SPD (MSPD)	(Mehrheits-) Sozialdemokratische Partei Deutschlands / (Majority) Social Democratic Party of Germany
USPD	Independent Social Democrats

## Supplement 1

Weimar Constitution, 11th August, 1919 (excerpt, articles 142-149)

URL: [https://en.wikisource.org/wiki/Weimar\\_constitution](https://en.wikisource.org/wiki/Weimar_constitution) (retrieved 20th August, 2018)

*Section IV: Education and Schools*

**Article 142:** Art, science, and instruction in schools are free. The state guarantees their protection and participates in their promotion.

**Article 143:** The education of young people shall be provided for through public institutions. The Reich, the states, and the municipalities shall cooperate in their organization.

The training of teachers shall be uniformly regulated for the Reich according to the principles which apply generally to higher education.

The teachers in state schools shall have the rights and duties of state officials.

**Article 144:** The entire school system shall be under the supervision of the state; the latter may cause the municipalities to participate therein. The supervision of schools shall be carried on by officials mainly occupied with this duty and technically trained.

**Article 145:** Compulsory education shall be universal. For this purpose the elementary school with at least eight school years, followed by the secondary school up to the completion of the eighteenth year, shall serve primarily. Instruction and school supplies shall be free in elementary and secondary schools.

**Article 146:** The public school system shall be organized according to a general plan. The intermediate and higher school system shall be developed on the basis of an elementary school common to all. This development shall be governed by the varying requirements of vocations; and



the admission of a child to a particular school shall be governed by his ability and aptitude and not by the economic and social position or the religious belief of his parents.

Nevertheless, within the municipalities, upon the request of those persons having the right to education, elementary schools of their own religious belief or of their outlook on life shall be established, provided that an organized school system in the sense of §1 is not thereby interfered with. The wishes of those persons having the right to education shall be considered as far as possible. Detailed regulations shall be prescribed by state legislation on the basis of a national law.

To enable those in poor circumstances to attend secondary and higher schools, the Reich, the states, and the municipalities shall provide public funds, especially educational allowances for the parents of children who are considered qualified for further education in intermediate and higher schools until the completion of such education.

**Article 147:** Private schools as a substitute for public schools shall require the approval of the state and shall be subject to the laws of the states. Such approval shall be granted if the standard of the private schools in their curricula and equipment, as well as in the scientific training of their teachers, does not fall below that of the public schools, and if no discrimination against students on account of the economic standing of their parents is fostered. Such approval shall be denied if the economic and legal status of the teachers is not sufficiently safeguarded.

Private elementary schools shall be established only if, for a minority of those persons having a right to education whose wishes must be taken into consideration according to Article 146, §2, there is in the municipality no public elementary school of their religious belief or of their outlook on life, or if the educational administration recognizes a special pedagogical interest.

Private preparatory schools are abolished.

The existing laws shall continue in force for private schools which do not serve as substitutes for public schools.

**Article 148:** In all schools efforts shall be made to develop moral education, civic sentiments, and personal and vocational efficiency in the spirit of the German national character and of international conciliation.

In the instruction in the public schools care shall be taken not to offend the sensibilities of those of contrary opinions.

Civic education and manual training shall be part of the curricula of the schools. Every pupil shall at the end of his obligatory schooling receive a copy of the constitution.

The Reich, the states, and the municipalities shall foster popular education, including people's institutes.

**Article 149:** Religious instruction shall be part of the regular school curriculum with the exception of non-sectarian (secular) schools. Such instruction shall be regulated by the school laws. Religious instruction shall be given in harmony with the fundamental principles of the religious association concerned without prejudice to the right of supervision by the state.

Teachers shall give religious instruction and conduct church ceremonies only upon a declaration of their willingness to do so; participation in religious instruction and in church celebrations and acts shall depend upon a declaration of willingness by those who control the religious education of the child.

Theological faculties in institutions of higher learning shall be maintained.

## Supplement 2

The Basic Law for the Federal Republic of Germany – Article 7 [School system]

URL: [https://www.gesetze-im-internet.de/englisch\\_gg/englisch\\_gg.html#p0051](https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0051) (retrieved 20th August, 2018)

(1) The entire school system shall be under the supervision of the state.

(2) Parents and guardians shall have the right to decide whether children shall receive religious instruction.

(3) Religious instruction shall form part of the regular curriculum in state schools, with the exception of non-denominational schools. Without prejudice to the state's right of supervision, religious instruction shall be given in accordance with the tenets of the religious community concerned. Teachers may not be obliged against their will to give religious instruction.

(4) The right to establish private schools shall be guaranteed. Private schools that serve as alternatives to state schools shall require the approval of the state and shall be subject to the laws of the *Länder*. Such approval shall be given when private schools are not inferior to the state schools in terms of their educational aims, their facilities, or the professional training of their teaching staff, and when segregation of pupils according to the means of their parents is not encouraged thereby. Approval shall be withheld if the economic and legal position of the teaching staff is not adequately assured.

(5) A private elementary school shall be approved only if the educational authority finds that it serves a special pedagogical interest or if, on the application of parents or guardians, it is to be established as a denominational or interdenominational school or as a school based on a particular philosophy and no state elementary school of that type exists in the municipality.

(6) Preparatory schools shall remain abolished.

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