



The German Confederation in 1858

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Introduction

In 1815 the remains of the Holy Roman Empire, embarrassed by Napoleon's conquest of their land, organized into the German Confederation. Thirty-nine independent countries were struggling to restore themselves after Napoleon's defeat at Waterloo and chart their future. Were they creating just a military alliance, or the foundation of a unified country called Germany? Would it be dominated by the Austrian Emperor, or an upstart like Prussia?

The German Confederation was created for one reason; to provide mutual security against another French invasion, another Napoleon, through alliance of the German speaking world. In this world you are a representative chosen by your state to advance your state's national interests. Will this mean strengthening your own state's independence, working with a neighbor or leader to create a special arrangement, or building a single unified Germany?

It was messy: the German region in 1789

Now the year is 1858 and cracks are beginning to show in the Confederation. Whether it be old debts to be settled against the French, internal revolutions threatening the stability of the states from within, or internal powers vying for a unified German state under their own sphere of influence, the need for action has become evident. You are a representative of your respective state's government or principality who is meant to uphold the interests of those that sent you.

As the doors open in Frankfurt for the Confederate *Bundestag* (Parliament) in 1858, it will be seen if the Confederation will crumble under the weight of differing internal interests or will it come together to create the strongest force that Europe and maybe the world has ever seen.

Background: What France Inspired

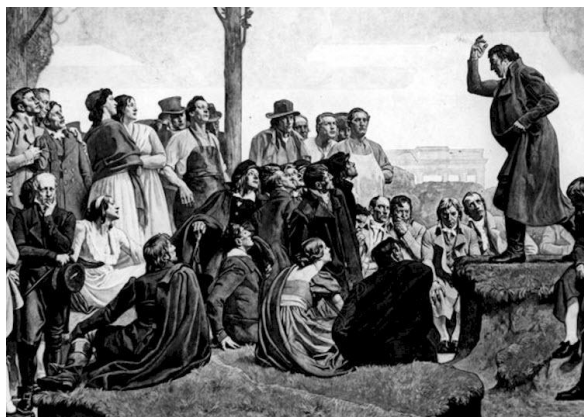
For no less than 844 years, from AD 962 until the year 1806, *The Holy Roman Empire* was the most powerful monarchy in Europe. The emperor, based in Vienna (now the capitol of Austria) or Prague (now the capital of Czechia) ruled a supra-national community of Balkan, French, German, Italian, Hungarian, Western Slavic and many other peoples. The emperor was traditionally elected by the mostly German electoral college. The College's members also were known as Prince Electors. Following the Imperial Reform of 1495, the Empire was transformed into the Holy Roman Empire of the



German Nation, but otherwise retained its medieval complexity.¹

The vivid dissolution of the Holy Roman Empire began with the French Revolution and the Napoleonic Wars of 1789-1815. In December 1805 Napoleon Bonaparte defeated the Holy Roman Emperor at the Battle of Austerlitz. Again in 1806 he crushed the combined power of the Austrian Empire and Prussia at Jena. The Holy Roman Empire was dissolved and the *Confederation of the Rhine*, a French satellite state, was established in its place.

Under French rule, German cultural unity and national ideas were rising. It was a counteraction to foreign oppression. In his *Addresses to the German Nation*, the philosopher Johann Gottlieb Fichte captured the emerging counter reaction. He demanded that the principalities of Germany match France by creating a genuine *German nation*. Only if the dozens of German states, he said, were replaced by a single nation, could they hope to defeat Napoleon. To the princes of the German states this sounded like treason or heresy, but many intellectuals loved it.



Fichte delivers his *Addresses to the German Nation*, 1806

Napoleon's Confederation of the Rhine collapsed in 1813, a casualty of his failed invasion of the Russian Empire the year before. In 1814, according to the Treaty of Paris, the German states became independent again.²

Creating the German Confederation

From the ruins of the Holy Roman Empire and the collapsed Confederation of the Rhine, the main European Powers, Britain, Prussia, Austria, and Russia, agreed to permit creation of a new German political entity. This *German Confederation* was established by the European powers at the *Congress of Vienna* in 1815. It united 39 German states. They included one empire (Austria), five kingdoms (Prussia, Saxony, Bavaria, Hannover, Württemberg), four free city-republics (Frankfurt, Hamburg, Bremen, and Lubeck), and other several state formations, many medieval inheritances of even greater complexity.

The German Confederation was a loose political organization united, somewhat, by language and culture. In practice its operating language was French, because the strong German dialects of the day made it impossible for representatives to understand each other otherwise. It had no central executive or judiciary bodies. It was not a government. It could not challenge its member states. They alone were sovereign. It could only appeal to the members to cooperate.

However, the Confederation had a legislative organ called the Federal Convention. Decisions of the Convention were subject to consensus among the member-states. The decision-making process required a high level of political unity. The two most influential states, Austria and

¹ Peters, Edward, 1977. *Europe: the World of the Middle Ages*. Prentice-Hall, 2021.

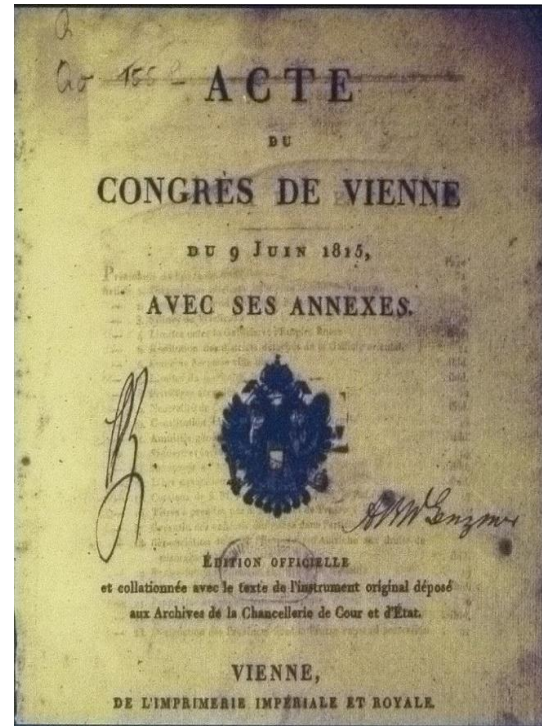
² Schmitt, Hans, 1983. 'Germany Without Prussia: A Closer Look at the Confederation of the Rhine'. *German Studies Review*, 1983.

Prussia, often had opposing interests, making progress difficult. And the smaller states often demanded preservation of their independence.³

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Still messy. The German Confederation in 1815



Frontispiece of the Acts of the Congress of Vienna, 1815. In French, of course.

The “weak-enough” German Confederation was convenient for the conservative European establishment. It kept German nationalist intellectuals happy, while not doing much. However, growing German nationalism and liberalism threatened the existing order. This was especially threatening to the multi-cultural Austrian Empire, where the ruling German elite was in minority. But virtually all Confederation rulers were worried about losing power to the nationalist upstarts.

It wasn't enough

Frightened where German nationalism was leading, and struggling to slow or stop German nationalism, Austrian Minister of State, *Prince Klemens Wenzel von Metternich*, called the states of the German Confederation to a conference in 1819. They adopted the conservative Carlsbad Decrees, an effort to stop change and save the ruling monarchies. These banned nationalist fraternities, removed liberal university professors, and expanded the

The forces of history seemed to be working against them. Metternich continued to lead the assembly, which passed additional measures to crush liberalism and nationalism. However, the growing economic and political power of Prussia undermined Austrian dominance in the Confederation. And economic efficiency demanded political change. A major problem was the German states were falling behind economically as others, even neighboring Belgium, became wealthier and more powerful

³ Hozier, Henry, 1871. *The Seven Weeks War*. MacMillan & Co, 1871.

⁴ Phillips, Walter Alison, 1911. *Carlsbad Decrees*. *Encyclopædia Britannica*. Vol. 5 (11th ed.), 1911. pp. 347–348



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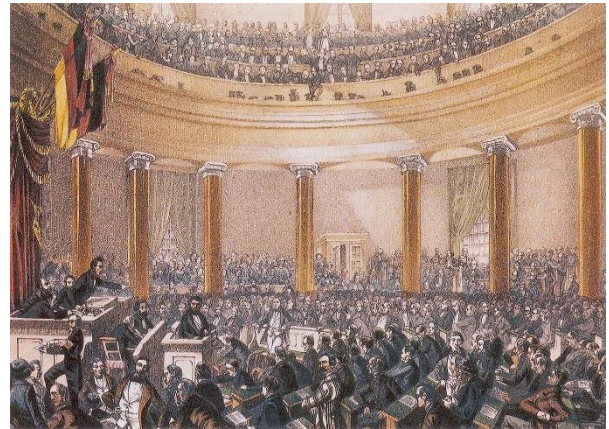
as a result of the industrial revolution and international trade. The medieval German states, with borders and steep taxes on trade against each other, were unable to trade at all.

They tried to solve this problem through the formation of the *Zollverein* (The Tax Union) in 1834. This created a region of free trade, without border taxes (customs taxes). The formation of the *Zollverein* was led by the Kingdom of Prussia. It excluded Austria, because of the Empire's highly protectionist trade policy, as well as the opposition of Prince Metternich to the idea. By 1835, the *Zollverein* included most of the states of the German Confederation removing many internal customs barriers, while upholding a protectionist tariff system with foreign trade partners. It was the first step, possibly leading to German unification.⁵

In the mid-1840s middle class businessmen and professionals were becoming more numerous. They demanded liberalization—the vote—to enhance their political power. They were committed to liberal principles and inspired by the ideas of pan-Germanism. They hoped to initiate revolutions against their autocratic governments. The second French Revolution, in 1848, was the model they wanted to imitate.

They came together at the Frankfurt Assembly, the first freely elected parliament for all German states, including the German-populated areas of Austria-Hungary, to demand reform and unification. It was a glorious moment. Soon rebellions were starting throughout the many German states. In a famous scene, the King of Prussia and his family cowered on the floor of their palace to escape the rebels' bullets. But the rebels were unable to form coalitions and push for specific goals. The liberal revolutions were

crushed by the older monarchies. The Frankfurt Assembly was dissolved by 1849.⁶



When everything seemed possible. The Frankfurt National Assembly in 1848, meeting in St. Paul's Church, Frankfurt.

How it worked: the German Federal Convention

The legislative institution of the German Confederation was the *Bundesversammlung* or *Federal Convention*. It was established by the constitution or German Federal Act in 1815. According to the Article 5 of the constitution of the Confederation, Austria had the presidency at the Federal Convention. Every federal member was authorized to present proposals.⁷

The Federal Convention was designed as a permanent congress of representatives of all member states. It replaced the imperial central power of the Holy Roman Empire. Meetings happened once a week in the period from 1816 to 1866 at the *Palais Thurn und Taxis* in Frankfurt.

⁵ Price, Arnold, 1949. *The Evolution of the Zollverein: A Study of the Ideals and Institutions Leading to German Economic Unification between 1815 and 1833*. University of Michigan Press, 1949. pp. 9–10.

⁶ Carr, William, 1979. *A History of Germany 1815-1945*. Edward Arnold, 1979. pp. 46–48.

⁷ 1815 - *German Federal Act*, *Deutsche Bundesakte*, 1815.



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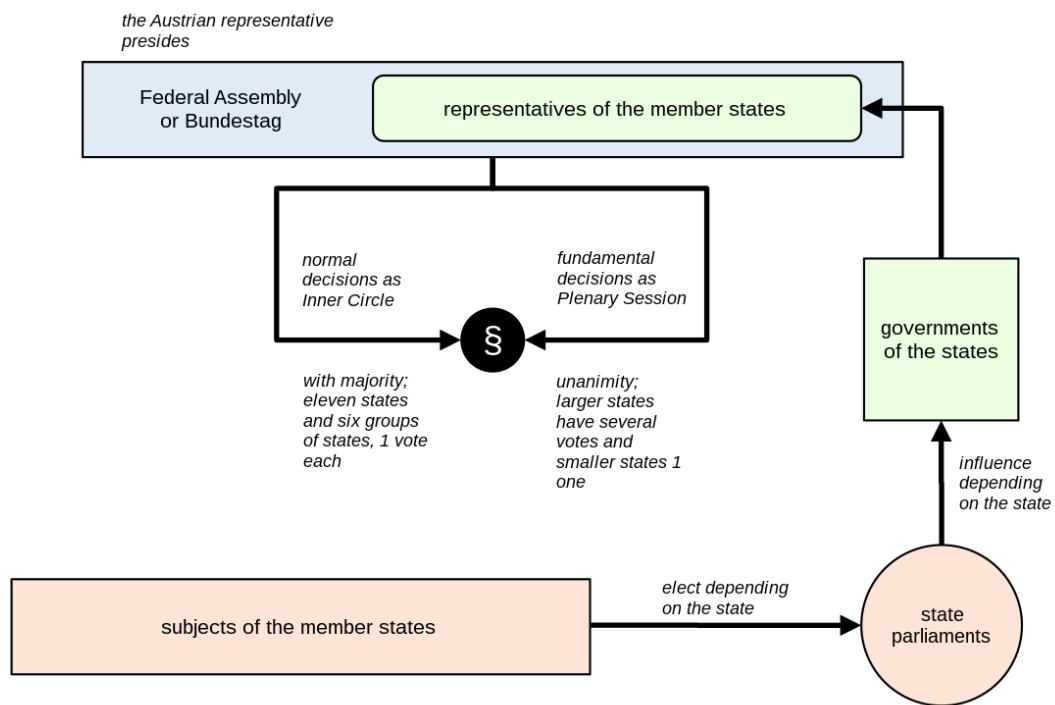
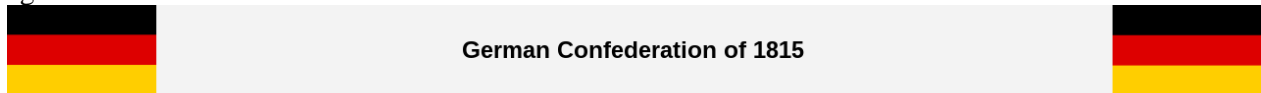


The Convention contained two executive bodies: *the inner council* and *the plenary session*. Delegates were not elected, neither by popular vote nor by state parliaments (which did not exist in some member states). Instead, the delegates were appointed by the state governments or by the state's prince.⁸

The inner council had 17 *curias* (assembly divisions), with 11 larger states, 5 seats given to 24 smaller states and one seat for the four free cities. The inner council defined the legislative agenda and decided which issues should be

discussed by the plenary session. Decisions of the inner circle initially required an absolute majority, but in 1822 this was replaced with a requirement for unanimous consent.

The plenary session had 69 seats, which were shared among the member-states roughly according to their sizes. The primary role of the plenary session was decision-making regarding constitutional changes, which initially required a majority of two-thirds of the vote but later was also changed to unanimous consent.



Still rather Medieval. How the confederation worked.

⁸ Sybel, Heinrich, 1880. *The Founding of the German Empire by William I*. 1880, Vol. 1, p. 215.



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Issues

One of the key agenda items for the Federal Convention was strengthening existing governments and monarchies, and suppression of liberal-democratic and nationalistic movements. The Convention was trying to secure the *status quo*.

In 1819 the Convention passed a resolution, commonly known as the *Carlsbad Decrees*, banning nationalist fraternities, removing liberal university professors, and expanding the censorship of the press. In 1835 the Federal Convention banned the works of the radical poet Heinrich Heine and other liberal authors in all states of the German Confederation. Many liberal authors such as Heine exiled themselves to Paris, where they became role models for a younger generation of writers, soon known as "Young Germany". They played an important role in the spillover of the French revolutionary movement to the German Confederation.⁹

By the late 1830s the political situation in France was highly unstable. French King Louis-Philippe I faced opposition from *Legitimists*, who sought the restoration of the old Bourbon family to the throne, *Bonapartists* who sought a restoration of Napoleon's line to the throne, and *Republicans* who pushed for an end to monarchy in favor of a liberal (vote-based) republic. This instability also affected the German Confederation. French territorial demands led to the Rhine crisis, a diplomatic crisis, the

Kingdom of France and the German Confederation. The crisis caused an explosion of national sentiment in Germany, which was another issue for the Federal Convention to resolve.¹⁰

Under the pressure of the revolutionary forces in 1848, the Convention handed its responsibilities to Austria and formally dissolved itself. The Regent, Archduke John of Austria was elected by the newly formed democratic National Assembly, which challenged the legitimacy of the Convention. However, the revolution failed, and the Convention was reestablished in 1850.



Prussia leads Germany to victory. Battle of Königgrätz, 1869.

However, the increasing tensions between Austria, the main power and traditional leader of confederation, and Prussia, the emerging power and competitor, led to the decline of the rationale behind the Confederation. The Convention was dissolved together with the German Confederation, after the result of the

⁹ Heine, Heinrich, 1986. 'Religion and Philosophy in Germany'. SUNY Press, 1986.

¹⁰ Brophy, James, 2013. 'The Rhine crisis of 1840 and German nationalism: Chauvinism, skepticism,

and regional reception.' The Journal of Modern History, 2013. 85(1), 1-35.



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Austro-Prussian War in 1866.¹¹ In reality, Germany became a unified country in 1870-71, under Prussian leadership, and the Austrian empire survived in reduced form. The world soon saw what a unified Germany was capable of, culminating in the horrors of World Wars One and Two.

Tying it all together

Within this committee you are a representative of the Federal Convention in 1858. With that being said, the large scale revolutions occurred 10 years ago and are still on the minds of the Federal Convention. In addition, Austria and Prussia continue to go on a collision course involving surrounding states into who will be the main dominating force in the German sphere

of influence. This all continues behind a backdrop of a France that still remains a threat to all German states. You are tasked with finding a solution to these matters.

As for how the actual committee functions. Starting off, everyone's vote counts the same. This breaks historical accuracy, but we do not want your assignment to determine how much of a say you get within the committee. Passing a resolution will also take two thirds of the vote instead of the usual simple majority to reflect the difficulty of passing resolution within the real Federal Convention (It took a unanimous vote to pass them at the time). Otherwise expect regular General Assembly functions. As you attend the Federal Convention of 1858, keep in mind the goals of your state's government, and how to maneuver it into a future that benefits it.

German Confederation of 1858

Topics

- Implementing Measures to Stop Future Domestic Insurrections
- Implementing Measures to Ensure Victory of a Possible Future French War
- Addressing the Issue of Creating a Unified Germany

¹¹ Wawro, Geoffrey, 1997. *The Austro-Prussian War: Austria's War with Prussia and Italy in 1866.*, Cambridge University Press. 1997.



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