



Smashed and Refounded: The Trade Unions from the Ban on the SPD in 1933 to the New Beginning

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In the spring of 1933 the trade unions were smashed and the SPD was banned. For twelve years there was no free representation of working people; those who organised did so in exile or in secret, at the risk of their lives. After 1945 a unitary trade union emerged, and the Basic Law enshrined freedom of association.

In the spring of 1933 the free labour movement in Germany disappeared within a few weeks. First the trade unions were smashed, then the Social Democratic Party (Sozialdemokratische Partei) was banned. For twelve years there was no longer any free representation of working people. What emerged afterwards was not the old movement in new premises, but one that had learnt from its defeat.

The Weeks of Destruction

Accommodation That Saved Nothing

On 30 January 1933 Adolf Hitler became Reich Chancellor. The largest trade union federation, the General German Trade Union Federation (Allgemeiner Deutscher Gewerkschaftsbund, ADGB) under Theodor Leipart, tried in the following weeks to preserve its organisation. It distanced itself from the SPD, offered the new government cooperation on social questions and called on its members to take part on 1 May in the celebrations that the regime had declared the 'Day of National Labour' ('Tag der nationalen Arbeit').

For decades, 1 May had been the day of the labour movement. The movement had long demanded that it be made a statutory, paid public holiday. In April 1933 the regime fulfilled this demand by law. It took the unions' day away from them by appearing to give it to them as a gift.

This accommodation by the union leadership remains contested to this day. Some see it as an attempt to save the organisation through the period, others as a surrender with nothing in

return. It rested on the hope that an apolitical trade union would be tolerated. That hope proved false.

2 May 1933

On the day after the May Day celebrations, the SA (Sturmabteilung) and the National Socialist Factory Cell Organisation (Nationalsozialistische Betriebszellenorganisation, NSBO) occupied the buildings of the free trade unions throughout the Reich. Officials were arrested, mistreated and taken to camps. Funds, buildings, printing works and the unions' own businesses were seized. What working people had built up over decades with their contributions was seized in a single morning and later transferred to the German Labour Front (Deutsche Arbeitsfront).

A few days later, on 10 May 1933, the German Labour Front was founded, led by Robert Ley. It was not a trade union. It brought together employees and employers, ruled out strikes and served to monitor the workforce and bind it to the regime. In the following weeks the Christian and the liberal trade unions were likewise dissolved or forced into the Labour Front.

The Labour Front soon also included 'Strength through Joy' ('Kraft durch Freude'). The organisation offered holiday trips, theatre visits and sport at low prices. For many working people this was the first trip of their lives. It was intended as a substitute: those who were given leisure time were not supposed to ask why they no longer had a say in their pay and working hours.

The Ban on the SPD

The No to the Enabling Act

On 23 March 1933 the Reichstag voted on the Enabling Act (Ermächtigungsgesetz), which allowed the government to issue laws without parliament. By this point the communist deputies had already been arrested, had fled or gone into hiding. The SPD was the only parliamentary group present to vote against it. Its chairman Otto Wels said in his speech: 'You can take our freedom and our lives, but not our honour.' („Freiheit und Leben kann man uns nehmen, die Ehre nicht.“)

22 June 1933

On 22 June 1933 the Reich Minister of the Interior, Wilhelm Frick, banned the SPD from all activity. Its deputies lost their seats. Its assets had already been seized in May, and its newspapers had already been banned before that. On 14 July 1933 the Law against the Formation of New Parties (Gesetz gegen die Neubildung von Parteien) followed: the National Socialist German Workers' Party (NSDAP) was now the only permitted party.

This completed what had begun on 2 May. Working people had neither an organisation that negotiated for them nor a party that spoke for them in parliament. In any case, a parliament worthy of the name no longer existed.

Twelve Years without Free Representation

In Exile

Part of the party executive went abroad and continued working from there, first from Prague, from 1938 from Paris, from 1940 from London. Under the name Sopade it collected reports from trusted contacts inside the Reich about the mood in workplaces and residential districts, about wages, prices and arrests. These 'Germany Reports' ('Deutschland-Berichte') are today among the most important sources on everyday life under National Socialism.

Trade unionists also went into exile. From there they maintained contact with groups inside the country and with the international trade union movement, which did not recognise the regime. The International Transport Workers' Federation (Internationale Transportarbeiter-Föderation) under its General Secretary Edo Fimmen in particular supported railway workers and seafarers who built up illegal groups within the Reich. A seaman who docked in foreign ports could pass on news and printed material that could not be obtained inside the country.

Inside the Country

Those who stayed lived under constant surveillance. Many trade unionists, women and men, withdrew in order to protect themselves and their families. Others kept in contact in small circles, passed on news and collected money for the relatives of those who had been arrested. Any of these activities could lead to imprisonment, a concentration camp or death. Thousands were persecuted, many murdered.

Some former trade unionists were involved in the plans for a coup. Wilhelm Leuschner, a member of the ADGB executive until 1933, was one of the men around 20 July 1944. He was arrested and executed in September 1944. Julius Leber, a Social Democrat and former member of the Reichstag, was executed in January 1945. The resistance's deliberations also included a single unified trade union for the period afterwards.

Leader and Followers

The regime ordered the world of work according to its own image. As early as May 1933 a law installed 'Trustees of Labour' ('Treuhänder der Arbeit'), state officials who took the place of the parties to collective bargaining. In January 1934 the Law for the Organisation of National Labour (Gesetz zur Ordnung der nationalen Arbeit) followed. It made the employer the 'leader of the enterprise' ('Führer des Betriebes') and the employees his 'following' ('Gefolgschaft'). The elected works councils of the Weimar period were abolished. In their place came councils of trust (Vertrauensräte), which were only allowed to advise.

Even these councils of trust were elected only twice, in 1934 and 1935. The results were evidently so unfavourable for the regime that it scheduled no further elections afterwards. Anyone who did not agree with the list could strike out names or stay away from the election, and many did so.

Work without Rights

For working people, the period without trade unions meant: no collective bargaining, no right to strike, no elected representation in the workplace. Wages were fixed rather than negotiated.

Anyone who complained risked being regarded as politically unreliable. During the war they were joined by millions of forced labourers, women and men, from the occupied countries, who had to work under far worse conditions still and often perished as a result.

The End of the Ban and the New Beginning

Authorisation after the War

With the defeat of the German Reich in May 1945 the ban came to an end. In September 1945 the Allied Control Council (Alliierter Kontrollrat) also expressly repealed the Law against the Formation of New Parties. Parties and trade unions were now allowed to form again, but only with the permission of the occupying powers. In the Soviet zone the military administration permitted anti-fascist parties and trade unions as early as June 1945; in the western zones this happened step by step from the summer and autumn of 1945. Control Council Law No. 2 (Kontrollratsgesetz Nr. 2) of October 1945 dissolved the NSDAP, its subdivisions and affiliated associations, including the German Labour Front.

The SPD was refounded. In the Soviet zone it was merged in April 1946 with the Communist Party of Germany (Kommunistische Partei Deutschlands, KPD) to form the Socialist Unity Party of Germany (Sozialistische Einheitspartei Deutschlands, SED), under considerable pressure. In the western zones it remained independent.

The Lesson of the Unitary Trade Union

Before 1933 the trade union movement was divided into different tendencies: free, Christian and liberal trade unions stood side by side, often against one another. Many trade unionists drew the conclusion from their destruction that this division had weakened them. After 1945 they built unitary trade unions: one organisation for all employees in a given sector, independent of party and world view, and organised by industry rather than by occupation.

In the Soviet zone the Free German Trade Union Federation (Freier Deutscher Gewerkschaftsbund) was established, and it soon came under the control of the SED. In the western zones the trade unions merged in October 1949 in Munich to form the German Trade Union Confederation (Deutscher Gewerkschaftsbund). Its first chairman was Hans Böckler, who had already been a trade unionist before 1933.

A Fundamental Right

In the same year the Basic Law (Grundgesetz) came into force. Its Article 9, paragraph 3 guarantees to everyone and to all occupations the right to form associations to safeguard and improve working and economic conditions. Agreements that restrict or seek to impair this right are null and void. The mothers and fathers of the Basic Law wrote this with the experience of the years 1933 to 1945 before their eyes.

What Remains

The smashing of the trade unions was one of the first steps of National Socialist rule, not one of the last. Anyone who wants to subjugate a society first takes away from working people the ability to defend themselves together.

Three insights can be drawn from this period. Accommodation does not protect an organisation if the other side does not want it to exist. Division weakens those who would be stronger together. And the rights that seem self-evident today, the right to associate, to collective bargaining and to strike, were anchored anew and more firmly in the Basic Law after a defeat that people paid for with their freedom and their lives.

Further Reading

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- Michael Schneider: Kleine Geschichte der Gewerkschaften. Ihre Entwicklung in Deutschland von den Anfängen bis heute. Bonn 2000.
- Klaus Schönhoven: Die deutschen Gewerkschaften. Frankfurt am Main 1987.
- Helga Grebing: Geschichte der deutschen Arbeiterbewegung. Von der Revolution 1848 bis ins 21. Jahrhundert. Berlin 2007.
- Grundgesetz für die Bundesrepublik Deutschland (Basic Law), Artikel 9 Absatz 3.

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