

The *Präsidentialregierung*, 1930-1933
The Executive Branch of the Weimar Government and
the Dismantling of the Republic

Daniel Hefflebower

Bachelor of Arts with Honors

Advised by Johannes von Moltke

Department of Germanic Languages and Literatures

University of Michigan

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I. Introduction

On March 29, 1930 Hermann Müller, the last Reich Chancellor of the Weimar Republic appointed to that position by Reich President Paul von Hindenburg with the accedence of the Parliament, resigned. With the appointment of Müller's successor, Heinrich Brüning, and the formation of his Cabinet the following day Hindenburg ushered in a new and final era of the Weimar Republic. Over the next three years the support for the Weimar democracy amongst the German population was on the wane while the authority and influence of the Parliament was in decline. The Presidency and the Chancellorship were the center of governmental power in Germany. The Weimar government during this period came to be known as the *Präsidualregierung*, which in English translates to "presidential government," because its ability to function independently from the Parliament derived from the constitutional authorities and powers of the Reich President. The German term *Präsidualkabinette* translates into English as "presidential Cabinets."

There were four *Präsidualkabinette* in total from March 30, 1930 until January 28, 1933. The first two were under the direction of Brüning; the third had Franz von Papen at its head; General Kurt von Schleicher was Chancellor of the fourth. Hindenburg was the Reich President during each Chancellor's tenure. Solidifying the usage of these terms *Präsidualkabinett* and *Präsidualregierung* can be much accredited to Hindenburg, who as Reich President was a crucial figure in developing the format and design of the *Präsidualkabinette*, grounding their authority in the constitutional authorities of the Reich President and directing the Chancellor's policy-making.¹ These titles used to describe the government of Weimar in its final years are engrained in the nomenclature of the End of the Weimar Republic and in this thesis I use the German terms as opposed to their English equivalencies.

¹ Kolb, Eberhard, *Die Weimarer Republik*, 6th ed., Munich 2002, p. 132.

As a constitutional entity the leaders in government from March 1930 to January 1933, above all Hindenburg, possessed the “legal” authorities to suppress the effective power of the Reichstag. From Articles 25, 48 and 53 of the Weimar Constitution the Reich Presidency drew its authorities to function independently of the Parliament in the event the Parliament was unable to fulfill its function as a law-passing entity. Article 25 granted the Reich President the authority to dissolve the Reichstag for whatever reason so long as it was not a repeat reason. With Article 48 the Reich President could pass laws through emergency decree. The first Reich President of the Weimar Republic, Friedrich Ebert of the Social Democratic Party (SPD), set precedence in utilizing this authority in 1923. The right of the Reich President to appoint the Reich Chancellor without the approval of the Parliament was ensured by Article 53. These authorities were intended for the Reich President to use only in the event that the public security and order was considerably disturbed or in danger in order to accelerate the process of passing laws. Most importantly these authorities were intended to grant the Reich President the authority to ensure the stability and perpetuation of democracy within Germany in times of crisis.²

The end of the Weimar Republic is a heavily researched period of history because its failure was followed by the rise of one of the most horrible totalitarian regimes. This research of Weimar’s final three years has revealed a chaotic and complex nature of the time period by which the democracy was dismantled and collapsed. This thesis examines the *Präsidentialregierung* because of their significance as the official governing body of Germany at the end of its first democracy. How did the *Präsidentialregierung* develop and continue to develop from 1930 to 1933? What were the intentions and the ideology of its leaders which were driving them to pursue the establishment of such an autonomous government? How did this institution

² Winkler, Heinrich August, *Weimar, 1918-1933. Die Geschichte der ersten deutschen Demokratie*. Munich 1993, p. 604.

play a role in the demise of the Weimar Republic? These are the central questions of this thesis. It is certain, that the *Präsidentialregierung* played an integral role in the final years of the Weimar Republic and its leaders carry a certain degree of responsibility for dismantling the democracy. In combination with other societal, economic and political strains, along with the rise of the NSDAP, this ultimately led to the demise of Weimar democracy. It is the purpose of my thesis to discuss this responsibility the *Präsidentialregierung* carries in the demise of the Weimar Republic.

The leaders of the *Präsidentialregierung* utilized their constitutional authorities further in antidemocratic fashion to exploit the power and influence they had as the government of the Weimar Republic. Although their actions and intent were directed towards eliminating the democracy, the leaders of the *Präsidentialregierung* were unsuccessful in achieving this. The constitutional elements of Weimar democracy – such as its Parliament, political parties interested in the perpetuation of democracy, and a judiciary – persisted throughout the era of the *Präsidentialkabinette*. However, as the heads of government of the Weimar Republic, the leaders of the *Präsidentialkabinette* bear a great responsibility for laming the progression of parliamentary politics when they, as representatives of Weimar democracy, should have defended it during this chaotic social and economic time. Furthermore they facilitated the transition of governmental power to Hitler and the National Socialists.

In the first chapter of this thesis I present the arguments of some of the leading historians on the Weimar Republic as to how it failed. Within this framework of how the failure and destruction of the Weimar Republic is explained by the scholars, I place my discussion of the *Präsidentialregierung*. In attributing responsibility to the heads of the *Präsidentialregierung* in the demise of the Republic, my discussion of this institution regards it as an effective, power-

wielding agent during the final years of the Republic, which contributed to decline of the Reichstag's authorities. In the second and fourth chapters I analyze the procedural aspects of the *Präsidentialregierung* and how the major events perpetrated by the leaders of the *Präsidentialkabinette* weakened the effectiveness of democracy and parliamentary politics. In the third chapter I discuss the integral figure of the *Präsidentialregierung*, Hindenburg, as he asserts his authority over his subordinates in government and ideologically directs the government's efforts. In these three chapters themes and events crucial to both the ideological framework and the effective power of the leaders of the *Präsidentialregierung* repeat, but I do this only as it is necessary and crucial in the analysis.

VIII. Discourse with the Secondary Sources

The almost 60 years of academic research on the Weimar Republic have produced a vast literature regarding the factors, developments and underlying trends which led to its demise 13 years after its inception. As more and more information has been made available, historians and political scientists have tried to make sense of this critical time in Germany's history. In their attempts to determine the sole or leading cause of Weimar's failure the most pressing matter which has driven so many historians to examine this time period is the far-reaching consequences of what followed after – the Third Reich. The implications of an intentional dismantling of the Weimar Republic by the very members of the Weimar government leave a very difficult and complicated legacy for democracy in Germany. If the generally perceived revolutionary takeover of the Weimar democracy by Hitler, which was originally propagated by Goebbels as early as the 1930s,³ proved to be instead a handing over of power to the National

³ Frei, Norbert, "Machtergreifung." Anmerkungen zu einem historischen Begriff," *Vierteljahreshefte für Zeitgeschichte* vol. 31, no. 1, 1983, pp. 136-145.

Socialists from the democratic forces, then the question of responsibility for the Third Reich and its victims would also have to be reexamined. In effect one characteristic that all of these arguments have in common is attributing the greatest level of responsibility for the failure of the Weimar democratic institution to factors rooted in, driven by or related to the rise of the National Socialist movement.

There is a second characteristic common to many of the arguments concerning the reasons behind Weimar's failure. The critical, transformative years from a constitutional monarchy to a democratic republic burdened the mission of the proponents of democracy and resonated in the final years of the Republic. Beginning with the crisis of its inception after World War I at the urging of the Allied powers, the Weimar Republic was beset with economic problems, such as the extreme inflation of the *Reichsmark* and the enormous war reparations, as well as bureaucratic and societal issues surrounding the transition from the *Kaiserreich* to a democracy. One major societal quandary was the legacy of the monarchy in Germany and in its place establishing the authority of a legitimate democracy. The documented lack of commitment many old elites such as Hindenburg, Schleicher and Papen felt toward the democracy and their affinity towards an authoritarian style of government originate from their experiences in the *Kaiserreich*.⁴ Blackbourn and Eley argue about the emergence of an ambiguous and unstable new mass politics that "the demagogic process whereby popular sentiment was met and contained, as much as the failure of reform *touch court*" had a significant bearing on Germany history after war and revolution.⁵ The inability of the Weimar Coalition and other proponents of

⁴ Mommsen, Hans, *The Rise and Fall of Weimar Democracy*, trans. Elborg Forster and Larry Eugene Jones, Chapel Hill, NC, 1996, p. 357.

⁵ Blackbourn, David, and Geoff Eley, *The Peculiarities of German History: Bourgeois Society and Politics in Nineteenth-century Germany*. Oxford 1984, pp. 19-22.

the democracy to solve or eliminate these issues whether by choice or by nature of the problem proved to have a great impact upon how the Weimar Republic would come to an end.

Because of these problems and issues affecting the Weimar Republic the question of whether or not the Third Reich was unavoidable has been made a matter of discourse. Several historians have examined these issues and related them with apparent trends in German culture reaching as far back into German history as Martin Luther. Modern discussions of the German *Sonderweg* explain this phenomenon of the so-called “uniqueness” of the German path towards fascism, insofar as the National Socialist regime was a logical result to these prevailing general sentiments and opinions within Germany. This ideological environment within Germany Mommsen and Wehler explain as comprising many of the characteristics generally applied to the National Socialist regime, i.e. an authoritarian tradition and Anti-Semitism.⁶ Blackbourn and Eley, however, argue influentially against this view stating that while “the popular social and political roots of National Socialism must be sought in the period before war and revolution[,] Nazi support cannot be explained solely in terms of the popular support it received. National Socialism requires explanation in terms of both its appearance and its function, in terms of its public rhetoric, but also its effects, as a focus of popular appeal, but also as a vehicle of rather narrower interests.”⁷

The research into the end of the Weimar Republic and the arguments which arise from it are intrinsically linked with the rise of the National Socialist Party because that totalitarian regime succeeded the Republic. Moreover, these arguments present Weimar’s demise as the culmination of several factors including the prevailing sentiments from prior to World War I as

⁶ See Wehler “‘Deutscher Sonderweg’ oder allgemeine Probleme des westlichen Kapitalismus,” *Merkur* 1981 vol. 35, no. 5, pp. 478-487 or W. Mommsen *Nation und Geschichte. Über die Deutschen und die deutsche Frage*, Munich 1990.

⁷ Blackbourn and Eley, *Peculiarities of German History*, pp. 22-23.

well as other problems which arose during the Weimar Republic. Because Hitler and the NSDAP emerged at the end of the Weimar Republic as those in power and were thereafter able to establish the National Socialist state, historians cannot exclude their involvement in undermining the Weimar democracy. In light of the diverse societal, economic and political problems which all contributed to Weimar's end, historians have worked through the primary sources in the hopes of determining how and why a combination of these factors exhausted the democracy. In the context of this discussion as to how Weimar failed or was eliminated in this thesis I hope to determine to what degree the *Präsidentalkabinette* had a role in dismantling the Republic from within.

A. The Critical View of German History – Bracher, Broszat and Peukert

The academic field for German historians in the four to five decades prior to 1945 had been marked by an overly nationalistic and pro-German trend. On account of Article 231 of the Versailles Peace Treaty many historians in the late 1910s and early 1920s, for example, handled exclusively the question of responsibility for the First World War presenting in uniform an argument centered on drawing the guilt away from any form of German guilt. Under the National Socialist regime in the 1930s and 1940s the study of history was subject to National Socialist precepts and censure. Historical publications appearing in Germany remained pro-German and in regards to 1930 to 1933 historians did not discuss the transition of power to the National Socialists in a negative light or argue that this transition had been illegal. Studies regarding the end of the Weimar Republic did however depict an atmosphere beset with chaos and turmoil known as the *Kampfjahre* 1919-1933 in order for National Socialist propagandists to use terms such as *Tag der nationalen Erhebung* and *deutsche* or *nationalsozialistische*

Revolution referring to January 30, 1933, which implied that Hitler and the Third Reich were the salvation of Germany.⁸

In the years following 1945 in the Federal Republic of Germany a new trend in historiography emerged. Historians no longer held to the pro-German doctrine of the decades prior. During a time in which the shock from the downfall of the National Socialist regime and the tense atmosphere in Germany and Europe following the war were subsiding, a school of German historiography emerged which sought to more critically understand and portray the German past. Shortly after the fall of the National Socialist regime in 1945 historians were granted access by the Allied occupiers to the documents from the Reich Chancellery, the Reich Archives and other sources dating back to the *Kaiserreich* which had previously been unavailable. Under this new school of German historiography which lasted for nearly a decade, much research was done into how the first German democracy had failed. Much of the research published was also very critical of the German leadership in the Reichstag and in the government.

Karl Dietrich Bracher's seminal study *Die Auflösung der Weimarer Republik* was one of these works which he edited and republished several times following its original release in 1955. Bracher read many of these documents dating from the final years of the Weimar Republic and published his findings.⁹ He adopts a very critical tone in regards to the influential men in the Weimar parliament and government emphasizing their apparent mistakes and disregard for protecting the democracy. Bracher argues that Hindenburg and the Chancellors of the *Präsidialkabinette* did not hold any significant influence or wield any effectual authority in Germany. According to Bracher the authority in Germany at the governmental level was lost in

⁸ Frei, „Machtergreifung“, pp. 139.

⁹ Bracher, Karl Dietrich, *Die Auflösung der Weimarer Republik. Eine Studie zum Problem des Machtverfalls in der Demokratie*, 3rd ed., Villingen/Schwarzwald 1960, pp. XVII-XIX.

the critical years at the end of the Weimar Republic despite Hindenburg and Schleicher's efforts to establish an authoritarian state. Effective power was instead being seized and established by the radical political parties, mass movements and their paramilitary groups. Bracher argues that the *Präsidialkabinette* handled the situations as they did – enacting emergency decrees, dissolving the Reichstag and negotiating with the radical conservative parties – as calculated responses to a crisis in order to maintain their hold on power, when they in fact had less and less.¹⁰

Bracher then thoroughly relates the events surrounding this progressively developing power shift over three years and characterizes the first two *Präsidialkabinette* under Brüning as the phase of the *Machtverlust*, or “power loss,” and those under Papen then Schleicher as the phase of the *Machtvakuum*, “power vacuum.” He then proceeds to elaborate on the progression of events leading towards the National Socialist seizure of power on January 30, 1933. Bracher emphasizes that these clearly defined and comprehensible stages of the National Socialist takeover of Weimar Germany represent “a typical approach when one observes and interprets other such similar processes of sudden power shift.”¹¹

Three decades after Bracher, Martin Broszat published his study on Weimar's demise entitled *Die Machtergreifung, Der Aufstieg der NSDAP und die Zerstörung der Weimarer Republik*. Broszat's brief account of the Weimar Republic's final years presents the course of events as inextricably linked with the developments surrounding Hitler and the NSDAP. He explains the rise of the National Socialist mass movement from 1929 to 1933 as a result of the political and economic crisis which resulted in turn from the Great Depression.¹² Like Bracher,

¹⁰ Ibid., pp. 142-146, 341-347, 545-552.

¹¹ Ibid., pp. XVII-XIX.

¹² Broszat, Martin, *Hitler and the Collapse of Weimar Germany*. trans. Volker R. Berghahn, New York 1987, pp. 78f., 83-91.

Broszat is critical of the leaders of the Weimar government and explains that the Weimar Republic was “destroyed under Papen as a first stage in a much greater process leading towards the Third Reich.”¹³ Bracher argues that there was no greater influence of the *Präsidialkabinette* as an independent agent in dismantling the Weimar Republic. The events of the final months which led to Hitler’s subsequent assumption of power on January 30, 1933 were controlled by the leaders of the NSDAP.

Detlev Peukert’s thesis, like Bracher’s and Broszat’s, is very critical of the failures of Weimar leadership but he understands the failure of the Weimar Republic furthermore as the result of four destructive processes in German society, which could have been mastered according to Peukert. The crisis of the socioeconomic structure of Weimar Germany was transformed into the destabilization of the political and social system of the Republic because the augmentation of the Basic Compromise of 1918, which was originally reached between conservative and liberal elites in the hopes of maintaining law and order in Germany, was restricted. The subsequent cancellation of the Basic Compromise contributed furthermore to a loss of legitimacy of the new order well before the Great Depression. The conception of a turn towards authoritarianism pursued by the old elites between 1930 and 1933 would have undone the Basic Compromise and restored the power structure of the Bismarckian era. The National Socialist alternative profited twofold from this fundamental loss of authority of the old elites and their liberal- and conservative-tradition syndicates: The NS-movement could unfold an entire dynamic of a modern totalitarian integration party in light of the crisis from 1930 to 1933 and in early 1933 it could accept “the keys to power from the hands of those old elites.” Peukert argues that the leaders of the *Präsidialkabinette* held enough power to destroy the constitutional order but failed to restore the pre-war power structure because they were relatively weak in light of the

¹³ Ibid., pp. 115f.

high degree of politicization and the mass mobilization, which the German public had reached since that time.¹⁴

B. Mommsen, Winkler and Kolb

Hans Mommsen offers his interpretation of the end of the Weimar Republic in his study *Der Aufstieg und Untergang der Weimarer Republik* which is very critical of the leaders of the Weimar democracy. Mommsen views how the democratic political parties, first and foremost the Social Democratic Party (SPD), handled the chaotic and critical situation from March 1930 to January 1933 as an abandonment of the democracy. Mommsen defines the dissolution of Weimar democracy as a process of *Selbstpreisgabe*, “self abandonment” or “relinquishment.”¹⁵ According to Mommsen the resignation of Müller’s Social Democratic majority cabinet on March 27, 1930, “was brought about by irreconcilable differences among the coalition partners” despite the “scripted” act to remove him and the Coalition from power and establish a non-democratic system of government by Schleicher and Hindenburg.¹⁶

Mommsen argues the SPD and other supporters of Weimar democracy did not intend to offer the authority in Germany to the conservative parties and the executive branch. Rather the democrats had exhausted themselves to the point where the only option left seemed the hope that the chaos would eventually pass and they would return to power. “[T]he Social Democrats had found themselves constantly on the defensive with respect to their bourgeois coalition partners and had never been in a position to act in accordance with their political ideals. Going into opposition seemed a more honest and [...] tactically appropriate response.”¹⁷ Other members of the Parliament among other proponents of democracy freely gave up on democracy and gave

¹⁴ Peukert, Detlev J. K., *Die Weimarer Republik. Krisenjahre der Klassischen Moderne*, Frankfurt/M. 1987, pp. 269ff.

¹⁵ Mommsen, *The Rise and Fall of Weimar Democracy*, pp. vii-xi.

¹⁶ *Ibid.*, pp. 287-288.

¹⁷ *Ibid.*, p. 292.

their assailants like the *Präsidialkabinette* and the KPD and the NSDAP free reign to dismantle the democracy. The remaining political parties such as the Center Party and German National People's Party, who had since the founding of the Republic viewed it as simply a transitory system of government, abandoned democracy to take part actively in dismantling it.¹⁸

Other historians such as Heinrich Winkler on the other hand argue that the remaining proponents of democracy in Germany made decisions from March 1930 to January 1933 based upon the belief that such a course of action would keep the democracy intact. Despite the tense and chaotic situation brought on by the economic woes of the Great Depression, the escalation of political radicalism and violence, and the minimal legitimacy of democracy in Germany, Winkler questions the assumption of obviousness of the decision-making by the SPD and its democratic allies. The historian, according to Winkler, should not deny the knowledge that in history there can be tragic situations, in which the actors with best intentions no longer have the choice between right and wrong decisions. "The results can be fatal but it is not fatalism to say this."¹⁹

The lack of room to maneuver in the political and social arenas of power during the end years of the Weimar Republic left the options which promised even faintly a return to democracy a very limited scope. In many cases such choices for the SPD meant submitting to the *Präsidialkabinette*. The hope of the SPD during this time was that the radicalism and violence within Germany would subside and the instigators of Weimar's destruction would be made powerless once the economic crisis abated. Winkler's study on the Weimar Republic, *Weimar 1918-1933, Die Geschichte der ersten Deutschen Demokratie* presents this thesis explaining that the supporters of Weimar democracy during its final years intended to reestablish democracy by submitting to what they say as the lesser of two evils – which was Hindenburg and the

¹⁸ Ibid., p. 269.

¹⁹ Winkler, *Weimar, 1918-1933*. pp. 11f.

Präsidentalkabinette. Many in the SPD recognized the danger Hitler and the NSDAP represented to the democracy if they were able to achieve governmental power.²⁰

Eberhard Kolb's short handbook on the Weimar Republic, *Die Weimarer Republik*, in which he analyzes the three 'stages' of Weimar's existence, emergence, phase of relative stability and destruction, offers a very comprehensive argument to explain the failure of Weimar's democracy. In his simple account of the final years of Weimar he elaborates on several factors which in conjunction ultimately led to the collapse of the German democracy's resources and credibility. Although his argument centers on the efforts of the *Präsidentalkabinette* and the NSDAP, he writes of a complex system of causes which led to the failure of the Weimar Republic and the National Socialist *Machtergreifung*. This includes the constitutional framework and conditions; established ideological factors in Germany surrounding the tradition of authoritarian rule exacerbated by the complete surrender in World War I; the economic development with its effects on the political and societal power relationships; the expectation and hope of a *Führer*; moments of mass psychological trauma; and finally the role of singular personalities most notably Hindenburg, Papen and Schleicher. According to Kolb the answer to the question of Weimar's failure and Hitler's rise to power depends upon how these different components are weighted and combined to form an overall picture out of the contradictory sources of data.²¹

C. The Agency of the *Präsidentalkabinette* and Responsibility for the Fall of Weimar

One of the prevalent opinions amongst the German population in Germany after World War I discussed earlier in this chapter is a general sense of discontent with democratic institutions. Many participants in democratic institutions from the government to the

²⁰ Ibid.

²¹ Kolb, *Die Weimarer Republik*, pp. 250f.

bureaucracy are recorded as expressing their dissatisfaction with democracy and a desire for a return to a ruling system similar to that of the Bismarckian Reich. The *Präsidentialregierung* in this respect is in effect a logical end result. However, the agency of this political entity remains a matter of debate. Considering the several active political parties, special interests groups of heavy industry and agriculture, workers' unions, and the National Socialist movement among others, many historians shed doubt upon the ability of the *Präsidentialkabinette* to independently act in the tense environment of the Great Depression. The chaotic atmosphere within Germany which began to develop as the effects of the Great Depression began to appear in Germany shortly after the Wall Street Stock Market Crash in late October 1929 due to Germany's dependence on American investment. The rise of political violence driven by radical political parties of the Left and Right and the ability of their propaganda to convince the German people of the ineffectiveness of the government to combat the financial crisis exacerbated the situation. Thereby the portion of the responsibility for the *Präsidentialregierung* in the demise of Weimar democracy is less when one considers the other prevailing factors.

Many historians do not see the *Präsidentialkabinette* as directly responsible for dismantling Weimar democracy; instead, they describe them as complacent and idle. In comparison to the other forces active during the few remaining years of the Weimar Republic, the men involved with the *Präsidentialkabinette* were directly in control of the forces and authority of government. Although the *Präsidentialkabinette* were at different times to different degrees supported by some of the most powerful elements in German society, including the military, big business and agriculture, historians present the last phase of the Weimar government as powerless and incompetent. It was the intention of the leaders of the *Präsidentialkabinette* to handle the chaotic situation at the end of Weimar as an independent agent with the power to resolve the situation

and thereby establish a government which would be recognized as the ruling authority in Germany once their solutions took effect. In the course of the following chapter I will elaborate on the goal-setting and execution of various programs and intentions set forth by the leaders of the *Präsidialkabinette*.

IX. The *Präsidialkabinette*

This chapter examines the *Präsidialkabinette* under Brüning and Papen as they relate to the central question of this thesis, namely what responsibility do the leaders of the *Präsidialkabinette* hold in dismantling the Weimar Republic, insofar as they disrupted the practice of parliamentary government. In order to answer this central question, I must define in this chapter what qualities and characteristics of the Weimar democracy the men of *Präsidialkabinette* were in fact counteracting. The power-shifting measures and the political maneuvers undertaken by the Reich Chancellors and President from March 1930 to January 1933 contributed to weakening the legitimate power of the parliamentary body in the Weimar Republic. In the course of this chapter I explain how the leaders in government developed and established the *Präsidialkabinette* as the nominal governing entity in Germany from early 1930 to November 1932.

From March 1930 to January 1933 the leaders of the *Präsidialkabinette*, in addition to laming the parliamentary process of government, worked towards establishing a new system of government which can only be considered as anti-democratic. During these three years the leaders of the *Präsidialregierung* were able to concentrate governmental authority upon the Chancellorship and the Presidency, while steadily removing the authority of the Parliament. As more and more authority was concentrated in the executive branch of government, the leaders of the *Präsidialkabinette* progressively abandoned more and more of the fundamental democratic

qualities, until the government became barely recognizable as the Weimar democratic institution which the authors of the Reich Constitution had intended. The design of this new government system underwent many revisions, but its main kernel lay in stark opposition to a democracy. Although the *Präsidialkabinette* were never fully in control of Germany, they maintained a significant level of governing capital which allowed them to take several steps towards an authoritarian regime. Many of these steps established precedents for the establishment of the National Socialist regime after January 30, 1933.

A. Impetus and Nature of the *Präsidialregierung*

It can be argued that the first *Präsidialkabinett* was a political phenomenon developing independently of and adversely to Weimar democracy. The catalyst for the formation of the first *Präsidialkabinett* was the fall of the stock market and the Great Depression. The United States government began to deliver less and less on its investment commitments necessary to rebuilding Germany and enabling them to pay their reparations from World War I. The German government and parliament began to come under stark criticism from radical political parties for allowing the Great Depression to affect Germany so severely by allowing such extensive foreign involvement and investment. The membership in radical parties swelled with persons suffering in the ever worsening economic situation after 1930 at the same time as several splinter parties were being formed. Many dissatisfied Germans in white-collar, industrial and agricultural jobs were easily convinced by either radical left-wing or conservative arguments on how to solve the economic crisis. The Communists advocated a revolutionary change and the establishment of a governmental system similar to the Soviet model in Russia, while the National Socialists

similarly promoted the dissolution of the parliamentary system through a united German *Volk* and the “reawakening” of Germany’s prestige.²²

The result of this exodus from founding parties of the Republic known as the Weimar or Great Coalition – the SPD, the Center Party, and the German Democratic Party – over the next three years was a breakdown in the effectiveness of parliamentary factions to form coalitions in provincial legislatures across Germany, but above all in the Reichstag. From 1929 to November 1932 the SPD’s representation in the Reichstag dropped ten percent from nearly 30 percent while the number of representatives from radical parties such as the KPD and NSDAP nearly quintupled.²³ In fact since the Reich elections in 1920 the Weimar Coalition had not constituted a commanding majority in the Reichstag. By 1929 many conservative members of the German National People’s Party (DNVP) and the Center Party, prominent among them Graf von Westarp of the DNVP and Heinrich Brüning of the Center, favored the institution of the *Präsidialkabinette* and the strong centralization of power in the government which Hindenburg and Schleicher promoted.²⁴

Furthermore because of the economic crisis after 1929 the three parties began to diverge from one another in policy so greatly that the possibility of forming a coalition amongst them diminished to the point where in late 1930 the Coalition officially decided to dissolve itself. The main item of contention which lamed parliamentary politics in early 1929 was fiscal policy and the debate amongst the representatives in the Reichstag regarding whether or not to accept the newest and relatively lenient system by which Germany would repay the World War I reparations, otherwise known as the Young Plan. As this debate became more and more heated even amongst the parties of the Weimar Coalition, it became clear that the ability for political

²² Bracher, *Auflösung der Weimarer Republik*, pp. 96-127.

²³ Kolb, *Die Weimarer Republik*, p. 309.

²⁴ Pyta, Wolfram, *Hindenburg. Herrschaft zwischen Hohenzollern und Hitler*, Munich 2007, pp. 577-580.

parties to form coalition majorities was deteriorating.²⁵ The chances that a new coalition majority in the legislative would arise amongst the increasing number of representatives in the Reichstag from radical left- and right-wing political parties were next to none. After September 1930 the proceedings of the Reichstag became “virtually unmanageable” when the Nazi and Communist deputies demonstrated “their total contempt for the legislature” and thereby “power drained from the Reichstag with frightening rapidity.” Only negative majorities were possible in the Reichstag after September 1930.²⁶

The dissolution of party politics in the Reichstag did not weaken the democracy to the point where there was no effectual power left at the Reich level of government which would allow for a mass movement like the NSDAP to seize power. The ineffectiveness of the Reichstag constituted the opportunity for those opposed to democracy, such as Hindenburg and Schleicher, to begin to drastically alter the power structure of the Reich government. Many conservatives in the Weimar government and political parties, above all Schleicher and Hindenburg, had been harboring such plans for several years prior to the onset of the Great Depression. Once the Reichstag began to show signs of being unable to effectively and consistently behind a governing coalition use its constitutional authorities to counteract and present an alternative to the decrees and policies of the Reich government, the incumbents in the government worked to ensure that the Reichstag would remain unable to function. Because of party factionalism and the difficulty to form coalition majorities, Hindenburg and Schleicher were able to form a government with a majority of the power invested in it, an authoritarian regime.

²⁵ Mommsen, *The Rise and Fall of Weimar Democracy*, pp. 288-292.

²⁶ Evans, Richard, *The Coming of the Third Reich*, New York 2004, p. 275.

The means which enabled the Reich President to take these steps derived from the Weimar constitution. The authorities which were entrusted to the Reich President under the constitution would from March 1930 to January 1933 be key in negating the influence of the Parliament over the *Präsidialkabinette*. In this respect the founders of the Weimar Republic failed to include sure and adequate checks and balances against the opponents of democracy in other branches of government. Nonetheless, the way in which Hindenburg and the Reich Chancellors utilized these authorities during these three years extended beyond the intended boundaries of democracy inherent in the Weimar constitution. Because of these authorities, however, Hindenburg and the *Präsidialkabinette* were able to work towards establishing an authoritarian government in Germany.

Because Hindenburg and the leaders of the *Präsidialkabinette* perpetuated the ineffectiveness of the Parliament from March 1930 to January 1933 with constitutional authorities granted to the Reich President, the ability and opportunity for the democratic institution to reestablish itself was at a minimum. If opponents of the Weimar democracy in the Reich government like Hindenburg had not been so influential, the power of the Parliament may have been kept intact long enough for the economic crisis to pass and the radical parties to lose sway as many in the SPD hoped. Because Hindenburg and Schleicher established the *Präsidialkabinette* in order to siphon power away from the Parliament, a greater portion of the responsibility for the dismantling of the Weimar Republic falls to them.

B. Early Development

In January 1930 state secretary Otto Meißner recorded during a secretive meeting in the Reich Presidential Palace that a new form of government had been discussed with Reich

President Hindenburg which would be “anti-parliamentarian and anti-Marxist.”²⁷ Ministers would be appointed to positions within this so-called “Hindenburg Cabinet” by the new Reich Chancellor and the makeup of the Reichstag would not be taken into account. The new government which was to be formed without holding new Reich elections would consist of ministers whose party membership did not reflect the makeup of the Reichstag nor would the party faction leaders in the Reichstag be consulted prior to the Cabinet’s official inauguration.

Hindenburg and Schleicher intended for the ministers to come solely from conservative parties such as the Center and the German People’s Party or be nonpartisan individuals representing conservative elements of society such as big industry, the army elite and the former nobility who like Hindenburg and Schleicher held no allegiance to the democracy and had a common interest in ruling Germany without the contribution of the SPD.²⁸ For these ‘old elites’ the opportunity to take part in establishing an authoritarian regime through the consolidation of power in the *Präsidentialregierung* meant reestablishing their authority. These groups, however, had varying political, societal and economic agendas if such a government was to be formed. Over the next three years Hindenburg, Schleicher and the Reich Chancellor worked to convince the leaders of these elements of society to participate and support the *Präsidentialregierung* and thereby unite these groups.²⁹

Once in place, the new Chancellor and his Cabinet would handle the situation of the economic crisis as they saw fit. Schleicher and Hindenburg would direct the Chancellor to disregard the Reichstag and the political parties. In the event the Chancellor’s policies met with a veto or other attempts by the Parliament and political parties to negate his actions, then Hindenburg would grant the Chancellor the opportunity to announce an emergency decree and

²⁷ Kolb, *Die Weimarer Republik*, p. 126.

²⁸ Winkler, *Weimar, 1918-1933*. pp. 362f.

²⁹ Pyta, *Hindenburg*, pp. 9f.

dissolve the Reichstag. During the 60-day recess of the Reichstag until the new elections the Chancellor would be able to implement and carry out his plan. However, because he derived his authority from the Reich President, the Chancellor was to maintain the favor of Hindenburg and his advisor Schleicher or convince them that his projected course of action would yield appropriate results. Although the Reich Chancellor would be the foremost figure of the government, the greatest constitutional authority invested in the *Präsidialkabinette* and in effect the ultimate leadership in the government rested with the Reich President.

C. Brüning, March 1930 – May 1932

Hindenburg and Schleicher's decision to appoint Heinrich Brüning, formerly a prominent Center Party member, as the Reich Chancellor of the first *Präsidialkabinett* was made for both practical, strategic reasons as well as personal reasons. In order to garner the support and favor from more members of the Center Party for the *Präsidialkabinett* Hindenburg and Schleicher believed appointing a member of the Center Party to the chancellorship would secure them this and possibly an affirmative vote in the Reichstag on an Enabling Act which would allow the government to carry through radical reforms without the meddling of the parliament.³⁰ This strategy experienced limited success, but by and large appointing Brüning as Chancellor upset many in the Center Party because Brüning had recently lost favor in the Party. However, Hindenburg assured Brüning before his appointment to Chancellor that "he would not need the support of the political parties. [*Herr Brüning,*] *Sie haben mein Vertrauen.*"³¹ With this Hindenburg summarized the discussions of the previous months, that Brüning could rely on the presidential authorities should he need them to realize any of his policy plans.

³⁰ Ibid., p. 585.

³¹ von Hindenburg, Paul, *Hindenburg. Briefe Reden Berichte*. Ed. Fritz Endres. Ebenhausen 1934, p. 163.

The political parties still remained forces to be dealt with by the leaders of the *Präsidialkabinette* because Hindenburg and Schleicher intended to institute the new form of government legally and without causing a civil war. Brüning made it clear in his first speech before the Reichstag presenting his government that his Chancellorship would be “the last attempt by the government in conjunction with the Reichstag to find a solution for the dire economic situation.”³² Brüning promised that the new government “was prepared and in a position to implement all constitutional means to bring about the solution to the economic situation.”³² Simultaneously Brüning had been discussing with legal experts in his Cabinet meetings the extent to which he could constitutionally utilize the Articles 25 and 48 to work around the Reichstag to implement his policies. Ministerial Director Dorn responded to the Chancellor’s question regarding the utilization of Article 48 of the Reich Constitution thus:

[Man wird es], um den Rahmen der Verfassungsmäßigkeit des Vorgehens zu wahren, nicht zu einem Beschluß (sic) des Reichstags kommen lassen dürfen, nach der die Notverordnung aufzuheben ist. Die Auflösung wird der Beschlussfassung vorangehen müssen.³³

When Brüning first dissolved the Reichstag in July 1930 and subsequently enacted the first emergency decree as the Chancellor of a *Präsidialkabinett*, it was done with impunity because they could argue such measures were within the limits the Weimar constitution set for the government.

i. Brüning Opposite the Political Parties

As Chancellor of the first *Präsidialkabinett* Brüning was left with the burden of establishing the government’s credibility as well as addressing the highly volatile issue of the war reparations. In order to address both of these goals during the months of the first

³² Longerich, Peter ed., *Die Erste Republik. Dokumente zur Geschichte des Weimarer Staates*, Munich et. al. 1992, p. 420.

³³ Koops, Tilman, *Die Kabinette Brüning I u. II: 30. März 1930 bis 10. Oktober 1931 : 10. Oktober 1931 bis 1. Juni 1932*. Vol. 1, Boppard Am Rhein 1982, pp. 11ff.

Präsidialkabinett Brüning set out to convince the heads of the conservative political parties in the Reichstag like Hugenberg and Hitler to support the new government and his reparation policies. In addition to developing a plan to circumvent parliamentary power, Brüning, Hindenburg and Schleicher intended to convince the representatives of right-wing parties in the Reichstag to support an Enabling Act, or an amendment to the constitution, which would solidify the authority of the *Präsidialregierung* perpetually.³⁴ However, these ultra-conservative groups viewed the reparations as oppressive to Germany's sovereignty and opposed government for engaging in the conferences to arrange with the Allies the best means by which Germany could pay the reparations.³⁵ Although Brüning's ultimate intention was to absolve Germany of the reparations and it was a foreseeable possibility at the time³⁶ his colleagues in the DNVP and the NSDAP rejected him; his negotiations with these groups failed after a few weeks.

Because of this rejection from the conservative parties, Brüning was forced to rely more and more simply on the toleration of the Social Democratic Party in Parliament.³⁷ Beginning with his first Cabinet and extending into the tenure of his second, Brüning fell under extreme criticism from the radical right and left-wing parties like the NSDAP and the KPD. Although Brüning continued to placate the SPD throughout his Chancellorship, he enacted several further emergency decrees during his Chancellorship. When the Parliament was not dissolved it found itself essentially powerless to counteract Brüning and his Cabinet. From March 1930 to January 1933 the Reichstag held official sittings less than a third of the total possible days available to them, in effect allowing the *Präsidialkabinette* free reign at governing the country.³⁸ From the nominal support Hindenburg received in his reelection to the Reich presidency in February and

³⁴ Pyta, *Hindenburg*, p. 587.

³⁵ Kolb, *Die Weimarer Republik*, pp. 136ff.

³⁶ Pyta, *Hindenburg*, pp. 589ff.

³⁷ Mommsen, *The Rise and Fall of Weimar Democracy*, pp. 431-482.

³⁸ Evans, *The Coming of the Third Reich*, pp. 275f.

April 1932 from the SPD and the Center Party it is clear that Brüning's usefulness in the Chancellorship was best served by convincing the more moderate and democratically-minded parties that he and Reich President Hindenburg were a milder threat to German democracy than Hitler, DNVP candidate Hugenberg or KPD chairman Thälmann.³⁹

ii. Brüning Opposite Presidential Authority

This toleration by the democratic parties was adequate only temporarily for Schleicher and Hindenburg who had larger plans for the government through the *Präsidialkabinett*. In October 1931 when Brüning was forced by Hindenburg to reorganize his Cabinet to include more conservative members from right-wing political parties and big business it became clear that the power of government had shifted from the Chancellor to Reich President Hindenburg. Winkler makes the argument that after October 1931, rather than allowing the Reich Chancellor to rule through his authorities, Hindenburg decides to assert his authority as the head of the *Präsidialkabinett* more directly.⁴⁰ This second *Präsidialkabinett* under Brüning represented to Hindenburg and Schleicher a temporary solution to the reparations problem and was intended solely as a transitional period until a successor for Brüning could be determined. Rather than forego the chance to reelect Hindenburg in the elections of early 1932 and eliminate the reparations at the Lausanne Conference in late spring of the same year, both of which were only possible through Brüning's considerably moderate position in comparison to Schleicher's and Hindenburg's, Brüning was left as Reich Chancellor until Hindenburg and Schleicher had proper cause to let him go.

It is unclear whether or not Brüning began to change his allegiances and once again sympathize with the democracy; nonetheless, he began proposing more liberally-minded

³⁹ Pyta, *Hindenburg*, p. 580.

⁴⁰ Winkler, *Weimar, 1918-1933*, pp. 429ff.

economic programs which appealed to the Social Democrats while greatly upsetting his conservative-minded supporters, like Hindenburg's colleagues in the landed aristocracy or Schleicher's contacts in big business.⁴¹ Over time Brüning's close ties with the Social Democrats, his liberal economic policies and his growing disregard for the directives of Hindenburg and Schleicher led to his forced resignation. Brüning's "failure 100 meters before the goal" is a phrase which surrounds Brüning's legacy as the first Reich Chancellor of the *Präsidialkabinette*. This moniker marks the controversy as to whether Brüning was attempting to use his position to revitalize the democracy in the end or remained focused on the establishment of an authoritarian government and Hindenburg and Schleicher failed to let him achieve this goal.⁴²

D. Papen, June – November 1932

Papen's tenure at the head of the 3rd *Präsidialkabinett* qualifies as the one which most starkly disregards democratic principles in order to establish an authoritarian regime. By dismissing Brüning, Hindenburg and Schleicher intended to be able to negotiate with the leaders of the right-wing parties, from the NSDAP to the Center Party, in the hopes of reaching a compromise by which all parties would participate in the government as well as support an Enabling Act in the Reichstag so that the government could implement the radical changes to the constitution. After initial negotiations with these parties achieved nothing it was decided to dissolve the Reichstag and appoint a Chancellor like Brüning who would once again secure the Center Party's support for the *Präsidialkabinette*. Former Center Party member and retired Reichswehr colonel Franz von Papen emerged as the final candidate. Papen had connections with Schleicher and had expressed his support for the authoritarian style of government under

⁴¹ Kolb, *Die Weimarer Republik*, pp. 140f.

⁴² Winkler, *Weimar, 1918-1933*, pp. 471-476

Brüning.⁴³ Papen as Chancellor, however, went further in alienating the Center Party from the cause of the *Präsidialkabinette* and led to the government utilizing its authorities in a fashion which stretched the bounds of the Weimar constitution on its authority.

Once Hindenburg and Schleicher had shared with Papen that he would be granted use of the presidential authorities, Papen policies ushered in an era in which parliamentary authorities and democratic freedoms were by far the most oppressed in the three year history of the *Präsidialkabinette*. As his Innenminister, Freiherr Wilhelm von Gayl, had been advocating for nearly two years, Papen utilized the constitutional authorities of the Reich President to repeal several basic rights such as freedom of the press, assembly and speech for several left-wing organizations, which had been established in 1919 under the Weimar constitution.⁴⁴ During the summer of 1932 Papen and the other leaders of government were able to justify such measures before his skeptics because street violence had escalated to unparalleled heights. The guilt for causing the many riots which quite often resulted in injuries, destruction and death was placed upon the radical left-wing groups, above all the KPD.

According to Papen, the dissolution of the Prussian state government and his assumption of that state's leadership on July 20, 1932 with loose basis upon Article 48, known in German as the *Preußenschlag*, constituted the intervention of the Reich government to quell the political violence on the streets because the Prussian government had proved unable to do so on its own. The letter from the chair of the DNVP in the Prussian Landtag von Winterfeld to Papen on July 8th shows that Papen had a connection with the conservatives in placing the blame on left-wing radicals.

Sie [Herr Reichskanzler] haben am 6. Juni an den Präsidenten des Preußischen Landtages [Kerrl] einen Brief geschrieben, in dem Sie fordern, dass schnellstens in Preußen eine dem Volkswillen

⁴³ Pyta, *Hindenburg*, pp. 704f.

⁴⁴ Mommsen, *The Rise and Fall of Weimar Democracy*, p. 442.

entsprechende Regierung gebildet werden müsse, da Sie schwere Gefahren voraussahen, wenn nicht sofort eine ordnungsmäßige Regierung zustande käme. [...] Jetzt sind in Preußen Zustände eingetreten, die offenem Bürgerkrieg gleichen. [...] Die Ruhe und Ordnung und die Sicherheit der freien Wirtschaft sind dagegen auf das höchste gefährdet. [...] Greifen Sie im Interesse der Erhaltung des Staates und der freien Entwicklung der Wirtschaft in Preußen ein und lassen Sie es nicht zu, dass die Entscheidung über Deutschlands Schicksal auf der Straße im Bürgerkrieg fällt.⁴⁵

This essential invitation for Papen's intervention in the Prussian government with the semblance of attempting to restore order out of chaos meant that Papen now had a provable justification for the *Preußenschlag* and the suspension of civil rights. He required a solid justification for the overthrow of the Prussian government because his critics would question whether or not the Reich Constitution implied that the Reich Chancellor had such an authority.

However, the justification for the *Preußenschlag* was second priority to the leaders of the *Präsidialregierung*. Otto Braun and Prussia, considered the bastion of the Social Democratic Party, had since the beginning of the *Präsidialregierung* challenged the authority and the directives of the Reich government. The intent and plan to remove the SPD from power in Prussia were the first considerations when Schleicher, Papen and Hindenburg discussed the most opportune moment to enact their plan. Already in January 1930 when the concept of the *Präsidialkabinett* was first discussed, it had already been debated when precisely the reorganization of the Prussian government should take place.⁴⁶ Dissolving the Prussian government in July 1932, appointing Papen as acting governor of the state and holding new elections was intended to allow the arrangement of the Center and NSDAP to form a governing coalition which would then support the *Präsidialregierung*. That the judiciary in its ruling of the case brought by the former Prussian Prime Minister Otto Braun's trial against the Reich

⁴⁵ Minuth, Karl-Heinz, comp., *Kabinett von Papen*. Vol. 1. Boppard am Rhein 1989, pp. 192f.

⁴⁶ Mommsen, *The Rise and Fall of Weimar Democracy*, p. 283.

government failed to reproach Papen and Hindenburg allowed the *Präsidentialregierung* further free reign in undermining democratic freedoms and parliamentary powers.⁴⁷

After the parliamentary elections in late July 1932 the surge of the NSDAP's representation in the Reichstag left Hindenburg and Schleicher unable to convince the party leadership to participate in other ministerial roles besides the Chancellorship. Without the cooperation of the NSDAP Hindenburg and Schleicher were unsuccessful in securing a pro-*Präsidentialregierung* majority in the Reichstag to pass an Enabling Act, because both radical parties – the KPD and the NSDAP – commanded the majority. Hindenburg and Schleicher determined they had no other alternative but to remain with Papen and continue along the authoritative line which he had established. However, Schleicher at this time became dissatisfied and worried that the *Präsidentialkabinette* would never achieve what he had worked two and a half years to bring about with Papen as the figurehead.⁴⁸ By November 1932 Schleicher had undermined Papen's authority as Reich Chancellor to such an extent that when Papen faced a vote of no confidence during the first sitting of the newly elected Parliament, he was forced to dissolve the Reichstag and subsequently resigned when Schleicher was no longer willing to support him.

IV. Reich President Hindenburg

Throughout the three chancellorships which make up the period of the *Präsidentialregierung* the Reich President Paul von Hindenburg remained in office. Despite transitions in policy and direction which the Chancellors Brüning, Papen and Schleicher brought to the government of Weimar Germany, Hindenburg represents a constant that is central to the

⁴⁷ Pyta, *Hindenburg*, p. 740.

⁴⁸ Kolb, *Die Weimarer Republik*, pp. 140ff.

impact and the effectiveness of the *Präsidentalkabinette*. Hindenburg's political room to maneuver was to a certain degree subject to the machinations and the political maneuvers going on around him and he was a single member of the *Präsidentialregierung* with no constant supporters. Nonetheless his position was intrinsically linked with the establishment, development and characteristics of the *Präsidentalkabinette*. His role, which was not always apparent to the public eye at the time, represents a very significant facet of the *Präsidentialregierung*. Beginning with his directive for Brüning to reform his Cabinet in October 1931 Hindenburg exercised his authority over the functions of the *Präsidentalkabinette* progressively more and more until the end of the *Präsidentialregierung*.

Hindenburg did as much as possible through his constitutional authorities to attempt to act and exercise his power as an independent and influential agent driven only by his intentions and desires. Without his presence in the office of the Reich presidency in early 1930, the *Präsidentialregierung* may very well not have come to pass at all. The authority to appoint Chancellors rested solely with the Reich President of the Weimar Republic and over time he asserted his authority over his Chancellors in order to take on a more active role in everyday goings-on of the *Präsidentialregierung*. Hindenburg's intention with and development within the *Präsidentialregierung* have serious implications in dismantling the Weimar democracy. Because Hindenburg was an integral figure throughout the *Präsidentialregierung*, he carries a significant part of the responsibility for the *Präsidentalkabinette* vis-à-vis dismantling the Republic.

This section of the thesis attempts to account for the role of Paul von Hindenburg in the *Präsidentialregierung* as Reich President and to analyze how his involvement therein directly relates to the responsibility which the *Präsidentalkabinette* carry for suppressing Weimar democracy until the transfer of power to the NSDAP after January 30, 1933. The following

pages intend to answer such questions as: where does Hindenburg's conception for a sole governmental leadership embodied in a *Präsidentalkabinett* originate and why did he collaborate in consolidating governmental power in the *Präsidentalkabinette*? As these questions are discussed in this chapter, Hindenburg's responsibility for the development and expansion of the powers of the *Präsidentalregierung* should become clear.

E. The Grand Design for the *Präsidentalregierung*

As discussed in previous chapters, the inability of the political factions in the Reichstag to maintain an effective majority led to its paralysis as a law-passing, power-wielding entity in Weimar society. This presented the opportunity for the establishment of the *Präsidentalregierung*, which would siphon and consolidate power from the legislative branch and suppress the authorities of the Reichstag. Hindenburg saw in this radicalization of party factionalism beginning with the controversy over the Young Plan a flaw of the democratic system which deeply disturbed him.

Der parlamentarische Kampf um die Young-Gesetze ist mit deren Verkündung im Reichsgesetzblatt zu Ende; damit muss nun auch im deutschen Volke der Streit um diese Frage beendet sein, der so viel neue Gegensätze hervorgerufen und die von mir von jeher so schmerzlich empfundene Zerrissenheit in unserem schwer geprüften Vaterlande stark erweitert hat.⁴⁹

Witnessing the chaos which took hold of Germany after World War I and the inability of the democratic leaders to solve the economic and political problems associated with the chaos distressed Hindenburg and he desired to have the opportunity to rectify the problem himself.

While the Parliament was lamed by party factionalism, Hindenburg saw the opportunity to establish a new form of authoritarian government through a process of German unification which had begun in 1871 and since 1918 had in his opinion been temporarily suspended with the founding of the Weimar Republic. Hindenburg like many old, conservative elites in Germany

⁴⁹ Hindenburg, *Briefe Reden Berichte*, p. 160.

believed that democracy was incompatible with the German tradition of government. After 1919 many of these old elites held to the belief that Weimar democracy could only persist until a government corresponding with the traditions of the perceived German prestige could be established.⁵⁰ The authoritarian system of government conformed to this tradition and would be most advantageous for himself and his allies in the old elite. Hence Hindenburg helped develop the concept of the *Präsidentialregierung* which would unite a majority of governmental power.

i. National Unity

Hindenburg's idea of a unified Germany was not simply a geo-political unification of Germany but a psychologically uniting bond between Germans in the interest of establishing Germany as a world power.

Ich richte an alle deutsche Männer und Frauen die ernste Mahnung, sich ihrer Pflichten gegenüber dem Vaterlande und der Zukunft der Nation bewusst zu sein und sich nun endlich unter Überwindung des Trennenden und Gegensätzlichen zusammenzufinden in gemeinsamen Wirken für unsere Zukunft, in der es wieder ein freies, gesundes und starkes deutsches Volk geben soll. Die politischen Auseinandersetzungen und Kämpfe der letzten Monate müssen nunmehr einer entschlossenen praktischen Arbeit Platz machen, welche die Gesundung unserer Finanzen, die Belebung unserer gesamten Wirtschaft und nicht zuletzt die Linderung der schweren Lage der deutschen Landwirtschaft und die Wiederherstellung ihrer Rentabilität zum Ziele haben muss.⁵¹

In Hindenburg's opinion this idea of German national unity was incompatible with Weimar democracy because the proliferation of political parties had fractionalized the German people. This was especially true after the onset of the Great Depression and the breaking away of numerous splinter parties from formerly large parties. Hindenburg's belief was that through this unification of the German *Volk*, the establishment of a conservative and authoritarian government would be supported by the German people because such a government could restore Germany's greatness.

⁵⁰ Mommsen, *The Rise and Fall of Weimar Democracy*, p. vii.

⁵¹ Hindenburg, *Briefe Reden Berichte*, p. 160.

In his book *Germans into Nazis* Peter Fritzsche explains how this concept of and desire for German unification emerged. In late July and early August 1914 thousands of Germans rushed into the city streets upon hearing the news that their nation had declared war. In what came to be known as the *Augusterlebnis*, the feeling of euphoria which spread among many of the eyewitnesses and became apparent in several raucous celebrations represented the highpoint of what Bismarck had begun in 1871 by establishing the German Reich out of numerous German states. The atmosphere of national pride, unity and superiority which permeated many levels of German society in those first weeks of World War I was accompanied by a perceived willingness of Germans to work together to achieve a common goal. This common goal had been generated by the propaganda and false information surrounding the common enemies of Russia, France and later Great Britain; these nations who encircled Germany “threatened her very existence.”⁵²

Because the government had disseminated the notion during the first few weeks of the war that Germany’s sovereignty had been abused by the Entente, a common desire arose amongst Germans to collectively strive towards victory over its enemies. A result of this popular desire among Germans to wage war against the supposed instigators of the conflict was evident in the political alliance known as the *Burgfrieden* between conservatives and the Social Democrats in the government and the Reichstag. Social Democrats agreed to support the financing of the war and in return Emperor Wilhelm ensured the removal of the voting system based on income and the institution of a popular vote among other democratic reforms. Agreements were also set in place to ensure greater collaboration between labor unions and management. These policies were designed principally by Wilhelm and his government to ensure a cooperative citizenry which would be most beneficial to waging war.

⁵² Fritzsche, Peter. *Germans into Nazis*. Cambridge, Mass. 1998, pp. 3-9.

During the era of the Weimar Republic a wide range of conservative minded to politically moderate Germans shared this notion that a revival of widespread feelings of nationalism and unity was possible. Among nationalistic and patriotic circles in German society in the 1920s, the *Augustmythos* represented an era in which Germany's prestige through the mobilization and unity of its population was at its highest and the rare opportunity had presented itself to solidify this unification and Germany's status as a world power. By the war's conclusion this feeling of national unity had disappeared. Many Germans had become ideologically and physically weary after the first several months of the war, losing the spirit characteristic of the *Augusterlebnis*. Hindenburg and many of his colleagues, who had experienced the *Augusterlebnis* and the *Burgfrieden* as the ideal, had tenaciously awaited the moment, like the economic crisis after 1930 presented, when the German *Volk* could once be "unified" in order that a stronger, more effective government could once again assume power. In his campaign speech for reelection in 1932 Hindenburg expressed this desire most clearly:

Das große Ziel können wir aber nur erreichen, wenn wir uns zu einer wahren Volksgemeinschaft zusammenfinden. Ich kann nicht glauben, dass Deutschland im inneren Haber und im Bürgerkrieg versinken soll, wo es gilt, im Ringen um die Freiheit und Geltung der deutschen Nation zusammenzustehen. Ich erinnere an den Geist von 1914 und an die Frontgesinnung, die nach dem Manne fragte und nicht nach dem Stand und der Partei.⁵³

Born in 1847 into a family of East Elbian aristocracy, Hindenburg experienced Bismarck's unification of Germany in the early 1870s as a maturing Prussian military officer. He was inspired by the charisma and political finesse of Bismarck, an East Elbian Junker, and he aspired to similar greatness and service to his country. As World War I began and he witnessed the *Augusterlebnis*, Hindenburg recognized this opportunity to fulfill the legacy for the German nation which Bismarck had begun. Hindenburg understood himself in the tradition of Bismarck

⁵³ Hindenburg, *Briefe Reden Berichte*, p. 178.

responsible for guiding the German nation to the realization of its destiny.⁵⁴ Hence, Hindenburg returned from retirement in 1914 as hostilities were declared. In the final two years of the war at the head of the 3rd *Oberste Heeresleitung*, Hindenburg displayed his affinity for powerful government in subordinating all aspects of German industry and society under the control of the military in an attempt to salvage a victory for Germany.

Hindenburg, like many of his compatriots at the end of the war, convinced himself and others that Germany had been betrayed by elements within its society rather than having lost because the generality failed to execute a superior military strategy. Rather than having failed at his responsibility Hindenburg claimed his efforts had been counteracted by the democrats and communists. Over the ensuing years, he held firm to the belief that all those true Germans who had not betrayed their Fatherland during the First World War were still anxiously awaiting the moment in history when they could overcome the factionalized parliamentary system and return to unification. Hindenburg likened his leadership and guidance of Germany during the chaotic years of 1930-1933 to his leadership at Tannenberg in his radio speech on December 31, 1931.

Auch heute rufe ich abermals in ernster Zeit und zwar ganz Deutschland auf zu gleicher treuer, schicksalsverbundener Einigkeit. Lassen Sie uns Hand in Hand unverzagt der Zukunft mit ihren sorgenschweren Entscheidungen entgegengehen. Möge keiner dem Kleinmut unterliegen, sondern jeder unerschütterlichen Glauben an des Vaterlandes Zukunft erhalten. Gott hat Deutschland schon oft aus tiefer Not errettet; er wird uns auch jetzt nicht verlassen!⁵⁵

Upon his election to the Reich presidency Hindenburg understood that the German people valued him as a charismatic and able leader because of his service during World War I. He believed they had elected him Reich President in order to reestablish German authority abroad which could only be accomplished through German unity like at the beginning of World War I. As is evident in his Easter Message on April 11, 1925, Hindenburg could at first only ask

⁵⁴ Pyta, *Hindenburg*, pp. 711f.

⁵⁵ Hindenburg, *Briefe Reden Berichte*. pp. 174f.

for Germans to overlook their differences in political ideology and concentrate on the common good for Germany.

Ich reiche jedem Deutschen die Hand, der national denkt, die Würde des deutschen Namens nach innen und außen wahrt und den konfessionellen und sozialen Frieden will, und bitte ihn: Hilf auch Du mit zur Auferstehung unseres Vaterlandes.⁵⁶

The language Hindenburg uses here implies that he was not willing to suddenly and forcefully establish an authoritarian regime, but instead attempted to instill images of German prestige amongst patriotic Germans in order to revive the popular feeling of unity. During the first five years of his tenure as Reich President Hindenburg would have faced strong objections from the Parliament if he attempted to establish the government he and his colleagues were planning.

With the onset of the parliamentary crisis in 1930 Hindenburg began to take matters into his own hands and attempted to unify Germany behind a powerful government. That parliamentary politics in the Reichstag were at a standstill meant that the system had ultimately failed as Hindenburg and his colleagues had hoped. Hindenburg was no longer encumbered by legislative checks on his authority and he now had the ability to establish the *Präsidentialregierung*. This system of government would circumvent and suppress the power of the legislative coordinating the resources and power from industry, agriculture, trade and labor unions behind it in order to restore German superiority.⁵⁷ As the government became more powerful and was successful in solving the economic crisis, the German people's support of authoritarian government would increase. The difficult economic times meant that the government needed to justify itself as a capable entity in order for Germans to express their support of an authoritarian government.⁵⁸ By proving that a government could put an end to party factionalism and restore Germany's prestige and honor as a world power, Hindenburg hoped to ideologically lay the

⁵⁶ Ibid., p. 143.

⁵⁷ Ibid., pp. 172-3.

⁵⁸ Ibid.

foundation amongst the German people for a governmental system which deviated from the Weimar democratic system.

ii. The ‘Nationalist Forces’

This government was to be known according to Hindenburg’s turn of phrase as the ‘Government of National Unity.’ Hindenburg’s intent with the first *Präsidialkabinett* under Brüning was to gauge the response of the German people regarding the effectiveness of the Chancellor and his Cabinet. From 1930 onward as the Chancellors dealt with the economic problems assailing Germany, Hindenburg was assessing the progression of the German *Volk* towards national unity which he believed correlated with the success of the Chancellor’s policies. Once a *Präsidialkabinett* proved to be legitimately accepted or supported by the German people and Hindenburg, then it garnered the title ‘Government of National Unity.’⁵⁹ Thus the changes and alterations of the Chancellors and their Cabinets starting in October 1931 and finally on January 30, 1933 were attempts by Hindenburg at finding the right Cabinet. Hindenburg believed to have found that with the Cabinet headed by Hitler, Hugenberg and Papen on January 30, 1933.

The elements of German society which constituted loyal nationalist Germans and would support the authoritarian government did not include every German according to Hindenburg’s belief. Many Social Democrats principally in the left wing of the party, the former Minority Social Democrats, were deemed as unwilling participants and excluded from the conversations regarding how Germany would appear unified. The Minority Social Democrats were suspected of undermining the previous attempt to establish the national unity at the end of World War I. Hindenburg excluded the Communist Party (KPD) from supporting the government. He

⁵⁹ Pyta, *Hindenburg*, p. 629.

believed they lacked German patriotism because of their adherence to the directives of an international and foreign entity – the Comintern. Hindenburg did not trust the KPD above all because he attributed to them the guilt for the failure of Germany’s first attempt to establish German superiority during World War I.⁶⁰

Groups which Hindenburg believed would support the *Präsidentialregierung* included those moderate Social Democrats whose devotion to the German state was believed still to be intact. Until the *Preußenschlag* in July 1932, Hindenburg believed that moderate to conservative elements of the Social Democratic Party such as Prime Minister of Prussia Otto Braun could be convinced to support his government. Hindenburg would occasionally invite the SPD to participate in conversations to discuss the government of national concentration. However, as seen most distinctly during Brüning’s tenure, the SPD was generally content to simply tolerate Hindenburg’s means for establishing an authoritarian style government and was not convinced by his overtures to work together with the conservatives to make Germany more powerful. Otto Braun instead appealed to the reason of the German people and believed that would prevail over the designs of Hindenburg to establish a more powerful Reich government.⁶¹

A majority of the members of the moderate Center Party were deemed acceptable to include despite similar suspicion that they had taken part in undermining Germany’s efforts to win the First World War. Hindenburg believed that many in this moderate, Catholic party were very patriotic and would support the *Präsidentialregierung* if its leaders participated in restoring Germany’s prestige. As Winkler puts it, organizations like the Center party had to “defend themselves against the charge that they had failed to provide for their constituencies” and although they may have previously been loyal to the republican form of government began in

⁶⁰ Ibid., p. 709.

⁶¹ Winkler, *Weimar, 1918-1933*, p. 392.

1930 to “consider ways of limiting the sovereignty of parliament and strengthening the authority of the Reich president.”⁶² As in the case of Chancellor Heinrich Brüning, Hindenburg had confidence that certain men of the Center Party would be leaders in reestablishing Germany’s superiority and in effect crucial to the formation of the ‘Government of National Unity.’ Many of the several other splinter conservative parties were also considered loyal to Hindenburg and his self-appointed assignment.⁶³

Hindenburg also sought the inclusion of several other groups within German society at the time not directly connected to parliamentary politics but nonetheless extremely influential and vital to the cause of national unity. Such groups represented the interests of large industry and agriculture, the nobility and the *Reichswehr*. As a whole these elements of Hindenburg’s supporters were known as the ‘nationalist forces’ or ‘powers.’ Schildt in his study on the *Querfront* conception presents his research as to how *Reichswehr* General Kurt von Schleicher was influential in developing and implementing a solution to bring these ‘national forces’ with very different interests and agendas into a cohesive front that would support the *Präsidialregierung*.⁶⁴ Schleicher’s politicking with these groups was in effect crucial to Hindenburg’s plan of reviving German unification behind an authoritarian government.

However, the transitions from Chancellor to Chancellor and the repeatedly unsuccessful negotiations between Hindenburg, Schleicher and the representatives of the ‘national forces’ made it a difficult process for Hindenburg to establish the ‘Government of National Unity.’ Count von Westarp of the DNVP had in 1930 pledged his allegiance to Hindenburg; however, Alfred von Hugenberg had aspirations of ascending to the chancellorship and upon Hindenburg’s

⁶² Mommsen, *The Rise and Fall of Weimar Democracy*, pp. 302ff.

⁶³ Ibid.

⁶⁴ Schildt, Axel. *Militärdiktatur mit Massenbasis? Die Querfrontkonzeption der Reichswehrführung um General von Schleicher am Ende der Weimarer Republik*. Frankfurt/Main 1981, p. 7-19.

initial refusals Hugenberg functioned as the ‘nationalist Opposition.’ Hitler likewise had ambitions for the chancellorship; however, Hindenburg viewed Hitler early in 1930 as unprepared for leadership of the ‘Government of National Unity’ and his movement loyal rather to Hitler rather than Germany.⁶⁵

The formation of the Harzburger Front between the NSDAP and the DNVP in late 1931 against Brüning’s Cabinet was a major setback in trying to solidify the support of the right-wing parties for an authoritarian government. The inability of Hindenburg and his colleagues to arrange a compromise with all of ‘nationalist forces’ because of the party leaders’ personal ambitions and divided interests implied that all conservatives did not support Hindenburg’s leadership of an authoritarian government. This frustrated Hindenburg because the very same factionalism present in the entity which he was affecting to dissolve arose amongst the very elements he had believed would be the harbingers of German unification and the leaders in the authoritarian government.

iii. Hindenburg’s Boundaries

As a Prussian military officer who had sworn an oath of allegiance to the German state, Hindenburg felt morally bound to certain notions of order and tradition; accordingly, he would not arbitrarily disrupt the democratic order. Although he was not loyal to the parliamentary system, he would not implement violence to remove the democracy. If he intended to achieve the ‘Government of National Unity’ Hindenburg had to approach it gradually. Otherwise he would have to deal with consequences to which he was not willing to subject either himself or Germany. Hindenburg was aware that many Germans in 1925 respected the Weimar democracy because of the relative stability Germany was experiencing; thus he could not immediately

⁶⁵ Pyta, *Hindenburg*, pp. 635ff.

counteract it. The laming of the Reichstag through party fractionalization in 1929 was important because it would allow him to wield his authorities and press the bounds of the Weimar constitution set upon him without immediate fear of reprisal. Popular opinion had shifted away from in favor of the Parliament and parliamentary opposition would be ineffective because he could utilize his constitutional authorities to overturn their vetoes and enact emergency decrees.

When he instituted the *Präsidentialregierung* Hindenburg recognized that the power and influence of political parties were for the moment too strong to dissolve the parliamentary system outright. Such groups still held sway over the hearts and minds of German people Hindenburg hoped would support an authoritarian government. If he abruptly altered the governmental system, the KPD could easily convince the German people to revolt. One of Hindenburg's fears was plunging Germany into another violent civil war, which he believed he would instigate if the 'Government of National Unity' did not come into existence gradually. Hindenburg also believed that the German people needed to realize that the historical moment was ripe again for another *Augusterlebnis* and the restoration of German prestige.

Ich begann und führte mein Amt in dem Bewusstsein, dass in der inneren und äußeren Politik eine entsagungsvolle Vorbereitungszeit notwendig war. Von der Osterbotschaft des Jahres 1925 an, in der ich die Nation zu Gottesfurcht und sozialer Gerechtigkeit, zu innerem Frieden und zu politischer Sauberkeit aufrief, bin ich nicht müde geworden, die innere Einheit des Volkes und die Selbstbesinnung auf seine besten Eigenschaften zu fördern. Dabei war mir bewusst, dass das Staatsgrundgesetz und die Regierungsform, welche die Nation sich in der Stunde großer Not und inneren Schwäche gegeben, nicht den wahren Bedürfnissen und Eigenschaften unseres Volkes entspreche. Die Stunde musste reifen, wo diese Erkenntnis Allgemeingut wurde.⁶⁶

At that moment the influence of those negating Hindenburg's efforts would be overwhelmed and the fears of civil unrest would be eliminated.

Another of Hindenburg's greatest fears was that he would damage his well-established reputation during this very critical era in which one false move could instigate civil strife.

Dating back to before World War I Hindenburg had been gaining charismatic and political

⁶⁶ Hindenburg, *Briefe Reden Berichte*, pp. 190f.

capital in order to one day establish himself as the successor to Bismarck's tradition. This he could not squander. If Hindenburg overstepped these essentially already dissolved bounds of the Weimar democratic system it would nonetheless appear as if Hindenburg had breached his oath to the State of Germany and proved himself unworthy to lead the authoritarian government he was striving for. Hence it was an ideal solution in his mind if the elements of the 'national forces' still present in the Reichstag would pass an Enabling Act justifying subsequent measures to establish the 'Government of National Unity' for the entire German nation.⁶⁷

B. Directing the *Präsidentalregierung*

As Reich President at the very moment in history when a revival of German sovereignty in the world seemed possible, Hindenburg understood it as his responsibility to lead and direct the establishment of the authoritarian government. The 'Government of National Unity' was his conception and Hindenburg planned to see it through to its inception or until an appropriate successor to his and Bismarck's legacy could be found to replace him. In the waning months of 1931, Hindenburg's first term as Reich President was coming to a close. He entertained the idea that if the 'Government of National Unity' could be formed and this successor was found and convinced to succeed Hindenburg then his guidance of the transition from the Weimar parliamentary system would have been completed.

As an 85-year old Hindenburg was weary after his many years of service to his country and wished that the younger generation would take up the cause for which he had so long served – the unification of Germany and the solidification of its rightful place as a world power.⁶⁸ Brüning convinced Hindenburg, however, to allow him to campaign for him in the upcoming Reich President elections. After Hindenburg emerged the winner in the run-off election,

⁶⁷ Pyta, *Hindenburg*, pp. 586f.

⁶⁸ *Ibid.*, pp. 610f.

Hindenburg's leadership role in the *Präsidentialregierung* was renewed and ensured until he had accomplished what he had set out to do in early 1930. Once the authority of the *Präsidentialregierung* was established and the German people united behind it, Hindenburg would retire from political life.⁶⁹ Excepting this period in which a potential break from Hindenburg's leadership of the *Präsidentialregierung* was possible Hindenburg exercised his authorities and wielded his political capital as he saw fit.

i. The Politician-General

Hindenburg believed his charismatic appeal as a former general and national hero in addition to his office as Reich President would attract the deference from his colleagues involved in the *Präsidentialregierung* who were going to assist him in establishing an authoritarian regime. The impartiality of the Reich presidency and its leadership role in the Weimar system granted Hindenburg the authority to establish this new system and the ability to inspire German society to ideologically unify. Hindenburg argued that the impartiality of his position allowed him to neglect the parliamentary system and utilize his constitutional authorities to make the Parliament no longer function. Rather than believing the nationalist forces were simply appealing for Hindenburg's attention because they needed to in order to convince him to allot them a larger part of the power to be had in the 'Government of National Unity,' Hindenburg hoped that the national forces showed him respect because Hindenburg deserved it. In his campaign speech on March 10, 1932, Hindenburg makes it appear as if he waited to announce his candidacy until it appeared to him that broad sections of the German population wanted him as Reich President.

Die ersten Ersuchen an mich, wieder zu kandidieren, gingen von Gruppen der Rechten aus. Diesem Vorgehen schlossen sich andere Parteien und Verbände an. Ich selbst habe meine Zustimmung zu meiner Kandidatur erst dann gegeben, nachdem ich mich überzeugt hatte, dass –

⁶⁹ Ibid., pp. 589ff.

unbeschadet der Parteizugehörigkeit im einzelnen – in ganz Deutschland weite Schichten den Wunsch haben, dass ich weiter in meinem amte bleibe.⁷⁰

He then proceeds to rebuke the critics of his policy-making stating that he handled in a way he thought in the best interest of the entire German *Volk*. In reality Hindenburg must have been willing to accept a balance of honest deference and opportunism on the part of the ‘nationalist forces.’

The Prussian military tradition still strongly influenced Hindenburg and he viewed himself even as the Reich President – a civilian position – as the general directing orders to his subordinates. Hence he believed that the Chancellors he was to appoint must likewise have military experience as officers ensuring a mutual understanding that Hindenburg had begun the process of unification with a chain of command in place and Hindenburg as the commander in chief. Brüning and Papen, retired lieutenant and colonel respectively, and Schleicher, a major general serving in the Reichswehr Ministry and later as Minister, were then well suited to assist General Hindenburg in his assignment to revive national unity because they had previously served under him in a similar capacity – fighting Germany’s foreign enemies in World War I.

ii. Dependence upon the Authorities of the Reich President

Alongside the deference and obligation often expressed towards Hindenburg as the designer of the process leading towards national unification, Reich Chancellors had to rely upon Hindenburg’s constitutionally granted authorities if they hoped to pass their reforms or decrees. If Hindenburg chose not to grant a Chancellor the use of Article 48 to dissolve the Reichstag or enact an emergency decree, that Chancellor’s policy was stymied when the Reichstag voted against it. Hindenburg had no apprehension to withhold from Chancellors the ability to utilize his constitutional authorities in instances in which he felt the Reich Chancellor was deviating

⁷⁰ Hindenburg, *Briefe Reden Berichte*, pp. 176f.

from the agreed upon course towards national unification or if Hindenburg had lost faith that a particular Chancellor was developing into the leader of the ‘Government of National Unity.’

Hindenburg must have himself been aware of the fact that many of his colleagues in the *Präsidentialregierung* respected him because of their dependence upon his constitutional authorities. General Schleicher’s maneuvering to remove Chancellor Papen from office, which left only himself to succeed him, was obvious to Hindenburg and he was very displeased. Hindenburg responded to Schleicher by denying him all access to the presidential authorities, because Hindenburg was absolutely certain Schleicher was now incompatible in the ‘Government of National Unity.’⁷¹ As the example of Schleicher’s Cabinet shows, although a Chancellor could work against the intentions of Hindenburg in his policy-making, ultimately the success of the *Präsidentialregierung* rested on how Hindenburg granted and used his constitutional authorities.

iii. Hindenburg’s Assignments to his Chancellors

A main component of rebuilding Germany’s prestige was repealing some of the articles in the Treaty of Versailles, namely annulling the heavy war reparations Germany was expected to pay and diplomatically negotiating for the approval to expand the Germany military. As the economic situation within Germany worsened from 1930 to 1932 Hindenburg permitted himself to postpone the direct efforts to rebuild Germany’s military and instead focus upon the economic factors ailing Germany’s people – above all the high rate of unemployment. Hindenburg recognized that a dissatisfied and upset German society was not conducive to convincing the

⁷¹ Pyta, *Hindenburg*, pp. 765f.

German people that his government and his strides towards national unity were in the best interests of the nation.⁷²

As Brüning entered office in March 1930, Hindenburg's main concern was handling the issue of war reparations because it had been in fact the very matter at hand in the Reichstag which had led to the impasse of parliamentary politics. Brüning was markedly successful in achieving first Hoover's Moratorium of reparation payments and. However, in his design to make Germany appear so financially weak that paying the reparations was impossible, Brüning had severely neglected domestic policy and Germany continued to suffer. Despite aggravated calls from Hindenburg's confidants and advisors to release Brüning from October 1931 through April 1932 Hindenburg found himself unable to do so until Brüning finally in early 1932 at the Lausanne Conference secured the complete annulment of all reparations. Once this had been achieved and Brüning turned his policy-making toward domestic reforms, Hindenburg's ire began to increase with Brüning's refusals to adopt a platform of domestic reforms corresponding with Hindenburg's wishes. When Brüning intended to redistribute some of the land formerly belonging to East Elbian nobility, Hindenburg found "his expectations of Brüning as Chancellor disappointed" and released him.⁷³

As previously discussed in Chapter Three, Papen's Cabinet was originally intended as a transitional government in the event the NSDAP and DNVP could finally be convinced to join in the 'Government of National Unity.' As these efforts ultimately failed with the newfound confidence of Hitler and the NSDAP after the summer Reichstag elections Hindenburg realized he was forced to remain with Papen and Papen wholeheartedly accepted the task which Hindenburg placed before him – the combating of the rising unemployment rate. When the

⁷² Ibid., pp. 638f.

⁷³ Kolb, *Die Weimarer Republik*, p.141.

Reichstag was once again dissolved in the fall of 1932 and Papen was unable to negotiate the support of the deputies representing the ‘nationalist forces’ in the Reichstag for an Enabling Act to amend the Reich constitution, the moment Schleicher had been waiting for arrived. Schleicher was able to mastermind Papen’s demise by undermining his political standing amongst the members of the *Präsidialregierung*.⁷⁴ Schleicher removed all basis for Papen’s governmental plans and the reforming of his Cabinet. This led Papen to suggest to Hindenburg in his last Cabinet meeting that Schleicher be appointed Chancellor and assigned the formation of a new *Präsidialkabinett*.⁷⁵

Hindenburg entrusted Schleicher with no other assignment than to attempt to unite the ‘Government of National Unity.’ Hindenburg by this time had absolutely no inclination Schleicher could achieve and was in no way willing to support his efforts. Hindenburg on the other hand never withdrew his trust in Papen after his resignation and hence the latter was willing to further act as Hindenburg’s agent organizing the settlement amongst the remaining nationalist forces to finally form the ‘Government of National Unity.’⁷⁶ Given its importance for the rise of Hitler to the Chancellorship, this stage in the dissolution of the Weimar Republic, however, deserves to be examined in an individual section.

V. The Final Months of the *Präsidialregierung*

Schleicher’s Chancellorship marked the final period in the era of the *Präsidialregierung*. Schleicher’s chancellorship differed greatly from the previous three because the policy-making authority did not rest with Schleicher but with Hindenburg. From the outset of Schleicher’s tenure, Hindenburg essentially rejected the Reich Chancellor. Hindenburg asserted himself

⁷⁴ Kolb, *Die Weimarer Republik*, pp. 146f.

⁷⁵ Minuth, Karl-Heinz, comp., *Kabinett von Papen*. Vol. 2. Boppard am Rhein 1989, pp. 1035f.

⁷⁶ Pyta, *Hindenburg*, pp. 779f.

directly as the head of the *Präsidentialregierung* and entrusted no effective power to Schleicher. Although Schleicher was Chancellor, Hindenburg denied him utilization of the presidential authorities. Hindenburg nonetheless assigned Schleicher to negotiate with the national opposition to secure their support of the government. In the last phase of the *Präsidentialregierung* the Chancellor was not directing the efforts towards securing the authoritarian power in the government. The final Cabinet of the *Präsidentialregierung* was not a concerted effort between the Reich President and the Chancellor to establish the authoritarian. Instead Schleicher and Hindenburg were divided and both were directing their own intrigues.

This new form of tension between the Reich President and Chancellor resulted in the final shift of effectual, policy-making authority from the Chancellorship to the Presidency. Legitimate, effective power still resided with Hindenburg because he still held onto his constitutional authorities. The proponents of the democracy remained fractionalized and still did not counteract the authority of the *Präsidentialregierung*. Because of this schism between him and the Reich Chancellor Hindenburg was willing to quickly appoint a new Chancellor. Because Papen was not a member of the *Präsidentialkabinett* he was able to more effectively negotiate with the leaders of the national opposition who wanted inclusion in the next Cabinet. The end result of Papen and Hindenburg's negotiations with the national opposition, Hitler's appointment to the Chancellorship, however, marked the end of the *Präsidentialregierung* and its attempt to establish an authoritarian government in Germany.

A. Schleicher's Chancellorship

Although Schleicher had until late November 1932 been integral in garnering the support of conservative leaning interest groups within Germany for the *Präsidentialkabinette* and the desired 'Government of National Unity,' Hindenburg felt that his authority had been undermined

by Schleicher, whom Hindenburg viewed as a subordinate.⁷⁷ Schleicher had in effect maneuvered his way into the Chancellorship by leaving Hindenburg with no other alternative when he removed all political support from Papen. This dealt a serious blow to Schleicher's standing with Hindenburg. Hindenburg who viewed himself as the supreme leader of the *Präsidentialregierung* had been backed into a corner by an inferior. Hindenburg had been forced against his will to nominate Schleicher as chancellor even though he no longer believed the latter could bring about the 'Government of National Unity' which would officially mark the beginning of the government's authoritarian rule.

After Papen had been defaced in the first session of the newly elected Reichstag on November 8 with a vote of no confidence, Hindenburg had Papen resign his Cabinet but remain in office to handle business matters while he arranged for Hitler to participate in a new *Präsidentialkabinett*.⁷⁸ After the November 1932 elections Hindenburg, Papen and Schleicher aimed to secure a parliamentary majority with the NSDAP by offering Hitler the Chancellorship. Subsequently the parties in support of the authoritarian rule of the *Präsidentialregierung* would pass an Enabling Act allowing the government to solidify its hold on power.⁷⁹ However, for two weeks Hitler was unwilling to compromise and Papen held the Chancellorship unofficially. As an independent who worked to secure the support of the German workers and the unions, several political parties, interest groups and the *Reichswehr* Schleicher believed he could as the self-proclaimed "*sozialer General*" lead a government popular with the people and continue to

⁷⁷ Ibid, p. 769.

⁷⁸ Mommsen, *The Rise and Fall of Weimar Democracy*, pp. 485f.

⁷⁹ Bracher, *Die Auflösung der Weimarer Republik*, pp. 662-668.

perpetuate the power of the *Präsidentialregierung*.⁸⁰ Schleicher forced his annunciation to the Chancellorship on December 2.

In contrast to the previous two chancellors, Hindenburg on the one hand, left Schleicher completely independent in the sense that Schleicher operated under his own authority as Reich Chancellor, on the other hand, Hindenburg would not allow Schleicher the use of the constitutional authorities of the Reich President. Although Schleicher could not utilize the presidential powers, as Reich Chancellor he still held a position in government which allowed him to negotiate with political parties and interest groups in order to bring about his policies. Despite the vote of no confidence against Papen's leadership during the first sitting of the Reichstag elected in November 1932 which marked the end of Papen's tenure as Chancellor, Schleicher was able to establish a tolerating majority in the Reichstag like Brüning before him.⁸¹ Partyless and an active Reichswehr General Schleicher had over the three year history of the *Präsidentialkabinette* established his own connections throughout the right wing and Center parties which would support him at least for a limited time while he attempted to arrange a parliamentary majority which would vote for an Enabling Act. The support he had been making efforts to gain over the previous year amongst the various socioeconomic groups like workers' unions, military and owners of heavy industry as part of his *Querfront* conception also provided Schleicher with some degree of maneuverability in wielding power.⁸²

Despite this Schleicher remained unable to solidify his role at the head of an authoritarian government nor was he able to pass any bills through the Reichstag to implement economic change. The DNVP had rejected Schleicher's Cabinet for allegedly neglecting the economic

⁸⁰ Strenge, Irene, *Kurt von Schleicher: Politik im Reichswehrministerium am Ende der Weimarer Republik*, Berlin 2006, pp. 200-208.

⁸¹ Bracher, *Die Auflösung der Weimarer Republik*, p. 680f.

⁸² Schildt, *Militärdiktatur mit Massenbasis?* pp. 150-158.

problems as they worsened in December and January. They called for a reforming of the Cabinet similar to that of Papen's.⁸³ Because Papen remained in the good graces of Hindenburg he was able to convince Hindenburg that he could bring about a compromise with Hitler and Hugenberg which would see the realization of Hindenburg's political dream – the 'Government of National Unity.' While Papen was to go about this in secret Hindenburg nonetheless assigned the Reich Chancellor with the same project of bringing about unity in the 'national forces.' When Schleicher met with Hindenburg in early January informing him that he was unable to secure the support for the authoritarian rule of the *Präsidiialregierung*, Hindenburg refused to dissolve the Reichstag as Schleicher proposed. Because Hindenburg and Papen were preparing for a successor Cabinet to Schleicher's, Schleicher could be let go without great disturbance.⁸⁴

B. Hindenburg and Papen Negotiate for the 'Government of National Unity'

These final two months of the *Präsidiialkabinette* constitute a critical phase in the process towards establishing a totalitarian government in Germany. Since the inception of the *Präsidiialkabinette* with the annunciation of Brüning as chancellor in 1930 the democracy had been effectively marginalized and the significant "legitimate" power holders in Germany were Hindenburg and the Chancellor. In early December 1932 the process which Hindenburg had begun in early 1930 in order to eliminate the authority of Parliament and establish a more powerful government so that Germany could overcome the economic and social crisis was coming to an end. Once Hitler was ready to compromise with Papen and Hindenburg the opportunity to revive the democracy in Germany which many SPD members and other proponents of the democracy had hoped for was lost.

⁸³ Golecki, Anton, comp., *Kabinett von Schleicher 3. Dezember 1932 bis 30. Januar 1933*. Boppard am Rhein 1986, pp. 282f.

⁸⁴ Pyta, *Hindenburg*, p. 774.

A functioning, law-giving Parliament had been absent in Germany since Brüning's tenure as Reich Chancellor; however, the outcome of the negotiations between representatives of the *Präsidialkabinette* and the parties of the 'nationalist forces' in late 1932 and early 1933 eliminated democratic participation in governing Germany entirely. Once Papen began his negotiations with Hitler and Hugenburg regarding their participation in Hindenburg's 'Government of National Unity' there remained little opportunity for the Communist Party of Germany to be able to combat the combined forces of the Right. Several leaders of big business and heavy industry also expressed their support of Hitler to Hindenburg.⁸⁵ When Hindenburg himself was able to discuss Hitler's ascension to the chancellorship this eliminated the possibility for the democratic parties to reassert themselves through building a coalition in Parliament as the SPD had hoped once the *Präsidialregierung* had exhausted their political capital.⁸⁶

Bracher argues that the final months of 1932 represent a period in which no single body held power to affect the state of affairs – including Hindenburg's *Präsidialregierung*.⁸⁷ However, the tense situation in the *Präsidialkabinette* and Schleicher's apparent lack of authority during his tenure indicate that Hindenburg's influence and authority at the head of the *Präsidialregierung* had increased. That Hitler and Hugenburg are willing in these final months before January 30 to negotiate with Papen regarding their participation in the government in light of their previous refusals over the preceding three years implies that to some degree the radical parties now had to defer to the government. The economy had begun to show signs of improvement since late summer 1932 and with that came the fear amongst the radical parties including the NSDAP that their influence amongst the masses would ebb. That in combination with the NSDAP's slight loss of representation in the Reichstag as a result of the November 1932

⁸⁵ Ibid., pp. 751-753.

⁸⁶ Mommsen, *The Rise and Fall of Weimar Democracy*, pp. 519-523.

⁸⁷ Bracher, *Die Auflösung der Weimarer Republik*. pp. 551f.

elections compounded the anxiety of the leaders of the NSDAP and drove many to be willing to compromise with the representatives of the Reich President while the opportunity still existed of establishing the authoritarian regime. Hindenburg and Papen were willing to acquiesce to some of the moderate demands of Hitler and Hugenberg because of the necessity to secure 'nationalist' support in order to solidify the government's power.⁸⁸

Since the first *Präsidialkabinett* Hindenburg had been willing to compromise with the political parties while they had refused. The fact that at the end a compromise is reached represents a certain degree of success on the part of Hindenburg and Papen. Papen was negotiating with the DNVP and the NSDAP because he was handling the situation as Hindenburg had ordered him to as had been Hindenburg's intention of the *Präsidentialregierung* since its inception. The willingness of the radical right wing parties to negotiate with Papen at this time shows in effect the weakening of the DNVP and the NSDAP towards the *Präsidentialkabinette* because they had no other option and the *Präsidentialkabinette* were in the position to grant power to these groups.

The decision to appoint Hitler as Reich Chancellor was a calculated strategic move by Hindenburg and Papen. Hindenburg and Papen could not deny that the NSDAP had become the most popular right-wing movement with the potential of joining the 'Government of National Unity.' The members of the *Präsidialkabinett* and those supporting it required a massive popular force behind them in order that they might pass through the Reichstag the Enabling Act or a constitutional amendment weakening the powers of the Reichstag. Without the representation of the mass popular movements in a *Präsidialkabinett* Hindenburg ran the risk of sparking a civil war between supporters of the KPD and the right-wing parties if he officially announced the dissolution of Reichstag without scheduling new elections after 60 days. With the

⁸⁸ Evans, *The Coming of the Third Reich*, pp. 301-305

leader of the largest German mass movement directing Germany's path toward international sovereignty then a great part of the drive toward national unity had already been accomplished.⁸⁹

The representation of the political parties in the Reichstag after the November 1932 elections had the coalition conservative parties NSDAP, the DNVP, the DVP, the Center Party and BVP commanding a slight majority.⁹⁰ All these parties contained members who at one time or another or in some way could be convinced to obey the directives from the Reich Presidency. Hence the negotiations with Hitler and Hugenberg in December 1932 and January 1933 were a determined undertaking by Papen and Hindenburg. If a replacement was not found for Schleicher who was viewed popularly as the proper leader of Germany, the *Präsidentialregierung* could lose prestige and influence. As Pyta describes, it was important for Papen to negotiate quickly; this was already decided shortly after Schleicher took office and not the result of any of Schleicher's failure during his chancellorship.⁹¹

Men behind the *Präsidentialregierung* negotiated the dissolution of the Reichstag and the national election to follow because it represented an advantage for the *Präsidentialregierung* and not solely for the purposes of the leadership of the NSDAP. Hindenburg and Papen accepted the assurances from the NSDAP that they could secure the absolute majority needed to enact the bills granting the government greater power over the Parliament.⁹² Hindenburg still operated under the assumption that his charisma and political capital along with Papen as the Vice Chancellor could keep Hitler from doing anything strongly against the greater agenda of the *Präsidentialregierung*. The inclusion of Hugenberg and the DNVP was the result of great political

⁸⁹ Ibid.

⁹⁰ Kolb, *Die Weimarer Republik*, pp. 308f.

⁹¹ Pyta, *Hindenburg*, pp. 764ff.

⁹² Winkler, *Weimar, 1918-1933*, p. 591.

adroitness on the part of Papen considering Hugenberg and Hitler since the dissolution of the Harzburger Front had not reconciled over their mutual claim to the chancellorship.⁹³

C. Transfer of Power to Hitler

However, Hitler's ascension to the Reich Chancellorship on January 30, 1933 marks the end of the *Präsidentialregierung* as it was defined by Hindenburg. Hindenburg was no longer the focal point around which the machinations of government and power-holding in Germany revolved. As he had long since intended to do once the 'Government of National Unity' was established, Hindenburg receded into the background and was content to allow Hitler to act as he saw fit. Hindenburg in his last will and testament writes of his great hope that Hitler and the National Socialist movement will restore Germany to world prominence and unify the country, as Hindenburg himself had desired since 1919.

Mein Kanzler Adolf Hitler und seine Bewegung haben zu dem großen Ziele, das deutsche Volk über alle Standes- und Klassenunterschiede zur inneren Einheit zusammenzuführen, einen entscheidenden Schritt von historischer Tragweite getan. Ich weiß dass vieles noch zu tun bleibt, und ich wünsche von Herzen, dass hinter dem Akt der nationalen Erhebung und des völkischen Zusammenschlusses der Akt der Versöhnung steht, der das ganze deutsche Vaterland umfasst. Ich scheid von meinem deutschen Volk in der festen Hoffnung, dass das, was ich im Jahre 1919 ersehnte und was in langsamer Reife zu dem 30. Januar 1933 führte, zu voller Erfüllung und Vollendung der geschichtlichen Sendung unseres Volkes reifen wird. In diesem festen Glauben an die Zukunft des Vaterlandes kann ich beruhigt meine Augen schließen.⁹⁴

Early in Brüning's Chancellorship it had also been Hindenburg's policy to allow the Chancellor to function as the everyday policy-maker of the government while he quietly observed in the background. It was only in instances in which Chancellors Brüning or Schleicher had neglected Hindenburg's directives or caused greater unrest in Germany through their policy-making that Hindenburg asserted his authority.

⁹³ Mommsen, *The Rise and Fall of the Weimar Democracy*, pp. 522-528.

⁹⁴ Hindenburg, *Briefe Reden Berichte*, p. 192.

Hindenburg allowing Hitler to function as the policy-maker, however, developed beyond that. Hindenburg's intention to reestablish the authority of the government in an authoritarian regime was taken up by Hitler and he designed to develop it further. The power which Hindenburg had attempted to consolidate and invest in the *Präsidentialregierung* in order to establish an authoritarian regime had been transferred to Hitler and the National Socialist party who proceeded to use that power to establish their totalitarian regime.

In *Die gescheiterte Zähmung* Jasper elaborates how the idea of a possible "taming" of the National Socialist party by the power-holders in the *Präsidentalkabinette* and other conservative forces in Germany fell apart in the months shortly after January 30.⁹⁵ Papen and Hindenburg believed if they offered Hitler the Chancellorship, which he had so adamantly demanded for the previous two and half years, he would submit to their authority. The inclusion of other influential conservative leaders in the Cabinet should also have worked to counterweight Hitler and the NSDAP's influence.⁹⁶ In the weeks following January 30, 1933 Hitler and his National Socialist colleagues were able to assert their influence over the others in government because they had violently campaigned before the elections on March 5, 1933 to secure an NSDAP majority in Parliament which would support only their directives. Because Hindenburg and Papen had allowed Hitler to proceed as he did with the authorities of the government, they inadvertently surrendered their influence over the government and the power of the *Präsidentialregierung*.⁹⁷

⁹⁵ Jasper, Gotthard, *Die gescheiterte Zähmung. Wege zur Machtergreifung Hitlers, 1930-1934*, Frankfurt/Main 1986, pp. 126-130.

⁹⁶ Mommsen, *The Rise and fall of Weimar Democracy*, p. 529.

⁹⁷ *Ibid.*, pp. 530-535.

VI. Conclusion

The flaws of the Weimar constitution enabled Hindenburg and his colleagues in the government through the institution of the *Präsidentialregierung* to both extort the paralysis of the Parliament as a law passing body and attempt to establish an authoritarian regime. Although the Weimar Republic was overloaded and overstrained by several other elements and factors in German society during its final years, the *Präsidentialkabinette* subdued the authorities of the Reichstag and prevented a revival of parliamentary politics and authority. The authorities of Hindenburg and the *Präsidentialregierung* were originally designed to be used in order to maintain the democracy in Germany in times of crisis. Despite this fact Hindenburg, Schleicher and their colleagues saw the opportunity to capitalize on the chaotic situation for parliamentary politics by removing it and establishing an authoritarian system similar to the *Kaiserreich* in which they had been powerful elites.

In the process which led to the end of the Weimar Republic, the *Präsidentialregierung* played a decisive role, but did not orchestrate the entire process. While the leaders of the *Präsidentialregierung* ensured that the Parliament could not utilize its constitutional authorities effectively and consolidated authority in the executive branch, other groups like the KPD and NSDAP worked to ideologically remove the support for democracy in the German people. Hence, all responsibility for eliminating the Weimar Republic cannot be attributed to Hindenburg and the other leaders of the *Präsidentialregierung*, because this was a culmination of many societal, economic and mass-political problems which overburdened the Weimar Republic during its final years. Ultimately it was the doing of the National Socialists who destroyed the democracy in the *Machtergreifung* after January 30, 1933.

The works of Bracher, Broszat and Peukert contributed to solidifying the term *Machtergreifung*, in English “the power seizure,” to describe Hitler’s appointment to the

Chancellorship on January 30, 1933 and the following months. The term *Machtergreifung* refers to seizure of power by the National Socialists in all areas of German society as violent and radical as they establish their totalitarian regime in the months following Hitler's appointment to Reich Chancellor.⁹⁸ Another term which historians also utilize to refer to January 30, 1933 and the first few weeks after this date is the *Machtübertragung*, which translates in English to "power transfer." At the Reich government level the shift of power from the old elites like Hindenburg and Papen to Hitler and the NSDAP seems to be characterized more as a peaceful, unhindered transfer than a seizure. "As little as Hindenburg was forced to release Brüning in May 1932 and appoint Papen, the same can be said of the Chancellor change on January 30, 1933."⁹⁹ A topic of future discourse in light of the power structure in the executive branch of the Reich government at the end of the Weimar Republic would be to examine which of these terms is applicable to the shift of power from the *Präsidentialregierung* to the National Socialist dictatorship.

⁹⁸ Bracher, *Die Auflösung der Weimarer Republik*, pp. 729ff.

⁹⁹ Winkler, *Weimar, 1918-1933*, p. 606.

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