



Organised despite the ban: the trade unions under the Anti-Socialist Laws

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From 1878 to 1890, Social Democracy was banned in the German Empire, and with it a large part of the trade unions. They survived in local trade associations, relief funds and through trusted contacts, while Bismarck combined the ban with social insurance. The outcome was a stronger movement: the SPD as the party with the most votes, and the General Commission of German Trade Unions.

For twelve years, Social Democracy was banned in the German Empire (Deutsches Reich). Its associations were dissolved, its newspapers confiscated, its meetings prohibited. This affected not only a party but also the trade unions that had grown up alongside it. How they survived this period, and why they emerged from it stronger in the end, is a story about organising under pressure.

The road to the ban

Two assassination attempts and an election

In May and June 1878, two assassination attempts were made on Kaiser Wilhelm I in quick succession. Neither of the two perpetrators acted on behalf of Social Democracy. Imperial Chancellor (Reichskanzler) Otto von Bismarck exploited the public mood nonetheless: he had the Reichstag dissolved and, after the new election, had it pass a law he had wanted for some time.

In October 1878, the 'Law against the Publicly Dangerous Endeavours of Social Democracy' (Gesetz gegen die gemeingefährlichen Bestrebungen der Sozialdemokratie) came into force. At that time the party was still called the Socialist Workers' Party of Germany (Sozialistische Arbeiterpartei Deutschlands); it only took the name SPD in 1890.

What the law banned and what it did not

Associations, meetings and publications pursuing social democratic, socialist or communist aims were banned. The authorities were given far-reaching powers: they could impose the so-called minor state of siege (kleiner Belagerungszustand) on cities and districts and expel from them people they considered dangerous. Berlin was the first city affected, in November 1878; Hamburg and Leipzig, among others, followed later. Those who were expelled often lost their work and their home at the same time.

There was one thing the law did not ban: standing for the Reichstag. Social Democrats could still be elected and speak in parliament. This loophole was to prove decisive.

The trade unions under the ban

Unions broken up

Most of the trade unions close to Social Democracy were dissolved in the first months after the law came into force. Funds were seized, membership lists confiscated, chairs expelled. For the authorities, the suspicion that an association served social democratic aims was often enough.

The liberal Hirsch-Duncker trade associations (Hirsch-Dunckersche Gewerkvereine) were not affected. They relied on arbitration and on reaching accommodation with employers, and regarded strikes as a last resort. The fact that they were allowed to continue their work shows what the law was about: not organisation as such, but one particular kind of organisation that refused to be co-opted.

Under another name

The members did not give up. They founded what the authorities were just about willing to tolerate: local trade associations (Fachvereine), relief funds for sickness, travelling in search of work or death, and social and educational clubs. There people met, paid their dues and kept in touch. Anyone who took on an office did so knowing that the police could dissolve the association at any time.

Open structures were replaced by shop stewards and trusted contacts (Vertrauensleute). Individuals maintained contact between workplaces and localities, passed on news and collected money for those who had been expelled and their families. This work was laborious and risky. But it created an experience that had an effect beyond the ban: organisation does not depend on a register of associations but on people who can rely on one another.

Doubly excluded: women workers

For women, the Anti-Socialist Laws (Sozialistengesetz) were compounded by a second obstacle. In Prussia and several other states, they were not allowed to belong to political associations or to attend their meetings. What counted as political was decided by the police. Women workers who joined together therefore mostly did so in educational or relief associations, and these too were dissolved time and again. Only the Imperial Associations Act (Reichsvereinsgesetz) of 1908 lifted the restriction. The law did not stop women from working in the factories, often for considerably lower pay. It only stopped them from defending themselves against this together.

News across the border

Because hardly anything could be printed within the Empire, the newspaper 'Der Sozialdemokrat' was published in Zurich from 1879, and later in London. It was smuggled across the border in large numbers and distributed within the country. The network that organised this distribution soon came to be called the 'Red Field Post' (Rote Feldpost). The party congresses were also held abroad: in 1880 at Wyden Castle (Schloss Wyden) in Switzerland, in 1883 in Copenhagen, in 1887 in St. Gallen.

The Reichstag as the last open space

Because standing for election remained permitted, Social Democrats sat in the Reichstag throughout the entire period of the ban. August Bebel was among the best-known speakers. Their speeches could not be suppressed. They appeared in the official records of proceedings and could be passed on from there. In this way, parliament became the one place where expulsions, house searches and dissolved funds could be discussed in public.

For the trade unions, this meant that what happened to them across the country was documented in a place where the state could not keep it quiet. And every election showed how many people, despite everything, stood by the banned movement.

Carrot and stick

Social insurance as a counter-offer

Bismarck did not rely on bans alone. In the 1880s, the cornerstones of German social insurance were laid: health insurance in 1883, accident insurance in 1884, invalidity and old-age insurance in 1889. The intention was openly declared: the working class was to be bound to the state and drawn away from Social Democracy.

For many workers, these laws brought for the first time an entitlement instead of charity. At the same time, the self-administration of the health insurance funds offered a legal space in which trade unionists could gain experience and win majorities. The state's counter-offer thus also became a training ground for those it had been meant to weaken.

Strikes and the strike decree

In the mid-1880s, the number of strikes rose again. In April 1886, the Prussian Minister of the Interior, Robert von Puttkamer, responded with a decree (Streikerlass): strikes behind which the authorities suspected social democratic agitation were to be combated with the means provided by the Anti-Socialist Laws, up to and including the expulsion of strike leaders.

This could not prevent the largest industrial dispute of those years. In May 1889, around 90,000 miners in the Ruhr downed tools to win shorter shifts and higher wages. The strike spread to other coalfields. Kaiser Wilhelm II received a delegation of the strikers. The strike showed that women and men workers could not be kept apart by bans in the long term.

The end of the ban

The ballot box had its say

Bismarck had the law extended four times. It did him no good. In the Reichstag election of 1878, Social Democracy had received around 437,000 votes. In the election of February 1890, it received just under 1.43 million, almost a fifth of all votes cast. No party received more.

Even before that, in January 1890, the Reichstag had rejected the indefinite extension that the government had put forward. In March 1890, Bismarck was forced to resign. On 30 September 1890, the Anti-Socialist Laws expired.

Why the ban failed

There were several reasons why the law failed to achieve its aim. The first lay in the economy itself: during the years of the ban, industry continued to grow, and with it the number of people working for wages in factories, mines and workshops. No law changed their situation. Anyone who experienced long shifts, low wages and a lack of protection did not need a newspaper to know that something had to change.

The second reason lay in the persecution. Expulsions and dissolutions hit people who knew their neighbours and colleagues. Instead of isolating them, they made visible what they stood for. The third reason was political: in the end there was no longer a majority in the Reichstag for the indefinite extension, and the new Kaiser wanted a different course from that of his Chancellor.

Refounded, reorganised

At its party congress in Halle in October 1890, the party adopted the name Social Democratic Party of Germany (Sozialdemokratische Partei Deutschlands). The trade unions followed in November 1890: in Berlin, representatives of the unions founded the General Commission of German Trade Unions (Generalkommission der Gewerkschaften Deutschlands). Its chair was Carl Legien, who held this office for almost three decades.

With the end of the ban, an old question arose anew: should the trade unions continue to organise locally, as they had learned to do under pressure, or in large central unions covering entire occupations and the whole Empire? The first trade union congress, held in Halberstadt in 1892, decided in favour of the central unions. In the years that followed, the scattered associations of the ban years became organisations that could conclude collective agreements and sustain strikes for months.

What remains

The Anti-Socialist Laws were meant to crush the organised labour movement. For twelve years they hit it hard, destroyed many livelihoods and forced its work underground. They could not eliminate it. In the end there was a party with more votes than ever before, and a trade union movement that reorganised itself on a new and larger footing.

Three lessons from this period reach beyond it. Organisation depends on people who take on responsibility, even when there is nothing in it for them. Solidarity shows itself first where

someone helps to support the family of a person who has been expelled. And a state that denies workers the right to join together ends up strengthening those it seeks to weaken.

Today, freedom of association (Koalitionsfreiheit) is guaranteed in the Basic Law (Grundgesetz). Anyone who joins with others to improve working conditions must not be prevented from doing so. This freedom did not fall from the sky. Others fought for it under conditions we can scarcely imagine.

Further reading

- Gesetz gegen die gemeingefährlichen Bestrebungen der Sozialdemokratie vom 21. Oktober 1878, Reichsgesetzblatt 1878, S. 351 (Law against the Publicly Dangerous Endeavours of Social Democracy of 21 October 1878, Reich Law Gazette 1878, p. 351).
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