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With a Passion for Reason: Celebrating the Constitution in Weimar Germany

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It has long been held that Weimar democracy lacked the symbolic appeal necessary to bind collective sentiment and to win popular support.[1] While recent revisionist histories of Weimar politics and culture take their cue from Peter Fritzsche's argument that "Weimar is less a cumulative failure than a series of bold experiments,"[2] the turn toward new approaches and perspectives is uneven and incomplete even in those studies that avoid conflating the fragility of Weimar democracy with the overall lack or absence of democratic identifications. Detlev Peukert, while admonishing his readers not to minimize the Weimar experiment in democracy, also argues that the first German republic had no founding ritual, and that this absence in national history attests to a general lack of legitimacy.[3] Eric Weitz, in his eloquent survey of the republic's promises and tragedy, has little to say about the proponents and forms of Weimar democratic culture. Thomas Mergel, who shows that the Weimar parliament was marked by a cooperative atmosphere of pragmatic republicanism, attributes to the republican Left a certain tendency "toward a rationalistic understanding of politics, toward the underestimation of the emotional attachment to a flag."[4] This assessment is entirely in line with the earlier claim that the rationalistic optimism (Gotthard Jasper) of the republican forces led to a "consequential underestimation of the integrative power of state symbols" (Klaus Wippermann).[5]

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[1]See, for example, Alois Friedel, *Die politische Symbolik in der Weimarer Republik* (Ph.D. diss., University of Marburg, 1956), 7; Hagen Schulze, *Weimar. Deutschland 1917–1933* (Berlin: Severin und Siedler, 1982), 424.

[2]Peter Fritzsche, "Did Weimar Fail?," *The Journal of Modern History* 68 (September 1996): 629–656, here 647.

[3]Detlev Peukert, *The Weimar Republic: The Crisis of Classical Modernity* (New York: Hill and Wang, 1993), 278 (experiment), 5–6 and 35 (symbolism).

[4]Thomas Mergel, *Parlamentarische Kultur in der Weimarer Republik* (Düsseldorf: Droste Verlag, 2002), 64.

[5]Gotthard Jasper, *Der Schutz der Republik. Studien zur staatlichen Sicherung der Demokratie in der Weimarer Republik 1922–1933* (Tübingen: J. C. B. Mohr, 1963), 227–276; Klaus Wippermann,

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The negative verdict on republican symbolic politics is supported by major democrats of the period who testified to the alleged dearth of propagandistic charisma. Gustav Radbruch, a prominent legal expert and major representative of the Weimar *Sozialdemokratische Partei Deutschlands* (SPD), for instance, asserts in his memoirs that the Social Democrats made a mistake when they failed to accompany their republican engagement with the corresponding national music, but rather worked silently and with gritted teeth. Since then, Radbruch lamented, "we have learned that the world is not led by reason, but by trifles, or less informally said, that any politics requires symbols and fantasy."[6]

Whereas Radbruch's pointed self-criticism suggests that the Republic's catastrophic demise changed his understanding of symbolic politics, there is mounting evidence that Weimar republicans—including Radbruch— already emphasized the importance of symbols and fantasy in the era of the democratic republic. The establishment of the federal art expert (*Reichskunstwart*) at the Federal Ministry of the Interior in October 1919 is a case in point.[7] Located at the intersection of art and politics, this newly established government office worked to transform the national symbols of sovereignty and authority (flags, coats of arms, border posts, etc.) as well as those of authentication and exchange (coins, bills, postage stamps). The office also helped to orchestrate the official mourning ceremonies for Walther Rathenau (1922), President Ebert (1925), and Foreign Minister Gustav Stresemann (1929), as well as the presidential inauguration of Paul von Hindenburg (1925) and the annual celebrations of Constitution Day in Berlin (1921–1932).

Edwin Redslob, who directed the Reichskunstwart office from 1920 until Nazi Interior Minister Frick dissolved it in 1933, conceived of his task as a deliberate project of "form-giving" (*Formgebung*). The former museum director documented and promoted the republic's new emblems with the help of richly illustrated brochures and articles. He also monitored and fostered major projects in the realms of art, literature, music, and film; produced expert opinions on the taxation and export of German art works; and also claimed influence on

Politische Propaganda und staatsbürgerliche Bildung. Die Reichszentrale für Heimatdienst in der Weimarer Republik (Cologne: Verlag Wissenschaft und Politik, 1976), 299.

[6]Gustav Radbruch, *Der innere Weg. Aufriß meines Lebens* (Stuttgart: K. F. Koehler, 1951), 177. See Friedrich Stampfer, *Die vierzehn Jahre der ersten deutschen Republik* (Hamburg: Verlag Auerdruck, 1947), 304. Especially bitter, Albert Grzesinski, *Inside Germany* (New York: E. P. Dutton & Co., 1939), 139 ff.

[7]The Bureau's substantial files are available on microfiche at the Federal Archive in Berlin-Licherfelde. The best surveys to date are Annegret Heffen, *Der Reichskunstwart—Kunstpolitik in den Jahren 1920–1933. Zu den Bemühungen um eine offizielle Reichskunstpolitik in der Weimarer Republik* (Essen: Verlag Die Blaue Eule, 1986); and Winfried Speitkamp, "'Erziehung zur Nation': Reichskunstwart, Kulturpolitik und Identitätsstiftung im Staat von Weimar," in *Nationales Bewußtsein und kollektive Identität. Studien zur Entwicklung des kollektiven Bewußtseins in der Neuzeit 2*, ed. Helmut Berding (Frankfurt am Main: Suhrkamp, 1994), 541–580. Christian Welzbacher's biography includes a good discussion of the Reichskunstwart period. Christian Welzbacher, *Edwin Redslob. Biografie eines unverbesserlichen Idealisten* (Berlin: Matthes & Seitz, 2009).

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federal building projects.[8] Combining a progressive functional style with the selective preservation of national heritage, Redslob aimed actively to create a German tradition that engaged the "fantasy of the people," while at the same time refuting both imperial hubris and bureaucratic sterility.[9] In his view, "The symbols of authority of the federal government must not consist merely of phones and note pads in the office. There need to be other values, so that the sentiment of state can establish itself and also fulfill the citizens in their hearts."[10]

The erasure of the republic's democratic symbolism and practices from the historical record is typical of recollections deeply affected by the experience of National Socialism. Seeking to dissociate the fledgling Federal Republic from a democracy that had given way to Nazi dictatorship, German democrats were eager to assert that Bonn was not Weimar. The *Weimar Komplex* (Sebastian Ullrich) of the early Federal Republic congealed in the still widely held belief that the Weimar Republic was marked (and marred) by a tragic paradox—that it was a republic without republicans, a democracy without democrats. Combining feelings of guilt for the atrocities committed under the Third Reich with anxieties about the viability of the second German democracy, this assertion of lack and failure supported the ideological stabilization of the Federal Republic: Weimar became a negative foil against which to define the positive achievements of its West German successor.[11]

Since this particular period in German history has come to an end with unification in 1990, it is both necessary and prudent to probe the West-German founding myths against the historical realities of Weimar Germany. To be sure, Bonn was not Weimar—this is a fact. It is also evident, however, that the fledgling Weimar Republic was as full of symbols, festivals, defining moments, and insignias of a new democratic culture as any such nascent regime. This essay investigates the annual celebrations of Constitution Day (*Verfassungstag*) to recover a legally coded civic mode of national identification that aimed to transcend the confines of social-moral milieus and political camps of the highly fragmented Weimar society, thereby offering a democratic solution to the postwar crisis of national integration.[12] The celebrations of the republic's founding on the day

[8]On the relationship between architecture, representation, and politics in Weimar Germany, see Christian Welzbacher, *Die Staatsarchitektur der Weimarer Republik* (Berlin: Lukas Verlag, 2006).

[9]Bundesarchiv Berlin-Lichterfelde (hereafter BArch-R) 32/1, 32/2, and 32/28, 45–47. See also Edwin Redslob, *Amtliche Graphik. Ein Beitrag zur Frage der unbewussten Kunsterziehung*, May 1921 (= *Plakat* no. 5), 1; Edwin Redslob, *Kunstchronik und Kunstmarkt*, October 28, 1921 (no. 5), 75–78.

[10]Edwin Redslob, *Die Amtliche Graphik des Reiches und ihre Auswirkung auf Kunst und Handwerk*, Berlin 1925 (= *Gebrauchsgraphik* no. 2), 58.

[11]Sebastian Ullrich, *Der Weimar-Komplex. Das Scheitern der ersten deutschen Demokratie und die politische Kultur der frühen Bundesrepublik 1945–1959* (Göttingen: Wallstein Verlag, 2009).

[12]On the discourses and experiences of crisis in Weimar Germany, see Moritz Föllmer and Rüdiger Graf, eds., *Die "Krise" der Weimarer Republik. Zur Kritik eines Deutungsmusters* (Frankfurt and New York: Campus, 2005).

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the constitution was signed expanded between 1921 and 1928, culminating in widespread festivities on the occasion of the constitution's tenth anniversary in 1929. Most German states also arranged festivities, with Bavaria and Württemberg at a low pitch of intensity, and Prussia, Baden, and Hessen at a high.[13] Republicans hoped that the celebration of constitutional principles and ideas would link the nascent democracy to the positive political beliefs and ritual practices of the German people—Constitution Day was to "give form" to the republican nation.[14]

Taking the Weimar Verfassungtag seriously raises important questions about the affective dimensions and political rationales of an emergent modern democracy. Thus far, the discussion has been framed by the distinction between the "civic" and "ethnic" sense of national belonging. Jürgen Habermas, the most prominent theorist of civic nationalism in Germany, has reworked the concept of "constitutional patriotism" first introduced by Dolf Sternberger in the 1970s. While Habermas's model of civic integration is pluralist and inclusive, critics tend to dismiss it as overtly abstract, disembodied, cool, or dispassionate. Notably, Weimar democratic culture has been described in similar terms. The common definition of ethnic nationalism, on the other hand, designates an exclusivist and homogenizing mode of national identification, grounding the nation in a pre-political and particularistic community of descent or culture. This "hot" or "integralist" form of nationalism is epitomized by the Nazi Third Reich.

Taking the ideal-typical distinction between these two variants of national belonging as my vantage point, I argue that Weimar constitutional patriotism defied binary definitions along "civic" and "ethnic" lines. Neither "hot" not "cold," this historically specific combination of national and democratic identification aimed for the "soil that lies in the middle between the torrid and frigid zones."[15] The most distinctive embodiment of this "warm" nationalism of the middle ground was Friedrich Ebert, the first president of the Weimar Republic. Ebert's vision of national "unity" rested on abstract principles such as "freedom" and "justice" rather than on chauvinist or revanchist fervor. The republican language of national belonging did not eschew the rhetoric of "blood" and "soil," however. Chancellor Gustav Bauer, a moderate Socialist,

[13]Cf. Jasper, *Schutz der Republik*, 235–237.

[14]Manuela Achilles, *Re-Forming the Reich: Symbolics of the Republican Nation in Weimar Germany* (Ph.D. diss., University of Michigan, 2005); Nadine Rossol, *Visualising the Republic—Unifying the Nation: The Reichskunstwart and the Creation of Republican Representation and Identity in Weimar Germany* (Ph.D. diss., University of Limerick, 2006). On the cultural dynamics of nation-building more generally, see Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983); Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London and New York: Verso, 2000; 1st ed. 1983).

[15]"Ebert zum Reichspräsidenten gewählt," *Berliner Tageblatt*, no. 65, February 12, 1919; "Der Präsident," *Vossische Zeitung*, February 12, 1919.

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illustrated this when in praising the Weimar Constitution, he also invoked "the other," namely the community of "compatriots, blood relatives, Germans."[16]

The republican nation, despite being a community of blood, rested on personal sacrifice for the sake of democratic principles and ideals rather than on race. Radbruch expressed this most dramatically when he concluded a Constitution Day address before the federal parliament by recalling those who "have fought and bled for this constitution" and "remained faithful to their patriotic duty unto death."[17] "A constitution," Radbruch declared, "is like a shield that becomes all the more valuable to its bearer the more it shows the scratches and scars of past struggles." It "is like a flag that emanates all the more honor and sacredness, the more it has been cut by swords and pierced by bullets." The law professor concluded by asserting, "Citizen of the German Republic! The banner, the black-red-golden banner, will stand; the Weimar Constitution will stand; the German Republic will stand!"

The language of scratches and scars recalled the constitutional struggles of the nineteenth century as well as the war experience and the enormous personal losses it brought. Ebert expressed the underlying sentiment when he reminded his chief of staff not to forget that "we in Germany are living in a house of mourning!"[18] There can be no doubt that this sense of grief and sorrow was deeply felt; Ebert himself had lost two sons in World War I. But also in a more general sense, republican ceremonial stood in the tension between the protocols of personal loss and the yearning for national renewal. In this situation, Weimar democrats grounded the nation on the ethics of work and civic responsibility as well as on mourning and self-restraint. In the republican perspective, the birth of the Weimar democracy in the aftermath of war and defeat was no glorious start, but it was a start nonetheless. In the poignant words of *Vorwärts*, the writing of the constitution marked a new beginning that confirmed once more the right of all Germans to "plant hope over graves."[19]

While the Social Democrats were the numerically strongest force in support of the constitutional patriotism that manifested itself on Verfassungstag, the state-sponsored festivities did not reflect the hegemonic claims of a class-based majority culture. Neither did they rely on exclusionist ascriptions of ethnicity, race, class, or religion. Instead, these festivals invited citizens to embrace patriotic and democratic identifications equally, irrespective of their belonging to a particular subculture. Socialists and Jews were invited as long as they were prepared to "fight" and "bleed" for their constitution—Friedrich Ebert and Walther Rathenau were

[16]As reported in "Der Abschluß des Verfassungswerks," *Vorwärts*, no. 388, August 1, 1919.

[17]Speech as reported in Reichszentrale für Heimatdienst, ed., *10 Jahre Weimarer Verfassung. Die Verfassungsreden bei den Verfassungsfeiern der Reichsregierung* (Berlin: Zentralverlag G.m.b.H., 1929), 111.

[18]Otto Meissner, *Staatssekretär unter Ebert—Hindenburg—Hitler. Der Schicksalsweg des deutschen Volkes von 1918–1945, wie ich ihn erlebte* (Hamburg: Hoffmann und Campe Verlag, 1950), 46.

[19]"Die Eröffnung der Nationalversammlung," *Vorwärts*, no. 68, February 6, 1919.

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among the martyrs of the democratic republic. My analysis of this historically specific articulation of constitutional patriotism on Constitution Day focuses on Berlin because the capital projected the clearest vision of August 11. In studying the republican festivals, it is necessary to bear in mind that Verfassungstag was both a lived experience and a media event. The interplay of both these levels of historical reality is crucial to the matter at hand.

The Weimar Constitution as the "Invisible Fatherland"

The search for a suitable date to mark the "birthday" of Weimar democracy was a highly contentious element in the complex task of remaking the Reich into a republic. The Kaiserreich, founded in 1871 under Prussian leadership, left the determination of the public holidays to the regional states and had no official "national" holiday.[20] The date that came closest to having this function was Sedan Day, celebrated on September 2 in commemoration of the crushing defeat of the French army by Prussian troops in 1870. While Sedan Day assumed semi-official character from 1873 on and in later years often coincided with the Prussian army's annual fall maneuvers, the festivals did not enjoy universal support. Particularistic organizations boycotted the event, pitting local identity against the Prussocentric thrust of the German Empire. Socialists rejected Sedan Day as a celebration of a chauvinist and authoritarian cult of empire characterized by the inflation of titles and decorations.[21] Catholics resented the hegemonic claims of Protestant liberalism that were on full show on this particular day and also opposed the holiday during the *Kulturkampf*.[22] The bourgeois champions of Sedan Day, meanwhile, based their idea of national unity on a policy of exclusion that branded Catholics and Socialists "enemies of the Reich." Not surprisingly then, Sedan Day never became a commonly accepted national holiday, while "Reich Foundation Day" on January 18 remained primarily a Prussian event. The emperor's birthday also failed to evolve into a genuine national anniversary.[23]

[20]On the history of the German national holidays, see Fritz Schellack, *Nationalfeiertage in Deutschland von 1871 bis 1945* (Frankfurt am Main: Peter Lang, 1990); Hans Hattenhauer, *Deutsche Nationalsymbole. Zeichen und Bedeutung* (Munich: Günter Olzog Verlag, 1984).

[21]H. Müller, "Die deutsche Arbeiterklasse und die Sedansfeiern. Zum antimilitaristischen Kampf der sozialdemokratischen Arbeiterpartei in den ersten Jahren nach der Reichsgründung, *Zeitschrift für Geschichtswissenschaft* 27 (1969): 1554–1564.

[22]Helmut Walser Smith, *German Nationalism and Religious Conflict: Culture, Ideology, Politics, 1870–1914* (Princeton, NJ: Princeton University Press, 1995), 64.

[23]Cf. Fritz Schellack, "Sedan- und Kaisergeburtstagsfeste," in *Öffentliche Festkultur. Politische Feste in Deutschland von der Aufklärung bis zum Ersten Weltkrieg*, ed. Dieter Düding, Peter Friedmann, and Paul Münch (Reinbek: Rohwohlt, 1988); Monika Wienfort, "Kaisergeburtstagsfeiern am 27. Januar 1907. Bürgerliche Feste in den Städten des Deutschen Kaiserreichs," in *Bürgerliche Feste. Symbolische Formen politischen Handelns im 19. Jahrhundert*, ed. Manfred Hettling and Paul Nolte (Göttingen: Vandenhoeck & Ruprecht 1993), 157–191.

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The Weimar constitution, promulgated in the tumultuous aftermath of the Treaty of Versailles, protected the (yet unspecified) public holidays together with Sundays as days of rest from labor (Art. 139). But although the formal conditions for passing comprehensive holiday legislation were better than under the old regime, the federal parliament as well as the public at large remained hopelessly divided over which days were to be celebrated.[24] Conservative circles favored January 18, which marked the original founding of the Reich in 1871. Communists and radical Socialists wanted to establish November 9 as a public holiday commemorating the promise of the German revolution of 1918. Moderate Socialists supported May 1 as the day of world peace and international labor. Seeking to define a festive middle ground between the political extremes, the Weimar coalition government advanced the idea of "Constitution Day" in memory of the signing of the republican charter by President Friedrich Ebert on August 11, 1919. In the republican view, the democratic principles laid down in the constitution offered the best basis upon which to rebuild the country. Ernst Feder, a democratic journalist writing for the *Berliner Tageblatt*, poignantly expressed this idea when he wrote, "The Weimar Constitution is the most suitable instrument for a great, still not entirely resolved task—to forge the Germans into a nation."[25]

The federal government first seriously considered August 11 after Foreign Minister Hermann Müller (SPD) suggested in November 1919 that celebrating the Weimar constitution might dissipate foreign doubts about postwar Germany's democratic character. The government endorsed the idea in the cabinet meeting on December 10, 1919, but appears to have done little to turn this into reality.[26] Six months later, the Weimar coalition lost its absolute majority in the national elections of June 6, 1920. Since neither the Weimar coalition nor the political Right won a clear political mandate in the 1920 elections, the bourgeois center formed a minority cabinet under Constantin Fehrenbach (Center Party). This minority cabinet included the *Deutsche Volkspartei* (DVP), a party that had rejected the Weimar constitution in the decisive vote of the national assembly. As a result, the government's constitutional enthusiasm was decidedly curbed. Asked whether the federal administration should fly the republican colors on August 11, 1920, the cabinet responded that it was inappropriate to raise the national flag at a time of national humiliation.[27] A year later, a new Weimar coalition government under Chancellor Wirth also initially decided against celebrating Constitution Day. It was only after conferring with

[24]Detlef Lehnert and Klaus Megerle, eds., *Politische Identität und Nationale Gedenktage. Zur politischen Kultur in der Weimarer Republik* (Opladen: Westdeutscher Verlag, 1989), 9–30.

[25]Ernst Feder, "Verfassungstag," *Berliner Tageblatt*, no. 355, August 11, 1922.

[26]BArch, R 43I/566, 34–36.

[27]Excerpt of minutes of the cabinet meeting of August 3, 1920, BArch R 43 I/566, 55; Peter Wulf, ed., *Akten der Reichskanzlei. Das Kabinett Fehrenbach* (Boppard am Rhein: Boldt Verlag, 1972), doc. 42.

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President Ebert that Wirth decided to celebrate the constitution in a modest framework on August 11, 1921.[28]

Bracing against the expected aggressive criticism of the political Right, the government restricted participation in the major event at the Berlin State Opera to the delegates of the Reich and states, complemented by select members of German high society. Assembling influential "men" (*Männer*) from across the political spectrum evidently required great diplomatic effort, as the distribution of invitations was a matter of great public interest. The political Right protested after the fact that the Association of German Civil Servants, unlike the umbrella organization of German labor, failed to receive tickets to distribute to its members.[29] Supporters of the democratic republic gave the right-wing commotion a positive twist. Deputy Undersecretary Arnold Brecht considered it a success that those who usually distanced themselves from the republic now complained that they had not been invited.[30]

Matters of artistic concern fell to Federal Art Expert Redslob, an ardent proponent of Weimar democracy. The political character of his decorative decisions became evident when the government asked him to de-emphasize the black-red-golden banner in order to prevent a sudden outbreak of the smoldering flag dispute.[31] Redslob resolved to display the republican colors in the form of the less controversial national eagle. Set upon black cloth, the skillfully crafted golden bird showed red claws and dominated the entire background of the festive stage.[32] Although Redslob later recalled complaints by several guests about "this peace-disturbing reminder of the national colors," there is no further evidence of public protests. Chancellor Wirth found the emblem so suitable that he suggested preserving it for future use.[33]

The republican media, too, were cautiously optimistic. Registering satisfaction that the president displayed his new standard for the first time, the *Vossische Zeitung* emphasized various characteristics of a public holiday, including blue skies, vast crowds, roadblocks, military music, and honor guards, as well as the public spectacle of the arrival of cars and carriages.[34] The only disturbance to this imagery of festive anticipation was the evident dominance of government officials. According to the *Vossische Zeitung*, "Ladies and uniforms were almost

[28]BArch R 43 I/566; Ingrid Schulze-Bidlingmaier, ed., *Akten der Reichskanzlei. Die Kabinette Wirth I und II (1921/22)* (Boppard am Rhein: Boldt Verlag, 1973), docs. 46 and 47.

[29]Parliamentary inquiry by MPs Schuldt-Stelitz and Delius of August 24, 1921, Geheimes Staatsarchiv (hereafter GStA), HA I, Rep. 77, Tit. 98, no. 112, vol. I (1921–1924).

[30]Arnold Brecht, *Aus nächster Nähe. Lebenserinnerungen 1884–1927* (Stuttgart: Deutsche Verlagsanstalt, 1966), 362.

[31]Draft article for the *Berliner Tageblatt*, BArch R 32/426, 47–50.

[32]Brecht, *Aus nächster Nähe*, 363.

[33]Chancellery to the administration of the Berlin Opera House, November 1921, BArch, R 43I/570.

[34]"Der Verfassungs-Geburtstag," *Vossische Zeitung*, no. 375, August 11, 1921.

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entirely absent; the attire of this gentlemen's assembly is plain and unceremonious, from the frock coat to the lounge suit, a picture in gray and black."

There is further evidence that contemporary observers found it difficult to negotiate the pronounced sobriety of republican ceremonial with the etiquette previously observed in affairs of state. The president's official appearance at the Opera House is a most pertinent case in point. When Ebert entered the former royal box a few minutes past noon, the event's organizers noticed with embarrassment that the invited guests neither rose from their seats nor even acknowledged the arrival of the republican head of state. It is difficult to ascertain whether the failure to stand reflected uncertainty about the new ceremony of state or hardening political divides. Republican observers stressed the former. Arnold Brecht, for instance, attributed the incident to the widespread sentiment that acts of "monarchic" reverence were inappropriate in a republic.[35] Redslob admitted a "certain feeling of failure," only to link this experience with "the desire henceforth loyally to profess the national idea."[36] Ebert, who held little regard for public displays of protocol and decorum, handled the situation with characteristic unpretentiousness. As the lights in the auditorium darkened, he took a slight bow before the audience, then took his seat as the rising curtain revealed the orchestra before the backdrop of the golden federal eagle.

The official program commenced with the overture of Carl Maria von Weber's *Freischütz*,[37] a romantic opera based on a German folk tale. As the music ended, a curtain came down, separating the lectern from the orchestra and shifting attention to Chancellor Joseph Wirth. Finding a speaker of the day had been fraught with immense difficulty. The government favored a person of public renown who was not too pronounced a party man. The official short list included the historian Hermann Oncken; the theologian Adolf von Harnack; and Johannes Hieber, the state president of Württemberg.[38] Oncken, who had delivered the major address at a celebration of Reich Foundation Day in Heidelberg earlier that year, doubted that Constitution Day would resonate with the general public and pleaded health problems.[39] Harnack also declined. Hieber accepted but soon had second thoughts. In a highly apprehensive letter to Wirth on August 4, 1922, the Württemberg state president claimed that August 11 fell at an extraordinarily unfortunate time. After pointing both to diplomatic tensions (over Upper Silesia) and organizational difficulties (because of summer vacations), the liberal democrat asserted that Constitution Day was likely to provoke and

[35]Brecht, *Aus nächster Nähe*, 363.
[36]Redslob, *Die Amtliche Graphik des Reiches*, 52.
[37]Program in BArch, R 43 I/570, 9–10.
[38]Brecht, *Aus nächster Nähe*, 363.
[39]Telegram by Oncken of July 29, 1921, BArch, R 43I/570, 25. Cf. Klaus-Dieter Weber, "Verfassungsfeiern in der Weimarer Republik," in *Geschichte und historisches Lernen*, ed. G. Henke-Bockschatz (Kassel: Jenior & Pressler, 1995), 181–208; here 196.

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even intensify "the usual malicious criticism of the Right and the extreme Left." Hieber confessed, "All these considerations do not inspire in me the proper mood for a speech at the planned celebration; it would be a torture to write it [*ich müßte sie mir förmlich abquälen*]."[40] Chancellor Wirth, evidently untouched by Hieber's torment, responded that he was "irreplaceable." A few days later the state president reported that "dysenteric fever" prevented him from traveling to Berlin. With only two more days to go, the chancellor was left to give the speech himself.

Providing a pattern for many a Constitution Day address to come, Wirth's speech traced the nation's arduous path from the "great catastrophe" of military defeat in WWI to the latest anxieties surrounding the Conference in Paris, which was to determine the fate of Upper Silesia.[41] The chancellor emphasized that the gravity of the hour afforded "no loud festivities, no exterior splendor." Seeking to cut across the sharp class antagonisms that marked Weimar society, Wirth expressed the hope that the "great democratic ideas" enshrined in the Weimar constitution would become "the common good of the entire German people in not-too-distant a future." Crucial for this emergence of a democratically united nation were the constitutional safeguards against the "anarchy" and "nihilism" of Russian bolshevism. Wirth's rejection of communist revolution as a "foreign eastern phantasmagoria" went hand in hand with the belief that the Weimar constitution infused German nationalism with German democratic values, thus joining the legacy of the German struggle for freedom and democracy (epitomized by the Frankfurt parliament of 1848) with the history of German unification under the German Empire in 1871. According to Wirth, the Weimar constitution put "[n]ational unity on a democratic foundation." The chancellor ended his speech by asserting the German "claim to a rightful existence" in a world of freedom and justice. The ceremony concluded with music from Beethoven's Fifth Symphony.

Republican organizer-participants described the first official celebration of August 11 as an important first realization of the national idea that succeeded despite the odds.[42] The republican media underscored the theme of positive defiance—the *trotz alledem*, a leitmotif also of Wirth's speech. The left-liberal weekly *Die Hilfe* asserted "That we did not go down the cliff like the Russia of Soviet tyranny; that apart from a few putsches by fanatics of the extreme Right and Left, we have been spared real civil war and bloody class struggle; that we did not fall apart, did not slide back into the misery of particularism but have united firmer than ever before and with the will to . . . become . . . a free

[40]Exchange in BArch, R 43I/570, 38–52.

[41]Josef Wirth, "Rede zur Verfassungsfeier in der Staatsoper zu Berlin am 11. August 1921," in Josef Wirth, *Unsere politische Linie im deutschen Volksstaat* (Berlin: Verlag der Germania, 1924), 18–28, reprinted in Reichszentrale für Heimatdienst, ed., *10 Jahre Weimarer Verfassung*, 10–19.

[42]Brecht, *Aus nächster Nähe*, 364; Redslob, *Die Amtliche Graphik des Reiches*, 51.

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German people's state—that is something great, something entirely great in German history."[43]

Following this apparent *succès d'estime*, Constitution Day got off the ground in the aftermath of the murder of Walther Rathenau in June 1922. The republican Minister of Foreign Affairs was shot in cold blood by three nationalist fanatics who had hoped that his death would further destabilize the fledgling republic. I have shown elsewhere that this violent act proved counterproductive for the antirepublican cause.[44] As massive crowds mobilized in support of the republic, the federal government in Berlin organized a carefully staged state funeral that identified the Jewish democrat with the republican nation—certainly a first in German history! In the following weeks, the symbolic economy of Weimar democracy gained further momentum. Democrats of all colors now pressed more strongly for the distribution of the black-red-golden national flag. Four weeks after the murder, the Reichstag passed the "Law for the Protection of the Republic" with the requisite two-thirds majority. The law created a legal basis for prosecuting political crimes, from the vilification of the national flag to the murder of republican representatives.[45] Then on August 11, the second Constitution Day, President Friedrich Ebert decreed Hoffmann von Fallersleben's "*Deutschlandlied*" Germany's official national anthem. Encouraged by the outpouring of republican crowds, *Die Hilfe* asserted most fervently, "For the first time since the federal constitution has come into force, large parts of the people gather in solemn ceremony to show the highest respect for the new state, the Republic, and thus for themselves. . . . We all are the state!"[46]

When in September of that year Interior Minister Adolf Köster introduced a comprehensive bill regulating religious and political holidays, he listed August 11

[43]"Politische Notizen. Zwei Jahre Verfassung," *Die Hilfe*, no. 23, August 15, 1921.

[44]Manuela Achilles, "Nationalist Violence and Republican Identity in Weimar Germany," in *German Literature, History, and the Nation*, ed. David Midgley and Christian Emden (Oxford and Bern: Peter Lang, 2004), 305–328; Manuela Achilles, "Reforming the Reich: Democratic Symbols and Rituals in the Weimar Republic," in *Weimar Publics/Weimar Subjects: Rethinking the Political Culture of Germany in the 1920s*, ed. Kathleen Canning, Kerstin Barndt, and Kristin McGuire (Berghahn Books, 2010). For a reconstruction of the Rathenau murder, see Martin Sabrow, *Der Rathenaumord. Rekonstruktion einer Verschwörung gegen die Republik von Weimar* (Munich: Oldenbourg, 1994).

[45]Gotthard Jasper has shown that the law for the protection of the republic was applied leniently against rightists and harshly against Communists. He places the blame for the uneven execution of justice on the conservative prosecutors and judges inherited from the monarchy. Diverging ideas about the legal system and its function also played a role. Whereas the Socialists pressed for a law directed exclusively against the political right, thus focusing on particular social outcomes, the centrist parties rallied behind the liberal concept of the neutral state. In the end, the republican self-defense law was so worded that it could be applied to Communists as well, thus presenting a compromise between the two different approaches. Jasper, *Schutz der Republik*, passim.

[46]"Politische Notizen. Zum 11. August," *Die Hilfe*, no. 23, August 14, 1922.

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as the German national holiday.[47] State legislation to designate other holidays was to be annulled, with the noted exception of May 1. The *Reichsrat*, representing the regional states in the legislative process, approved the bill on April 20, 1923, after months of difficult negotiation. The Reichstag then debated the bill, which was contentious for various reasons, the most explosive of which concerned the bill's impact on existing state legislation. The Social Democrats were prepared to sacrifice on the altar of national integration the annual celebrations of the November revolution in Saxony, Brunswick, Thuringia, and Anhalt, but they ardently defended state laws protecting the traditional Labor Day. The political Right wanted to abolish both and at the same time sought federal recognition of Reich Foundation Day. Although there was considerable parliamentary support for August 11 in 1923 across the political spectrum, the Reichstag found it impossible either to split off the national holiday question or reach an overall agreement. In the end, the bill was left stranded in the Juridical Committee. Attempts to pass a national holiday bill in the following years proceeded along similar lines: while the Reichsrat decided in favor of Constitution Day, the Reichstag debated the issue with great emotional zeal only to end up postponing a final decision.

Historians usually interpret the chronic political deadlock over the national holiday bill as a symptom of the social and political fragmentation of the Weimar society. According to Marlene Bloch, "This fragmentation was so strong that a celebration geared to foster general political consensus was doomed to failure from the start."[48] Much of the literature emphasizes the scandals that occurred on August 11.[49] In this reading, pro-republican identifications appear as the exception rather than the norm. More nuanced interpretations of Constitution Day oppose the festive "ideal" against the "desolate realities" of its execution.[50] Bernd Buchner,

[47]See Schellack, *Nationalfeiertage*, 196–203; Jasper, *Schutz der Republik*, 229–239; Bernd Buchner, *Um nationale und republikanische Identität. Die deutsche Sozialdemokratie und der Kampf um die politischen Symbole in der Weimarer Republik* (Bonn: Verlag J. H. W. Dietz Nachf., 2001), 321–330.

[48]Marlene Bloch, "Die Verfassungsfeiern in Hannover 1922–1932," in *Feste und Feiern in Hannover*, ed. Hans-Dieter Schmid (Bielefeld: Verlag für Regionalgeschichte, 1995), 213–230, here 230. Cf. Ralf Poscher, ed., *Der Verfassungstag. Reden deutscher Gelehrter zur Feier der Weimarer Reichsverfassung* (Baden-Baden: Nomos Verlagsgesellschaft, 1999), 18f.; Pamela Swett, "Celebrating the Republic Without Republicans: The *Reichsverfassungstag* in Berlin 1929–32," in *Festive Culture in Germany and Europe from the Sixteenth to the Twentieth Century*, ed. Karin Friedrich (Lewiston, NY: Edwin Mellen Press, 2000), 281–302, here 282 and 302; Friederike Schubart, "Zehn Jahre Weimar—Eine Republik blickt zurück," in *Der Griff nach der Deutungsmacht. Zur Geschichte der Geschichtspolitik in Deutschland*, ed. Heinrich August Winkler (Göttingen: Wallstein Verlag, 2004), 134–158, as well as Weber, "Verfassungsfeiern," 191.

[49]Cf. Michael-Sören Schuppan, "Politisches und schulisches Handeln im Konflikt. Dargestellt an zwei Ereignissen im Preußen der Weimarer Republik," *Bildung und Erziehung* 49 (1996): 89–101; Thomas Koinzer, "Die Republik feiern. Weimarer Republik, Verfassungstag und staatsbürgerliche Erziehung an den höheren Schulen Preußens in der zweiten Hälfte der 1920er Jahre," *Bildung und Erziehung* 58 (2005): 85–103.

[50]Karin Kitowski, "Wiedermal Verfassungsfeier! Zum Verfassungstag der Weimarer Republik in den Schulen," in *Die Liebe zu Volk und Vaterland. Erziehung zum Staatsbürger in der Weimarer*

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who offers the most comprehensive account of Weimar (social) democratic symbolism to date, frames his rich discussion of August 11 with images of the republic's abysmal final years.[51] As a consequence, the popular political expansion of the celebrations in the middle years of the republic is cast in the shadows of extremist violence and ultimate doom.

There is no disputing that August 11 was a site of heightened ideological struggle. But this finding does not necessitate the conclusion that Weimar republicans failed to engage in this struggle for symbolic hegemony with the necessary emotional engagement, leaving the national symbols and the discourses defining them to the forces of the political extremes. If we read Weimar democratic culture from the beginning rather than from its end, then we find that the cultivation of the Verfassungstag through executive orders reacted to the very real and pertinent realities of social and political disintegration. In other words, the social fragmentation of the Weimar society presented the background against which republican officials in the federal and state administrations offered Constitution Day as a site of national integration. The invention of August 11 was a self-conscious attempt by leading republican forces to resolve or reconcile the various conflicts facing Weimar democracy.

The republican confidence in the constitution's integrative thrust was principled as well as strategic. According to Arnold Brecht, who credited himself with the invention of Constitution Day, even those who did not support the principles of parliamentary democracy accepted the constitution as the given basis of lawful order. As Arnold Brecht wrote, "the Constitution enjoyed greater respect than the form of government it laid down. Some saw in it the fulfillment of the revolution, others the guarantee of the revolution's end."[52] A most pertinent articulation of this integrative tendency of Constitution Day was the peaceful coexistence of socialist and republican symbols on August 11. In an article published in 1922 on the occasion of Constitution Day, Gustav Radbruch called the constitution "an invisible fatherland." He added that August 11 was the festive day of the people (*Volk*) just as May 1 was the festive day of humankind. "The red flag of humankind and the black-red-golden flag of the fatherland," Radbruch concluded, "they are inseparable for us."[53]

The description of the constitution in terms of an "invisible fatherland" offers a most fitting image of constitutional patriotism in the Weimar Republic. The metaphor also captures a major challenge this particular mode of national belonging faced. Seeking to rally the nation around constitutional principles and ideas,

Republik, ed. Karin Kitowski and Rüdiger Wulf (Dortmund: Scholz Druck, undated), 43–72, here 46 and 50.

[51] Buchner, *Um nationale und republikanische Identität*, 301–346.

[52] Arnold Brecht, *The Political Education of Arnold Brecht: An Autobiography 1884–1970* (Princeton, NJ: Princeton University Press, 1970), 216 f (citation on 217).

[53] "Das Volk huldigt der Republik. Die Feier der Partei," *Vorwärts*, no. 378, August 12, 1922.

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the proponents of Weimar democracy had to render abstractions perceptible to the senses. This is why the "invisible fatherland" manifested itself in the form of the national flag. Radbruch's ability to think together the red party banner and the republican colors, while keeping their meanings apart, is particularly striking in this context.[54] This capacity to separate the party flag from the national flag differentiated the Social Democrats from members of the political Right, who tended to collapse this significant distinction between party and nation or state. From a republican perspective, an uncompromising embrace of the republic's national symbols went hand in hand with a vigorous affirmation of democratic (party) politics. Radbruch, for instance, cautioned that the national unity celebrated on August 11 was not a permanent condition.[55] In a democracy, he insisted, parties represented the people in their diversity at the same time that they worked toward the common good. Constitution Day epitomized community insofar as it memorialized past struggles for political equality and national self-representation. This tradition included but was not limited to the German working class.

While the political Right continued to reject the pluralism of Weimar democracy, thus exploiting in practice what they denied in principle, Constitution Day entered a period of gradual expansion after the currency reform in 1923. It was in these middle years of the republic that the annual festivals became "something akin to an institution of customary law."[56] Interior Minister Köster instructed the federal bureaucracy and its local branches to fly the national colors on August 11, 1923.[57] He also asked the Reich's chief bureaucrats in the regions to organize official midday celebrations, if possible in collaboration with local state authorities. The list of suggested guests included civil servants, local representatives of the army, police, labor and employer organizations, as well as outstanding citizens. Köster's successor, Rudolf Oeser of the DDP, used this program as a template for future celebrations of Constitution Day. In addition to maintaining and expanding the previous regulations, the liberal democrat called upon religious authorities to ring church bells and conduct services on the morning of August 11.[58] Oeser also stressed the importance of popular events such as garden parties, sports competitions, musical performances, and theatrical events to be held that afternoon or evening. To enlighten children and youth quite literally with love and understanding for the trinity of constitution, fatherland, and

[54]Ibid.

[55]Constitution Day Address of August 11, 1928, in Reichszentrale für Heimatdienst, ed., *10 Jahre Weimarer Verfassung*, 100–103.

[56]Buchner, *Um nationale und republikanische Identität*, 335.

[57]BArch, R 43I/570, 153–154, 174–178.

[58]BArch, R 43I/570, 173–175, 211, and 226.

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state, Oeser recommended "the use of lanterns, as well as the burning of brushwood fires . . . as a symbol of German unity."[59]

To engage the cooperation of the states, the Federal Ministry of the Interior issued general guidelines for the celebration of August 11. The response, reflecting regional political conditions, was extremely uneven. Claiming that these federal directives violated state authority, Bavaria dismissed Constitution Day as incompatible with the "destitution of the times."[60] The Bavarian envoy in Berlin explained in 1923 that "[o]ne affirms the constitution in Bavaria, but one does not affirm it happily."[61] Unable to break the state's resistance, the Reich reduced its festive plans for the region. On August 11, the federal offices in Munich raised the national colors, assembled their staff for a short noontime address, and then closed early. Bavarian authorities flew the state flag. While republican associations such as the *Reichsbanner* worked to increase the visibility of the republican national colors in the middle years of the republic, the Bavarian political climate remained consistently unfavorable toward Constitution Day.

The situation was different in Prussia where the Weimar coalition government under Otto Braun actively promoted the annual celebrations of Constitution Day, at times even surpassing the festive enthusiasm of the Reich. Carl Severing, the Prussian Interior Minister from 1921 to 1926 and 1930 to 1933, instructed the authorities under his supervision to fly the republican national colors alongside the Prussian state flag on August 11.[62] Republican papers such as *Vossische Zeitung*, *Berliner Zeitung*, and *Vorwärts* published the annual Constitution Day decrees along with elaborate timetables of all major events to encourage mass participation. Further, the Prussian government directed its public schools to cancel classes after addressing the day in a "dignified" manner. Severing also ordered provincial authorities to cooperate with federal and municipal authorities in arranging official midday celebrations in honor of the Weimar constitution. Prussian civil servants were expected to attend. Although the Prussian Interior Minister assigned the orchestration of regional ceremonies to local authorities, he cautioned the organizers against creating even "the slightest shadow of a misunderstanding or ill feeling."[63] The Prussian government also granted financial assistance to provincial authorities that aimed to popularize Constitution Day. While these subsidies were usually limited to 300

[59]Karl-Heinz Harbeck, ed., *Akten der Reichskanzlei. Das Kabinett Cuno (1922/23)* (Boppard am Rhein: Harald Boldt Verlag, 1968), 643 (doc 217) and 658–659 (doc 223). Earlier and more elaborate versions in BArch, R 32/219, July 19, 1923, 104–105; BArch, R 43I/570, July 7, 1923, 153–154.

[60]Harbeck, ed., *Akten der Reichskanzlei. Cuno*, doc. 217, 643 f.

[61]BArch, R 43I/570, July 14, 1923, 166.

[62]GStA, HA I, Rep. 77, Tit 98, no. 112, vols. 1 and 4.

[63]As reported in "Der Verfassungstag im Reich und in Preußen," *Berliner Tageblatt*, no. 341, August 3, 1922.

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or 500 Reichsmarks, particularly ambitious events such as the district youth festival in the eastern Prussian province of Gumbinnen in 1928 received subsidies up to 3,000 Reichsmarks.[64] Finally, the Prussian Interior Minister asked his provincial chief administrators to report on the results of their efforts, underscoring the supervisory powers of Berlin.

As the republic gradually emerged from the turmoil that marked its founding years, republicans tried to push the national symbolism beyond the "long years of grief" toward "a kind of happy self-representation."[65] In a decree released in July 1924, the Prussian State Ministry asserted that "the foundations of the Weimar constitution are welded firmly enough to resist heavy blows from within and without . . . On the basis of their self-given constitution, the German people may thus look with new confidence toward a brighter future."[66] Democratic associations across the country agreed that the republic had persevered in the face of disastrous obstacles. The Thuringian Reichsbanner declared, "Five years of the most severe outer and inner political struggle have passed. In these years the young republic struggled with superhuman efforts . . . for its existence. . . . In defiance of all storms, the republic has asserted and proven itself in these five years!"[67]

During the middle years of the republic, Constitution Day also gained clear symbolic contours. *Die Hilfe* asserted in 1927 that "[t]hese celebrations are gradually developing a style and a tradition, and every year they grow in decor, festiveness, and variety."[68] In Berlin, where the entire range of republican ceremonial accouterments was on display, August 11 usually commenced with a military reveille, the ringing of church bells, and religious services. At about 11:30 a.m., an honor guard entered the Place of the Republic (renamed from Kings' Square in 1925) in front of the Reichstag building. The federal ministers, dressed in cutaways and top hats, arrived fifteen minutes later at a quarter to twelve. They assembled on the Reichstag's great stairway, which was flanked by two tall flagpoles. Until 1925, both flew the republican national colors (black-red-gold) on August 11. After the flag amendment under Chancellor Hans Luther in 1926, one of these banners was replaced by a republican appropriation of the black-white-red imperial flag. The invited guests then awaited the arrival of the chancellor and president. The president inspected the honor guard, while a military band played a marching song that slowly passed into the national anthem. This military ritual was later moved to the concluding part of the ceremony. The president then joined the assembled ministers and proceeded into the Reichstag. As the building's great entry doors closed behind the

[64]GStA, HA I, Rep. 77, Tit 98, no. 112, vols. IV and V.
[65]Memo, BArch, R 32/430, 30.
[66]GStA, HA I, Rep. 77, Tit 98, no. 112, vol. I (1921–1924), July 16, 1924, 240.
[67]"Der Tag von Weimar," *Vossische Zeitung*, no. 374, August 10, 1924.
[68]"Politische Notizen. Acht Jahre Reichsverfassung," *Die Hilfe*, no. 16, August 15, 1927.

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government and its guests, a military band began playing familiar tunes for the spectators outside.

The Reichstag's interior decoration was designed by the Federal Art Expert, who created a new republican style that was "consistent, unobtrusive, and at the same time, attentive to the smallest detail."[69] The speakers' platform and the galleries sparkled with flowers and greenery. The federal eagle and the national colors appeared in various designs and sizes. A large signboard recalled the constitutional pledge of the German people "to renew and to consolidate their Reich on the solid bases of liberty and justice, to serve the cause of peace both within and without, and to promote social progress." The motto of the Weimar Republic—"unity and justice and freedom"—and the new regional coats of arms were also displayed.

The president was seated in the Reichstag's former royal box, thus occupying a central symbolic position not only *in* the audience but also *for* it. Upon his entry, the guests rose respectfully, a custom government officials established after the audience's failure to stand in 1921.[70] The ceremony then commenced with classical music. In addition to Beethoven's "Egmont Overture," the program often featured Wagner's "Meistersinger Prelude," as well as compositions by Händel, Bach, or Mozart. At the center of the events stood the Constitution Day address, delivered by a prominent politician or university professor of varying party affiliations. Since the daily newspapers tended to publish the speech in full, the Interior Ministry asked the speaker to submit the text in advance. This was a measure of both organizational and political prudence. Prussia's chief administrators in the regions, for instance, experienced great difficulties with speakers who sympathized openly with the old regime, causing scandals with national repercussions. The organizers of the Reichstag ceremony were obviously guarding against unpleasant surprises.

The Reichstag ceremony usually concluded with a short address by the chancellor, who delivered the final salute. The Interior Ministry under Köster strongly encouraged the speaker to lead the audience in cheering the republic and fatherland.[71] When Hans Luther used such a formula in 1925, the *Vossische Zeitung* emphasized that Hindenburg joined the salute together with the guests.[72]

[69]Federal Minister of the Interior Köster to Redslob, August 15, 1922, BArch R 32/219, 61. Cf. "Die Reichstagsfeier," *Vossische Zeitung*, no. 378, August 11, 1922; "Treu zur Verfassung! Im Reichstag," *Echo der Gegenwart. Älteste Aachener Zeitung*, no. 188, August 12, 1922. The newspaper reports described the decorations as "simple," "festive," and above all "dignified."

[70]The Prussian Ministry of the Interior cautioned in an internal memo of 1921 that "It appears desirable for the guests to pay attention when the president enters his loge, in that it is considered self-evident that the assembly rises at this moment by itself without a special cue." GStA, HA I, Rep. 77, Tit. 98, no. 112, vol. I (1921–1924). The ministry's precautions were evidently successful. "Die Reichstagsfeier," *Vossische Zeitung*, no. 378, August 11, 1922.

[71]BArch, R 43I/570, 133 and 138.

[72]"Reichsfeier des Verfassungstages," *Vossische Zeitung*, no. 192, August 12, 1925.

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General Groener, who spoke in 1929 in lieu of Hermann Müller, also saluted the "German people united under the republic."[73] Chancellor Wilhelm Marx, on the other hand, ended his speech in 1926 with a simple salute to Germany. The congregation then sang the first and third stanzas of the national anthem. The program handed out at the beginning of the event included the text.

Bridging the gap between the highly exclusive Reichstag ceremony and the crowds of spectators outside, the opening of the doors marked the transition from the realm of high politics to the streets. Accompanied by the Speaker of the House, the Minister of Defense, or chancellor, the president descended the main stairway to inspect the honor guard. He then entered his waiting car and departed. The people cheered the president and the republic, waving hats and handkerchiefs. In 1929, the Reich and Prussia together with the city of Berlin added a popular element to their official events in the capital. Performed by 7,000 children before an audience of about 50,000 people in the Berlin Grunewald Stadium, this choric drama revolved around the forming of a "living national banner" by children dressed in black, red, or yellow clothes. In 1930, children symbolizing the German rivers welcomed the Rhine back into the midst of the nation. The organizers awarded the children's efforts with Constitution Day chocolate bars.

Constitution Day events sponsored by private associations and political parties ranged from public concerts and poetry recitals to aviation shows, motor rallies, sports competitions, and torchlight processions. The athletic clubs of the workers' organizations, as well as those of the Berlin police, exhibited their skills on local sports fields. Boaters and rowers met on the River Spree. Youth sports competitions drew especially large crowds. The president donated medallions or honorable citations to be awarded on these occasions. Participants in a Berlin school celebration were showered with candy.[74] Local party organizations offered beer and bratwurst. Vendors sold juice, chocolate, peppermint, and lemon water, as well as photos, badges, pamphlets, newspapers, and little flags.[75] If August 11 fell on a workday, the SPD and DDP, as well as the Reichsbanner, moved their festivities to the preceding weekend to ensure the greatest possible participation.

In the evening, various associations held festive gatherings and fireworks at traditional outdoor rallying points throughout Berlin. The governments of the Reich, Prussia, and Berlin hosted a soirée in one of the capital's great music halls. The events converged when a popular torchlight procession greeted the republican dignitaries with flags, music, and song. The various components of the Verfassungstag came together at the height of pro-republican activity on the occasion of the constitution's tenth anniversary in 1929, when the

[73]As reported in "10 Jahre Weimarer Verfassung," *Münstersche Zeitung*, no. 220, August 12, 1929.
[74]GStA, HA I, Rep. 77, Tit. 98, no. 112, vol. III (1927–1929), 94–95.
[75]"Die Volksfeier der Verfassung," *Vossische Zeitung*, no. 191, August 11, 1925.

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celebrations drew hundreds of thousands of participants in Berlin. A school festival in the Berlin Lustgarten alone reportedly assembled 100,000 boys and girls.[76] Regional cities also registered large numbers of participants. Neusalz reported 10,000 to 12,000 people attending the evening festivities at the shores of the River Oder.[77] Münster reported between 5,000 and 10,000 guests for the local Constitution Day celebration.[78] Even though the reported numbers varied, local papers agreed that the assembly hall was packed and that the event was a memorable success.

It was the Depression that quickly eroded the expanding foundations of Constitution Day. In 1931, the government scaled down its events because of economic difficulties. The choric drama in the Grunewald Stadium was cancelled. Interior Minister Wilhelm Freiherr von Gayl of the German National People's Party, upon delivering the Constitution Day Address before the Berlin Reichstag in the next year, then openly defied the occasion when he asserted "that the constitution does not unite minds, but divides them."[79] But even as Germany teetered on the verge of dictatorship in 1932, Constitution Day could not simply be called off. Werner Thormann, the editor of the *Deutsche Republik*, declared in the Frankfurt Paulskirche, "We are called upon to rescue the foundations of this state, of our state, from drowning. Celebrations and cheers are not sufficient, but if action shall ensue, then the avowal of conviction must not be absent."[80] It is not surprising that the Nazis abolished the day in the following year.

Anchoring the Nation in the Democratic Form: Obstacles and Challenges

Why did the Weimar constitutional patriotism not become hegemonic after World War I? Leading republican officials certainly recognized the necessity of symbolically legitimating the nascent democracy.[81] Their efforts to integrate diverging political interests and impulses into the republican nation coalesced in the annual Constitution Day celebrations on August 11. In offering a stage for the display of republican principles and achievement, however,

[76] "Berlin im Zeichen der Verfassung," *Allensteiner Volksblatt*, no. 186, August 12, 1929.

[77] "Das Fest der Republik. Die Feier in Neusalz," *Neusalzer Stadtblatt*, no. 188, August 13, 1929. Cf. GStA, HA I, Rep. 77, Tit. 98, no. 112, vol. V (1929), 20–21.

[78] "Verfassungsfeier in Münster," *Münstersche Morgenpost*, no. 223, August 13, 1929.

[79] Freiherr Wilhelm von Gayl, *Verfassungsrede, gehalten bei der Feier der Reichsregierung am 11. August 1932* (Berlin, 1932), 1.

[80] Cited in Buchner, *Um nationale und republikanische Identität*, 308.

[81] Brecht, *Aus nächster Nähe*, 361. Brecht articulates here the important insight that all political elites have to express symbolically the fact that they are indeed governing. This also applies to democratic regimes. Cf. Clifford Geertz, "Centers, Kings, and Charisma: Reflections on the Symbolics of Power," in Clifford Geertz, *Local Knowledge: Further Essays in Interpretive Anthropology* (New York: Basic Books, 1983), 123–124.

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Constitution Day also provided an opportunity to demonstrate opposition to the regime. Although the republicans and their media projected a decidedly positive image of Constitution Day, they were the first to admit that the events faced tremendous political resistance. Communist provocateurs caused brawls at Socialist Constitution Day celebrations. Military bands played imperial marching songs upon returning from Constitution Day celebrations. Orators at school celebrations "forgot" to mention the republican constitution, or they advanced the monarchy as the only desirable form of government. Pupils attending school events wore swastika badges, whistled disruptively, or threw republican streamers and flags into the mud. Drivers in motor rallies decorated their cars with black-white-red club banners. The *Kreuzzeitung* headquarters in Berlin flew a black-white-red banner with a mourning-crepe on August 11. The list is long and was not ignored; republican papers reported on all these events.[82]

To increase the popularity of Constitution Day, especially in middle-class circles, the liberal press discussed the constitution's meaning for various subsections of the population such as women and youth. The *Reichszentrale für Heimatdienst*, as well as private publishers, issued materials for the observation of August 11 in public schools, including elaborate recommendations for recitations, music performances, and short dramatic plays.[83] It was hoped that the effective combination of "dance, song, and sports" at school events would help to anchor the constitution in the consciousness of the German people, and especially of the next generation.[84] The federal government commissioned a school book prize to be awarded on Constitution Day, which told the history of the republic from the wars of liberation into the present.[85] In many of these contexts, education and concrete action went hand in hand. Republican papers traced the

[82]Examples can be found in *Vorwärts*, no. 379, August 12, 1922; *Berliner Tageblatt*, no. 357, August 12, 1922; *Vossische Zeitung*, no 383, August 15, 1922; *Vossische Zeitung*, no. 380, August 12, 1924; *Vossische Zeitung*, no. 190, August 10, 1926; and *Vossische Zeitung*, no. 196, August 13, 1926.

[83]Examples include Gerhard Hellwig, *Die Verfassungsfeier in der Schule. 4 ausführliche Feiern* (Berlin: Kribe-Verlag, 1926); Otto W. Ullmann, ed., *Die Verfassungsfeier in der Volksschule. Erwägungen zur Ausführung, Themen, Ansprachen, Behelfshinweise* (Leipzig: Verlag Arwed Strauch, 1926); Adolf Jung and Paul Klaaß, *Mein deutsches Vaterland. Der Verfassungstag als vaterländischer Gedenktag* (Berlin: Oehmigke's Verlagsbuchhandlung, 1927); Eduard Weitsch, *11. August. Zehn Reden zur Verfassungsfeier in Schulen* (Breslau: Morgenstern Verlagsbuchhandlung, 1928); Reichszentrale für Heimatdienst, ed., *Zum Verfassungstag. Eine Zusammenstellung von Reden, Zitaten, Gedichten, Daten, nebst Vorschlägen zur Ausgestaltung von Verfassungsfeiern* (Berlin: Zentralverlag, 1928/1930); Hans Friedrich, *Neuland. Eine Verfassungsfeier für weiterführende Schulen und als Gemeindeabend* (Berlin: Deutsche Landbuchhandlung, 1929); W. Reeg, ed., *Die Verfassungsfeier. Ansprachen und Vortragsmaterial besonders für Verfassungsfeiern in der Schule* (Mühlhausen: Verlag von G. Danner, 1929); Hermann Scheufgen, *Verfassungsfeier. Anregungen, Leitsätze, Dokumente, Gedichte, Lieder, Spiele und Quellenangaben zu neun verschiedenen Feiern* (Paderborn: Ferdinand Schöningh Verlag, 1930); Heinrich Erdeler, *Verfassungstag in der Schule* (Mühlhausen: Verlag von G. Danner, 1930).

[84]Reichskunstwart to Federal Minister of the Interior, May 15, 1923, BArch R 32/219, 78.

[85]Theodor Heuss, ed., *Deutsche Einheit, Deutsche Freiheit. Gedenkbuch der Reichsregierung zum 10. Verfassungstag 11. August 1929* (Berlin: Zentralverlag G.m.b.H., 1929).

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history of the national banner to the unification and liberation movement of the nineteenth century, with the aim of encouraging readers to wear black-red-golden badges, ribbons, and streamers in the streets, pubs, buses, and subways.[86] A reader of the *Vossische Zeitung* who successfully fended off nationalist bullies asked her democratic compatriots to stand up to the challenge. "In the republican camp," she wrote, "one does not pay enough attention to the fact that courage is indisputably the by-far weakest side of the nationalists [*Völkischen*] and monarchists. They are strong and energetic only in herds and in large crowds. The individual opponent of the republic is usually cowardly and soft."[87]

In confronting the nationalist challenge, republicans appealed to the military and martyrdom, although they used this language in different ways than the political Right. Radbruch, for instance, understood the Weimar constitution as the fulfillment of the national and democratic movement of the early nineteenth century. Within this context, however, the "experience of 1914" played a particular role. After expressing great appreciation for the work of the liberal democrat Hugo Preuß and the national assembly, the Social Democrat recalled his fellow party member Ludwig Frank, who joined the German army upon mobilization and was killed in his first battle in 1914. "He wanted," Radbruch explained, "to be present where, in his own words, the foundations of the new Germany would be laid."[88] Radbruch added in the best spirit of the republican Reichsbanner, "Also for us, who never cease to . . . call out into the war-threatened world: Never again war! For us, too, the World War was not only a misfortune of gigantic proportions. For us, too, it is the heroes' poem and the history of the Passion of an entire people, which will live on forever as a greater Iliad of the human race."

The integration of the war experience into republican Constitution Day narratives was part and parcel of a larger attempt to situate Weimar democracy within the continuity of national history. To support this aim, the government associated each annual festival with overarching themes or mottos from the German past or present. In 1922, August 11 was observed as the "Day of the Restoration of German Unity." Starting with the 1928 commemoration of Friedrich Ludwig Jahn, the "father" of the German gymnastics movement, celebrations were dedicated to figures from the German past. In 1931, the celebrations honored the memory of Freiherr vom Stein, an important Prussian reformer during the time of the wars of liberation. The final celebration of August 11 in 1932 was dedicated to Johann Wolfgang von Goethe. This appropriation of

[86]"Wie Schwarz-Rot-Gold entstand," *Demokratische Post*, no. 15/16, August 1, 1928; "Die Volksfeier der Verfassung," *Vossische Zeitung*, no. 190, August 9, 1925.
[87]Milly Zirker, Letter to the Editor, *Vossische Zeitung*, no. 390, August 17, 1922.
[88]Reichszentrale für Heimatdienst, ed., *10 Jahre Weimarer Verfassung*, 100.

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important icons of bourgeois culture and society into the republican pantheon extended from the past into the very present. In 1925, the *Vossische Zeitung* emphasized the presence of the naturalist playwright Gerhart Hauptmann at the official Constitution Day celebration in Berlin. One year later, the same paper observed with indignation that the police had blocked popular access "in an incomprehensible surfeit of zeal," so that only a few people could witness "how their Reich President Hindenburg honors the constitution."[89] The involvement of both Hauptmann and Hindenburg was important because they tied the Verfassungstag to a broad range of middle-class norms and values.

The nationalist media reacted by creating their own image of Constitution Day. In their view, August 11 was dominated by Socialists waving red flags to the strains of the communist-socialist song, the "*Internationale*."[90] It was also a "pageantry in the lap of luxury" that bribed citizens with sweets, beer, and sausage.[91] Most of all, the right-wing press sought to erase any sign of republican mass participation from the public record. One way of achieving this was to accuse the republican papers of misrepresenting reality. The *Neue Preußische Zeitung* noted in anticipation of Constitution Day in 1922, "We will . . . experience exactly what we did last year, namely that the masses will not understand the pompously orchestrated celebration. Nevertheless, the left-democratic press will attempt to report to us the opposite, will tell us of the enormous enthusiasm, and will thus again add another lie to all the others. Those who really know the popular mood will ignore this with a shrug of their shoulders."[92]

The nationalist influence on the public perception of Constitution Day increased as the Hugenberg Group took control of the growing cinematic newsreel market.[93] When the *Berliner Volksbühne* scrutinized the company's films in 1928, it found that they erased from view the republican mass participation that increasingly characterized the celebrations. Instead of showing the impressive torchlight procession to the Opera House, Hugenberg's newsreels focused on Hindenburg's inspection of the honor guard under a black-white-red military flag. The black-red-golden banner flying at the other side of the Reichstag's great staircase was nowhere to be seen. This representation of the event clearly denied the constitutional flag compromise, which had led to the simultaneous adoption of a black-red-golden national banner and a black-white-red mercantile flag.

The legal presence of imperial identifications in the Weimar symbolic economy, upheld not least by the constitutional flag compromise, surely impeded the republican fight for symbolic hegemony. The problem was

[89]"Reichsfeier der Verfassung," *Vossische Zeitung*, no. 192, August 12, 1926.
[90]"Das Deutschlandlied," *Preußische Zeitung*, no. 353, August 13, 1922.
[91]Cited in "Feinde des Staates," *Vossische Zeitung*, no. 379, August 12, 1922.
[92]"Der Verfassungstag," *Neue Preussische Zeitung*, no. 349, August 11, 1922.
[93]"Der Film im Dienst der Lüge," *Berliner Volkszeitung*, no. 391, August 19, 1928.

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exacerbated by the fact that German Nationalists appropriated the republic's legally coded language of national integration for subversive purposes, thus undercutting the association of democratic and national values that the champions of August 11 aimed to project. Setting the stage for Hitler's "oath of legality" in September 1930, the DNVP party chairman Oskar Hergt declared as early as 1922 that the constitution itself provided his party with the legal means to overthrow the republican state. Hergt asserted, "Whoever attempts to overturn our state order by unconstitutional means places himself outside the legal order and therefore is not entitled to its protections. Those who, like the German National People's Party, seek to attain their political aims solely along the constitutional path, however, can demand the same constitutional guarantees as all other citizens."[94]

Weimar republicans were not blind to the fact that the nationalist embrace of the constitution was purely strategic. Some democrats cautioned very early on that "[t]he allegedly 'peaceful and constitutional' fight against the republic also leads to civil war."[95] The widely assumed legality of antirepublican opposition, however, caught the pro-republican forces on the horns of a dilemma: how could they deny their political antagonists the constitutional freedoms (of speech, association, the press, etc.) that they asked them to celebrate? The nationalist Right faced a similar predicament: how could they defy the republican constitution without placing themselves outside the law? In this situation, the governments of the Reich and Prussia cultivated August 11 from within the realm of state authority, hoping that the appeal of lawful public order would reach far across the political spectrum into the very heart of the conservative camp.

Conclusion

To what extent should republicans have rejected political languages and practices that undercut their visions and ideals? The short answer is that Weimar democrats, after having lost their absolute majority in 1920, were not in the position to exclude anybody or anything from the republican nation. Rather, they had to emphasize, as Arnold Brecht noted, the unifying and integrative tendencies of Weimar democracy.[96] But this particular strength of republican ideology—its integrative impulse—was also its Achilles' Heel. Seeking to draw large sections of the conservative middle class into the republic, Weimar democrats blurred the political margins of the nascent democracy. There was no alternative, however. Republicans needed to turn enmity into loyal opposition, and they

[94] *Gegen den politischen Mord! Reichstagssitzung vom 25. Juni 1922* (Schwerin I. M., 1922). On the Reichswehr Trial, see Ian Kershaw, *Hitler, 1889–1936: Hubris* (New York: W. W. Norton & Company, 2000), 337–38.

[95] Cited in Jasper, *Schutz der Republik*, 62.

[96] Brecht, *Aus nächster Nähe*, 361.

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had to do so in the absence of diplomatic or economic success. Clearly, the republican governments of Philipp Scheidemann, Constantin Fehrenbach, Joseph Wirth, Wilhelm Marx, Gustav Stresemann, and Hermann Müller did not receive international support comparable to that offered to the Adenauer government after World War II.

The necessity of legitimating the nascent Weimar democracy in the face of severe obstacles inspired a labor of democratic representation that transcended the confines of political camps and social milieus. The key words of the republican project of peaceful reconstruction—"unity and justice and freedom"—circumscribed a legally coded patriotism that centered on the achievements of the Weimar constitution. Indeed, leading Weimar republicans such as Carl Severing, Adolf Köster, Rudolf Oeser, Gustav Radbruch, Arnold Brecht, and Edwin Redslob took seriously the constitutional pledge "to renew and to consolidate their Reich on the solid bases of liberty and justice, to serve the cause of peace both within and without, and to promote social progress." Weimar republicans asserted that peaceful democratic order was worthy of any sacrifice. In their symbolic universe commitment to the "invisible fatherland"—as manifested in the democratic nation—was an absolute value that transcended the confines of class, faith, ethnicity, or race. This inclusive sense of national belonging was no less compatible with German national traditions than Nazi ideology. On the contrary; Weimar republicans produced a constitutional culture that re-anchored the nation in the democratic form. The *Grundgesetz*-patriotism of the Federal Republic, as well as constitutional patriotisms from Sternberger to Habermas, are clearly prefigured in the legally coded democratic nationalism that developed under the Weimar Republic.[97] Combining a passionate commitment to political reason with a sensitive and sensible representative style, Weimar republicans drew the symbolic contours of a liberal mass democracy. It is in this perspective, too, that the Weimar Republic was the ultimate laboratory of German modernity.

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[97] One might even find continuity in the constant public grumbling about the alleged asceticism of the German national symbolism, which characterized all republics from Weimar to Berlin. The continued use of Weimar state symbols in the Federal Republic also places these designs in the tradition of postwar German democracy. Cf. Margaret Meyers Feinstein, *State Symbols: The Quest for Legitimacy in the Federal Republic of Germany and the German Democratic Republic, 1949–1959* (Boston and Leiden: Brill Academic Publishers, 2001).

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