

Philipp Nielsen

The Power of the Purse: Budget Laws and Cultures of Compromise in the Second Empire, Weimar, and Bonn

1 Introduction

In 2021, the historian Wolfram Pyta published an article titled, “The Empire can do Compromise” [Kaiserreich kann Kompromiss]. Pyta argued that the structure of the empire, with its competing centers of power – the emperor (Kaiser), the Imperial Council (Bundesrat), and with it also the federal states and the parliament (Reichstag) – which all needed each other to pass legislation and enact policies, meant that politicians could not but learn to compromise (Pyta 2021: 77). With his claim, Pyta intervened in a debate on the modernity and political openness of the German Empire that had spread from academic circles to the pages of the German feuilletons – most notably between the two historians Hedwig Richter and Eckart Conze. Richter stressed the relative openness and modernity of the German Empire, while Conze highlighted its repressive and exclusionary elements.¹ In her introduction, Richter (2021: 7) approvingly quoted Pyta’s assessment of a “culture of compromise” in the empire, which Pyta had developed in an earlier talk in 2020. This culture, in her view, underpinned the many reforms that she observed driving the empire peacefully toward modernity. While Conze acknowledges that the empire did see reforms, he argues that they did not touch the political system, which remained hamstrung by its authoritarian construction, hostility to parties, and the dominance of Prussia by way of the Bundesrat. To him, the competing centers of power did not lead to compromise, but to institutional rivalry which in turn, quoting Hans-Ulrich Wehler, begot a “permanent crisis of the state” (Conze 2020: 106, 121).

This chapter is not primarily interested in whether or not the empire could have reformed its political system in the absence of war and revolution, a question that hovers over the debate between Richter and Conze, as well as Pyta’s text. Instead, it explores and historicizes this notion of a culture of compromise. It asks, as contemporary politicians did, how the ability to compromise was related to the absence of parliamentary responsibility for government.

¹ See Richter 2021 and Conze 2020. For a short summary of the debate and their echo in the wider media, see Metzler 2021.

Attitudes towards compromise are helpful to historians of modern Germany, and to those interested in the broader study of political culture, as they provide a good proxy for attitudes towards democracy. Pyta certainly has a point when he says that the moment that power is shared between different institutions, these all need to reach compromises. Of interest for this chapter is how politicians and observers discussed compromise in a system that, ultimately, required it in some form. For this, parliament offers a particularly promising arena. As Max Weber (1958: 291) argued in 1917, while direct democracy can answer “yes” or “no” questions, parliament offers a platform for more complex negotiations. Part of this complexity stemmed from the inherently pluralist nature of modern societies. Thus, in 1920, Hans Kelsen deemed compromise “the essence of democracy” (Kelsen 1920: 13). In this line of thinking, popular attitudes towards compromise reveal whether or not difference, and thus the pluralistic nature of society, are seen as legitimate. In the realm of parliament, compromise indicates which parties, despite holding different ideologies, are seen as legitimate actors. An analysis of compromises within parliament also allows us to bring academic attitudes towards compromise, as exemplified by Kelsen, into conversation with the realm of professional politics.

Attitudes towards compromise thus inform us about who is deemed to be part of the circle of viable discourse, defining the outer limits of political difference. It also provides us with a perspective on legitimacy of differences as such. Importantly, compromise is not consensus.² In 1985, Christoph Gusy focused on the difference between the two principles, a distinction also crucial to the more recent scholarship by Constantin Goschler, among others. In compromise, difference is acknowledged and remains. In contrast, consensus entails the replacement of difference by mutual agreement.³ As Véronique Zanetti (2022: 18–19) points out, however, a compromise, while painful to both sides, rests on a minimal consensus between the involved parties about the value of compromise as such. Particularly, but not only, among proponents of agonistic politics, even this minimal consensus contains the danger of silencing minority voices in compromise agreements, and with it a threat to democracy itself.⁴ Similarly, Avishai Margalit (2010: 60) has expressed concern about “rotten compromises,” concluded on the back of parties not present in the agreement. However, he is preoccupied with compromises that help maintain an “inhuman regime” (Margalit 2010: 2).

² I would go against the theories of consensus democracy which collapse the distinction between compromise and consensus by arguing that consensus is reached by compromise. See for example Baume and Novak 2020.

³ Gusy 1985: 141–144; Goschler 2023: 5; see also Habermas 1992: 204–206.

⁴ For a discussion about a possible place of compromise in agonistic politics, see Westphal 2020.

These pertain to exceptional cases more than to the humdrum nature of most parliamentary compromises. As long as parties to a compromise have to make concessions to their own preferred goals, the concomitant acceptance of the validity of claims by the other side(s) appears to be a better way to safeguard minority interests in the political arena than, for example, referenda. These concessions should not be considered “rotten” in the sense of Margalit. Arguably though, a compromise involves concessions between parties to the agreement and not sacrifices for some higher good, like the state. In practice, political rhetoric might muddle the distinction. But once sacrifice is invoked, the concession is no longer toward the other party to the agreement. Instead, the concession is made toward the higher good. This changes the way in which the political and in it legitimate difference are perceived. Rather than depicting concessions to reach compromises as a fundamental, and in that sense ordinary, aspect of politics, they become something extraordinary, a sacrifice.

Whether or not political actors view difference as legitimate is foundational to the way a modern (and arguably any) pluralistic society is governed, and crucial for democracy to function in such a state. The late West German Chancellor and Social Democrat Helmut Schmidt is said to have argued that “[d]emocracy lives from compromise. Who cannot compromise is of no use to democracy.” This quote is having a certain revival in contemporary politics. Responding to demonstrations against budget cuts in January 2024, Social Democratic Chancellor Olaf Scholz quoted Schmidt to defend his coalition’s actions (Die Bundesregierung 2024). If we look at the current political culture in Germany, appeals to compromise, and a renewed fear of its absence, are having a moment.

Scholz’s appeal is just one example of the tendency of compromise to assert itself as a political virtue in the midst of a budget crisis. In most parliamentary systems, budgets have to be passed at regular intervals. Given the high stakes involved, they also offer the opportunity to study changes in attitudes towards compromise. Such negotiations are scaffolded by constitutional and procedural rules that shape the positions parties take and can take. Budgets and finance reforms (which tend to take a similar course, but in even more high-pressure environments) thus suit an investigation into compromise. They ultimately touch all aspects of government and, usually, cannot be postponed indefinitely, as most other legislation can – at least in theory. Moreover, gaining political control over the budget has been crucial in efforts to parliamentarize politics, and not only in Germany.

This chapter looks at four distinct moments in which budget negotiations coincided with the necessity of financial reform – crisis moments that opened up the realm of the political to new ways of doing business. The moments have been well studied, but taken together might still offer fresh insights into the cultures of

compromise in three different German regimes with prominent parliaments: the negotiations of 1906 and especially 1909 in the empire, which in fact form the core of an important article on compromise by Carl-Wilhelm Reibel (2011); for the Weimar Republic, the finance and budget negotiations in the wake of the hyperinflation and Dawes Plan in 1924; and finally, as a conclusion a short synthesis of the negotiations for finance reform of 1954/1955 in the Federal Republic. The chapter thus seeks to explore how the culture of compromise in the Imperial Parliament, if it existed, differed from that of the Weimar Republic and the Federal Republic to chart a brief genealogy of attitudes towards pluralism in German politics and to its expression through parties. In the process, it examines the ways in which the different pressures that forced politicians to compromise did or did not evolve into something that might be called a wider institutional culture of compromise in these parliamentary bodies.

2 The Empire and Compromise Without Responsibility

In the empire, all legislation had to be approved by the Reichstag and the Bundesrat. Budget laws had to be approved by them annually. The military budget only came up to a vote every seven years, and from 1893, every five years, limiting parliament's control over it. In reality, however, increasing military costs forced the government repeatedly to turn to parliament for supplementary military budgets.

At the turn of the twentieth century, this necessity became particularly urgent; the Reich government had to find new sources of revenue as its social and military obligations increased. The federal budget went into a deficit consistently. At the same time, it became ever more difficult to finance expenditures through bonds (Ullmann 2005: 75–77; Grimmer-Solem 2019: 332–335). As such, the government needed to turn to parliament to approve new taxes. Since the tax reform of 1879, the Reichstag had not approved new funding sources, let alone passed any larger financial reforms (Buggeln 2022: 155–156). The blockage was a consequence of the German states' reluctance to grant the federal government new sources of income, and thus manifested as obstruction in the Bundesrat. The vastly different ideas of the parties in the Reichstag about the desirability of direct, indirect, or no new taxes at all further contributed to the impasse (Buggeln 2022: 157). While both chambers were needed to approve the budget, the expanding political public, the growing role of parties, and the high voter turnout that reached over 80 percent by the 1900s made the Reichstag a more important platform for politi-

cal debate than the Bundesrat (Anderson 2000: 356, 396). As a result, this chapter will focus primarily on the Reichstag and the negotiations between the parties there as well as the position of the chancellor.

The negotiations of 1906 occurred at a time at which the political interests within the empire were increasingly organized (Anderson 2000: 12, 20). The parties had operated in a parliamentary system for over thirty years, and parliamentarians had become habituated to it. Over the same time, mass movements and lobby groups outside parliament had grown more influential.⁵ Chancellor Bernhard Fürst von Bülow, appointed by the emperor in 1900 and not formally responsible to the parliament, needed to take these interests into account, but above all he needed to find a majority in the Reichstag and then get the support from the states.

In the public, especially among the emerging field of economists and sociologists, the need for direct taxes on wealth or inheritance to make the government's finances more dependable and to address questions of tax equity had become prominent. Such views had their proponents even among Bülow's circle of advisors. Yet such taxes constituted precisely the line that the states in the Bundesrat did not want to see crossed (Grimmer-Solem 2019: 446; Buggeln 2022: 158, Ullmann 2005: 84–87). In the Reichstag, these direct taxes were opposed by the Catholic Center Party and the Conservatives which favored indirect taxes on consumption (Reibel 2011: 90). In terms of relative weight, the Center Party was the largest party in the parliament, and the Conservatives were the third largest but closest to the government. The National Liberals and the Left Liberals together had about as many seats as the Conservatives. In the 1903 elections, the Social Democrats fielded the second largest fraction in the parliament – though they dwarfed all other parties by actual number of votes received. However, as alleged enemies of the nation, they were excluded from all negotiations. As the vestiges of the anti-Catholic *Kulturkampf* (Culture War) of the 1870s and 1880s lingered, the Center Party too had until this point been mostly excluded from the majority building which Bülow had pursued. Instead he had mostly relied on a coalition of Conservatives and Liberals, which now found themselves on opposite sides regarding possible new taxes. Bülow, confronted with this political situation, attempted to bridge the factions' differences by proposing a law that would introduce an inheritance tax alongside increased consumptive taxes (Buggeln 2022: 158–159).

In the end, he could only pass a watered down inheritance tax. However, two issues from this process stand out in the context of cultures of compromise. First,

5 See for example two of the classic studies of German nationalist lobby groups: Eley 1980 and Chickering 1984.

while the modest nature of the bill that passed demonstrated the limits of each side's power in this compromise, it nonetheless revealed the growing importance of the Reichstag relative to the Bundesrat.⁶ This provided the chamber with increasing clout in shaping compromises between the various institutions of the empire, should it ever agree internally to act as a bloc. Pointing to the necessity to generate new sources of revenue, Bülow overrode opposition in the states. Ultimately, they had to accede, as the alternative would have seen them transfer larger amounts of money, the so-called matricular contributions, from their own tax revenues to the Reich (Buggeln 2022: 159). The growing power of the parliament and the parties in relation to the executive is also evident in the fact that Bülow had to agree to the introduction of regular remuneration for parliamentarians as part of getting agreement for his bill. This step institutionalized parliamentary work and pointed towards compromise across issues (Nonn 2021: 135). The Center Party also achieved the concession that the ban on Jesuits in the empire – another vestige of the *Kulturkampf* – was finally lifted (Buggeln 2022: 158). These kinds of deals are today often derided as horse trading or pork-barrel provisions. Yet the ability to reach agreement over multiple issues is fundamental for establishing longer-lasting multi-party cooperation. The rescinding of the ban on Jesuit activity in addition provided an example of widening the circle of tolerated difference within the empire.

Second, within parliament, the passing of the law signaled a breakdown of the cooperation between Conservatives and Liberals, as the Liberals pressed for direct taxes over conservative objections (Nonn 2021: 133). The necessity of the Center Party's vote to pass legislation complicated majority building even further, but did not change the fact that the old "state supporting" cooperation of the Conservatives and the National Liberals (the more conservative of the two liberal parties), in particular, had become strained. At the same time, the introduction of the Center Party, as well as lifting the ban on Jesuits, had opened the space for different kinds of cooperation, especially between the Conservatives and the Center Party. Despite the deal that the Center Party supported, this new cooperation remained tentative.

The kind of stable cooperation ultimately necessary for parliamentary government, which does involve continued compromise over multiple issues between partners, did not emerge in 1906. By the fall, the Center Party again stood

⁶ See also Nonn 2021: 134–135; while Reibel (2011: 90) sees the modest result as the failure to compromise.

on the opposing side of Conservatives and Liberals in budgetary matters. Together with the Social Democrats, the party refused to back a supplementary budget to finance the genocidal campaign in German South West Africa. Liberals and Conservatives instead were united once more (Nonn 2021: 137). As Bülow called for snap elections, he tried to build a more durable coalition between these two parties, the so-called Bülow Bloc, its cohesion resting on vicious electoral attacks on Catholics and Social Democrats as enemies of the nation (Buggeln 2022: 162; Grimmer-Solem 2019: 344). If the legitimacy of difference is considered as one basis for parliamentary politics and compromise, this election campaign indicated disapproval of such an idea and of a constructive culture of compromise. The personalized campaign proved temporarily successful in returning a majority of Conservatives, National Liberals and also Left Liberals, who had been more critical of the previous government, to the Reichstag (Buggeln 2022: 162).

By 1908, however, it became obvious that the 1906 finance bill, even after the campaign in South West Africa was winding down, was not sufficient to fund the government, which was now locked into an increasingly costly naval arms race with Britain. In an echo of the 1906 reform, Bülow, following his economic advisors and the predominant thought among German economists, opposed large increases in indirect taxes and instead proposed a progressive wealth tax or an armaments contribution to finance the growing expenditure. Liberals were in favor of such a progressive taxation rather than increasing regressive consumption taxes, while Conservatives remained opposed (Buggeln 2022: 162; Grimmer-Solem 2019: 465). The question was thus, could Bülow transform the Bülow Bloc into a more durable governing alliance? To do this, he would have to convince his partners to form a compromise across multiple issues, of which direct taxes would be one part, rather than try to win on every single point and continue to insist on the absolute nature of each party's tax preference. The negotiations were further complicated by the fallout of the *Daily Telegraph* Affair which raised once more the role of the emperor on the one hand, and the government and the Reichstag on the other, and thus the constitutional order of the empire (Grimmer-Solem 2019: 465, 469–472). After months of negotiations, in June 1909, the tax bill came before parliament for its second reading and the vote. This final debate, and the positions of Bülow as well as the major party leaders, offer a view into this fledgling culture of compromise, the role of durable coalitions, and the limits of difference.

Bülow opened his address by reminding the Reichstag that no single party had an absolute majority in parliament, and that “no party could demand that

the government would only swear by its word.”⁷ Bülow lamented that unfortunately, and in contrast to the British Parliament, the Reichstag had not reached the stage at which political difference did not turn personal. Yet in his speech, Bülow’s key word was not compromise (between different legitimate political positions), but sacrifice. Party interests should be sacrificed for the higher interests of the state.⁸ The chancellor here expressed two common views at the time, shared by political commentators and theorists alike, that have direct bearing on the culture of compromise. One was to see the state as an entity existing separately from politics, which meant that politics as such could be seen as a danger to the overall, supposedly apolitical good. The second view, directly related to it, was the skepticism of parties as expressions of politics and especially special interests. Bülow acknowledged political difference, but rather than advocating for compromise between the difference for the sake of politics, the difference needed to be “sacrificed.” Just to give an example of how widespread such views were also in liberal circles, consider Georg Jellinek’s position. Jellinek, eminent professor of state law at the University of Heidelberg and author of one of the standard treatises on the subject, the *Allgemeine Staatsrechtslehre*, did not connect compromise to democracy. While he was in favor of strengthening the latter, in his *Verfassungsänderung und Verfassungswandlung* of 1906 he preferred direct plebiscites as a corrective to the “rotten compromises between parties and their haggling with the government.” (Jellinek 1906: 76)⁹ Bülow, not interested in constitutional change or further democratization, had to make do with the constitutional order at hand, and here he did want to encourage longer term cooperation. However, by arguing for sacrifice rather than compromise, the cooperation would be vertical between the individual parties and him, instead of lateral between the different parties.¹⁰

Speaking next, Ernst Bassermann, leader of the National Liberals, brought the question of the more durable alliance that Bülow had in mind into the realm of interparty relations. He emphasized his party’s interest in a cooperation which was more than a temporary majority and for which “the politics of compromises” would form the basis. He accused the Conservatives of abandoning such politics for a quick and purely tactical alliance with the Center Party. Not only would this

7 “[. . .] kann [auch] keine Partei verlangen, daß die Regierung nur auf ihre Worte schwört.” *Stenographische Berichte über die Verhandlungen des deutschen Reichstags (StBR) 1909.1* (16 June 1909): 8587.

8 *StBR 1909.1* (16 June 1909): 8588, 8589.

9 “[. . .] faule Kompromisse unter den Parteien oder Schacher mit der Regierung”; see also Schönberger 1997: 295.

10 *StBR 1909.1* (16 June 1909): 8588.

upend the established coalition of the Bülow Bloc, but it would also make Catholics – a group whose patriotism Bassermann still eyed with suspicion – the power brokers in the German parliament.¹¹ In Bassermann's comments not only concerns about stable majorities and programmatic differences per se shone through, but also once more the lingering effects of the *Kulturkampf*. The comments thus made clear that not all sorts of difference in the empire could be solved by compromise, and that the opening up of the political sphere to Catholics had not been fully achieved.

In addition, even in the purely political realm, Bassermann emphasized that his party did not only expect the introduction of an inheritance tax, but would not vote for a bill that did not include a general wealth tax.¹² Kuno von Westarp, responding for the Conservatives, immediately repeated that such a tax constituted his party's red line. Carefully avoiding the word compromise, von Westarp "promised to accommodate" the input of other parties as long as this offered actual improvements to the bill, but indicated no openness to fundamentally change it.¹³ Von Westarp used his speech to criticize the other parties and the "proven parliamentary practice" in the empire more generally. According to him, parties only looked after their electoral fortunes and delegated the work of governing to the government without taking responsibility – a comment that solicited support from the right and laughter from the left.¹⁴

Despite the laughter, von Westarp here expressed one of the misgivings about the political system of the empire, both at the time and since, namely the lack of accountability of the government to parliament and the resulting freedom for the parties to behave irresponsibly. This can also be seen in the "party bickering" that von Bülow bemoaned. Depending on political preference, this diagnosis would then lead to an indictment of parliamentarism as such. One might point to France as an example in which "parliamentary absolutism" did not result in more responsible behavior of the parties. Alternatively, one might view it as a feature of the German constitution that, however, could not be overcome easily, as parties had already become habituated into such a stance (Schöneberger 1997: 278–282, 366–367). In fact, before the First World War, only the Social Democrats consistently advocated for a constitutional reform to make the government responsible to parliament (Nielsen 2015: 301 and FN17).

In a speech delivered in March 1909, Jellinek explained the lack of pressure to parliamentarize from within the Reichstag by asserting that parties had be-

11 "Politik der Kompromisse". StBR 1909.1 (16 June 1909): 8597 (quotation), 8602.

12 StBR 1909.1 (16 June 1909): 8601.

13 "Entgegenkommen in Aussicht stellen". StBR 1909.1 (17 June 1909): 8608.

14 "[. . .] altbewährte parlamentarische Praxis". StBR 1909.1 (17 June 1909): 8609.

come comfortable with their lack of direct influence. Actual governing would have required compromises, considering that no German party could hope for an absolute majority. Instead, the parties could evade their “responsibility before the nation” to moderate their “greediness.” (Jellinek 1909: 35–36)¹⁵ The absence of direct control over the government and responsibility for its actions, moreover, did not constitute a lack of influence over its actions. While the Bismarckian constitution had made the executive formally independent from the legislature, the growing financial need of the government meant that it relied on parliamentary majorities for funding bills. Consequently, the individual parties could seek power over rather than power in government (Jellinek 1909: 35). In 1906, Jellinek already had postulated that this kind of relationship would inevitably lead to “a politics of mistaken compromises.” (Jellinek 1906: 65)¹⁶

The history of financial reform in 1906 and the contemporary debate in 1909 supported Jellinek’s analysis of the relative influence of parties. The government did need a majority in parliament, and had proven itself willing to agree to some form of, at least one-off, compromises. But, in seeming contrast to Jellinek, Bassermann had accepted the necessity of these “politics of compromise”. And von Westarp, too, had argued that parties needed to accept responsibility. Yet their statements were paired with stark red lines and sharp attacks on political opponents. This suggests that on the one hand, rhetorically endorsing a politics of responsibility was part of “speaking out the window” to the press and their own supporters, indicating a growing public acceptance of compromise. Yet on the other hand, a logic of division still offered greater political gain, one in which traveling in invectives, personalized resentment and stereotypes dominated not least for the Conservatives. Well before the final debate in parliament, the party used its newspapers to participate in antisemitic attacks on Ernst Levy von Halle, who, as economist for the finance secretary, had organized the public campaign in support of Bülow’s bill.¹⁷

The campaign itself was proof that parliamentarians needed to address a wider public, not least to respond to the government. Well-known German intellectuals as well as leaders of industry were enlisted to convince public opinion and politicians alike of the necessity of passing the new taxes. They too were skeptical of the role of parties in expressing legitimate differences. The prominent economist Gustav Schmoller appealed to “all reasonable people” to support financial reform, taking aim at supposedly deleterious party interests.¹⁸ The fact that

15 “Verantwortlichkeit vor der Nation,” “Begehrlichkeit”.

16 “Politik der falschen Kompromisse”.

17 Grimmer-Solem 2019: 475.

18 Grimmer-Solem 2019: 468.

Bassermann's references to compromise were directed towards an audience outside of parliament does not disqualify them as purely rhetorical. Instead, it demonstrates in fact an attempt to justify politics that involved such compromises. They were an attempt to establish a culture of compromise rather than simply the act of compromise. This chapter is focused on parliament as a crucible that required concession from politicians, and ultimately rewarded a more textured culture of compromise in certain situations. But parliament does not work in a vacuum and further research could be done into the ways parliamentarians in this period started to justify compromise to their constituents as a virtue, rather than a vice.

One person's necessary compromise is someone else's bad deal. After a week of debate, the Left Liberal Party rejected the finance law, characterizing it as a "rotten compromise" and joined a majority of the Center Party and the Conservatives in voting down the government bill.¹⁹ The bloc was dead and a defeated chancellor Bülow stepped down (Buggeln 2022: 167; Grimmer-Solem 2019: 478). A new coalition of Conservatives and Catholics passed a financial bill that relied almost exclusively on indirect taxation and higher financial transfers from the states (Länder) (Buggeln 2022: 168).²⁰

The debate in parliament and in public around financial reform demonstrates that the principle of compromise was certainly not alien to German politicians. The constitutional structure of the empire necessitated it, and parliamentarians referred to it. However, the debate of 1909 reveals the limits of this particular culture of compromise. One was structural: without the necessity to form stable government coalitions, ventures such as the Bülow Bloc were built on shaky ground, open to be abandoned for tactical alliances – a danger politicians were clearly aware of and openly addressed. The other was more specifically cultural: the lack of legitimacy accorded to actual political difference, as evidenced by Bülow's disdain for "party bickering," Bassermann's hostility to the Center Party, the Conservatives' barely veiled antisemitism, and the near universal disdain for the Socialists. Bülow might invoke the reality of the multiparty parliament, but neither he nor most other parties were willing to give this reality normative power.

The coalition of Conservatives and Center Party was, likewise, not long-lived. By 1912, the government once more faced a significant budgetary gap that could not be closed by issuing bonds (Buggeln 2022: 178). Following parliamentary elec-

¹⁹ StBR 1909.1 (24 June 1909): 8827; for the rotten compromise see StBR 1909.1 (22 June 1909): 8767 – "ein faules Kompromiß".

²⁰ The only direct taxes to be included were against on stock market trades and dividends, their antisemitic undertones only thinly veiled.

tions, in which the Social Democrats had become the largest party, the combined pressure of Liberals and Social Democrats for direct taxes grew, pushing the Center Party toward that position as well. The financial law that passed in June 1913 saw something closer to a horizontal compromise between parties, rather than a vertical one with the government, which strengthened the hand of the parliament. The parties managed to draft a financial law that included a progressive inheritance tax, and shepherded it through the negotiations with Chancellor Theobald von Bethmann-Hollweg and the states. The support of large sections of the Social Democrats for the law, and the willingness of the bourgeois parties to pass a law relying on their votes, marked a large step in their incorporation in the political system of the empire (Buggeln 2022: 173; Reibel 2011: 92). It thus also marked the expansion of legitimate difference, with the Social Democrats no longer treated *prima facie* as pariahs.

However, one should not overstate the evolution of the culture of compromise. In 1913, the cooperation between the Liberals, Center Party, and Social Democrats remained limited to the financial bill and was thus a single-issue compromise. It was not until 1917 and the establishment of what was called the interfactional committee of Left Liberal, Center, and Social Democratic parties, with the participation of the National Liberals, that the parties were able to establish a framework to develop more durable cooperation. This ultimately paved the way for the parliamentarization of the empire at the end of the First World War.²¹ The call for such parliamentarization had gathered strength, and had expanded outside the ranks of Social Democrats, following the outbreak of the war. The constitutional lawyer Hugo Preuß became one of the most fervent advocates of moving to a parliamentary government, in which the executive would finally be answerable to parliament, and thus parliament itself would be responsible for executive action.²² The ability and necessity to compromise in such a form of government formed a key part of the debate surrounding parliamentarization. In 1917, Max Weber, no supporter of parliamentarism alone – he like other German thinkers continued to extol the virtue of a charismatic leader above parliament to be directly elected by the people – nonetheless pointed to the necessity and virtue of compromise in many legislative matters, especially in the context of the budget. The level of legitimate differences grounded in the sociological and geographic diversity of a country like Germany could not be resolved in a “yes” or “no” vote but only by a compromise between parties (Weber 1917: 291). Parties in the empire had shown that they could form situational compromises to pass

21 See Buggeln 2022: 174–176, Reibel 2011: 93–98.

22 See for Jellinek, Preuß and Weber: Llanque 2000: 102; Lehnert 1998: 121.

budgets and in those reconcile some of these differences. However, they had not accepted the cost of forming stable coalitions that could constitute actual parliamentary governments. The question in 1917, thus, was whether parties would learn such a new culture of compromise or not.

3 The Weimar Republic and Compromise with Responsibility

In October 1918, faced with impending defeat, pressure from outside as well as within, not least from the parties of the interfactional committee, the government was finally made responsible to parliament. As a result, Prince Max von Baden became the first German chancellor explicitly supported by a parliamentary majority. The much-bemoaned lack of responsibility that parties had for government actions, which in turn made them stick to clientelist politics that hindered compromise, became a thing of the past. The parliamentary monarchy would soon be swept away by defeat and revolution. However, the constitution of the new German republic, drafted in large parts by Preuß, similarly made government responsible to parliament – though it also created the office of a directly elected president with significant powers, among them the ability to temporarily over-rule parliament at the behest of the chancellor.

The struggles of the Weimar Republic are well documented. The expectations for responsible parliamentary behavior hit the reality of a political climate of war and revolution. Hostility from the left and the right toward the republic and each other was strong. Even for those parties that supported the parliamentary form of government, a new rhetoric of responsibility competed against a rhetoric of authenticity that appealed to their base, as Thomas Mergel and others have noted (Mergel 2002: 257–258, 268, 277; Nielsen 2015). A disillusioned Preuß adopted Jellinek's prewar skepticism towards the ability of German parties to learn to act responsibly, when in September 1921 in an article in the *Berliner Tageblatt* he lamented that the parties still only focused on their own interests, just as they had "in the times of political irresponsibility."²³

The Weimar electoral system of proportional representation accentuated the divisions in the party landscape, which, not surprisingly after more than forty years of parliamentary and party political practice, resembled in other ways

²³ Hugo Preuß, "Parlamentarische Regierungsbildung," *Berliner Tageblatt*, 9 October 1921, reprinted in Preuß 1926: 442–446, 444.

those of the empire.²⁴ When debating the new electoral system, concerns about representing the entire people dominated the discussion, not the way that the electoral law could contribute to stable governing coalitions (Mommensen 1996: 61). Among constitutional thinkers in the Weimar Republic, Hans Kelsen stood out for advocating for compromise as a way to negotiate between majority and minority positions in a democracy, rather than seeing compromise as a last resort as Preuß and Weber did. In this context, in 1920 Kelsen declared that “compromise signifies the politics of democracy.”²⁵ Yet, once the issue was one of representation rather than politics, and thus about identity rather than ideology, the compromise necessary to form stable parliamentary governments would be more difficult to achieve.

The theory was one thing, but the reality of governing quite another. Since government was now responsible to parliament, Weimar parties needed to change their behavior, or they would have to risk the government using the provisions of the constitution to bypass their oversight. Studying the culture of compromise during the Republic, it is thus informative to see whether parties were willing to accept the trade-off: responsibility at the cost of compromise. The first government following the elections to the constitutional assembly in January 1919, a coalition of the three parties that had formed the interfactional committee, and that had together won 76 percent of the vote, was willing to accept this deal. Perhaps even too willingly, considering how Kurt Tucholsky skewered the alleged eagerness of Weimar politicians to compromise in his “Song of Compromise” of 1919.²⁶ Tucholsky’s criticism was comparatively mild, however. Taking responsibility, especially for unpopular decisions about foreign policy in the early years of the republic, could mean paying with one’s life.

Considering the acute financial needs of a republic that had to shoulder the costs of the war, of the reparations, and of the expanded social welfare obligations that were in part due to the war, compromises around budgets and financial reform urgently needed to be found. In the short period between the enacting of the constitution in August 1919 and the elections to the Reichstag in June of the following year, the Weimar coalition and its finance minister, the Center Party politician Matthias Erzberger, managed to push through a number of financial reform laws, above all the introduction of a progressive income tax for the federal government, a long-dreamt goal of the center left (Buggeln 2022: 293–294). In contrast, the subsequent series of minority cabinets followed a policy of financing

²⁴ See here also Anderson 2000: 435–436.

²⁵ “[. . .] das Kompromiß kennzeichnet die Politik der Demokratie”. Kelsen 1920: 13.

²⁶ Tucholsky 1999.

government spending through inflationary policies. This approach not only undermined the impact of the finance reform but also allowed the coalition to, quite literally, paper over their political differences and thus avoid the necessity of hard compromises over the budget (Buggeln 2022: 309–310). The existence of four cabinets between June 1920 and August 1923, despite considerable personal continuity, further illustrates the difficulty of bridging political difference and also the wide ideological gulf between parties. The failure to form majority governments not only highlights the limits of assuming responsibility (see Preuß) and engaging in the compromises necessary for that, but also the lack of agreement on the very basis of compromise, i.e., the constitutional order. Following the attempted Kapp Putsch in 1920, the German Nationalist People's Party (DNVP), the successor to the Conservatives on the right, had to clarify its stance vis-à-vis the republic and, at least, was forced to relinquish hopes of a violent overturning of the republican order (Nielsen 2015: 302–303).

The transition from inflation to hyperinflation in the late summer of 1923 put this dilemma into stark relief. As such, the behavior of parties surrounding the financial stabilization of the German government in the fall of 1923 and winter of 1923–24 is of particular interest for the culture of compromise in the republic, and its evolution once the acute crisis had passed. In addition to the near breakdown of political order domestically, the ability to either compromise in parliament or to circumvent parliamentary rule and thus avoid responsibility and choose authenticity (to use Mergel's formulation) came into play once more as the state's finances needed to be put in order. Their interplay demonstrates the changing culture of compromise in the Weimar Republic, and its limits.

The acute crisis of 1923 was mastered by a grand coalition, spanning from the Social Democrats on the left to the German People's Party (DVP), the successor of the National Liberals, on the right, and led by the leader of the DVP Gustav Stresemann. The parties of the coalition followed a logic of responsibility, under the impression that if they failed to take that responsibility then the republic would collapse (Feldman 1997: 699). The coalition thus also marked the outer limits of the parties willing to accept the constitutional order and thus revealed the playing field within which compromises needed to be reached. The limits of this understanding notably cut through the extreme wings of the parties engaged. Parliamentarians from the left wing of the Social Democrats and of the right wing of the German People's Party refused to support the new cabinet (Mommensen 1996: 137–138).

Under Stresemann, a master of the “art of parliamentary compromise,” this grand and ideologically diverse coalition began to stabilize the government's finances (Mommensen 1996: 138). Some topics on which compromise could not be found could temporarily be tabled, such as the question of who the victims of fi-

nancial readjustment would be. Yet ultimately, and this again is why financial laws offer a privileged perspective on compromise, ways to balance the republic's finances had to be found. There were limits to the kinds of compromises this pressure could create. For the most controversial decisions the coalition abdicated direct responsibility by voting for an Enabling Act in October 1923. This permitted the cabinet to issue laws without further consent from the parliament, and without further discussions with other interest groups such as the unions. While some compromises could be negotiated in the cabinet, such as the massive reduction of civil service personnel (Feldman 1997: 760), other topics could not find a resolution even in such a contained circle. We see here that, at least when passed with democratic intent, Enabling Acts could only carry so far to bridge the differences within the republic's political landscape. The coalition was eventually brought down by disagreements over the eight-hour workday – to Social Democrats one of the major achievements of the revolution, to the DVP a hindrance to economic competitiveness – and over the response to challenges to the democratic order launched from the left and the right (Raithel 2005: 267). In response to Communist agitation, Thuringia and Saxony were placed under military control by order of the Chancellor and President. Bavaria, however, which not only rejected the authority of the Reich cabinet but also witnessed an actual armed revolt in the form of the Hitler Ludendorff coup attempt, escaped such a fate. When Stresemann proved unwilling or unable to end these inconsistent responses, the Social Democratic Party left the government (Mommensen 1996: 153).

Expanding the coalition to the right would have been one way to retain control of parliament. But by December 1923, attempts to include the DNVP in the cabinet and thus secure a working parliamentary majority had failed. A further set of presidential decrees and another Enabling Act secured the passage of all three major financial stabilization laws, which were thus passed without direct parliamentary approval – the first by Article 48, the second and the third under an Enabling Act that had been passed by parliament on December 8, 1923. As such, the period of economic stabilization may have demonstrated that the Weimar constitution could deal with crises. Yet it did so not by way of compromise, but by way of circumventing parliament, resulting in what Gerald Feldman describes as “stabilization without much democratic legitimation.”²⁷ The May 1924 elections saw the DNVP on the far right and the German Communist Party (KPD) on the far left gain the most from their anti-government and anti-compromise stance. The strengthening of the radical right and left also altered the basic political blocs that had continued from the empire into the republic, decreasing the

27 Feldman 1997: 821; see also Raithel 2005: 297, 316–326.

space for, while increasing the necessity to reach, compromises between those parties willing to work within the framework of the constitution (Mommsen 1996: 185–186).

The fallout from inflation, finance bills, and reparations, however, continued to affect coalition building. With the return to “normal” parliamentary procedure, the formation of parliamentary majorities to pass legislation in the absence of Enabling Acts, the necessity to compromise and to accept responsibility for political decisions once more fell squarely on the shoulders of the parties. Looking at the DNVP’s stance on the legislation dealing with the financial legacy of defeat in the First World War and the cost of entering government, allows us to investigate how the culture of compromise continued to develop in the Weimar Republic following the 1923 crises. Even if in the winter of 1923–1924, the DNVP had refused to enter the federal government without being given a seat in the Prussian government too – in some ways a multi-issue compromise proposal – the logic and rhetoric of responsibility had its effect on the party.

Its conservative predecessor had rejected the logic of parliament and the necessity of compromise in the 1909 discussions, even while referring to responsibility. But by 1924, this perspective had changed. Following the DNVP’s election success, the party leadership used the concept of responsibility to justify its attempts to form a coalition to its members. In June 1924, the party’s chairman Oskar Hergt wrote to an internal critic of the party’s coalition negotiations, stating that the election results had raised expectations among the other parties – expectations that the DNVP now had to fulfill (Jones 2002). As for the problem of its election propaganda of a “change of course,” this should be interpreted less radically. In the margins Hergt added to the typed draft: “[b]asically, the word ‘change of course’ indicates a mid-level solution involving *mutual compromise*.”²⁸ In the event, the entry into government once more floundered on the DNVP’s demand to link entry into the Reich government to entry into the Prussian government.²⁹ Nevertheless, despite the collapse of the negotiations, which would ultimately lead to new elections in December 1924, during the budget negotiations of that year – particularly fraught because of the parallel passage of the Dawes Plan regulating reparations – we can see a grudging acceptance of compromise as part of parliamentary culture within the DNVP.

Instead of using the chairmanship of the budget committee for rhetorical grandstanding, a tactic frequently employed by the committee’s KPD members or

²⁸ “Sinngemäß bedeutete das Wort ‘Kursänderungen’ eine Lösung auf der mittleren Ebene im Sinne eines *beiderseitigen Kompromisses*”. Bundesarchiv Lichterfelde (BArch) R 8005 (DNVP/Regierungsbeteiligung)/9 – Hergt, 2 June 1924: Bl. 4. Emphasis in the original:

²⁹ BArch R 8005 (DNVP/Regierungsbeteiligung)/9 – Hergt, 2 June 1924: Bl. 4.

Reinhold Wulle, formerly of the DNVP and now of the National Socialist Freedom Party, the DNVP members registered their general opposition to the Dawes Plan. However, they were clear that it would nonetheless need to be accepted. Instead of obstruction, they offered constructive, if detailed, comments to make the agreement workable in the long run.³⁰ Behind the scenes in the committee meetings, and even in the plenary sessions, and thus in public view, the DNVP now endorsed the idea that “responsible government and responsible opposition” together needed to find a common platform.³¹

The Dawes Plan itself, otherwise regarded as the key moment of crisis for the party, proved the continued willingness within the DNVP to compromise and demonstrate responsibility within the system. Though the plan lightened the reparations’ burden, accepting the agreement would also mean recognizing the limited sovereignty of the German state once more, as key aspects of its finances and industry (especially the German state railway) would be placed under foreign supervision. In the end, not least following appeals by the party’s industrial wing and a declaration of the Reich Federation for Industry that they could not carry “the responsibility for a rejection of the London agreement,” 48 delegates of the DNVP voted for the plan, with 52 voting against it.³² Stresemann’s appeals to responsibility and his and the Center Party’s promise of invitation to the government were equally important.³³

Notwithstanding the disastrous result for party unity, Hergt kept pushing for his party to join government. In the immediate aftermath of the vote, Hergt wrote Graf Kuno von Westarp, one of the influential critics of those within the party who aspired to join the government. Von Westarp’s views remained unchanged from 1909, when he had valued a principled stance over the need to compromise. But Hergt’s position demonstrated that even within conservative circles, the experience of the republic and the actual responsibility that parties could have within the government had changed their attitudes towards relationships with other parties. In his letter to von Westarp, he wrote that now was the time to further prove themselves as reliable political partners.³⁴ Already before the decisive Reichstag

³⁰ BArch R 101 (Reichstag/Haushaltsausschuss)/1363 – 2nd term, 8th session, 24 July 1924, 9: Bl. 275; see also Mergel 2002: 479, and on Wulle Mergel 2002: 289.

³¹ “[. . .] von verantwortlicher Regierung und verantwortlicher Opposition [. . .] die Plattform gefunden werde”. StBR 1924.1 (26 July 1924): 736.

³² “die Verantwortung für eine Ablehnung des Londoner Abkommens nicht übernehmen zu können”. StBR 1924.1 (28 August 1924): 1005.

³³ Jones 2002: 175; BArch R 8005 (DNVP/Regierungsbildung)/10 – DVP Reichstagsfraktion to DNVP, 28 August 1924: Bl. 115–116: *ibid.* – Zentrum Reichstagsfraktion an DNVP, 29 August 1924: Bl. 114.

³⁴ BArch R 8005 (DNVP/Regierungsbildung)/10 – Hergt to von Westarp, 15 Sept 1924: Bl. 98–104.

session, Hergt had written preemptively to Chancellor Wilhelm Marx that a split vote would only demonstrate what a responsible partner in government the DNVP would be. If a party on such a matter of conscience voted with their beliefs, yet the majority supported the difficult decision, this showed that DNVP delegates would be reliable coalition partners, “who think politically and responsibly.”³⁵ Hergt implied that such thinking would produce a willingness to compromise.

Hergt himself had to pay the price for what he considered a responsible position. Unable to form an intraparty compromise on the DNVP's stance, the split vote undermined his own leadership. But even if his claim that such a vote nonetheless would signal reliability might have seemed more aspirational than rational in that moment, his party eventually did enter government two times between 1925 and 1928. In February 1927, on the occasion of their entrance into the fourth cabinet of Chancellor Marx, von Westarp, the leader of the DNVP's parliamentary faction since 1925 and the party's chairman since 1926, acknowledged in the Reichstag that “for practical work, compromises were necessary and will be necessary.” The DNVP was willing to make such compromises as it was “cognizant of the responsibility” for the fatherland.³⁶

The DNVP's behavior and von Westarp's evolution demonstrated how the culture of compromise within parliament had changed once government had become responsible to it. That being said, the necessity to rule with minority governments and the use of Enabling Acts in 1923 also showed this culture's limits in moments of acute crisis. Moreover, the behavior of KPD and NSDAP showed that not all parties accepted this logic. The electoral losses of the DNVP in the 1928 elections further showed that the language of authenticity, defined as a refusal to compromise, maintained its countervailing force. These two developments, together with the strain on responsibility and compromise in 1923, did not bode well for the moment when economic crisis hit again in 1929. The Social Democrat support of a conservative cabinet from outside of the government illustrates the hold the concept of responsibility had on at least those most committed to democratic forms of government. But as all parties engaged in governance experienced ever larger electoral defeats, any willingness to compromise evaporated. That the National Socialists in 1933 sought an Enabling Act was then not without precedent for the Weimar system. In 1923, Stresemann had chosen the same constitutional vehicle. Yet at that point, his, as well as President Friedrich Ebert's, commitment

35 “[. . .] die politisch und verantwortungsvoll denken”. BArch R 8005 (DNVP/Regierungsbildung)/10 – Hergt to Marx, n.d.: Bl. 124–126.

36 “Daß für die praktische Arbeit Kompromisse nötig waren und weiter sein werden, ist klar.” “aus dem Bewußtsein der Verantwortung”. StBR 1927 (3 February 1927): 8804–8805.

to democratic governance had made this a temporary maneuver. The intentions of Hitler and Hindenburg could not be more different.

4 Conclusion

Following the abdication of power by parliament and the following twelve years of dictatorship, the West German Basic Law (Grundgesetz) of 1949 placed responsibility much more squarely on the shoulders of parliament, with the president reduced to a ceremonial rule. Circumventing parliament to pass legislation became virtually impossible. In addition, the Basic Law also regulated the limits of legitimate difference. On the one hand, it enshrined the right to freedom of opinion more robustly than the Weimar constitution, and also under Article 21(1) accorded parties an explicit place in the political order, something no German constitution had previously done. On the other hand, allied injunctions on parties, and then Article 21(2) of the Basic Law, which banned parties opposed to the “free democratic basic order” as unconstitutional, eliminated the outright opposition to parliamentary politics which had been a feature of both Imperial and Weimar parliamentary culture. Together with the changes in geographical borders and thus constituencies, and the change in the electoral system, which included a threshold to enter parliament, the party representation in the West German Bundestag, and thus the arena for parliamentary compromise, looked quite different. Coalitions tended to be more ideologically coherent, while ideological heterodoxy occurred as much within as between parties, especially for the two big-tent people’s parties: a Social Democratic Party that moved to the center, and a newly founded Christian Democratic Union (CDU) (caucusing on the federal level with the Christian Social Union (CSU) that only stood for election in Bavaria) that united the old Center Party, as well as most remnants of the Protestant middle-class parties.³⁷ With further modifications to the election laws, the number of parties represented in the Bundestag dropped from nine in 1949, to five in 1953, and finally to three by 1961 where it remained until the 1980s. Even prior to the banning of two parties on the far left and far right, the German Communist Party and the German Reichs Party respectively, this meant that the finding of compromise occurred over a narrower ideological spectrum, as well as within a different geopolitical context than in Weimar.

The first larger financial reform of the Federal Republic thus occurred in a remarkably different setting. The electoral victories of the CDU/CSU in the early

³⁷ See also Goschler 2023: 15.

Federal Republic, however, meant that in 1954, the SPD was not part of the federal government, and even in the Federal Chamber (Bundesrat), the CDU/CSU had a crushing majority. In one symbolic elevation of the role of the opposition, and thus institutionalized difference, the largest opposition party in Bonn chaired the important parliamentary budget committee, rather than the largest party as had been the case in Weimar. The crucial disagreements in 1954, however, existed between government and Bundestag on the one side, and the Bundesrat on the other, and within the government itself. In fact, finance minister Friedrich Hermann Schäffer and economic minister Ludwig Erhard held diverging opinions. One reason for the disagreements within the CDU itself – for Erhard, Schäffer and Chancellor Konrad Adenauer were all members of the same party – was their disagreements over the political goals of different tax regimes beyond balancing the budget, in this particular instance capital accumulation (Buggeln 2022: 634).

The differences between the government, parliament, and the states were significant enough to necessitate three rounds of reconciliation by the mediation committee (Vermittlungsausschuss), another novelty of the Basic Law under Article 77. The committee had been deliberately created to provide a forum in which political disagreement between different centers of power could be recognized and resolved. Together with the frequent and positive reference that members of both the CDU and the SPD made to the compromises they had reached on the way to passing Finance Reform Bill, and then the following Budget Act, it revealed that the culture of compromise of the early Federal Republic had changed.³⁸ In 1954, politicians of both major parties treated compromise as a virtue rather than an obligation of last resort – the way that Weber had still described it in 1917. Together with relishing compromise, the acceptance of difference as legitimate was equally visible in remarks such as that of the Social Democrat Wilhelm Gülich during the last reading of the law in his response to the CDU's official report: "Let us always have such respect for each other that even when we have opposing views on matters of substance, we never descend to personal attacks or worse." This comment was greeted by applause from the entire house, indicating that Bülow's wish of 1909 might have at least temporarily come true – though Bundestag debates certainly did not lack sharp personal attack either.³⁹ Gülich concluded his response with the remark that this might not be the finance reform

³⁸ See for example *Plenarprotokoll des deutschen Bundestags (PlenP)* 2/59 (20 May 1954): 1232, 1347, 1350.

³⁹ *PlenP* 2/59 (19 November 1954): 2841; on constructive opposition see also Günther 1993: 800–801.

he and his party would have wanted, but they managed to improve it in the committee, and “we achieved, what we achieved now.”⁴⁰

Looking at these moments of parliamentary debate in the empire, the Weimar Republic, and the Federal Republic, we can see how a parliament responsible for government indeed needs to develop a culture of compromise that enables not only the bridging but also the acceptance of difference as part of a political system. This approach acknowledges the existence of a pluralist society with parties promoting distinct political positions as the rule rather than the exception. Examining compromise thus offers a promising avenue for the study of democratic culture and history more generally. The very different tone during the budget debates in parliament, Chancellor Scholz’s pleading for compromise, and the rise of ad hominem attacks in the Bundestag since the ascendance of the far-right Alternative for Germany (AfD), however, should immunize us against any teleological account of postwar politics. The Federal Republic may have learned to do compromise better than the empire, but what can be learned can also be subsequently forgotten.

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⁴⁰ PlenP 2/59 (19 November 1954): 2843.

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