

Title:

The Constitution of the Weimar Republic

Word Count:

488

Summary:

The Weimar Republic was established in February 1919 in defeated Germany and lasted until March 1933, when it was replaced with Hitler's Third Reich.

Keywords:

Article Body:

The Weimar Republic was established in February 1919 in defeated Germany and lasted until March 1933, when it was replaced with Hitler's Third Reich. The Constitution of the Weimar Republic was adopted in August 1919. It created a bicameral house of representatives: the Reichstag, a national assembly, and the Reichsrat, comprised of the representative of the various Lander (states). The Reichsrat could reject laws passed by the Reichstag. The Lander sported their own state parliaments, local police forces, and judiciary. During states of emergency, Lander assemblies and governments were suspended and they were ruled directly from the center.

Elections were supposed to be held every 4 years and anyone over 20 years of age could vote. A system of proportional representation gave voice and presence in the Reichstag to even the smallest political parties. One tenth of the population could force a referendum on draft legislation rejected by the Reichstag.

The President, elected by universal suffrage, was the head of state and served a term in office of seven years. He appointed and dismissed the Chancellor (prime minister) and commanded the Republic's much-reduced armed forces. He had the right to veto laws passed by the Reichstag, dissolve it and call early elections and referenda. He could also rule by decree, having declared a state of emergency.

The Weimar Constitution guaranteed the right to local self-government, a "dignified existence", economic and religious freedoms, freedoms of speech, press, and assembly, and the right to form trade unions.

The Weimar Constitution was never abrogated or replaced. it remained in force

until 1949 - throughout the 12 years of the Third Reich.

But on February 28, 1933 - a day after the Reichstag building was set on fire, allegedly as part of a "Communist plot" - Hitler submitted to von Hindenburg, the ailing and octogenarian German president, an emergency decree titled "For the Protection of People and State; to guard against Communist acts of violence endangering the state".

Article 1 of the decree suspended all rights guaranteed by the Weimar Constitution. It read:

"Thus, restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press, on the right of association and assembly, and violations of the privacy of postal, telegraphic, and telephonic communications, and warrants for house-searches, orders for confiscations, as well as restrictions on property rights are permissible beyond the legal limits otherwise prescribed."

Article 2 of the decree allowed the Reich government to take over the power of the Lander governments in order to restore security and order.

The Weimar Constitution was a dead letter.

The 13,000 word Constitution, adopted in 1949, by West Germany, was patterned after its Weimar predecessor but contained safeguards against its own suspension by a willful dictator and against the declaration of aggressive war. The Land of Bavaria - an important constituent of West Germany - refused to ratify it because it deemed it too "centralistic" (not enough power was granted to the Lander).

The first elections under this revamped document took place in August 14, 1949.